Discussion and preliminary Council direction on Comprehensive Plan Chapter 8, Resource Lands

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

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.

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<th>COMMITTEE ACTION:</th>
<th>COUNCIL ACTION:</th>
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<tr>
<td>3/8/2016 (AM): Discussed and amended</td>
<td>4/19/2016: Public Testimony Received</td>
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<td>3/8/2016 (PM): Not discussed</td>
<td>5/31/2016: SCOTW: Item was not discussed</td>
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<td>3/22/2016: Discussed and provided preliminary direction</td>
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<td>3/29/2016: Discussed and provided preliminary direction</td>
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<td>6/21/2016: Comments received and prelim. direction given</td>
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<td>6/28/2016: Comments received, but did not discuss</td>
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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 this 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 economics 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.

**GMA Requirements**

The Growth Management Act requires the Whatcom County Comprehensive Plan to identify 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 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.
**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 that 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 250 100 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 should include: A long range conservation strategy should 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 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.
- 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 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 lossTrack 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.
   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.
The areas contain a predominance of parcels that have current use tax assessment derived from the Open Space Taxation Act.

The area's proximity to urban growth areas.
The area's proximity to agricultural markets.
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 which 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 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. 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 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, watershed improvement 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 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: Ensure 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 8E-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 Act.
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 purpose of the committee was to provide review and recommendations on the draft designation of forest resource lands and the reviewed the Rural Forestry and Commercial Forestry zones and land use code, and made recommendations for changes in the zoning text regulating these two forestry zones. In addition, the committee reviewed and made recommendations for a Right-To-Practice Forestry ordinance. The draft 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. In 1992, the committee's recommendations went forward to the Planning Commission and on to the County Council before adoption in 1993, which by and large accepted the committee's proposals. The Planning Commission passed on to the County Council the forest lands 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-use of the forest resources of Whatcom County.

Reason for Change: These changes were made for brevity while still clarifying the process used for designating resource 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 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; long-term 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. 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: (c) 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 Resources—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
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 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, and agricultural land uses, or parks and preserves that exclude intensive 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 working commercial 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
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 forest
lands of long-term commercial significance outside the Lake
Whatcom Watershed Overlay District if the proposed use is
incompatible with the maintenance of long-term forest
management. Incompatible uses include those which that:
• create fire or safety hazards to adjacent forest land;

Whatcom County Comprehensive Plan 8-24
County Council Preliminary Draft  
March 29, 2016  
Chapter 8 – Resource Lands

- permanently alter or remove a significant portion of a parcel from production of forest products; 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

Whatcom County Comprehensive Plan 8-25
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 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:
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.

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

Policy 8I-2: Minimize, to the greatest extent feasible, using BMPs, 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 occurs—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 and development create 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 reduce 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 creates 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: Where there exists county jurisdiction, the requirement 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 an end use plan 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.

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 preferably should could 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
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 destabilize 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 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 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 destabilize 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, de (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.

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While river gravel is a renewable resource that could extend the life of other Whatcom County gravel resources, seasonal and yearly environmental factors make it river bars are 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; high and low water levels and timing; and fish lifecyclesmigration, spawning and out-migration timing.

Further, various costs raise the price of river bar 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, to the river, the repeated handling that is necessary for extraction and processing of the material, and the cost of complying compliance 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.
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 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 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 and a half 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 ensure 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-6: 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-7: 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:
8.7. 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.

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.

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.

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

12.13. 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

13.14. 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

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

16.17. 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

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


19.20. 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.
• Evaluating applications for Conditional Use Permits for non-agricultural production uses in the Agriculture zone district of Title 20.

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.
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://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. 8-12; 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)

2) 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)

3a) 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)

3b) 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)

4) 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)

5) 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)

6) 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)

7) 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)

8) p. 8-20; line 41, new paragraph: Climate change has made our region vulnerable, especially in areas where there is conversion from commercial forestry to other uses that bring in more people. With more people there are increased wildfires, as well as insect infestations and diseases. Well-managed, working forests do a better job of maintaining a healthy environment than other uses that attract more people. Commercial forests can be part of the answer to climate change by maintaining and replanting trees to replenish oxygen levels. Timber communities can produce locally-needed wood products and lower CO2. Additionally, many foresters are extremely good stewards because without trees, they wouldn't have jobs. Many of them live and work in the forest. (Brenner)

9) 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)

10) 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)

11)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)

12) 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)

13a) 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)

13b) 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)

13c) 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 14 through 19 concern replacing the term “aquatic lands” with “aquaculture” and similar changes.

14) 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)

15) 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)

16) 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)

17) 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-aquaculture industries should be maintained in a sustainable manner (CWPP 1-9). (Brenner, Sidhu)

18) 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)
19) 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)

20) 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)

21) 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)

22) 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. That have historically been and continue to be economically viable

(Sidhu)

23) 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. (Brenner, Sidhu)

24) p. 8-10; Policy 8A-5: Discourage conversion of productive agricultural land to incompatible non-agricultural uses. (Sidhu)

25) 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)

26) 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 so long as such programs, options, and incentives can be shown to produce results that meet or exceed county environmental goals regulations. (Sidhu)

27a) 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)
27b) p. 8-12; lines 38 Agriculture may conflict with other land uses. Improper nutrient or manure management practices on agricultural land may impact the commercial and recreational use of aquatic lands miles away. 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)

28a) p. 8-23; Policy 8D-8: 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)

28b) p. 8-14; New Policy 8D-8: 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)

29) p. 8-14; Goal 8E: 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)

30) p. 8-14; Policy 8E-2: 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)

31) p. 8-15; Policy 8E-5: Ensure 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)

32) 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)

33) 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)

34) 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 WIRA 1 Salmon Recovery Program. (Sidhu)

35) p. 8-30; lines 36 – p. 31 line 2: Surface mining can create conflicts with other land uses. These 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)

36) 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)

Tabled
p. 8-8; 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 should 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 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.

37a)
- 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 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.

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. (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.

Economic development assistance to agricultural-related enterprises.

Recognize regulatory impacts and encourage farm friendly regulations.
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 2(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)

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, 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)

p. 8-4; lines 44-45: Conserving productive agricultural lands in rural areas, without infringing on private property rights, is a primary objective of the APO.

p. 8-8; Policy 8A-1: 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)

p. 8-8; 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: ... (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. (Welmer, 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 containing 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)

p. 8-12; lines 38 Agriculture may conflict with other land uses. Improper nutrient or manure management practices on agricultural land may impact the commercial and recreational use of aquatic lands miles away. (Weimer)

p. 8-13; Policy 8D-2: 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)

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 resource lands and critical areas. (Weimer)

p. 8-14; Goal 8E: Ensure agricultural practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and 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)

p. 8-15; 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)

p. 8-15; Policy 8E-4: Encourage proper storage and application of compounds that can pollute our waterways such as manure and other fertilizers, pesticides and herbicides. (Weimer)

p. 8-15; 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)

p. 8-15; 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)

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. (Weimer)

p. 8-16; Policy 8F-3: 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)
p. 8-16: 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)

p. 8-20; lines 33-36: 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 MRL designations in areas designated Agriculture by the Whatcom County Comprehensive Plan that contain “Prime Farmland Soils” as listed in Table 5, Soil Survey of Whatcom County Area, Washington, U.S. Department of Agriculture Soil Conservation Service. A.Goldin (1983). determined by the Natural Resource Conservation Service...
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 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)

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 harms 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)

6a) p. 8-8; 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 should 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 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.

- 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 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.

- 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.

- 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.

6e)

- **Economic development assistance to agricultural-related enterprises.** (Brenner, Sidhu)

6f)

- **Recognize regulatory impacts and encourage farm friendly regulations.** (Brenner, 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 and agriculture is the highest value resource use. ((Brenner, Browne, Sidhu)

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 recognize the AAC’s input with regard to agricultural resource lands. (Brenner, Sidhu)
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 to 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)*
WHATCOM COUNTY COUNCIL AGENDA BILL

CLEARANCES
Originator: Cliff Strong
Division Head: Mark Parsonius
Dept. Head: Sam Ryan
Prosecutor: Royce Buckingham
Purchasing/Budget:
Executive: Jack Louws

Date Received in Council Office 2/8/2016

RECEIVED
FEB 16 2016
WHATCOM COUNTY COUNCIL

TITILE OF DOCUMENT:
Discussion and preliminary Council direction on Comprehensive Plan Chapter 11, Environment 11,

ATTACHMENT: Preliminary draft, Comprehensive Plan Chapter 11, Environment

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

SEPA review required? ( ) Yes ( ) No
SEPA review completed? ( ) Yes ( ) No
Should Clerk schedule a hearing? ( ) Yes ( ) No

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)
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
4/3/2016: 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
6/21/2016: Comments received; did not discuss
6/28/2016: Comments received, but did not discuss

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.
### Contents

1. **Introduction** 2
2. Chapter Organization 2
3. Purpose 2
4. GMA Goals and County-Wide Planning Policies 3
5. GMA Requirements 3
6. Environmental Setting 4
7. Environmental Management 6
8. Introduction 6
9. Background Summary 6
10. Issue, Goals, and Policies 6
11. Community and Environmental Protection 67
12. Administration and Regulation 8
13. The Environment and Property Rights 910
14. Climate Change 11
15. Natural Hazards 13
16. Introduction 13
17. Background Summary 1413
18. Issues, Goals, and Policies 16
19. Water Resources 2120
20. Introduction 2120
21. Background Summary 21
22. Whatcom County Water Resource Programs 22
23. Issues, Goals, and Policies 2322
24. Watershed Planning and Management 2322
25. Surface Water and Groundwater 2524
26. Stormwater and Drainage 26
27. Water Conservation 3130
28. Waterhole Whatcom Watershed 3130
29. Natural Systems 3332
30. Introduction 3332
31. Background Summary 3433
32. Fish and Wildlife Populations and Habitat 3433
33. Marine Resources Management 3534

*Whatcom County Comprehensive Plan 11-1*

79
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 becomes more difficult every year. 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
• 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: Category I Wetlands. Whatcom County Planning Department, April 1992.
• Whatcom County Environmental Resources Report Series: Hydrologic and Fishery Resources of Whatcom County. Whatcom County Planning Department, December 1992.

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. Bufflehead and goldeneye ducks winter here. Additionally, numerous bird species including scoters, snow geese, trumpeter swans, canvasesbacks, 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
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 Whatcom 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 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 in which 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 and 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 may be 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.
Reason for change: No individual jurisdiction adopts its own air monitoring programs; the Northwest Clean Air Agency performs this role.

Policy 11A-7: **Support 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, keep, and ensure regulations as as simple as possible and establish, 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 was 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, to 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 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

Whatcom County Comprehensive Plan 11-11

89
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,

1.3. 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 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...
to each member of this community, while continuing to provide for economic opportunities.

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 seams and springs, on slopes in excess of 35 percent, along coastal bluffs, and in areas of fluvial erosion are susceptible to land sliding 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-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 ringed 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...
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 these have 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 Landslide Sumas 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

Whatcom County Comprehensive Plan 11-16

94
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 flood 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 of 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 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...
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 geo-
  hazard;
- Level of detail necessary to map hazard areas;
- Different levels of risk associated with different ownership
classes (e.g. public ownership versus private ownership);
- Different levels of risk associated with different types of
  land uses; and,
- Mitigation measures related to specific adverse impacts of
development in hazard areas.

Once a set of risk levels have been identified, propose these risk
levels for adoption by the County Council as the level to which
future development must be designed and appropriate locations
for them.

Policy 11DF-132: Formally consider establishing 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-
portable 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 actions in many areas. Sound technical data and a better understanding of the water systems are 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 of this the 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 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.

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-1110: 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), WRISA 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 11FH-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 11FH-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 a 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, Policy Group 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,
encourage alternate surfacing options and other techniques associated with low impact development (see Glossary).

| 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.

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.

Whatcom County Comprehensive Plan 11-28
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 11E1-71:** Support and assist water users in the development of cost-effective means of improving efficiency of water use.

**Policy 11E1-82:** 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 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 within the Lake Whatcom watershed in public ownership, and support managing forestry on these said 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 2MM11-K-13: The existence of sewer lines in the Rural and Rural Forestry comprehensive plan designations will not be utilized to justify rezoning property in the Lake Whatcom watershed to allow higher density land uses.

Reason for change: This text was moved from the action plan items in Chapter 2.

Note: Policies 11-K-14 through 21 were moved from 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.

Reason for change: According to Public Works, the density reduction program has been completed; thus, this policy is no longer needed.

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-2119: 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 21.

Natural Systems

Introduction

“Natural systems” refers to the complex biological ecosystem that has grown and 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,
- thicket 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—inhalt 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 include 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: 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.
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,

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 11LQ: Protect and enhance marine resources in Whatcom County.

Policy 11LQ-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

Whatcom County Comprehensive Plan 11-43
• 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 tidal flats 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, 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 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

Whatcom County Comprehensive Plan

11-44
groundwater monitoring for early detection of pollution which will minimize the damage and cost of resource restoration.

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 discharging 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 WRIA 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 committees, programs, or processes, such as MRC Marine Resources Committee, Salmon Recovery Fund Board, and WRIA 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) 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-Q: 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
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
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: 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, Abbotsford/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 resource 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.
County Council Preliminary Draft
May 3, 2016

Chapter 11 - Environment

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://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.

Items 1 through 14 concern a proposal to change the term “natural systems” to “ecosystems” throughout the document.

1) p. 11-2; lines 9-19: Essential to this is the establishment of safe development practices and patterns that do not significantly disrupt natural systems ecosystems and that ensure the continuation of ample amounts of clean water, natural areas, farmlands, forest lands, and fish and wildlife habitat. (Brenner)

2) p. 11-2; lines 13-16: 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 Ecological Systems. (Brenner)

3) p. 11-7; lines 13-15: Much of the environmental degradation and destruction to property occurs as a result of a lack of information rather than willful action. Natural-systems Ecosystems are subtle and complex. (Brenner)

4) p. 11-9; Policy 11B-3: Support education as an important tool in developing public appreciation for the value of natural systems ecosystems and provide the public with informational materials and presentations relating to natural system functions, regulations, and issues. (Brenner)

5) p. 11-12; Policy 11D-1: Whatcom County’s natural resource-based economic sectors, natural systems ecosystems, 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. (Brenner)
6) p. 11-16; lines 16-17: Development activity can de-stabilize naturally unstable slopes and impact natural systems ecosystems. (Brenner)

7) p. 11-16; lines 20-23: In some circumstances, the development of upland properties may place downslope neighbors and natural systems ecosystems at risk from rockfall or landslides. (Brenner)

8) p. 11-16; lines 34-36: However, once every 10-25 years, a large storm event occurs in our area and streams flood homes and developments, causing damage to property, natural systems ecosystems, and sometimes loss of lives. (Brenner)

9) p. 11-17; Goal 11F: Minimize potential loss of life, damage to property, the expenditure of public funds, and degradation of natural systems ecosystems resulting from development in hazardous areas... (Brenner)

10) p. 11-19; Policy 11F-11: ... 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 ecosystems cannot be adequately mitigated, Whatcom County may deny development permits intended for permanent or seasonal human habitation. (Brenner)

11) p. 11-33; lines 30-40: Natural Systems - Ecosystems

Introduction

"Natural systems" refers to the complex biological ecosystem that has 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 11-2, Map 11-3). 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.

Ecological systems, or ecosystems, refer to the natural systems that have developed within the geologic and geographic setting of Whatcom County. Whatcom County contains a significant number of distinct ecosystem types, with associated fish, wildlife, and plant species, as well as many other living organisms. This biodiversity has evolved and adapted according to the specific physical and climatic conditions of the county (Map 11-2, Map 11-3). Ecosystem goals and policies are intended to provide guidance to county government as it assists people to manage and protect these ecosystems. Additionally they ensure other benefits are maintained far into the future. (Brenner)
12) p. 11-37; lines 33-39: Issues, Goals, and Policies

   General – Natural Ecological Systems

   Growth and urbanization of the land base have and may continue to impose a risk to the degradation and reduction of natural systems ecosystem functions. Wetlands and estuaries continue to be lost incrementally. (Brenner)

13) p. 11-38; Goal 11L: Protect and enhance natural systems ecosystems, which provide economic, ecological, aesthetic, and cultural benefit. (Brenner)

14) p. 11-39; Policy 11L-10: Protect and enhance natural systems ecosystem functions when flood hazard management measures are used. (Brenner)

15) p. 11-3; lines 7-12: GMA Planning Goal 10, "Environment" (RCW 36.70A.020(10)), 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" (RCW 36.70A.020(9)), which directs the county to "conserve fish and wildlife habitat." (Brenner)

16) p. 11-3; lines 18-22: Specific policies address water, promoting inter-jurisdictional cooperation in conserving, protecting, and managing the water resource, and in reducing water pollution (CWPP Policies N.1 - 6). The CWPPs also support protecting wildlife habitat and corridors, natural drainage features, and "other environmental, cultural and scenic resources." (Brenner)

17) p. 11-5; lines 30-32: Every year salmon return to spawn in the streams and rivers of Whatcom County. Whatcom County is located within the Pacific Migratory Flyway and serves as a stopover and critical habitat area for many migratory birds. Bufflehead and goldeneye ducks winter here. (Brenner)

18) p. 11-5; lines 38-43: Whatcom County is home to a distinct subspecies of the Great Blue Heron, which is has the third largest colony in the Puget Sound area. The wetlands, fields, streams, and nearshore habitat in the county support many birds of special concern, such as the bald eagle (ESA threatened protected under the Bald and Golden Eagle Protection Act), the pileated woodpecker (candidate for State threatened listing), and the peregrine falcon (ESA monitored candidate species). (Brenner)

19) p. 11-6; lines 20-23: 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 some
areas surrounding Lynden, Sumas, and Ferndale were logged, drained and converted to agricultural land and other types of development. (Brenner, Sidhu)

20) p. 11-6; lines 31-34: There are designated lands in Whatcom County that can still accommodate development. Whatcom County also has areas that are sensitive to human activity, including (wetlands, streams, lakes, marine shorelines), and lands that can pose a hazard to the community, including (floodplains and unstable slopes). (Brenner)

21) p. 11-7; Policy 11A-6: Aim to meet or exceed national, state, and regional air quality standards. Work with the Northwest Clean Air Agency to ensure compliance with applicable air quality standards. (Brenner, Sidhu)

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

23) p. 11-8; lines 42 – p. 11-9, line 2: 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, comprehensible, and efficient regulations play an important part in educating the public and protecting the environment. (Brenner, Sidhu)

24) p. 11-9; Policy 11B-7: Keep Ensure regulations are as simple and easy to understand as possible and maintain effective inspection, compliance, and enforcement measures as necessary. (Brenner, Sidhu)

25) p. 11-10; lines 12-15: 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. (Brenner, Sidhu)

26) p. 11-10; lines 17-20: 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, to the extent allowed by law, regulations should the law must protect the public good from detrimental private actions. (Sidhu)
27) p. 11-12; Goal 11D: Strengthen the sustainability of Whatcom County’s economy, natural environment, and built communities by responding and adapting to potential the impacts of climate change. (Brenner, Sidhu)

28) p. 11-12; Policy 11D-3: Promote the efficient use, conservation and protection of water resources, without infringing on anyone’s water rights. (Brenner, Sidhu)

29) 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)

30) 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)

31) p. 11-14; lines 19-30: 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. Flood risk is projected to increase, due to increased sea level and changes in rainfall patterns. Significant damage may result from such floods. In 1991, Whatcom County formed a countywide Flood Control Zone District to address the major flooding issues in the county. (Brenner)
32) p. 11-14; lines 31-35: 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. (Brenner)

33) p. 11-18 Policy 11F-2: Use Best Available Science data 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. (Brenner)

34) p. 11-19; Policy 11F-11: Require applicants for development permits located in natural hazard areas to provide development plans designed to minimize the potential to exacerbate the natural hazard as well as the risk of damage to property or threats to human health and safety, in natural hazard areas where engineering solutions cannot be designed to withstand the forces expected to occur under the design event of a particular natural hazard, or off-site adverse impacts to adjacent properties or natural systems cannot be adequately mitigated. Whatcom County may deny development permits intended for permanent or seasonal human habitation. (Sidhu)

35) p. 11-20; Policy 11F-12: Consider conducting a public process with affected citizens, technical experts, and decision-makers to establish recommended levels of public risk for each of the identified natural hazards. In developing recommended levels of public risk for natural hazards, consider the appropriate variables affecting developments in hazardous areas. These variables may include:

- Specific types of risk associated with the particular hazard area;
- The gradation of hazards associated with a particular geo-hazard;
- Level of detail necessary to map hazard areas;
- Different levels of risk associated with different ownership classes (e.g. public ownership versus private ownership);
- Different levels of risk associated with different types of land uses; and
- Mitigation measures related to specific adverse impacts of development in hazard areas.

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

36) p. 11-21; lines 19-23: 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 a variety of uses, including irrigation, and drinking water for livestock, and facility washdown. (Brenner, Sidhu)
37) p. 11-21; lines 30-39: 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 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. (Brenner, Sidhu)

38) p. 11-23; Policy 11G-2: Actively participate in and support WRIA 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)

39) 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. Specifically, research available data and create more data regarding desalination as a likely potable water source in the future to compliment the impacts of climate change. (Brenner)

40) p. 11-24; Policy 11G-7: 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 shall be placed on non-regulatory approaches where possible and effective. (Brenner, Sidhu)

41) p. 11-25; 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 while ensuring adequate water for existing agriculture prior to any efforts that would shut it down. (Brenner, Sidhu)

42) 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)

43) p. 11-26; New Policy 11H-6: Monitor, prevent, and reduce the establishment of invasive species in Whatcom County waterbodies. (Brenner)
44) p. 11-26; New Policy 11H-8: Identify areas that require special protection such as wellhead protection areas, critical aquifer recharge areas, and high-priority watersheds, and incorporate that knowledge into Comprehensive Plan goals and policies. This information shall be available to the public. (Brenner)

45) p. 11-27; Policy 11I-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. (Sidhu)

46) p. 11-28; Policy 11I-10: Develop and administer regulations and incentives via WCC 16.16, the County’s Critical Areas Ordinance, such that there is no net loss of ecological functions and values of regulated wetlands and fish and wildlife habitats. (Sidhu)

47) p. 11-29; 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.
   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.
   7. Prioritize stormwater polluting areas and develop retrofits for areas most likely to impact sensitive waters. (Brenner)
48) p. 11-30; **New Policy 11J-4:** Coordinate local water and land management efforts, plans, and data to ensure adequate oversight of water quality and quantity issues. (Brenner)

49) p. 11-30; **New Policy 11J-5:** Encourage commercial and agricultural water users to quantify water use to promote conservation. (Donovan)

50) p. 11-30; **New Policy 11J-6:** Utilize water use data to reward conservation and maintain availability of water for agriculture and instream flow. (Donovan)

51) p. 11-30; **New Policy 11J-7:** Implement a plan with the Department of Ecology by 2025 to measure and record commercial and agricultural water usage. (Donovan)

52) p. 11-30; **New Policy 11J-8:** Provide adequate oversight of water quantity and quality issues. (Brenner)

53) p. 11-30; **New Policy 11J-9:** Request the Department of Ecology to determine how much water is being used in Whatcom County and provide the information to the WRIA 1 Planning Unit to assist in its recommendations to the Whatcom County Council. (Brenner)

54a) p. 11-31; **Policy 11K-2:** Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed and implement funding mechanisms proposed in the 2008 Lake Whatcom Comprehensive Stormwater Plan to support lake water quality protections by 2020. (Brenner) (alternatives to 53b and 53c)

54b) p. 11-31; **Policy 11K-2:** Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed and implement the fair and equitable funding mechanisms called for in the 2008 Lake Whatcom Comprehensive Stormwater Plan to support lake water quality protections by 2018. (Weimer) (alternative 53a and 53c)

54c) p. 11-31; **Policy 11K-2:** Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed. **Implement a fair and equitable funding mechanism to support lake water quality protections by 2020.** (Donovan) (alternative 53a and 53b)

55a) p. 11-31; **Policy 11K-4:** Work cooperatively with the City of Bellingham, and the Lake Whatcom Water and Sewer District, and applicable associations and organizations to identify, review, and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various jurisdictions to better improve lake water quality. (Brenner, Donovan)

55b) **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. (Donovan)

56) p. 11-31; Policy 11K-7: Work cooperatively with the City of Bellingham and the Lake Whatcom Water and Sewer District to develop and track benchmarks to determine: the effectiveness of management options; when goals have been achieved; and/or when additional actions are necessary. (Brenner)

57a) p. 11-32; Policy 11K-9: Work to keep state publically-owned forest lands within the Lake Whatcom watershed in public ownership... (Donovan)

57b) ...and support managing forestry on these lands in a manner that minimizes sediment and phosphorus yields from streams, and is consistent with Best Available Science (BAS) data, in order to protect and enhance water quality. (Brenner, Donovan)

58a) 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 Sudden Valley ... (Brenner, Donovan)

58b) ...that would likely in an attempt to reduce the vehicle miles traveled within the watershed. (Brenner)

59) p. 11-32; Policy 11K-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 that protect and enhance water quality. (Brenner)

60) p. 11-32; Policy 11K-12: Review and modify (as needed) the current development review process for projects in the Lake Whatcom Watershed to ensure coordination with other jurisdictions to streamline regulations that improve and protect water quality. (Brenner)

61a) p. 11-33; New Policy 11K-20: Urban Growth Areas shall not be designated or expanded within the Lake Whatcom Watershed. (Brenner)

61b) ..., and rezones that allow greater residential densities will not be allowed. (Weimer)

62) p. 11-34; lines 4...12: Among the habitats of importance to fish and wildlife are the following:

... * caves, cliffs, rocky balds, and talus slopes; (Brenner)

63) p. 11-34; lines 25-26: Most regional terrestrial wildlife species regularly use aquatic and riparian habitats for breeding, feeding, shelter, and migratory activities. (Brenner)
64) p. 11-34; lines 46 – p. 11-35 line 5: Loss of native vegetation through conversion to ornamental vegetation and non-native species often can 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 of non-native species, such as the spread of Spartina, which can drastically displace important native eelgrass and mudflat communities. (Brenner)

65) p. 11-35; lines 12-15: Decline in salmonid abundances have been attributed to widespread loss and degradation of habitat, due to hydropower, residential and urban development, agriculture, and forestry, and fishing and hatchery production. Fishing and hatchery production have also contributed to declines. (Brenner, Sidhu)

66) p. 11-35; lines 27-28: Marine habitats include all salt water bodies and their shorelines, kelp and micro algae beds, eelgrass meadows, salt marshes, beaches, and mudflats. (Brenner)

67) p. 11-36; lines 16-22: The primary measure of water quality for shellfish harvesting is bacterial contamination associated with human sewage and animal wastes fecal coliform. There are many potential sources of fecal bacteria, such as 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. (Brenner, Sidhu)

68) p. 11-37; lines 37-39: Growth Development and urbanization of the land base have and may continue to impose a risk to result in the degradation and reduction of natural systems ecosystem functions. Wetlands and estuaries continue to be lost incrementally. (Brenner)

69) p. 11-38; lines 9-19: Many stream systems in Whatcom County have been altered by agriculture, forestry, development, and flood control practices, contributing to low stream flows, fisheries loss, water pollution, sedimentation and other problems. These impacts can directly affect the fisheries resources by depositing silt and debris into spawning beds, by removing trees that shade and cool the water, stabilizing banks, interfering with the recruitment and establishment of large woody debris (LWD), by obstructing fish passage with culverts and roads, by altering natural channels through filling, bank hardening, and channelizing. 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. (Sidhu)

70) p. 11-38; line 20, new paragraph: Agriculture can enhance or restore natural systems as undeveloped open spaces and current forestry practices can, and do in many cases provide shade and cool water for salmon habitat, and stabilize banks. With agriculture and forestry being so important to our survival, it is imperative we acknowledge this in our environmental chapter. (Brenner)

71) p. 11-38; lines 21-26: 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. Finally, a healthy and functioning ecosystem, including forests, wetlands, fish, wildlife, and native plants they harbor, is an identified resource. A healthy ecosystem supports diverse and abundant wildlife, fish, and plant populations, and is necessary. The gathering of fish, game, and other natural resources forms a central aspect of many cultures in Whatcom County. The mere presence of these natural resources constitutes a community amenity that is a substantial part of our local economic base. (Brenner)

72) p. 11-38; Policy 11L-1: Define and identify habitats and habitat features important to a balanced and sustainable web of life that supports fish and wildlife. Define and identify species, habitats, and habitat features important to a balanced and sustainable web of life, biodiversity, and especially important to fish, native plants, and wildlife. Create, and regularly update an Ecosystem Report. (Brenner)

73) p. 11-38; Policy 11L-2: Develop and adopt programs that protect habitats essential to the conservation of species that have been identified as endangered, threatened, or sensitive by the state or federal government as well as habitats identified as necessary in the Ecosystem Report. These programs should maintain and encourage restoration of habitat conditions for listed species of concern, as well as habitats identified as having significant biodiversity, connectivity and other important features and functions. (Brenner)

74) p. 11-38; Policy 11L-3: Develop and adopt programs that provide incentives for the protection of environmentally fragile areas or critical plant and wildlife habitats and corridors as well as habitats that provide connectivity (corridors). (Brenner, Sidhu)

75) p. 11-39; Policy 11L-7: Promote voluntary fish and wildlife habitat enhancement projects through educational and incentive programs, such as purchase of development rights or habitat conservation easements. These projects, which can be done by
individuals, organizations, and businesses, should will buffer and expand fish, plant, and wildlife habitat. (Brenner)

76) p. 11-39; Policy 11L-8: Give careful consideration to the siting of industrial, commercial, residential, and other land use designations when located near important marine, terrestrial, or other critical habitats. (Brenner)

77) p. 11-39; New Policy 11L-14: Consider the value of wildlife populations in land use decisions that may impact them, their associated habitats, and connectivity. (Brenner)

78) p. 11-39; New Policy 11L-15: Mitigation to Habitat Conservation Areas should be tracked and monitored to ensure no net loss to natural area. (Weimer)

79) p. 11-39; New Policy 11L-16: Monitor Habitat Conservation Areas to obtain a baseline of correct conditions and to ensure no net loss and avoidance of cumulative impacts. (Weimer)

80) p. 11-39; New Policy 11L-17: New Urban Growth Areas shall not be designated in or expanded in to the Lake Whatcom Watershed. (Donovan)

81) p. 11-40; Goal 11M: Protect and enhance natural systems ecosystems that support native fish, plant, and wildlife populations and habitat. (Brenner)

82) p. 11-40; Policy 11M-2: Protect and enhance significant fish spawning and rearing habitat, food resources, refugia (shelter), and travel passages. (Sidhu)

83) p. 11-40; Policy 11M-10: Encourage landowners to voluntarily protect surface water quality with filter strips or other appropriate water cleansing mechanisms installed between lawns, landscaping, livestock pens, or agricultural fields and waterbodies. (Sidhu)

84) 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, plant, and wildlife habitat areas;
3. Work cooperatively with local, state, and federal jurisdictions and departments (such as the Department of Natural Resources, Department of Fish and Wildlife, and Department of Ecology), tribal entities, local jurisdictions, organizations, and individuals for the purpose of developing and entering into cooperative agreements with State and Federal agencies and neighboring jurisdictions for the purpose of identifying and protecting natural systems ecosystems.
4. Identify and map important habitat corridors and connectivity 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 ecosystem functions in Whatcom County. (Brenner)

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

86) p. 11-41; New Policy 11M-15: Participate in protection and improvement of biodiversity. (Brenner)

87) p. 11-41; New Policy 11M-16: Consider establishing important habitat areas as sending areas after creating a voluntary, workable transfer of development rights (TDR) program. (Brenner)

88) p. 11-43; New Policy 11N-6 (renumber subsequent policies): Mitigation of wetlands should be reviewed and tracked over time to ensure no net loss of wetland function. (Donovan, Weimer)

89) p. 11-43; New Policy 11N-9: A baseline of wetland ID and function should be made to track and prevent net loss and avoid cumulative impacts. (Weimer)

90) p. 11-42; lines 6-10: 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. (Brenner)

91) 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, especially urbanization. (Brenner, Sidhu)

92) p. 11-44; Goal 11O: Protect and enhance marine ecosystems and resources in Whatcom County. (Brenner)

93) p. 11-45; Policy 11P-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, Department of Fish and Wildlife, and affected property owners to improve water quality. (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.

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

95) 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.

96) p. 11-11; lines 29-30:

- Higher winter streamflow in rain-fed river basins resulting in scouring floods that negatively affect salmon populations and rain-on-snow events increases in the future as projected (Brenner, Sidhu)

97) 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. Increase research and implementation of desalination with many other coastal communities to potentially provide more potable water and offset the impacts of 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 businesses must anticipate, that as the climate changes, more frequent and severe damage to private and public infrastructure will may occur. Maintenance costs and insurance premiums can be expected to may increase accordingly. (Brenner, Sidhu)
98) 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. The County should consider potential long-range climate change implications into its on-going functional planning and implementation actions. (Brenner, Sidhu)

99) 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. Development should be regulated according to the Critical Areas Ordinance. (Brenner, Sidhu)

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

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

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

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

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

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

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

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

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

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

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

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

21) p. 11-11; lines 25-32:
- More precipitation falls as rain rather than snowfall in the Cascades due to an increased snow-line elevation;
- Decreased (winter) mountain snowpack and earlier (spring) snowmelt;
- Higher winter streamflow in rivers that depend on snowmelt;
- Higher winter streamflow in rain-fed river basins if winter precipitation increases in the future as projected;
- Earlier peak (spring) streamflow in rivers that depend on snowmelt;
- Lower summer streamflow in rivers and streams; and
- Decreased water in summer for irrigation, fish, human consumption and recreational use (more drought-like conditions). (Brenner)

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

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

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

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

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

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

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

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

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

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

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

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

(Brenner)

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

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

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

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

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

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

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

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

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

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

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

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

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

- Birch Bay Initial Closure Response Strategy (2009)

Pertinent Documents

This document outlines the MRC's mission, vision, and values, their goals, and objectives, and strategies for achieving them. 

(adjust formatting as appropriate)

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

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

(Brenner)

54) p. 11-41; Policy 11M-11: Formulate and implement a comprehensive, landscape-based, environmental management program to protect fish and wildlife. The program should include the following:

6. Formulate an administrative approach to the review of development and planning proposals that consider natural system policies;

7. Investigate and develop programs for acquisition and restoration of important fish and wildlife habitat areas.
8. Develop and enter into cooperative agreements with State and Federal agencies and neighboring jurisdictions for the purpose of identifying and protecting natural systems.

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

10. 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). (Brenner)

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

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

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

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

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

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

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

66) p. 11-8; Policy 11A-12: Broadly inform the citizens of the people of Whatcom County 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 County of the locations of known natural hazards, and the potential for adverse impacts of such natural hazards to the health, safety, and welfare of people and their properties. (Brenner)
80) p. 11-18; Policy 11F-5: Allow permitted uses that do not require human habitation so long as probable adverse off-site impacts to other properties or natural systems (those impacts resulting from the interaction of the natural hazard and the proposed development uses) are minimized or mitigated. Probable adverse impacts should be prevented or avoided in habitats of state or federally listed sensitive plant and animal species. (Brenner)

Approved April 19

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

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

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

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

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

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

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

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

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

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

8) p. 11-26; New Policy 11H-6: 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.

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

9. 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.

10. 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.

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

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

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

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

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 armor and stabilize 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 an upgrade when water quality shows improvement, but also in helping to prevent 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)
# WHATCOM COUNTY COUNCIL AGENDA BILL

**NO.** 2016-047A

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| 2.12.16 |

## TITLE OF DOCUMENT:

Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 1, Introduction and Growth Projections

## ATTACHMENT:

Preliminary draft, Comprehensive Plan Chapter 1, Introduction and Growth Projections

## 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 March 22, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 1 (Introduction and Growth Projections) (AB2016-047A). This public hearing will give the public the opportunity to provide comments to the County Council relating specifically to Chapter 1 (Introduction and Growth Projections).

The Council is conducting the Whatcom County Comprehensive Plan and the urban growth area (UGA) review, 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:

- **1/12/2016:** Presented and Discussed
- **2/23/2106:** Amended
- **5/10/2016:** Comments received
- **5/10/2016:** Discussed and provided preliminary direction

## COUNCIL ACTION:

- **3/22/2016:** Received public comments

## Related County Contract #:

## Related File Numbers:

## Ordinance or Resolution Number:

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

Introduction and Growth Projections

How the Plan was Created

Whatcom County’s Comprehensive Plan is intended to guide growth in unincorporated areas for the next 20 years in coordination with city comprehensive plans of its cities. The fundamental purpose of the Comprehensive Plan is to establish a framework of goals and policies and action items to guide growth, land use, capital facility and transportation planning, and environmental protection for the more detailed growth planning and implementation actions which will occur in the near future in designated urban growth areas and in the county’s rural areas.

The plan identifies urban growth area (UGA) boundaries, rural areas, agricultural lands, forestry lands and mineral resource lands, and contains a future land use map. The majority of the county’s growth will be located within the UGA’s. Several factors influenced the development of the adopted goals and polices contained in the Whatcom County Comprehensive Plan.

First, this plan has been reviewed for consistency with the requirements of the Growth Management Act (GMA), the thirteen goals of the GMA (RCW 36.70A.020 and .480), and mandatory plan elements (RCW 36.70A.070), and the current County-Wide-Planning-Policies. GMA goals are set forth below:

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. Retain open space, 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.

Second, through inter-jurisdictional cooperation, Whatcom County has coordinated
planning and decision making with various—all levels of government to ensure
compatibility of goals and consistency of plans, desires, and has made this plan
consistent with local plans.

Third, extensive citizen participation was facilitated through meetings, educational
forums, surveys/questionnaires, presentations, public hearings, and written
comments made throughout this process. The Planning Commission and County
Council quickly learned that for every group or individual that sought a benefit,
another’s rights were potentially impacted. This Plan will probably not satisfy any
one particular group of citizens with strongly held views. It does, however, provide
common-ground-on-the-most-sensitive-issues-that-all-sides-can-stand-on,-if
somewhat uneasily; in the interest of what is best for the County as a whole.
County-Wide Planning Policies

The Whatcom County Council, in conjunction with the all-local cities, previously
adopted a set of County-Wide Planning Policies (see Appendix C). The framework
provided by the adopted County-Wide Planning Policies ensures that local planning
efforts will be consistent with one another and supportive of regional goals.

Whatcom County: The Next Generations

In April 1993, the County Executive appointed a committee of individuals
representing a broad cross-section of county residents. Their charge was to
produce a graphic and written description of what the people of Whatcom County
wanted the county to be in 2010 and beyond. They designed an extensive public
input process to define this vision for the County. The committee’s work was
supported and facilitated by Planning staff. Staff also provided the committee with
information about GMA requirements and existing conditions in the county.
Information included land-use facilities, population, environment, resources, and
existing plans and zoning designations.

The committee helped staff a booth at the Northwest Washington Fair in August
1993. Over 1,500 people visited the booth where they perused displays and maps,
completed questionnaires, and read newsletters. In June, August, and September,
the Visioning Committee hosted sixteen town hall meetings throughout the county
that were attended by over 500 people. Committee members also met with various
community groups to explain the Visioning Process. To encourage public input, over
12,000 surveys were distributed, and by October 1, over 1,000 had been returned.
A countywide statistically valid phone survey was conducted which added another
410 people’s opinions to the Visioning Process.

The telephone survey and questionnaire data were then analyzed, and the results
tabulated and summarized by professional survey consultants. By February 1994,
the committee had thoroughly reviewed the data and generated a set of Visioning
Community-Value Statements. These statements are included in Appendix C of
this plan. They were distributed to all committees working on components of the
plan.

The committee then developed four land-use alternatives in order to explore and
test different ways of expressing the value statements. The four land-use
alternatives were presented around the county in another series of town hall
meetings. Finally, in June 1994, the committee produced a recommended land-use
alternative expressed through written value statements and a conceptual land-use
map. The Visioning Community-Value Statements and written recommendations
were the basis from which individual committees and Planning staff developed land
use issues, goals, policies, and action plans as presented to the Planning

Whatcom County Comprehensive Plan 1- 3
Chapter 1 – Introduction

Whatcom-2031

Whatcom-2031 is the County’s work program for the period 2008 to 2011 to prepare for the next 20 years of growth and update its Comprehensive Plan consistent with GMA. Phase I focused on the required 10-Year UGA Review and included developing population and employment forecasts and reviewing land capacity and UGA boundaries. An EIS addressing four regional growth alternatives was prepared addressing urban and rural growth patterns to the year 2031. Phase II will address the required 7-Year Review which is anticipated to involve a broader review of the Comprehensive Plan elements in relation to GMA amendments and other required topics.

Other Growth Management Committees

Citizen committees were used extensively to develop this plan in the 1990s. Almost all of the elements of the plan were generated using input from appointed citizen committees. Each committee was given the results of surveys and town hall meetings from the Whatcom County: The Next Generations. Each committee spent countless hours reviewing background material, identifying issues, generating goals and policies, and, in some cases, action plans. Committees and committee members are listed in the front of this document. For the purposes of updating the Urban Growth Areas (UGAs) in 2009, and as Phase I of the Whatcom-2031 comprehensive plan update process, the Growth Management Coordinating Council (GMCC) was formed in 2008. This committee was composed of elected officials from all the affected jurisdictions including one representative from each of the small cities, two from Bellingham, and three from Whatcom County. Planning staff from each of these municipalities met with county staff on a regular basis to review methodologies, data, and policies and provide guidance to the GMCC on these issues. At its last meeting for the UGA update process on July 1, 2009, the GMCC approved a document showing their recommendations for the Urban Growth Area review. This document was presented to the county planning commission and county council to provide perspective to their decision-making process.

The Whatcom-2031 process will be on-going through 2011 and the comprehensive plan will be revised and updated as part of that process.

Original Adoption and Amendments

The County Council adopted the Whatcom County Comprehensive Plan in May of 1997. Since then, amendments have been made on an annual basis. Additionally, a comprehensive plan update took place in 2005, a UGA review occurred in 2009 and a combined comprehensive plan update and UGA review occurred in 2016 as required by RCW 36.70A.130, the periodic review of the comprehensive plan for consistency with the GMA, required by RCW 36.70A.130, is occurring over a three-year period from 2008-2011 and is called Whatcom-2031.
GMA Goals, County-Wide Planning Policies, and Visioning Community Value Statements

Every chapter in this plan was reviewed for consistency with the GMA Planning Goals, the County-Wide Planning Policies, and the Visioning Community Value Statements generated by the Visioning Process. Each individual chapter describes how consistency was achieved. The connections between this plan’s goals and policies, and the goals, policies, and value statements of the other documents are evaluated in the Environmental Impact Statement for this plan.

For the complete text of the GMA Planning Goals, the County-Wide Planning Policies, and the Visioning Community Value Statements, see Appendix C of this plan.

Introducing Whatcom County

Whatcom County lies in the northwest corner of both the State of Washington and the coterminous United States. It is bounded on the north by the Canadian border, on the east by Okanogan County, on the south by Skagit County, and on the west by the Strait of Georgia and Bellingham Bay. These borders enclose large parts of the Mount Baker National Forest and the North Cascades National Park, which take up about two-thirds of Whatcom County’s total area. All but a few residents live in the western third of the county. Bellingham, with an estimated 2018 population of 75,750 (89,284 with unincorporated UGA), is Whatcom County’s largest city. Other cities include Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas, and there are three unincorporated UGAs and several smaller unincorporated communities.

Two Indian reservations and associated trust lands are located within Whatcom County’s borders. The Lummi Nation reservation is on the Lummi Peninsula and Portage Island on the western side of the county; the Nooksack Tribe reservation and trust lands include comprise several parcels along the Nooksack River in the west-central area of the county.

Population

Population growth in Whatcom County since the arrival of the first Euro-American immigrants in the 1850s has been driven largely by in-migration of people from other sections of the state and country. Table 1 displays the growth of population in Whatcom County from 1910 to 20102000, and Table 2 shows the estimated growth figures for each year of the current decade. These tables indicate a steady increase in population over time, with varying rates of growth often driven by factors external to Whatcom County such as international events or changes in technology and transportation. Approximately 73% of the population growth between 19801960 and 20132000 was due to in-migration of people from outside the area seeking jobs, life styles, and/or amenities found in Whatcom County. Figure 1 below shows net migration fluctuating significantly over time.
It should be noted that the first decade of planning under the Growth Management Act (1990-2000) accompanied the reversal of a 30-year trend from 1960-1990 where unincorporated areas grew faster than cities. From 1990 to 2000, cities grew at a more rapid rate than unincorporated areas for the first time since the 1950's. The trend of faster city growth continued between 2000-2010.

Table 1. Population Growth in Whatcom County, 1910-2010

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<th>YEAR</th>
<th>TOTAL COUNTY POPULATION</th>
<th>AVERAGE ANNUAL RATE OF GROWTH</th>
<th>UNINCORPORATED POPULATION</th>
<th>AVERAGE ANNUAL RATE OF GROWTH</th>
<th>COMBINED POPULATION OF CITIES*</th>
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<td>1920</td>
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Source: US Census

*Cities include Bellingham, Blaine, Everson (since 1930), Ferndale, Lynden, Nooksack (since 1920), and Sumas.
### Table 2. Estimated Population Growth in Whatcom County, 2010-2013

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<td>172,200</td>
<td>76,718</td>
<td>1.37%</td>
<td>2.12%</td>
<td>95,482</td>
<td>.59%</td>
</tr>
<tr>
<td>2003</td>
<td>174,500</td>
<td>77,796</td>
<td>1.4%</td>
<td>2.12%</td>
<td>96,704</td>
<td>1.3%</td>
</tr>
<tr>
<td>2004</td>
<td>177,300</td>
<td>78,746</td>
<td>1.4%</td>
<td>2.12%</td>
<td>98,554</td>
<td>1.9%</td>
</tr>
<tr>
<td>2005</td>
<td>180,800</td>
<td>79,848</td>
<td>1.4%</td>
<td>2.12%</td>
<td>100,952</td>
<td>2.4%</td>
</tr>
<tr>
<td>2006</td>
<td>184,300</td>
<td>81,966</td>
<td>1.4%</td>
<td>2.12%</td>
<td>103,334</td>
<td>2.3%</td>
</tr>
<tr>
<td>2007</td>
<td>188,300</td>
<td>82,309</td>
<td>1.5%</td>
<td>2.12%</td>
<td>105,991</td>
<td>2.7%</td>
</tr>
<tr>
<td>2008</td>
<td>191,000</td>
<td>83,911</td>
<td>1.9%</td>
<td>2.12%</td>
<td>107,089</td>
<td>1.9%</td>
</tr>
<tr>
<td>2009</td>
<td>201,140</td>
<td>87,065</td>
<td>1.9%</td>
<td>2.12%</td>
<td>114,075</td>
<td>1.9%</td>
</tr>
<tr>
<td>2010</td>
<td>202,100</td>
<td>87,535</td>
<td>1.9%</td>
<td>2.12%</td>
<td>114,565</td>
<td>0.43%</td>
</tr>
<tr>
<td>2011</td>
<td>203,500</td>
<td>87,921</td>
<td>0.44%</td>
<td>2.12%</td>
<td>115,579</td>
<td>0.89%</td>
</tr>
<tr>
<td>2012</td>
<td>205,800</td>
<td>88,276</td>
<td>0.40%</td>
<td>2.12%</td>
<td>117,524</td>
<td>1.68%</td>
</tr>
</tbody>
</table>


*Cities include Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas.
Between 1997 and 2007, the total population of Whatcom County had grown at an average annual rate of 1.83% per year with the incorporated cities growing at an annual rate of 1.86% and the unincorporated areas (including the urban areas of Birch Bay and Columbia Valley) growth at 1.50% per year (source: OFM). The total 2007 estimated population was 188,300 and the 2008 estimated population of Whatcom County is 191,000.
More than half of all Whatcom County residents live in cities. Map 1-1 displays the 2010 population density for Whatcom County. The highest densities are in and around cities, though there are other small centers of medium to high population density such as the ones at Sudden Valley, Birch Bay, Columbia Valley, Paradise Lakes near Kendall, and along the Guide Meridian. Approximately 68% of the Whatcom County population lived in cities and urban growth areas in 2013. The 2000 Census data showed 92,583 people, or about 55.5% of the county's total population, living inside the city limits of Whatcom County's seven incorporated cities. Another 13,920 people were living near the cities in city urban growth areas (derived from Whatcom County Population and Economic Forecasts; ECONorthwest, May 2003, Table 3.2 and Census counts). Counting these neighborhoods, the urban population was about 64% of the county total.

### Population Projections

Projections of future population size are an essential component of land use planning. As required by RCW 36.70A.110, in 2012, the Washington State Office of Financial Management (OFM) developed a 20-year population projection for Whatcom County. The OFM projections for 2036 are provided in Table 3 below:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>0.4%</td>
<td>860</td>
<td>19,780</td>
</tr>
<tr>
<td></td>
<td>0.66%</td>
<td>1,265</td>
<td>25,300</td>
</tr>
<tr>
<td>Medium</td>
<td>1.3%</td>
<td>2,961</td>
<td>68,111</td>
</tr>
<tr>
<td></td>
<td>1.77%</td>
<td>3,372</td>
<td>67,448</td>
</tr>
<tr>
<td>High</td>
<td>2.1%</td>
<td>5,438</td>
<td>125,069</td>
</tr>
<tr>
<td></td>
<td>3.35%</td>
<td>6,392</td>
<td>127,832</td>
</tr>
</tbody>
</table>


Note: The OFM population estimate of 191,000 in 2008 was utilized as a starting point for calculating the average annual growth rates and average annual population growth figures in this table.

The Growth Management Act requires that the County plan for a 20-year population growth that is based upon OFM's growth management population projections by the Office of Financial Management (OFM). The county and each city
must include areas and densities sufficient to permit the urban growth that is
projected to occur for the succeeding twenty-year period.

The County’s 20362029 population projection of 275,668,247,755 is within OFM’s
range and therefore requires no further justification. The rationale for using this
figure, which is close to OFM’s medium projection, include: an overall-slowing trend
for growth in Washington State and Whatcom County, ensuring an adequate land
supply to accommodate growth, the need to plan for growth, and the need to
protect the quality of life and natural resources in Whatcom County. This population
projection is selected for planning purposes only and does not obligate the County
to encourage growth. Given past population trends and the requirements of GMA,
planning for population growth, whether it occurs or not, is critical for the quality of
life, protection of natural resources and economic health of Whatcom County.

Table 4 shows how the total projected 20362029 population would be distributed
to UGAs and the area outside UGAs, assuming: 1) that all of the UGAs have been
annexed into existing cities; 2) that each urban area receives a share of the
county’s overall growth; and 3) that the portion of growth to urban areas is
approximately 85% of county wide growth, with the balance to unincorporated
rural Whatcom County (areas outside the UGAs, including rural and resource lands). The 2008 population estimates—and, by extension, the 2029 population
projections—rely on OFM estimates that were based on 2000 census figures. After
the 2010 census data were released, OFM revised its population estimates for the
years between 2000 and 2010. As shown in Figure 1, the revised estimate for the
total 2008 County population is more than 6,000 persons higher than the one used
to develop the Table 4 population projections. OFM did not provide revised estimates for the UGA (or non-UGA) population in the years between 2000 and
2010, but Figure 1 shows an estimate of the non-UGA population assuming the
proportion of non-UGA population held constant at about 32% of total County
population in those years. The revised OFM estimates are shown in Figure 1 for
illustrative purposes only; neither these estimates nor any projections based on
them are adopted in this plan. The projections used in Table 4 and elsewhere in this
plan will be revised using the most current OFM estimates and projections during
the next UGA review, due in 2016.

Outside the UGAs there is a large number of undeveloped tax parcels. While it is
not clear exactly how many of these tax parcels are legally buildable lots, the total
number of potential new dwelling units could theoretically accommodate population
growth in excess of the rural population projection. However, because adequate
land capacity is available for growth within urban growth areas, growth is not
forced into the rural areas. Through the monitoring process described in Policies
2S-5 and 2DD-1 of this plan, the County will evaluate development activity in
comparison with these urban and rural growth projections and take action as
necessary to address discrepancies if any are identified.
Table 4. Whatcom County Population Projections and Distribution

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bellingham</strong></td>
<td>92,660 and 89,284</td>
<td>123,710 and 111,761</td>
<td>31,050 and 22,477</td>
</tr>
<tr>
<td><strong>Birch Bay</strong></td>
<td>7,540</td>
<td>13,040</td>
<td>5,500</td>
</tr>
<tr>
<td><strong>Blaine</strong></td>
<td>5,290</td>
<td>9,115</td>
<td>3,825</td>
</tr>
<tr>
<td><strong>Columbia Valley</strong></td>
<td>5,171 and 4,667</td>
<td>9,585 and 8,916</td>
<td>4,414 and 4,249</td>
</tr>
<tr>
<td><strong>Everson</strong></td>
<td>3,103</td>
<td>4,448</td>
<td>1,345</td>
</tr>
<tr>
<td><strong>Ferndale</strong></td>
<td>2,665</td>
<td>3,907</td>
<td>1,242</td>
</tr>
<tr>
<td><strong>Lynden</strong></td>
<td>12,758 and 12,049</td>
<td>19,591 and 19,707</td>
<td>6,833 and 8,688</td>
</tr>
<tr>
<td><strong>Nooksack</strong></td>
<td>1,435 and 1,137</td>
<td>2,425 and 2,981</td>
<td>990 and 944</td>
</tr>
<tr>
<td><strong>Sumas</strong></td>
<td>1,449 and 1,279</td>
<td>2,323 and 2,072</td>
<td>874 and 793</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>139,696 and 131,608</td>
<td>198,347 and 180,063</td>
<td>58,651 and 48,455</td>
</tr>
</tbody>
</table>

Area outside UGAs
Unincorporated Rural
Whatcom County

|                | 66,104 and 59,392                                          | 77,321 and 67,692              | 11,217 and 8,300                |

**Total Whatcom County**

|                | 205,800 and 191,000                                        | 275,668 and 247,755            | 69,868 and 56,755               |

Source: The 2013 total Whatcom County population is from OPM. The Cherry Point UGA, which is not shown in the chart above, had an estimated 2013 population of 43 people. Source: Washington Office of Financial Management (April 1, 2009).
Reason for change: The population growth allocations for UGAs shown in Table 4 above are from the city and County UGA proposals (summer 2015), except for the Bellingham UGA allocation, which the County Planning Commission adjusted from 28,398 to 35,918 to match the "Non-Binding Multi-Jurisdictional Resolution Regarding Population and Employment Allocations" (County Council Resolution 2014-013). The population projection for the area outside UGAs is also from the "Non-Binding Multi-Jurisdictional Resolution Regarding Population and Employment Allocations."

**Figure 1. Revised OFM Population Estimates and Adopted Population Estimates**

**Employment Projections Forecasts and Distribution**

The Growth Management Act requires that comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate employment growth. In

*Whatcom County Comprehensive Plan*
2009, the Act was amended to ensure that the employment growth accommodated medical, governmental, educational, institutional, commercial and industrial facilities.

Whatcom County contracted with ICF-Jones & Stokes and Berk and Associates, to develop Countywide Population and Employment Extrapolations and Scenarios, and then to provide allocation scenarios to the various urban and rural areas. These employment—scenarios were reviewed with cities, the Growth Management Coordinating Council, and their report was first published on September 23, 2008, and later edited and re-published on February 9, 2009, prior to the scoping process for the Environmental Impact Statement on the Urban Growth Area review.

The employment forecasts considered the various sectors of the labor force in Whatcom County, including construction, finance, government, manufacturing, retail, services, transportation, and wholesale trade. The forecasts also considered the labor participation rate as the proportion of labor to the total population of all ages. For the purpose of Urban Growth Areas, non-agricultural labor force was considered in the forecasts.

After the county-wide employment forecasts were complete, the allocation of that employment to the various urban areas was also developed in a report by Berk and Associates, published on January 13, 2009. These allocation scenarios considered allocation based on current pattern of job distribution and an alternative approach to allocating job growth—distinguishing between regional and local employment growth. Variations on these scenarios were tested in an EIS prepared in 2009.

The common theme recommended by the Growth Management Coordinating Council was a labor participation rate of 49%. In some urban areas, this rate is either high (Bellingham) or low (Columbia Valley and Birch Bay). City requests for allocation of employment, and the sizing of the Urban Growth Area, Employment allocations were based largely on the local request recognizing the incentives that cities have for larger employment areas (sales tax, property tax). Due to the challenge in designing lands for commercial or industrial development, the allocation of employment allowed for these optimistic scenarios, if they did not result in expansion of Urban Growth Areas. If expansion of an Urban Growth Area would be considered for employment purposes, greater justification for the need for employment lands should be required. Table 5 shows the allocation of total non-agricultural employment to the various Urban Growth Areas and the area outside UGAs.
### Table 5: Whatcom County Employment Projections and Distribution

<table>
<thead>
<tr>
<th>Study-Area</th>
<th>2008 Employment</th>
<th>2013-2036 Growth Allocation</th>
<th>2029 Total Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham UGA</td>
<td>52,359</td>
<td>22,641</td>
<td>75,000</td>
</tr>
<tr>
<td></td>
<td>51,153</td>
<td>18,829</td>
<td>69,982</td>
</tr>
<tr>
<td>Birch Bay UGA</td>
<td>595</td>
<td>545</td>
<td>1,140</td>
</tr>
<tr>
<td></td>
<td>436</td>
<td>489</td>
<td>925</td>
</tr>
<tr>
<td>Blaine UGA</td>
<td>3,062</td>
<td>2,097</td>
<td>5,159</td>
</tr>
<tr>
<td></td>
<td>2,971</td>
<td>1,903</td>
<td>4,874</td>
</tr>
<tr>
<td>Cherry Point UGA</td>
<td>1,993</td>
<td>890</td>
<td>2,883</td>
</tr>
<tr>
<td></td>
<td>1,182</td>
<td>760</td>
<td>1,942</td>
</tr>
<tr>
<td>Columbia Valley UGA</td>
<td>85</td>
<td></td>
<td>444</td>
</tr>
<tr>
<td></td>
<td>90</td>
<td></td>
<td>449</td>
</tr>
<tr>
<td>Everson UGA</td>
<td>710</td>
<td></td>
<td>1,312</td>
</tr>
<tr>
<td></td>
<td>638</td>
<td></td>
<td>1,240</td>
</tr>
<tr>
<td>Ferndale UGA</td>
<td>5,372</td>
<td>4,000</td>
<td>9,372</td>
</tr>
<tr>
<td></td>
<td>5,534</td>
<td>4,335</td>
<td>9,869</td>
</tr>
<tr>
<td>Lynden UGA</td>
<td>4,946</td>
<td>2,157</td>
<td>7,103</td>
</tr>
<tr>
<td></td>
<td>4,832</td>
<td>3,115</td>
<td>7,947</td>
</tr>
<tr>
<td>Nooksack UGA</td>
<td>254</td>
<td>115</td>
<td>369</td>
</tr>
<tr>
<td></td>
<td>206</td>
<td>130</td>
<td>336</td>
</tr>
<tr>
<td>Sumas UGA</td>
<td>700</td>
<td>445</td>
<td>1,145</td>
</tr>
<tr>
<td></td>
<td>254</td>
<td>391</td>
<td>645</td>
</tr>
<tr>
<td>Area outside UGAs</td>
<td>13,156</td>
<td>3,201</td>
<td>16,357</td>
</tr>
<tr>
<td>Rural</td>
<td>10,130</td>
<td>2,276</td>
<td>12,406</td>
</tr>
</tbody>
</table>

| TOTALS                   | 83,232           | 37,052                        | 120,284                |

|                          | 77,426           | 33,188                        | 110,614                |

Source: The 2013 non-farm employment is from the Whatcom Council of Governments (2010 and 2013) and BERK Consulting (2014).

Note: Year 2008 employment data (77,426) do not add up to Employment Security Department's (ESD) current estimate of non-agriculture wage and salary employment for the County as a whole (84,850) likely due to jobs for which ESD was unable to assign a specific location.
Reason for change: The employment growth allocations for UGAs shown in Table 5 above are from the city and County UGA proposals (summer 2015). The employment growth allocation for the area outside UGAs is from the “Non-Binding Multi-Jurisdictional Resolution Regarding Population and Employment Allocations” (County Council Resolution 2014-013).

Demographics

The culturally diverse demographic makeup of the county’s population has an effect on land use patterns. For example, Whatcom County residents with children may choose different kinds of transportation and recreation than retired people. Single-parent families and large extended families need different kinds of housing. And levels of service requirements will vary according to cultural and individual abilities. Another influence on county demographics is the cyclical influx of seasonal residents, primarily from Canada, who maintain recreational homes in parts of the county. Areas most influenced by seasonal residency include Point Roberts, Birch Bay, and the Foothills Subarea.

Table 6 below shows the Whatcom County population in the following generalized categories: school age, college age, working age and retirement age. All categories have seen an absolute increase in population between 2000 and 2010. However, as a percentage of total population, the school age children category has declined, the college age category has remained steady, and the working age and retirement age categories have increased. OFM projects that the retirement age population (65 and over) will continue to increase over the planning period.

<table>
<thead>
<tr>
<th>Age</th>
<th>2000</th>
<th>Census</th>
<th>2010</th>
<th>Census</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-19</td>
<td>47,175</td>
<td>28.28%</td>
<td>50,566</td>
<td>25.14%</td>
</tr>
<tr>
<td>20-24</td>
<td>16,776</td>
<td>10.06%</td>
<td>20,277</td>
<td>10.08%</td>
</tr>
<tr>
<td>25-64</td>
<td>83,463</td>
<td>50.03%</td>
<td>103,657</td>
<td>51.54%</td>
</tr>
<tr>
<td>65-over</td>
<td>19,400</td>
<td>11.63%</td>
<td>26,640</td>
<td>13.24%</td>
</tr>
<tr>
<td>Total</td>
<td>166,814</td>
<td>100.00%</td>
<td>201,140</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

In the period between 1990 and 2000, the age composition of Whatcom County’s population changed appreciably, and some of the changes were different from what was happening state-wide and nation-wide. These changes were partly due to immigration. For instance, the number of people at or nearing retirement age (50-69 years) increased in Whatcom County faster than simple aging could account for, and at a much greater rate than the state average (Whatcom County Population and Economic Forecast, ECONorthwest, May 2002, pp. 2-7 & 2-8). In 2000, there were 19,400 people age 65 and older in Whatcom County (11.6% of the total population).
population). Over 4,900 of the 65+ group had self-care or mobility limitations.
Approximately 1,560 (8%) had incomes below the poverty level. By comparison,
approximately 15% of Whatcom County residents under age 65 lived in poverty.

Census age groups containing the traditional ages of college students (15-19 and
20-24) have significantly larger counts than the pre-college age and post-college-
age groups.

In 2000, Whatcom County residents between the ages of 15 and 64 numbered
114,185. There were 33,229 children under 15.

The county's racial composition also changed between 1990 and 2000. Although in
2000 88% of all county residents were white, there has nevertheless been an
increase in populations of Native Americans, African Americans, Asian-Pacific
Islanders, and Hispanics. The Hispanic population is the most difficult to assess
accurately because of its mobility. It is the primary component of a large
contingent of migrant farm workers. The Washington State Employment Security
Department estimates that of the approximately 3,600 farm workers employed
annually in the county (not including agricultural support services such as
processing and trucking), 2,300 are seasonal or migrant workers.

Land Use History

When Euro-American immigrants first arrived on Bellingham Bay in the 1850s, the
landscape of Whatcom County was comprised of mature conifer forests, winding
streams and rivers, numerous lakes and wetlands, and small natural meadows.

Lummi and Nooksack people inhabited villages near the coast and along the rivers
and lakes at strategic fishing locations. The Nooksack Indian people cultivated root
crops they had developed along the Nooksack Valley where sub-irrigated meadows
were ideal sites for such plants as camas and "Indian carrot." They emphasized the
use of root crops, perhaps much more than other native peoples along the Pacific
Coast.

The abundance of high-quality timber and easy accessibility to water for milling and
transport were the principal reasons Euro-American immigrants first came to
Whatcom County in the 1850s. Small communities grew along Bellingham Bay and
the Nooksack River as more immigrants arrived in Whatcom County. They began
clearing the forests and draining the wetland areas for farmsteads. Between 1890
and 1925, 130,000 acres of lowland Nooksack Valley forests were cleared for farms.
In addition, logging companies sold logged-over land to their employees and to
immigrants from the East Coast for small farmsteads. As a result of the sale of
small parcels of logged-over lands, the average farm size in Whatcom County is
relatively small---about 6884 acres---compared to the statewide average of 396523
Many lumber and shake mills and other industrial plants were built in Bellingham, on Lake Whatcom, and in other areas of the county, while new commercial and residential buildings were being developed in all communities. Coal mining was taking place at several locations in Whatcom County at this time, and major fish processing plants were constructed on Bellingham Bay. Whatcom County's population in 1910 was 49,511.

Between 1925 and 1950, there was little change in the land use patterns that had been developed during the previous fifty years. Some land, which had been cleared for agriculture was abandoned and naturally regenerated into second-growth forests. Most areas that were harvested for timber had re-seeded and were growing mixed forests of conifers and deciduous trees. Residential and industrial development continued to grow, but at a slower pace than during the previous fifty years. Commercial centers remained within the core of the major cities. By 1950, Whatcom County's total population had grown to 66,733, with the majority of the growth occurring in the cities.

Between 1950 and 2000, the amount of land devoted to commercial activity gradually increased in response to population growth. Expanded use of the automobile encouraged commercial activities and residential development outside city centers. Coal mining ceased, but sand and gravel mining grew in importance. Farming became increasingly competitive, and the economic pressure tended to concentrate agricultural resources on the most productive soils. The trend toward abandonment or conversion of farmland to other uses continued. Some lands in the Nooksack Valley, which were formerly cleared for agriculture reverted back to native forest cover. Residential, commercial, and industrial uses continued to expand into agricultural areas. These changes picked up speed during the 1960s and 1970s as Whatcom County experienced a population boom. Rapid population growth also occurred in the 1990s and from 2004-2007. The total population for Whatcom County in 2010 was 201,140, an increase of approximately 145% in 40 years.

**Current Land Use**

Whatcom County covers 1,378,446.1 acres, or approximately 2,1542.15 square miles. Of that total area, about 1,107,453 acres, or 80%, is either covered with forest or is managed for forest resources. The total includes virtually all federal lands and all state and private forest lands in unincorporated Whatcom County. A significant portion of this total (850,980 acres or 62%) is under federal management, by either the US Department of Agriculture Forest Service or the US Interior Department, North Cascades National Park. Cities cover 1,378,446.1 acres or 2.3% of the total Whatcom County land area.

Resource land uses, which include agriculture, forestry, aquatic and minerals, are the largest category of land use in Whatcom County. Map 2 displays the distribution of agriculture and forestry land uses based on County Assessor’s data within Whatcom County. From the map it is evident that agricultural land use
predominates throughout the western lowlands of the county and in the South Fork Nooksack Valley. Forest land use is concentrated on the uplands of the county. (See Chapter 8, "Resource Lands," for more detailed information on each of these land uses.)

Map 3 displays the distribution of commercial and industrial land uses in Whatcom County. The majority of commercial land uses occur next to major transportation routes, such as the Guide Meridian, or within the boundaries of cities. There are also concentrations of commercial uses in the Bellingham UGA and Point Roberts. The majority of industrial parcels are also located in the cities, their UGAs or at the Cherry Point industrial area. The locational pattern of commercial and industrial uses shown by Map 3 indicates the importance of transportation connections to these land uses. (See Chapter 6, "Transportation," and Chapter 7, "Economics.")

Vacant lands are scattered throughout the county. Map 4 depicts the general distribution of vacant lands, as defined by the latest Whatcom County Assessor's records. Vacant lands are land which at the time of the assessor's survey appear to be undeveloped, or if previously developed, are presently vacant and unused. They are usually lands being held for future development. Vacant lands are particularly concentrated in and around urban areas of the county.

Map 5 graphically portrays the distribution of all single-family residential parcels in unincorporated Whatcom County, as interpreted from the Whatcom County Assessor's property information database. The majority of single-family homes/residents are concentrated in the cities and the major urban and intensely developed rural portions of the county such as Sudden Valley, Columbia Valley, Paradise Lakes, Glacier, Lake Samish, Lake Whatcom (north end), Cain Lake, Birch Bay, Sandy Point, and Lummi Island. Lower density residential development is scattered throughout the rural areas of the County. A fairly even, but lower-density distribution of single-family residences is scattered throughout the central rural portion of the county between Bellingham and Lynden, Ferndale and Everson/Nooksack. Another even but lower-density distribution of single-family residences occurs between Ferndale and Blaine. As may be expected, single-family homes are also located along the valley floors of the three forks of the Nooksack. The Cherry Point industrial area, the agriculturally dominated area north of Lynden and the forested foothills in the eastern part of the county have very low to zero residential density.

A prominent characteristic of Whatcom County housing is the high number of vacation, resort, and second-home units found throughout the county. In 2010, 2000 approximately 55%2/3 of the "vacant" units were actually occupied part of the year for seasonal, recreational or occasional use.

Multi-family residential land use is displayed on Map 6. The majority of multi-family residential units are located in the urban areas of the county, primarily in and around Bellingham, Ferndale, Lynden, and Blaine. Within the unincorporated area of Whatcom County, multi-family housing units are found near Birch Bay,
Sudden Valley, Glacier, Point Roberts and in the area between Bellingham and Lynden.

According to the 2000 Census, there were 34,421 housing units within the unincorporated portions of Whatcom County. This figure equates to a residential housing density of 0.127 dwelling units per acre of land, or one residence per eight acres, on land currently zoned to permit residences (Rural, Urban, Rural Residential, Agricultural, certain commercial zones, the Point Roberts Transitional zone, Eliza Island and Rural Forestry).

Under the direction of the Growth Management Act, Whatcom County is required to develop transportation plans for future population growth. Part of the analysis for transportation planning includes defining the density of population by transportation analysis zones. Map 7 presents the housing density per acre for Whatcom County in 2000, displayed by Census Block. (See Chapter 3, "Housing," and the Housing Background Document for more information.)

**Other Topics**

Background information on other topics including land use, housing, utilities, transportation, economics, natural resources and the environment can be found in the following chapters of the Comprehensive Plan.

**Water Resources**

Water resources in Whatcom County include 16 major lakes and dozens of smaller ones, 3,012 miles of rivers and streams and their estuaries, over 37,000 acres of wetlands, aquifers containing an undetermined amount of groundwater, and 134 miles of marine shoreline. These resources must serve multiple uses. The beneficial uses they provide are water for domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, for fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state (RCW 90.54.020 (1)).

Many human uses tap into the water to use it elsewhere. For instance, individual residents are supplied with potable water by approximately 375 public water systems. According to a statistically valid phone survey conducted by the Whatcom County Health and Human Services Department in 2002, the following drinking water sources serve the population of Whatcom County:
Table 8: Drinking Water Supplies

<table>
<thead>
<tr>
<th>Drinking Water Source</th>
<th>Percentage of People in Whatcom County Using this Drinking Water Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>City or District</td>
<td>69.3%</td>
</tr>
<tr>
<td>Community Water System</td>
<td>9.9%</td>
</tr>
<tr>
<td>Private Well</td>
<td>13.0%</td>
</tr>
<tr>
<td>Surface Water</td>
<td>1.2%</td>
</tr>
<tr>
<td>Bottled Water</td>
<td>4.5%</td>
</tr>
<tr>
<td>Don't Know</td>
<td>2.1%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
</tr>
</tbody>
</table>


Households consume an average of 100 to 140 gallons per person per day, and more than that during the summer. Water is also critical to Whatcom County agriculture; irrigation is mandatory for all high-value crops. Irrigated crops use an average of 5,445 gallons per acre per day during spring and summer, and irrigated pasture averages 2,160 gallons per acre per day. Livestock must be watered year round, and dairy equipment and facility cleanup also go on all year. Dairy operations, for example, call for about 50 gallons per cow per day year round.

Some industries are large-scale water users, and they may need both potable and non-potable water. One of the largest, the Georgia Pacific paper mill, used about 67,000 gallons of potable water and 8,500,000 gallons of non-potable water per day in 2002. This is a smaller volume than Georgia Pacific once used; closure of the pulp operations and conservation measures have reduced its water use significantly in recent years.

The three major water systems, Whatcom County PUD #1, City of Bellingham, 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. While a few major water suppliers appear to have the capacity to meet future demand, many of the county's water suppliers are nearing their legal and physical capacity to supply water to their customers.

Whatcom County's plan will be adjusted and will respond to emerging information on water. The working assumption of the plan is that there will be adequate water supply. Water supply for the county was most recently identified in the Coordinated Water System Plan (February 2000). The complexities related to water supply are further discussed in the Utility chapter of this plan.

Reason for change: Water resources information is being consolidated in Chapter 5 (Utilities) and Chapter 11 (Environment).
Economics

Whatcom County’s economy has traditionally been based on agriculture, fishing, forestry, and mining. Through the 1950s, these industries represented more than 25% of the total county employment. Access to markets for sale of locally produced goods as well as for purchase of products manufactured elsewhere was limited to rail, ship, and a two-lane highway. Employment was seasonal for many types of work.

Since the 1960s, there has been a significant shift in Whatcom County’s economy. Increased activities in manufacturing, trade, services and government have joined the traditional economic activities. Mobil Oil (now Conoco-Phillips) initiated major changes in the county’s economy when it opened its oil refinery at Neptune Beach in the mid-1950s. The Intalco aluminum refinery at Cherry Point came on line in 1966, and Atlantic-Richfield built an oil refinery at Cherry Point in the 1970s (now BP-West Coast Products). Interstate 5, also completed in the early 1970s, provided ready access to Whatcom County from both British Columbia and the central Puget Sound region. Western Washington University expanded enrollment and became one of the county’s major employers.

According to the Greater Whatcom Comprehensive Economic Development Strategy or CEDS (August 2002), agriculture remains an important component of the County’s economy, although the timber and fishing industries have declined significantly in the 1990s. Relating to agriculture, the CEDS states:

Dairy and berry farms are the largest component of agriculture. The county is in the top 12 counties nationwide in milk production... In addition, Whatcom County produces more blueberries and raspberries than any other county in the state and ranks 2nd in strawberries... (CEDS, p. III-4).

The top five employment sectors in 2000, excluding the agriculture, forestry and fishing sectors, are listed below. Together, these sectors accounted for 85.4% of the non-farm employment.

<table>
<thead>
<tr>
<th>Sector</th>
<th>Employment Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>25.6%</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>21.3%</td>
</tr>
<tr>
<td>Government &amp; Public Education</td>
<td>16.2%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>14.3%</td>
</tr>
<tr>
<td>Construction</td>
<td>8.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>85.40%</strong></td>
</tr>
</tbody>
</table>

Source: CEDS (p. III-2)

The top paying sectors in 2000, excluding the agriculture, forestry and fishing sectors, were:

Whatcom County Comprehensive Plan 1-21
Table 10: Average Wages

<table>
<thead>
<tr>
<th>Sector</th>
<th>Annual Average Wage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing</td>
<td>$37,325</td>
</tr>
<tr>
<td>Construction &amp; Mining</td>
<td>$36,118</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>$33,420</td>
</tr>
<tr>
<td>Transportation</td>
<td>$32,570</td>
</tr>
<tr>
<td>Finance, Insurance, &amp; Real Estate</td>
<td>$30,754</td>
</tr>
<tr>
<td><strong>Average County Wage</strong></td>
<td><strong>$26,295</strong></td>
</tr>
</tbody>
</table>

Source: CEDS (p. III-20)

Resource-based occupations still give a distinctive flavor to Whatcom County’s economy, although in recent years they have come to account for only under 6% to 7% of county employment (Natural Resources Sector Profile, Center for Economic and Business Research, Western Washington University, Fall 2002, pp. 3, 18, and 26. The combination of good soils, favorable climate, abundant rainfall, and access to urban markets underlies the continued importance of intensive-type farming necessary for successful operation of the small farms found in Whatcom County. According to the County Assessor’s records, in 2000, 25% of non-federal lands in the county were devoted to agriculture. As significant as agriculture is to the economy, these lands are often considered for urban or rural uses, and the amount of land in farm production has been steadily shrinking over time. This erosion of the farm land base has implications for the county’s wider economy. For example, the maintenance of a sufficiently large land area devoted to farming is necessary to support associated farm-processing operations such as milk and berry processing facilities.

The fishing industry is facing a variety of restrictions on its activities. The populations of many fish species have declined. Chinook salmon and bull trout have been listed under the Endangered Species Act. Moratoria, quotas, and harvest management are already in place for most of the species Whatcom County-fishers currently harvest. In addition, the available fishery is divided between Indian, US, and Canadian fishers. Nevertheless, the fishing industry contributes substantially to the county’s economy. Whatcom County’s fishing fleet fishes both Washington and Alaska waters. The total catch landed at the ports of Bellingham and Blaine between 1985 and 1990 ranged from 50 to 65 million pounds annually but declined to 24.7 million pounds by 2000 (CEDS, p. III-6).

The forest resources of Whatcom County have historically been one of the most important natural resources in the region. Forests cover approximately half of the non-federal lands in the county. In addition to trees for lumber, poles and paper, forest land products include gravel, rock, medicinal products, and ornamental plants. Logging and processing various types of forest products employ hundreds of county residents. Like fishing, however, forestry is subject to limitations, because forest lands provide important associated resources such as water, wildlife habitat, and fish habitat which need to be conserved.
The extraction of minerals, in particular sand-and-gravel remains important in areas characterized by growth such as western Washington. In Whatcom County, high quality aggregate resources are in great demand (Reconnaissance Investigation of Sand, Gravel, and Quarried Bedrock Resources in the Bellingham 1:100,000 Quadrangle, Washington, DNR, Jan. 2001, p. 10). The material is an essential element in the construction of roads, homes, schools, shopping centers and other structures. To a degree this reflected growth in economic activity, much of it in the form of urbanization. While urbanization creates demand for sand-and-gravel resources, it may also encroach upon or build upon those same resources, rendering them inaccessible. Strong community opposition to mining near residential, agricultural or sensitive environmental areas may also limit mining opportunities.

Manufacturing is a vital contributor to Whatcom County’s economy, pay higher wages than any other sector of the economy, and employing 14.3% of the county’s non-farm work force in 2000 (CEDS, pp III-2 and III-20). The county’s primary manufacturing industries, ranked by number of jobs in 2000, were: Food and kindred products, lumber & wood products, primary metal industries, paper & allied products, petroleum & coal products and transportation equipment (Manufacturing Sector Profile, Center for Economic and Business Research Western Washington University, Fall 2002, p. 8). However, Georgia Pacific closed its pulp operations in 2001 resulting in the loss of 420 jobs from the manufacturing sector. In 2001, the Intalco aluminum smelter shut down due to high energy costs. Intalco re-started the smelter in 2002 with a reduced work force, which was largely due to early retirement (CEDS, p. III-9).

Within the last 20 years, the impact of Canadian manufacturers has been increasing in Whatcom County. Beginning in 1989, Canadian manufacturing investment in Whatcom County surged, with British Columbia manufacturers developing operations in the county to take advantage of lower operating costs and easy access to US markets.

Even more than Canadian manufacturers, Canadian consumers have contributed to and impacted the local Whatcom County economy. In fact, Canadian influences may be more significant for the county’s economy than any internal factor short of major new industrial development. When the Bells Fair Mall opened in 1988, it instantly became a regular destination for thousands of Canadian shoppers seeking relief from higher taxes on goods and services in British Columbia. Every major retailer from downtown Bellingham moved to the new regional mall. Total retail sales in Whatcom County, rose rapidly from $885 million in 1987 to $1.9 billion in 1992. By 2000, total retail sales had increased to almost 2.2 billion (Trade Sector Profile, Center for Economic and Business Research Western Washington University, Fall 2002, p. 5). The level of sales to Canadian consumers can vary widely, since their spending in Whatcom County is subject to both Canadian and US economic pressures. Sluggish sales when the Canadians stay away have a negative effect on the county economy. This negative effect is especially significant for destinations close to the border.
While the growth of the retail and service sectors have generally been good for Whatcom County's economy, for individual residents it has been a mixed blessing. Growth has tended to keep unemployment down, but underemployment is common. Retail and service sector jobs increased between 1981 and 2000 from 42.4% to 46.9% of the non-farm job market whereas manufacturing jobs fell from 20.8% to 14.3% in the same period (CEDS, p III-3). Retail sector jobs pay at a lesser rate than manufacturing, and are often part-time and without benefits.

Tourism has developed into a significant industry. Visitors spend $333 million annually in Whatcom County and there are approximately 7,120 travel and tourism jobs in Whatcom County (Washington State County Travel Impact Report, Dean Runyan Associates for Washington State Business and Tourism Development, October 2002). Whatcom County's natural scenic attractions draw six to seven million visitors a year. Shopping draws millions more: 20,000 to 30,000 Canadians per week visit Bellingham alone. County businesses provide both kinds of tourists a variety of services, including lodging, food and beverages, organized recreational activities, tours, car rentals, air charters, and cruises.

Currently Whatcom County has many natural advantages for expanding economic activity. Besides relatively low prices and labor costs, the county's assets include a high quality educational system, including a major university; excellent access to markets in British Columbia, Puget Sound, California, Alaska, and Asia; a productive and dependable workforce; and a mild climate. The transportation infrastructure is good, with access to Interstate 5, a well-developed secondary road system, a deepwater port and multiple docks at Cherry Point, additional port facilities in Bellingham, good rail connections to US and Canadian destinations, and an international airport. The overall quality of life in Whatcom County and recreational activities are also major assets in retaining, expanding, and attracting businesses.

Reason for change: Some of the economic information provided above changes over time. With the availability of information in the Whatcom County Comprehensive Economic Development Strategy (CEDS) and on the Internet, it is generally not necessary to have this level of detail in the Comp Plan. Additionally, related information is included in Chapter 7 (Economics) and Chapter 8 (Resource Lands).
Proposed Council Changes to Comprehensive Plan

Chapter 1 – Introduction

Page and line numbers reflect Planning Commission Recommended Draft (http://wawhatcomcounty.civicplus.com/DocumentCenter/View/15149). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1a) p. 1-5; line 33, New section: Whatcom County Government

Whatcom County’s mission is to “promote, enrich and enhance the freedoms, opportunities, health and safety of its citizens. We will provide essential and desirable public services in a cost effective and accountable manner. We will conduct the public’s business and treat all members of our diverse community in a courteous and professional manner. We will provide vision, leadership and responsiveness while addressing community issues and conducting the business of the people. We will encourage community involvement in public issues while protecting the rights of the individual and encouraging respect for diversity. We will serve as an active catalyst for individuals and other entities to participate in achieving a positive future for Whatcom County.”

To those ends, the County is committed to good government through transparency, robust public involvement and ongoing process and performance improvement. (Browne)

1b) New Goal 1A: Ensure that government activities, regulations and policies are transparent, accountable and easy to understand. (Browne)

1c) New Policy 1A-1: Integrate and simplify all documents using the “Federal Plain Language Guidelines” available at www.plainlanguage.gov to make them more understandable and user-friendly. (Browne)

1d) New Policy 1A-2: Benchmark the County’s performance against itself and other comparable jurisdictions. Develop and publish reports on key performance metrics. (Browne)

1e) New Policy 1A-3: Ensure that all acronyms and abbreviations used in public documents have clearly defined and readily accessible explanations. (Browne)
July 5, 2016

1f) New Policy 1A-4: Maintain a user-friendly, intuitive and helpful website. (Browne)

1g) New Policy 1A-5: Ensure public-facing documents are updated often to reflect changes to regulations and contact information. These documents must be present on the County website and cross-referenced appropriately so the public can easily find and access them. (Browne)

1h) New Policy 1A-6: Use technological tools, such as Geographic Information Systems (GIS), to make information easily accessible to the public. (Browne)

1i) New Policy 1A-7: Respond to inquiries from the public in a timely, professional and courteous manner. (Browne)

1j) New Policy 1A-8: No rule, regulation, restriction or requirement shall be imposed on county residents that is not embodied in the County Code, State, or Federal law. (Browne)

Changes Approved February 23

p. 1-5, lines 43-45: Approximately 73% of the population growth between 1980/1990 and 2013/2000 was due to in-migration of people from outside the area seeking jobs, life styles, and/or amenities found in Whatcom County. (Brenner)

p. 1-17, lines 44-45: Resource land uses, which include agriculture, forestry, aquatic and minerals, are the largest category of land use in Whatcom County. (Weimer)
### 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

### 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
- **6/21/2016:** Comments received and prelim. direction given

### COUNCIL ACTION:

- **5/3/2016:** Public Testimony Received

### Ordinance or Resolution Number:

Ab2016-047

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County website at: www.co.whatcom.wa.us/council.
Chapter Two
Land Use

Introduction

The fundamental precepts of this chapter and the Whatcom County Comprehensive Plan are to comply with the Growth Management Act (GMA), adhere to the County-wide Planning Policies and implement the Vision for Whatcom County, as defined through the Whatcom 2031 visioning process.

*** VISION ***

Whatcom County is a place where urban growth is concentrated in urban areas, where there is a distinct boundary between urban and rural uses, where agricultural use is encouraged, and where resource lands and water resources are protected, and where land use changes are brought about through incentive programs. Rural areas are peaceful and quiet with less traffic and congestion than in urban areas. There is low-density development with open spaces allowing for privacy. A sense of community is retained and local control is exercised – input is considered in land use decisions.

Chapter Organization

The Land Use chapter and map include a set of adopted land use designations which combine the predicted needs of future populations with the availability of land and the desires of residents. These needs and desires are expressed through the goals, 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, 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 sections give direction for property owner notification and the establishment of on-going citizen committee input.

The Land Use chapter also incidentally addresses and is coordinated with many others of the County-Wide Planning Policies.
Overall Land Use

Introduction

Purpose

The purpose of this section is to provide a broad, general direction for land use policy in Whatcom County. It is the foundation upon which all of the subsections of the Land Use chapter are based. It sets direction for the subsections and provides a mechanism of measurement for consistency for readers.

Process

The Land Use chapter was developed to address future land use in Whatcom County in accordance with Section 36.70A.070 of the Growth Management Act. It represents the county’s policy plan for growth over the next twenty years. The Land Use chapter implements many of the goals and objectives in the other plan chapters through adopted land use designations and other action recommendations.

The Land Use chapter was also developed in accordance with the County-Wide Planning Policies and the Whatcom County: The Next Generations and Whatcom 2031 Visioning recommendations and community value statements, and was integrated with the other plan chapters to ensure consistency throughout the comprehensive plan. The Land Use chapter considers the general distribution and location of land uses, the appropriate intensity and density of land uses given current development trends, and the provision of public services.

The root of the Land Use chapter is the Whatcom County: The Next Generations Visioning Recommended Land Use Alternative. An appointed group of citizens designed and implemented a public process to give people the opportunity to express their views, criticisms, and concerns. Through an extensive series of surveys and town hall meetings, a set of value statements for Whatcom County were drafted. These statements and the overall county vision are being re-evaluated as part of the Whatcom 2031 visioning workshops that occurred in the fall of 2008 and subsequent comprehensive plan update. The final Preferred Land Use Alternative, based on citizen input gathered throughout the Whatcom 2031 process during Phase I, was a conceptual depiction of the community vision which guided the development of the Land Use chapter.

GMA Requirements

Section 36.70A.070 of the Growth Management Act requires that the comprehensive plan of a county include a land use element which designates proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry,
recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. It is required to include population densities, building intensities, and projections of future population growth. Building intensity can be described in terms of such variables as lot coverage, building height, and the spacing between buildings and property lines and between buildings and other structures. The GMA also states that the goals and policies of the Shoreline Management Program are considered elements of the Comprehensive Plan (RCW 36.70A.480).

Background Summary

Most of the non-federal land in unincorporated Whatcom County is dedicated to forestry and agricultural uses. The next largest category of land use is residential. Much smaller areas of the county are dedicated to industrial, commercial, and other uses.

The goal of growth management is to provide sufficient land area with adequate facilities and utilities either presently available or economically feasible to accommodate future growth. This means having an adequate distribution of land to provide housing, services, jobs, and resource land for the expected population. Whatcom County has almost 790 square miles of area outside of National Park and National Forest, which will accommodate the expected increase in population—of 56,755 people over the 20-year planning period in Whatcom County. However, this growth must be accommodated in ways that achieve desired land use goals.

An adequate supply of serviced industrial and commercial land must also be provided to accommodate the projected increase in employment. It is expected that an increase of approximately 33,188 new non-agricultural related jobs will be created in the next twenty years.

A key need for meeting land demands to generate family wage employment is land that is "ready to go" for industrial development. Most potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place. This is a major missing element of the industrial land supply.

It is important to assess the demand and supply of land planned and zoned for various types of uses to meet the economic needs of the county, as well as utilize this information to guide policy decisions regarding land use. The multiplicity of values reflected in the vision statements must all be considered, in addition to the competing goals and policies in other chapters of the comprehensive plan. Having adequate residential lands must include adequate provision of services, and it means densities that meet the mandates of the Growth Management Act to prevent urban sprawl as well as reflecting the desires of Whatcom County residents. Industrial lands should be provided in areas that have access to transportation routes and adequate infrastructure and can meet the demands of market trends.

Whatcom County Comprehensive Plan 2- 4
Commercial areas should also be located so as to provide the kinds of goods and services that meet the needs of local residents with consideration given to market-driven forces. Sufficient urban land must be provided to accommodate growth. Rural areas with a range of densities must also be available. All of this needs to be done in light of those aspects of the county which are most valued: water quality, productive agricultural land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans.

Issues, Goals, and Policies

Issues for this section were drawn from those identified in the Growth Management Act and public participation. Whatcom County: Next Generations Visioning Process and reinforced during the Whatcom 2031 visioning process. Numerous meetings, surveys/questionnaires and other methods were used to identify what was important to people in Whatcom County.

Accommodating Growth

The Growth Management Act requires, and the Vision statement Community Value Statements encourages, concentrating growth into urban growth areas. This allows for efficient provision of services and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is needed between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

Goal 2A: Ensure designation provision of sufficient land 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.

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

1. Consultation with a focus group of potential TDR/PDR users
   in the building industry.

2. 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.
   • 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.
3. 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.

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.

- Requesting 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.

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

Whatcom County Comprehensive Plan 2-13

- 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, using adaptive management steps to effect compliance with individual programs.

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 development rights are unduly infringed-upon.

Policy 2H-3: Provide information to the public as to government's role and responsibility in relation to property rights.

Diverse Cultural Composition

It is recognized that Whatcom County is becoming more diverse and people understand that accepting this diversity is important.

Goal 2J: Encourage individuals to honor and respect cultural diversity in our community.

Policy 2J-1: Encourage the preservation of cultural resources.

Policy 2J-2: Ensure that land use policies are not discriminatory.

Policy 2J-3: Cooperate with Tribal governments to ensure local traditions are respected in all land-use decisions.

Policy 2J-4: Protect culturally and spiritually significant places from non-essential development that is viewed as incompatible by the affected community.

Flooding

Flooding of rivers and streams in Whatcom County is a natural event due to the combination of climate, geology, and topography present in the region. Two major floods occurred in 1989 and 1990 along the Nooksack River, with damage estimates running over $20 million for 1990 alone. The cities of Nooksack, Everson, Sumas, and Ferndale are often flooded by the Nooksack. A major study and plan for managing flood hazards on the lower Nooksack, entitled the Lower Nooksack River Comprehensive Flood Hazard Management Plan, was completed in October 1999.

Flood damage can also occur along smaller streams in Whatcom County, especially on those streams associated with alluvial fans.

The majority of the Nooksack River floodplain is currently used for agricultural purposes. Residential density within the floodplain is low; however, several major
transportation routes cross the floodplain and may have been temporarily closed during periods of flooding. Increased building development within the floodplain, and especially within the floodway where flood water velocity can be great enough to sweep away structures, could heighten the existing level of flood hazards along the Nooksack. Development on alluvial fans can also increase flood hazards. Chapter 11: Environment, contains more detailed discussion of flood issues, as well as goals and policies for managing flood hazards in Whatcom County.

**Goal 2K:** Discourage development in areas prone to flooding.

**Policy 2K-1:** Limit lands in one-hundred year floodplains to low-intensity land uses such as open space corridors or agriculture.

**Policy 2K-2:** Use the *Lower Nooksack River Comprehensive Flood Hazard Management Plan* as a basis to balance land use and flooding.

**Policy 2K-3:** Prohibit expansion of urban growth areas into floodplains, except where allowed under the GMA, and consider danger to individuals related to flooding when designating land use in other areas.

**Policy 2K-4:** Encourage multi-purpose problem solving relative to flooding, aquifer recharge, improved water quality, water for human consumption, and fish habitat. Consider the purchase of land along the Nooksack River for flood water storage that could be utilized by cities and water providers.

**Policy 2K-5:** Development in flood prone areas must comply with adopted regulations to mitigate identified flood hazards.

**Regions of Whatcom County**

Not all parts of Whatcom County have the same available resources and land use options. A one-size-fits-all approach to comprehensive planning may not adequately serve the needs of different regions of the county.

Whatcom County is a large and diverse county. People living in different parts of the county have different priorities and understanding of what constitutes rural and urban lifestyles. It is important to citizens to emphasize these regional differences.

**Goal 2L:** Recognize the important regional differences within Whatcom County.

**Policy 2L-1:** Use the subarea planning process, where appropriate, to identify and support distinctions among different areas of the county.
Policy 2L-2: Retain and periodically review the adopted Subarea Plans (Lummi Island, Cherry Point-Ferndale, Urban Fringe, Birch Bay Community Plan, Foothills, and Point Roberts). Subarea Plans represent a long history of plan development in Whatcom County and provided the foundation for the county’s first Growth Management comprehensive plan adopted in 1997.

1. Utilize a process which ensures consistency between the Whatcom County Comprehensive Plan and subarea plans. The subarea plan review process should include the following steps:

   a. Consistency Analysis. The County should review subarea plans based on the priority order in subsection “2” for gaps, overlaps, or inconsistencies. Topics include, but are not limited to, plan boundaries, growth forecasts, land uses, capital facilities and services, horizon year, and other appropriate issues.

   b. Regional and Local Government Coordination. The County should consult and coordinate with cities where city-associated UGAs are included in subarea plan boundaries.

   c. Public Participation. Each subarea plan update process will be based on a public participation program that addresses citizen input on the key issues associated with the subarea plan update.

   d. Subarea Plan Amendment. Only those portions of existing subarea plans in conflict with the Comprehensive Plan are required to be amended. Local issues of concern or changed conditions may be addressed.

   e. Comprehensive Plan Revisions. Where the subarea plan process recommends growth levels, growth boundaries, or other essential features, Comprehensive Plan amendments will be considered in conjunction with the subarea plan update process. Land capacity analysis may also be updated if appropriate.

2. Prioritize review of subarea plans. Subarea plans should be reviewed in the following order.
a. Post-GMA Subarea Plans addressing UGAs. These subarea plans should be reviewed and amended, if necessary, during Whatcom County’s periodic review of the comprehensive or repealed. Subarea plans addressing UGAs associated with a city should be coordinated with the city’s comprehensive plan update process.

b. Post-GMA Subarea Plans addressing Rural Areas. These subarea plans should be subject to a consistency review. If significant inconsistencies are found, these should be considered for potential update during Whatcom County’s periodic review of the comprehensive plan or repealed. Minor updates may be considered through the County’s docket process in subsequent years.

c. Pre-GMA Subarea Plans. These should be repealed or updated in accordance with County department work programs or the docketing process. Priority criteria may be used to determine the order of update. Example criteria include:

i. whether update is needed for health, safety, or welfare concerns;

ii. whether there is a city-associated UGA included in the subarea plan boundaries – in which case, the subarea plan update could be timed to be developed in association with or following city comprehensive plan update process;

iii. whether the subarea plan would benefit from broader policy concepts to be completed in advance or in tandem, such as agricultural land protection measures;

iv. whether a significant policy objective would be met by amending the plan.

In the event there is an inconsistency between a Subarea Plan and the Whatcom County Comprehensive Plan, the Whatcom County Comprehensive Plan shall prevail.

Policy 2L-3: Emphasize forestry uses with some provision for rural and agricultural uses in the south and southeastern regions of the county.
Policy 2L-4: Support the rural economic base by permitting natural resource based industries, cottage industries, forestry, fishing and agriculture in rural areas, as well as commercial and industrial activity contained within designated Rural Communities.

Policy 2L-5: Emphasize agriculture in the north central regions of the county.

**Fish and Wildlife**

Whatcom County has historically enjoyed abundant and diverse fish and wildlife populations. However, the combined effects of habitat reduction or degradation, fish harvest, hydropower development, hatchery management practices, and variations in natural conditions are now causing the decline of some of these populations. Maintaining healthy fish and wildlife populations is a vital goal in maintaining the quality of life in Whatcom County. Chapter 11: Environment, contains additional discussion of fish and wildlife issues, as well as goals and policies regarding fish and wildlife habitat protection and management.

**Goal 2M:** Protect and encourage restoration of habitat for fish and wildlife populations including adequate in-stream flows.

Policy 2M-1: Ensure that new land uses do not degrade habitat of threatened and endangered species.

Policy 2M-2: Ensure that existing land uses do not cause further degradation of habitat for threatened and endangered species.

Policy 2M-3: Develop educational tools and incentives to encourage existing land uses to restore degraded habitat to properly functioning conditions, especially for threatened and endangered species.

Policy 2M-4: Place a note on all permits issued by the County for clearing or development activity within ¼ mile of the documented habitat of threatened or endangered species, as shown on the County Fish Distribution Map, shall include notice to alerting the property owner of the presence of these species.

Policy 2M-5: Require subdivisions and short plats to be designed in a manner to protect fish habitat and water quality when a fish bearing stream or river passes through the site.

Policy 2M-6: Engage the Wildlife Advisory Committee to develop recommendations of critical habitat and species protection areas, and for a system to monitor the status of fish and wildlife habitat function.
Policy 2M-7 Engage in efforts to better define ground water resources and connection to surface water, current water usage, water rights, adequate in-stream flows, and policy barriers that create conflicts between these things.

Urban Growth Areas

Introduction

This section presents policies, map designations and rationale for the urban growth areas for Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, Sumas, Birch Bay, Columbia Valley, and Cherry Point. Map 2-18 shows designated urban growth areas.

Purpose

The Growth Management Act requires the designation of urban growth areas (RCW 36.70A.110). These areas are to include cities and other areas characterized by urban growth or adjacent to such areas, and are to be designed to accommodate the projected population growth for twenty years. Any growth that occurs outside the areas cannot be urban in nature. The Act further specifies that urban growth should, first, be located in areas that already have adequate existing public facilities and service capacity and, second, in areas where such services if not already available, can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources.

The purpose of this section is to establish areas within the County where growth will be directed. The boundaries, as defined, are an attempt to concentrate growth and provide urban areas in accordance with expected growth needs while ensuring the county's identified values to preserve private property rights and reduce unnecessary regulations.

Process

Planning staff worked with representatives from each city through the Growth Management Coordinating Council to develop the methodologies, policies, forecasts and allocations for each urban area. Each city was asked to submit a proposed Urban Growth Area, along with growth allocation requests, for the County to
consider. Following receipt of those requests, the County Council held a public
hearing before developing a response to city proposals and final action.

Urban Growth Areas—Background Summary

Each city provided information in their comprehensive plans, in work sessions with
planning staff, and at public hearings and work sessions before the County Council
to provide the data and assumptions used as a guide in setting Urban Growth Area
boundaries. The comprehensive plans for each city and the written and oral input
provided by them at the public hearings and work sessions serve as background for
establishing UGAs. The cities worked with Whatcom County staff to develop a single
methodology for analysis of the urban land capacity within the County. Such
variables as, average population per household, occupancy, residential and
employment densities, infrastructure requirements, natural systems and critical
areas constraints, ownership and development trends, and appropriate market
factors to assure adequate supply and affordable housing were considered.

Urban Growth Areas—Issues, Goals, and Policies

Overall

The Growth Management Act assigns the responsibility of designating urban growth
areas to counties. Growth is to be encouraged within urban growth areas and
discouraged outside them. Urban Growth Areas are set in accordance with the
policies established in Chapter 36.70A RCW and applicable regulations. County-wide
planning policies. The County should work with cities to ensure that comprehensive
plans are coordinated and consistent. Specific consideration is given to approved
comprehensive plans for the municipalities and their supporting justification.
Modifications have been incorporated into this plan during the 10-year UGA review
based upon several criteria:

- The need to assure logical service boundaries,
- The need to avoid isolated pockets or abnormally irregular boundaries,
- Consideration of land needs and capacity analysis of residential, commercial
and industrial needs within urban areas, and
- Identification of special needs with respect to unique non-city industrial sites
(such as Cherry Point), and County areas for which the County will actively
support incorporation as appropriate (such as Birch Bay, or Columbia Valley).

County-Wide Planning Policies set guidelines for designating city urban growth
areas including:
• Small cities’ UGAs shall be of an adequate size to allow them to become viable economic centers.

• The size of cities’ UGAs shall be consistent with their ability to provide services.

• UGAs shall include contiguous areas with urban characteristics and zoning.

• Sufficient land shall be provided within UGAs to accommodate the 20-year urban growth projection, plus a reasonable land supply market factor.

• Setting of UGAs shall minimize impacts on agricultural land, forestry, mineral resources, watersheds, water resources, and critical areas. Cities should absorb additional population at appropriate urban densities before expanding 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 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 UGAs Short Term Planning Areas as receiving
areas for development rights transferred from sending areas.

Policy 2N-4: Ensure that cities or other service providers do not extend sewer
or urban levels of water service to serve new-areas of urban
densities outside urban growth areas except when necessary to
protect basic public health and safety and the environment and
when such services are financially supportable at zoned
densities and do not permit urban development unless
emergency or health hazards exist.

Reason for change: The above language better reflects the GMA provisions relating
to extension of urban services outside of UGAs (RCW 36.70A.110(4)).

Policy 2N-5: Protect resource lands by controlling or buffering adjacent uses
and encouraging increased densities within existing city
boundaries before expanding into county resource lands.

Policy 2N-6: Encourage provision of serviced industrial sites by cities.
Policy 2N-7: Consider mixed-use zoning, where appropriate, to encourage walkability. Encourage interlocal agreements to be in place prior to annexation to address issues such as timing, logical service areas, and economic balance between commercial, industrial, residential and other lands within the UGA.

Reason for change: Mixed use zoning may facilitate the ability to walk between residential and commercial areas. Interlocal agreements are addressed under Goal 2R and associated policies below.

Goal 2P:

Encourage Bellingham to establish new residential developments at densities averaging six to twenty-four units per net residential acre; encourage Ferndale to establish new residential developments at densities averaging five to ten units per net residential acre; encourage Lynden to establish new residential developments at densities averaging five to ten units per net residential acre; and encourage remaining smaller cities to establish new residential development at average densities of four units per net residential acre, while respecting unique characteristics associated with each city.

Whatcom County seeks to support and encourage the cities in efforts to increase residential densities within their jurisdictions throughout the planning period, as a way to increase vitality, reduce the cost of services, manage outward growth, and protect the environment. The County encourages cities to approve new residential developments at city-wide average net densities as shown below, while respecting unique characteristics of each city:

- Bellingham – six to 24 units per net acre;
- Ferndale – six to 10 units per net acre;
- Lynden – six to 10 units per net acre;
- Blaine – four to six units per net acre;
- Everson – four to six units per net acre;
- Nooksack – four to six units per net acre; and
- Sumas – four to six units per net acre.

The County should approve new residential developments at overall average net densities as shown below, while respecting unique characteristics of each community:

- Birch Bay – five to ten units per net acre; and
- Columbia Valley – four to six units per net acre.
Policy 2P-1: Encourage cities to adopt and implement policies and development regulations that promote urban densities. Ensure that cities have adopted mechanisms which will encourage densities at desired levels.

Policy 2P-2: Consider natural limitations on the development capacity of land, such as critical aquifer recharge areas or floodplains, and other characteristics unique to each city, such as seasonal population or adjacent county urban zoning, in designating urban growth areas and densities.

Policy 2P-3: Encourage in-filling to occur in existing areas with urban characteristics in a manner which is more harmonious with existing neighborhood character.

Policy 2P-4: Encourage housing to develop with the greatest possible mix of household incomes by utilizing such techniques as lot clustering, varied lot sizes, small scale multi-family dwellings, and responsible reductions in infrastructure requirements for subdivisions.

Goal 2Q: Ensure that development in the Birch Bay and Columbia Valley Unincorporated Residential-Recreational-Urban Growth Areas not associated with a City is of an urban level and proceeds in a logical and efficient manner.

Policy 2Q-1: Establish urban standards for development within Unincorporated Residential/Recreational Urban Growth Areas.

Reason for change: The County has already established development standards that apply in urban areas. The Birch Bay UGA was covered under the Western Washington Phase II Municipal Stormwater Permit (which became effective August 1, 2013) and this will necessitate changes in the future to the stormwater rules for Birch Bay (see Ordinance 2013-050). These changes are already required by state and federal rules.

Policy 2Q-12: Ensure that service providers do not extend sewer or urban levels of water service to serve new areas of urban densities outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development if health hazards exist.
Reason for change: The above language better reflects the GMA provisions relating to extension of urban services outside of UGAs (RCW 36.70A.110(4)).

Policy 2Q-23: Establish interlocal agreements with each Work with Urban service providers located within Unincorporated Residential/Recreational Urban Growth Areas, if appropriate, to coordinate urban service and facility planning with land use planning, which include provisions that address coordination and timing of service extensions.

Policy 2Q-4: Provide planning assistance to Unincorporated Residential/Recreational Urban Growth Areas for the purpose of developing and implementing Comprehensive Community Plans to further define future uses and facilitate orderly urban development.

Policy 2Q-35: Encourage the establishment of an advisory committee for the Birch Bay and Columbia Valley each Unincorporated Residential/Recreational Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.

Policy 2Q-4: Provide planning assistance to citizens of the Birch Bay and Columbia Valley Urban Growth Areas for the purpose of developing and implementing Subarea or Community Plans to further define future uses and facilitate orderly urban development.

Policy 2Q-56: Encourage and assist the citizens of Birch Bay and Columbia Valley Unincorporated Residential/Recreational Urban Growth Areas with incorporation requirements when appropriate.

Goal 2R: Establish an interlocal agreement with each city which sets out general guidelines to address revenue sharing, the provision of services, management of growth, annexation, delivery of services, protection of critical areas, and designation of open space within urban growth areas.

Policy 2R-1: Include in interlocal agreements, a clear, predictable, and fair formula for revenue sharing agreements which compensates jurisdictions that suffer revenue loss without attendant reduction in service demands as a result of annexation.
Policy 2R-2: Establish procedures for development project review within urban growth areas which protect the interests of both the city and the county. Generally, city development standards and adopted levels of service should be applied within urban growth areas.

Reason for change: Cities generally do not extend public water and sewer outside city limits. When public water and sewer is not available in residential areas, County zoning in UGAs requires a minimum density of one dwelling per 10 acres (see Policy 2R-4 below). It may not be appropriate to require urban development standards for non-urban development.

Policy 2R-3: Responsibility for construction of capital facilities, including transportation facilities to accommodate urban levels of growth, generally, should be assigned to cities. In some cases, timing may require installation of these improvements prior to annexation. In these cases, interlocal agreements should address allocations of costs and revenues between cities and the county.

Policy 2R-4: Limit development within urban growth areas with no municipal sewer and water service through zoning at a density no greater than one unit per ten acres.

Policy 2R-5: Ensure that cities have done an adequate job of planning for development within urban growth areas and have coordinated this planning with the County including Coordinate with cities on UGA planning, facilitating urban development, balancing commercial, industrial and residential lands in the UGA, timing of annexation, 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 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 (UGAs) 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/Recreational 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

- 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 services 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 only include 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: Establish and 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.

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-1011: The Geneva and Hillsdale areas, located within the Lake Whatcom Watershed, are designated urban growth areas in order to allow the City of Bellingham to annex these areas. The City has a long-term interest in the water quality of Lake Whatcom because the City is responsible for providing Bellingham with safe drinking water from the Lake. Whatcom County and the community also have long-term interests in the watershed based upon the special environmental sensitivity of the Lake Whatcom Watershed as a drinking water source and the Total Maximum Daily Load (TMDL) findings requiring a reduction of phosphorus inputs into the lake. Therefore, only non-urban densities should be allowed in that portion of the Urban Growth Area within the watershed. The City of Bellingham has expressed interest in exploring the possibility of annexing these areas. To allow sufficient time for the 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 relationship 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 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 agreements 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.
Everson

Everson urban growth area is located in central western 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 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-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 Set an Urban Growth Area Boundary for Everson which accommodates future growth needs and recognizes constraints imposed by Nooksack River
flooding and adjacent designated agriculture and mineral resource lands mining issues.

Policy 2W-1: Work with Everson to adopt measures to limit development in floodplains.

Policy 2W-2: Recognize adjacent mineral resource lands as potential urban development areas and work with Everson and land owners to develop an environmentally safe plan to facilitate this conversion.

Policy 2W-3: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Everson wellfield.

Policy 2W-4: Review and update the interlocal agreement with Everson, prior to expiration of the current interlocal agreements, 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 Plans;
- 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.

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 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–industrial area around the Grandview Road / I-5 interchange. Land – A certain area between the Grandview industrial area and the Ferndale city center is designated Urban Growth Area Reserve, as this area has been identified as may be a logical extension of the Urban Growth Area in the future.
Reason for change: The City of Ferndale adopted Ordinance # 1619 to annex 144 acres in the Grandview area, including all the commercial zoned land, in Dec. 2010.

West
Areas west of the city are included in the UGA, as these areas are generally located in proximity to existing water lines, sewer lines, City streets and/or schools.

East
There are only limited areas to the east that are included within the Urban Growth Area. Existing large lot development patterns to the east make the extension of efficient public facilities and services to this area more difficult.

South
Land southeast of the City, near the intersection of I-5 and Slater Rd., is included in the UGA to accommodate commercial development. The State, Whatcom Council of Governments, Whatcom County, City of Ferndale, City of Bellingham, Lummi Nation, and Port of Bellingham are coordinating long-range transportation improvements in the Slater Rd. area. Very little land area to the south has been included in the urban growth area.

Goal 2X: Provide a sufficient Urban Growth Area for Ferndale to accommodate future growth needs, meet Ferndale's long-term vision, retain existing character and attain Growth Management Act and county land use goals.

Policy 2X-1: Support City of Ferndale planning efforts for in-fill development within the existing city limits and development of its UGA.

Policy 2X-2: Ensure that adequate capital facilities can be provided to the Grandview Industrial area within a timely fashion to accommodate development of the area.

Policy 2X-3: Establish a revenue sharing agreement which fairly compensates the county if a loss of revenue from the Grandview Industrial Area exceeds reduction in associated costs.

Policy 2X-4: Encourage Ferndale to work towards development of a "wetland bank" to mitigate impacts of development on scattered wetland areas within the city.

Policy 2X-5: Review and update the interlocal agreement with Ferndale, prior to expiration of the current interlocal agreements 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: | Provide an Urban Growth Area for Lynden of 
sufficient size to accommodate future growth, 
protect the existing character of Lynden, and minimize 
impact on county resource lands. |
|---|---|
| Policy 2Y-1: | Review county zoning regulations to ensure that conditional 
uses in the agricultural zone do not discourage the development 
of such uses within the City of Lynden. |

Reason for change: This policy was originally adopted in the 1997 Comprehensive 
Plan. The County previously narrowed the range of conditional uses allowed in the 
Agriculture zone in 2001 (Ordinance 2001-020). The proposed amendment would 
address any future proposals to modify the conditional use provisions in the 
Agriculture zone.

| Policy 2Y-2: | Require—Work with Lynden to develop 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 
aricultural resource lands.

| Policy 2Y-3: | Review and update the interlocal agreement with Lynden, prior 
to expiration of the current interlocal agreements as needed, to provide for: |

Whatcom County Comprehensive Plan 2-54
• 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 rezing 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 central western 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 residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA - (Map UGA-6)

North
Land northwest of the existing city limits, north of Tom Rd., has been included in the Urban Growth Area. This land is mostly located outside the floodplain and, after annexation, is planned for future industrial development.

East
Land east of the existing city limits and north of Breckenridge Creek has been included in the Urban Growth Area. This land is mostly located outside floodplains, and upon annexation Nooksack has indicated a willingness to provide urban services. This area currently contains the Nooksack Elementary School and an adjacent cemetery, both of which are considered public uses. The majority of the remaining area is planned for residential development.
South
Land south of the existing city limits and east of SR 9 has been included in the Urban Growth Area. This land, formerly in the Everson Urban Growth Area, is planned for future residential and commercial development.

West
Land west of the existing city limits, adjacent to the Nooksack Valley Middle School, has been included in the Urban Growth Area. This land is located within the floodplain and, after annexation, is planned for ball fields.

Goal 2Z: Provide an Urban Growth Area Boundary for Nooksack which accommodates future growth needs and recognizes constraints imposed by Nooksack and Sumas River flooding, and adjacent designated agriculture agricultural uses, and mineral resource lands, mining issues.

Policy 2Z-1: Work with Nooksack to adopt measures to limit development in floodplains.

Policy 2Z-2: Encourage Nooksack to review land use proposals for available agricultural and flood prone lands for designation in open space type uses.

Reason for change: The City of Nooksack reviewed zoning in 2013 and shifted some land within the City into a new “Open Space/Agriculture” zone.

Policy 2Z-23: Encourage Nooksack to pursue multi-family development and to adopt measures to develop within the existing city limits at increased densities.

Policy 2Z-34: Ensure Nooksack can provide adequate urban services to accommodate projected population growth within the urban growth area.

Policy 2Z-45: Review and update the interlocal agreement with Nooksack, prior to expiration of the current interlocal agreements as needed, to provide for:

- Coordinated growth management and capital facility planning;
- Identification of needed capital facility improvements and funding mechanisms; adequate sources of funding;
- Timing and procedures to be used for review of adequacy of land supply;
- 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
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 2009. 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.

Whatcom County Comprehensive Plan

2-63
Fire District 14 serves Sumas by contract. The Fire District has indicated that it currently can provide urban level of service to Sumas.

The Nooksack School District serves Everson, Nooksack and Sumas. The School District does not have a Capital Facilities Plan, although capacity analysis indicates that the District is able to provide sufficient capacity for the 20-year planning period.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

The urban growth area for Sumas is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Sumas to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA - (Map UGA-7)

An area south of Sumas and east of SR9 has been designated urban growth area to accommodate future growth needs.

Goal 2AA: Provide an Urban Growth Area boundary for Sumas which accommodates future growth needs and recognizes the unique constraints imposed by flooding of the Sumas River and the Nooksack River and designated Agriculture lands.

Policy 2AA-1: Ensure Sumas can provide adequate urban services within the urban growth area.

Policy 2AA-2: Work with Sumas to adopt measures to limit development in floodplains.

Policy 2AA-3: Encourage Sumas to increase densities for areas located outside the floodplain.

Policy 2AA-4: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Sumas City wellfield and May Road wellfield.

Policy 2AA-5: Review and update the interlocal agreement with Sumas, prior to expiration of the current interlocal agreement, to provide
for: Negotiate and adopt an interlocal agreement which provides
for:

- Coordinated growth management and capital facility
  planning;

- restriction of extension of urban levels of service outside
  the urban growth area;

- identification of needed capital facility improvements and
  funding mechanisms; establishment of how they will be
  paid-for;

- timing and procedures to be used for review of adequate
  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

British Columbia, Canada

Sumas

Map UGA-7

Whatcom County Comprehensive Plan

Chapter 2 – Land Use

Whatcom County | Comprehensive Plan

June 21, 2016

262
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 however, the trend is shifting to more permanent residents because of the attractiveness of the Birch Bay area and the cost of housing in other areas of the county increases. The 2000 census counted 5,094 housing units in the Birch Bay Census Designated Place, including recreational units and RV sites.

During the 2009 UGA update, land was removed from the Birch Bay UGA. The land removed from the UGA was put into a Rural Comprehensive Plan designation and re-zoned from urban densities to Rural One dwelling/ten acres.

Water and sewer are provided by Birch Bay Water and Sewer and Water District which has a network of water lines throughout most of the district. Birch Bay Water and Sewer District has the capability of providing sewer service to the entire urban growth area, but the present sewer system covers a much smaller geographic area than the water distribution system. The sewer service area also includes land which was removed from the Birch Bay Urban Growth Area, or is included in the Blaine Urban Growth Area.

The district purchases water under a contractual agreement from the City of Blaine. In April 2002, the District entered into a 30 year contract with the City of Blaine to purchase water adequate to serve the District’s projected need for water through 2032.2022. The District continues to work closely with Blaine as the need for water changes 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.

Reason for change: Sudden Valley text has been modified and moved to the Lake Whatcom section of Chapter 11, Environment.

Goal 2BB: Recognize Birch Bay and the Columbia Valley area as county urban growth areas, not associated with existing cities.

Policy 2BB-1: Work with the Birch Bay Water and Sewer District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction, amend the District service area boundaries to be consistent with the revised Urban Growth Area and establish policies for provision of water service to portions of the District that were removed from the UGA.

Policy 2BB-2: Work with North Whatcom Fire and Rescue, the Blaine School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Birch Bay UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction.

Policy 2BB-3: Recognize the resort nature of Birch Bay, including the significant second home factor when analyzing land supply for urban growth area boundaries. Recognize the recreational...
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-1240: 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-1341: 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 runoff 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
- Urban Growth Area Reserve
- 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 own occupy about 4,400 acres of the total Cherry Point industrial lands. In addition to existing industry, the planning and permitting for a new 1,100 acre bulk commodities shipping port in the Cherry Point UGA is nearly complete. The four major industrial areas (three existing and one proposed) together would consume about 5,200 acres of the heavy industrial land in the Cherry Point UGA or about 74 percent of the heavy industrial area. Land consumption at Cherry Point has been about 1,000 acres per facility on the average which includes sufficient land to avoid wetlands and provide buffer areas. Based on this consumption figure, there is only sufficient remaining land in the Cherry Point industrial area to support two additional industrial complexes of the character of those presently located there.

Because of the special characteristics of Cherry Point, this area has regional significance for the siting of large industrial or related facilities. Because of the large acreage demands of the types of industries likely to locate there, the remaining undeveloped acreage at Cherry Point will likely be absorbed during the 20 year planning period.

The Cherry Point shoreline also has great importance to the fisheries and ecology of Northern Puget Sound because it provides essential spawning habitat for what once was the largest herring stock in Washington State. This herring stock has supported important commercial fisheries in the past and provides forage for salmonids and other important marine species. In 2010, the DNR recognized the need to “protect the significant environmental resource of aquatic lands at Cherry Point” (CPAR Management Plan p. 1), completed the Cherry Point Environmental Aquatic Reserve Management Plan, and designated the Cherry Point Aquatic Reserve to ensure long-term environmental protection of the area. In September 2003, the DNR accepted the recommendation that Cherry Point be further evaluated for Aquatic Reserve status. A supplemental EIS is currently being prepared for the proposed reserve. It is expected that the final supplemental EIS will be published in spring of 2005. The proposed reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation. The site excludes three existing aquatic land leases (BP, Intalco, Ceneco-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.
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 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.

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.
- Cherry Point Urban Growth Area

Map UGA-10

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;

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;
b. WCC 20.36.450 Lot coverage, Rural District.

2. Require that lots developed under the lot clustering option be designed and located to be compatible with valuable or unique natural features as well as physical constraints of the site through standards provided in the following Zoning Code provisions, adopted herein by reference:

a. WCC 20.32.310 Lot clustering design standards, Residential Rural District;
b. WCC 20.34.310 Lot clustering design standards, Rural Residential-Island District;
c. WCC 20.36.310 Lot clustering design standards, Rural District;

3. Protect the aesthetic assets of the rural areas and soften the impact of structures through landscape buffers and setback requirements provided in the following Zoning Code provisions, adopted herein by reference:

a. WCC 20.80.200 Setback requirements;
b. WCC 20.80.300 Landscaping.

4. In the Point Roberts Rural Community, regulated visual aspects of development through the standards in the following Zoning Code provisions, adopted herein by reference:

a. WCC 20.72.350 Building setbacks/_buffer areas, Point Roberts Special District;
b. WCC 20.72.651 Facility design, Point Roberts Special District;
c. WCC 20.72.653 Tree canopy retention, Point Roberts Special District;
d. WCC 20.72.654 Site design/view corridors, Point Roberts Special District.

C. Measures to protect critical areas and surface and groundwater resources:

1. Protect the functions and values of critical areas (geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and habitat conservation areas) and the ecological
processes that sustain them, through WCC 16.16 Critical Areas provisions, adopted herein by reference.

2. Minimize the adverse effects of discharges from on-site sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.


4. Protect surface and ground water resources through stormwater management standards established in the County’s Development Standards per WCC 20.80.630 through .636, WCC 20.51 and 12.08.035 referenced in the following Zoning Code provision, adopted herein by reference:

   a. 20.32.656 Drainage, Residential Rural District;
   b. 20.34.659 Drainage, Rural Residential-Island District;
   c. 20.36.656 Drainage, Rural District;
   d. 20.37.655 Drainage, Point Roberts Transitional District;
   e. 20.44.652 Drainage, Recreation and Open Space District;
   f. 20.59.704 Drainage, Rural General Commercial District;
   g. 20.60.655 Drainage, Neighborhood Commercial District;
   h. 20.61.704 Drainage, Small Town Commercial District;
   i. 20.63.654 Drainage, Tourist Commercial District;
   j. 20.64.655 Drainage, Resort Commercial District;
   k. 20.67.653 Drainage, General Manufacturing District;
   l. 20.69.655 Drainage, Rural Industrial and Manufacturing District.

5. Assure that subdivisions meet requirements for critical areas, shoreline management, and stormwater management through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
a. WCC 21.04.034 Application Procedures, Short subdivisions.
b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions.

6. Limit water withdrawals resulting from land division through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:

a. WCC 21.04.090 Water supply, Short Subdivisions.
b. WCC 21.05.080 Water supply, Preliminary Long Subdivisions.

7. Regulate groundwater withdrawals by requiring purveyors of public water systems and private water system applicants to comply with Washington State Department of Ecology water right requirements per WCC 24.11.050, adopted herein by reference.

8. Require evidence of an adequate water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.

9. Determine adequacy of water supply for building permit applications proposing to use a well, spring, or surface water, per WCC 24.11.090, .100, .110, .120, .130, .160, and .170, adopted herein by reference.

10. Limit phosphorus entering Lake Whatcom through WCC 20.51 Lake Whatcom Watershed Overlay District and Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential laws and public properties through WCC 16.32, adopted herein by reference.

11. Protect vital drinking water, sensitive habitats, and recreational resources within the Department of Ecology’s designated Western Washington Phase II Municipal Stormwater Permit area and the Lake Whatcom watershed by prohibiting illicit discharges to the county’s stormwater collection system through WCC 16.36 Illicit Discharge Detection and Elimination Program, adopted herein by reference.
12. Maintain standards for clearing activity in highly valued water resource areas, environmentally sensitive areas, or areas where natural conditions are so unstable that clearing activity in the area can result in hazardous conditions per WCC 20.80.735 Water Resource Special Management Area, adopted herein by reference.

D. Measures to protect against conflicts with the use of agricultural, forest, and mineral resource lands:

1. Ensure separation of new residences from agricultural and forestry uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.80.255 Agricultural District, Supplementary Requirements;
   b. WCC 20.80.256 Forestry districts, Supplementary Requirements;
   c. WCC 20.80.258 All districts, Supplementary Requirements.

2. Ensure separation of businesses from agricultural uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.59.600 Buffer area, Rural General Commercial District;
   b. WCC 20.60.550 Buffer area, Neighborhood Commercial District;
   c. WCC 20.61.600 Buffer area, Small Town Commercial District;
   d. WCC 20.63.600 Buffer area, Tourist Commercial District;
   e. WCC 20.64.550 Buffer area, Resort Commercial District;
   f. WCC 20.67.550 Buffer area, General Manufacturing District;
   g. WCC 20.69.550 Buffer area, Rural Industrial and Manufacturing District.

3. Require that all discretionary project permits within one half mile of areas designated in this plan as Rural, Agriculture, Commercial Forestry, or Rural Forestry, or within 300 feet of areas designated as Mineral Resource
Lands, be subject to disclosure practices in the in the following Whatcom County Code provisions, adopted herein by reference:

   a. WCC 20.40.662 Use of Natural Resources, Agriculture District;
   b. WCC 20.42.652 Use of Natural Resources, Rural Forestry District;
   c. WCC 20.43.662 Use of Natural Resources, Commercial Forestry District;
   d. WCC 14.02 Right to Farm;
   e. WCC 14.04 Right to Practice Forestry;

   Policy 2DD-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (RCW 84.34).

   Policy 2DD-4: Conserve open space, park land, and trails for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.

   Policy 2DD-5: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County’s agricultural land base.

   Policy 2DD-6: In the "Agriculture Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered where it would not create more conflicts with accepted agricultural practices, on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.

   Policy 2DD-7: Maintain the historic character and cultural roles of each rural area and community.

   Policy 2DD-8: Allow more intensive uses in limited areas of more intensive rural development designated consistent with RCW 36.70A.070(5)(d), which provide public and commercial services and employment opportunities. Reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area by establishing clearly defined boundaries for these areas as well as criteria for creating or

Whatcom County Comprehensive Plan
changing those boundaries consistent with RCW 36.70A.070(5)(d).

Policy 2DD-9: Assure non-conforming uses of rural property owners reasonable use of their land by continuing to allow legal nonconforming uses.

Policy 2DD-10: Adopt incentive programs, such as purchase of development rights, transfer of development rights, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so.

Rural Services

Development in rural areas should not receive urban levels of service except where necessary to protect public health, safety, and the environment. Services should be coordinated to ensure that rural areas receive appropriate services including law enforcement protection, fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads. Most of the residential development in rural areas uses individual on-site septic systems. Some drinking water is provided by on-site wells and in other cases it is provided by water districts or water associations.

Goal 2EE: Ensure that rural areas are provided with services consistent with the rural character and that development patterns do not encourage an increased service level or degrade water quality.

Policy 2EE-1: Recognize domestic water systems, volunteer fire protection, emergency services, law enforcement protection, transportation, public transit services and public utilities typically associated with rural development as appropriate services in designated rural areas. Rural services do not include storm or sanitary sewers.

Policy 2EE-2: Coordinate and plan public facilities, services, roads, and utilities to ensure that rural areas have appropriate and adequate rural levels of service necessary to maintain a rural lifestyle. Coordinate with rural service providers to ensure efficient and effective service to rural areas.

Policy 2EE-3: Pursue measures through which new development would help pay for increased demands on critical rural services such as fire and emergency service.
Policy 2EE-4: Prohibit extension or expansion of municipal public sewer systems outside urban growth areas or LAMIRDs except where it is necessary to protect public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Policy 2EE-5: Ensure that adequate on-site wells and on-site sewage and septic systems are properly installed, monitored, and maintained. Provide technical assistance to property owners, and require necessary improvements when needed to protect health, safety and environmental quality.

Policy 2EE-6: Promote better land use practices and protect water quality by encouraging landowners and developers to investigate and implement innovative subdivision, septic system designs, and stormwater management.

Policy 2EE-7: Ensure county coordination with service providers to determine if new or infill development will have necessary services. Require concurrent review of new development to ensure adequate level of service at rural standards are available at the time of development.

Policy 2EE-8: Public services and public facilities necessary for rural commercial and industrial uses shall be provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

Rural Employment Opportunities

Many residents in rural Whatcom County depend on cottage industries, home occupations, small businesses, and natural resource-based jobs for their livelihood. These types of businesses support the local economy and are compatible with the rural lifestyle desired by county residents.

Commercial and industrial uses located within Rural Communities, Rural Tourism, and Rural Business areas are also important contributors to the local economy, providing jobs and services to rural residents.

Goal 2FF: Provide employment opportunities in the rural parts of Whatcom County.

Policy 2FF-1: Support small businesses, cottage industries, home occupations, resource-based, tourist, recreational, and other appropriate industries in the rural areas of Whatcom County. New rural commercial and industrial uses that are more intensive than
those permitted within rural zones as home occupations or
cottage industries should be located within designated Rural
Communities and Rural Business areas.

Policy 2FF-2: Support resource-based industries that require only rural
services, conserve the natural resource land base, and help
maintain the rural character and lifestyle of the community.
Assure adequate facilities, mitigation and buffers through
development regulations.

Policy 2FF-3: Ensure that business operations do not adversely impact
adjacent residential, agricultural or forest land, or compromise
water quality and quantity.

Policy 2FF-4: Allow home-based occupations, cottage industries and small-
scale tourist and recreational uses throughout the rural area
provided they do not adversely affect the surrounding
residential uses, agricultural uses, forestry uses, or rural
character.

Rural Lands—Land Use

Rural Designation

Lands outside the County’s urban and resource areas include a variety of uses and
densities. Traditionally, Whatcom County’s rural areas have been characterized by a
spectrum of uses ranging from farms and large-lot residential areas to recreational
communities and small towns. The more intensive uses in that spectrum
(commercial/industrial areas and residential areas with densities greater than one
unit per five acres) are contained within the boundaries of Rural Community, Rural
Tourism, or Rural Business designations (LAMIRDs) and Neighborhood designations.
The remainder of the rural areas are designated Rural and contain traditional rural
residential and farm uses as well as small home-based and conditionally-permitted
businesses. The rural character of the lands designated as Rural should not be
compromised by the encroachment of more intensive development. Commercial
and industrial uses in the rural areas not contained within a Rural Community
designation must meet GMA criteria for small-scale tourism or isolated business
uses (RCW 36.70A.070(5)(d)(ii) and (iii).

Portions of the rural area that historically contain larger lots have been zoned for
densities of one dwelling per ten acres. These areas provide for a variety of
densities important to the rural character and shall be retained. Rezones from R10A
to allow higher densities are limited to those R10A areas that are adjacent to
established higher densities.
Goal 2GG: Designate Rural areas to contain a variety of uses and densities while retaining their traditional rural character.

Policy 2GG-1: Provide a variety of residential choices at rural densities which are compatible with the character of each of the rural areas.

Policy 2GG-2: The Rural designation includes areas of traditional rural uses and gross residential densities at or below one unit per five acres. To reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area, more intensive development shall be contained within Rural Community, Rural Tourism, or Rural Business designations, which are limited areas of more intensive rural development (LAMIRDs), and predominantly residential areas with established densities greater than one unit per five acres shall be contained in Rural Neighborhood designations.

Policy 2GG-3: 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:

A. Residential density (the average size of parcels that contained a residence as of January 1, 2013) within 500 feet of the area to be rezoned is less than 7.5 acres.
B. The proposed rezoning area is not in a designated urban growth area reserve, and
C. The proposed rezoning area is not within an area designated as a rural study area in the 2007 Rural Land Study accepted by the County in Resolution 2009-040.

Policy 2GG-4: Minimize potential conflicts of rural residential development near designated natural resource lands to prevent adverse impacts on resource land uses.

Policy 2GG-5: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone, when necessary to protect critical areas and high-value resource lands.

Policy 2GG-6: Ensure that flexible development patterns such as cluster subdivisions effectively preserve open space and agricultural land and do not create the need for more intensive rural services.
Policy 2GG-7: Development within Rural designations shall be consistent with rural character as described in this chapter.

Limited Areas of More Intensive Rural Development (LAMIRDs)

RCW 36.70A.070(5)(d)(i) through (iii) allows counties to designate limited areas of more intensive development (LAMIRDs) for three types of development patterns in the rural areas:

- **Type I:** “Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas...” Existing development is defined as that which existed on July 1, 1990.

- **Type II:** “The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those...uses, that rely on a rural location and setting...”

- **Type III:** “The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents...”

Areas designated in this plan as Rural Communities are Type I LAMIRDs. Rural Tourism designations are Type II LAMIRDs and Rural Business designations are Type III LAMIRDs.

The purpose of LAMIRDs is to place limits on more intensive development and prevent it from adversely affecting the character of the surrounding rural areas. Rural Communities (Type I LAMIRDs) are areas characterized by more intensive uses at the time Whatcom County began planning under GMA. Rural Tourism designations (Type II LAMIRDS) apply to lots that contain small-scale tourist uses. Rural Business designations apply to lots that contain isolated small-scale business. The criteria listed under Goal 2HH were used to designate Rural Communities and Rural Business areas (the Type I and Type III LAMIRDS) in 2010 and should be used to establish future Rural Tourism and Rural Business designations (Type II and III LAMIRDs) and to evaluate future proposed modifications to Rural Community, Rural Tourism, and Rural Business designations (Type I, II, and III LAMIRDs).

**Goal 2HH:** Establish LAMIRD Designation Criteria

Policy 2HH-1: Rural Community (Type I LAMIRD) designation criteria

A. Location Criteria. Rural Communities may be designated in an area that:
1. Was characterized by existing development more intensive than surrounding rural areas (residential or non-residential) as of July 1, 1990, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and

B. Additional Location Criteria. The following may serve as additional criteria for Rural Community designation (relative to the specific circumstances of the area, and in combination with each other):
1. The existing (1990) residential built environment was more intensively developed than surrounding areas;
2. Public services are available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control; or
3. The area is planned for more intensive development in a post-GMA local subarea plan.
4. Existing zoning prior to designation as a Rural Community, except existing zoning may not be a sole criterion for designation.

C. Outer Boundary Criteria. For land meeting the criteria described in A and B above, Rural Community boundaries must minimize and contain areas of intensive development and be delineated predominately by the built environment, and shall include:

1. Areas that were intensively developed and characterized by the built environment (including water lines or other utility lines with capacity to serve areas of more intensive uses) on July 1, 1990.
2. Areas that on July 1, 1990 were not intensively developed may be included within Rural Community boundaries if they meet any of the following conditions:
   a. Including the area helps preserve the character of an existing (built) natural neighborhood;
   b. Including the area allows the logical outer boundary to follow a physical boundary such as bodies of water, streets and highways, and land forms and contours;
   c. Including the area (or in limited cases, a portion of the parcel) prevents the logical outer boundary from being abnormally irregular;
d. Including the area is consistent with efficient provision of public facilities and services in a manner that does not permit low-density sprawl;
e. Including the area does not create a new pattern of low-density sprawl.

Policy 2HH-2: Rural Tourism (Type II LAMIRD) designation criteria

A. Location Criteria. Rural Tourism may be designated on land that:

1. Consists of one lot, or more than one lot, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
3. Is characterized by the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development, other than a dwelling unit accessory to the business for use by the owner-manager or caretaker.
4. Does not exceed 20 acres.

B. Additional Criteria The following serve as additional criteria for Rural Tourism designation:

1. The area may include pre-existing residential development, but not new (except for dwelling units accessory to the business for use by the owner-manager or caretaker), and
2. The area may serve more than the local existing & projected rural population, and utility lines with capacity to serve areas of more intensive uses) on July 1, 1990.
3. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.

Policy 2HH-3: Rural Business (Type III LAMIRD) designation criteria

A. Location Criteria. Rural Business may be designated on land that:
1. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
2. Consists of a lot or small group of lots that either:
   a. Contain nonresidential uses and is located within a commercial, manufacturing, or industrial zoning district at the time of original county-initiated designation, or
   b. Allow for new development of isolated cottage industries and isolated small scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.

B. Additional Criteria.

1. A Rural Business designation on a lot or small group of lots containing nonresidential uses shall be separated from other LAMIRD designations, regardless of type, by no less than one-half mile by public road, except where the other LAMIRD is separated by a major physical feature such as a water body, freeway, major road, or other physical feature.

2. In the event that the listed criteria result in the need to choose one proposed designation over another, preference is given to a proposed use that:
   a. Provides the greatest number of job opportunities for rural residents.
   b. Is located at a controlled public road intersection.

Rural Communities

Rural Communities are areas that have historically served as centers of activity and services for surrounding rural areas, or have been established as more intensive rural residential development. In many cases, they are served by public services and facilities, including schools, libraries, post offices, and/or public transportation. These areas are Type I LAMIRDs and include small unincorporated towns and other areas where a concentration of commercial and public uses have been in existence.
since before the adoption of the GMA in 1990. Typically, these are mixed-use areas containing both residential and nonresidential uses developed at a greater intensity than is generally found in outlying rural areas. This more intensive development is contained within the boundaries of the Rural Community designations, preventing the expansion of more intensive uses and densities into the surrounding rural areas. Because undeveloped lots may be included within Rural Community boundaries, infill development is possible, but at an intensity consistent with the development that existed in 1990.

Areas designated as Rural Communities are: Acme, Axton & Guide Meridian, Birch Bay-Lynden & Valley View, Cain Lake, Custer, Deming, Diablo, Emerald Lake, Glacier, Hinotes Corner, Kendall, Lake Samish, Laurel, Lummi Peninsula, Maple Falls, Newhalem, Nugents Corner, Point Roberts, Pole & Guide Meridian, Sandy Point/Sandy Point Heights, Smith & Guide Meridian, Sudden Valley, Van Wyck, and Wiser Lake.

**Goal 2JJ:** Designate areas of more intensive rural development that existed on July 1, 1990 as Rural Communities.

**Policy 2JJ-1:** Areas designated as Rural Communities shall meet the criteria stated in this chapter and the requirements of RCW 36.70A.070(5)(d)(i), which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, including necessary public facilities and public services to serve the limited area.

**Policy 2JJ-2:** Boundaries of Rural Communities shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iv), which requires limited areas of more intensive rural development to be clearly identifiable and contained within a logical outer boundary delineated predominately by the built environment as it existed on July 1, 1990.

**Policy 2JJ-3:** Additional Rural Communities shall not be designated, nor shall boundaries of Rural Communities be changed unless the area of the proposed addition meets the criteria stated in this chapter, and requirements of RCW 36.70A.070(5)(d). Designated Resource Lands should not be redesignated as Rural Communities.

**Policy 2JJ-4:** Within the Rural Communities, encourage adequate economic development to provide current and future residents’ employment needs, and provide rural residents places to shop, eat, and access to public services.
Policy 2JJ-5: Within Rural Communities development or redevelopment in terms of size, scale, use, or intensity shall be consistent with the character of the area on July 1, 1990.

Policy 2JJ-6: Lands inside Rural Community designation boundaries that are within low-density residential zones (one residence per five acres or less density) or resource zones, or are federally owned, should not be re-zoned to allow more intensive uses and densities.

Policy 2JJ-7: Land uses within Rural Communities, except for industrial uses, should be principally designed to serve the existing and projected rural population.

Policy 2JJ-8: Encourage future public participation activities to develop additional planning goals and policies specific to residents’ needs and preferences in individual Rural Communities.

Rural Tourism

Whatcom County’s scenic rural areas are enjoyed by residents and tourist alike. Small scale recreation or tourist uses that rely on a rural setting provide income opportunities for rural residents and contribute to the local economy. GMA allows counties to designate new Type II LAMIRDS for new small-scale recreation and tourist uses. The Rural Tourism designation limits and contains such uses, which can be more intensive than surrounding rural uses.

Goal 2KK: Provide opportunities for small-scale recreational or tourist uses in rural areas.

Policy 2KK-1: Lands designated for Rural Tourism shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(ii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development (other than a dwelling unit accessory to the business for use by the owner-manager or caretaker).

Policy 2KK-2: Designated Resource Lands shall not be redesignated as Rural Tourism.
Rural Business

Many businesses have been established in commercial and industrial zones outside of Rural Community areas. These uses, which are more intensive than those found in surrounding rural areas, provide commercial services and job opportunities for rural residents. The Rural Business designation permits uses to continue while preventing the spread of businesses in sprawl development patterns.

GMA allows counties to designate new Type III LAMIRDs for new isolated small-scale businesses. To ensure that these uses remain isolated and do not lead to strip development, criteria for Rural Business designation include spacing requirements from other Rural Business designations as well as Rural Communities.

The areas designated Rural Business under Type III guidelines are: Birch Bay-Lynden & I-5, Blue Canyon, Guide Meridian Border Crossing, North Lake Samish & I-5, Slater & Elder, Van Zandt, and Welcome.

Goal 2LL: Designate Rural Business areas to limit and contain nonresidential uses.

Policy 2LL-1: All lands designated Rural Business shall meet the Rural Business designation criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses.

Policy 2LL-2: On lots in a Rural Business area where businesses did not exist on July 1, 2012, the new businesses shall be "small-scale" as described in the development regulations. On lots where businesses existed on July 1, 2012, development regulations should not hold the business to a "small-scale" standard.

Policy 2LL-3: Uses in the Rural Business designation need not be principally designed to serve the existing and projected rural population and nonresidential uses, but provide job opportunities for rural residents.

Policy 2LL-4: Designated Resource Lands shall not be redesignated as Rural Business.
Rural Neighborhoods

The GMA does not set a maximum allowed residential density for rural areas. A large majority of the lands designated as Rural are zoned for one residence per five or ten acres, however, a small proportion has been developed under a zoning that allows densities greater than one dwelling per five acres where public water service is available. These areas have their own unique rural character (as compared with the higher densities contained within LAMIRDs) and they serve to provide a needed variety of rural densities. However, it is important to maintain the character of the more traditional rural areas and prevent expansion of these areas of higher rural densities beyond their traditional limits.

This plan recognizes the unique qualities of these established Rural Neighborhoods and contains them within boundaries that reflect the extent of these areas in 2011. Unlike the Rural Communities, these areas are not LAMIRDs.

**GOAL 2MM:** Designate Rural Neighborhoods to recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.

**Policy 2MM-1:** Areas zoned for densities greater than one dwelling per five acres shall be contained within Rural Neighborhood boundaries. Rural Neighborhood boundaries shall not be expanded beyond those established in 2012, which were drawn to include areas that were developed at higher rural densities in 2011.

**Policy 2MM-2:** In the Whatcom County Code, the Rural and Rural Residential zoning districts may include Rural Residential Density Overlays that may be applied to areas within the Rural Neighborhood designation where higher density rural residential development has already occurred. The overlay should allow for infill development with lot sizes consistent with those of surrounding lots, where public water service is available. The overlay shall limit eligibility of lots based on the percentage of surrounding lots that were developed in 2011, and shall establish a maximum density that may be achieved using the overlay. The Rural Residential Density Overlays shall not be created or expanded outside of Rural Neighborhoods or into areas where higher density rural development has not occurred; such expansion is not consistent with maintaining the traditional character of the surrounding rural areas.

**Policy 2MM-3:** Rural Neighborhoods are designated adjacent to Urban Growth Areas only in areas where developed densities exceeded one
dwellings per 2.5 acres in 2011, and there is little potential for efficient urban development in the future.

Policy 2MM-4: Urban governmental services shall not be extended into a Rural Neighborhood unless such extensions are shown to be necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Urban Growth Area Reserves

The Whatcom County Comprehensive Plan Land Use Map includes the designation of Urban Growth Area Reserves. Urban Growth Area Reserves means a land use designation that may be applied to those areas which are adjacent and contiguous to either incorporated or unincorporated Urban Growth Areas which appear to be suitable for future inclusion in the respective Urban Growth Area. The purpose of the Urban Growth Area Reserve varies by urban area. Expansion of urban growth into the Reserve area may occur if criteria are met.

Upon establishing an Urban Growth Area Reserve, Whatcom County will establish land use controls intended to reserve the area for future urban densities and development by limiting the potential of the properties to be developed with incompatible uses, densities, or public facilities which would interfere with the likely expansion of urban development in the future. Properties in these areas should generally have land use designations of no more than one unit per ten acres, and uses such as agriculture, forestry, conservation, and low density residential development, may be encouraged provided that the continuation of such uses may not be a basis for preventing future expansion of the Urban Growth Area to the Urban Growth Area Reserve.

General criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area are set forth below:

1. Need for Land Capacity. The need for additional land is necessary to accommodate projected urban growth, as documented in a land capacity analysis due to growth higher than allocated to the urban area or less land capacity than analyzed. A transfer from Urban Growth Area Reserve to Urban Growth Area will not be allowed which would provide capacity to accommodate substantially more than 20 years of urban growth. Additional consideration can be made regarding the mix of housing and employment opportunities that are required to serve the Urban Growth Area which could be accommodated in the Urban Growth Area Reserve and which cannot be accommodated within the Urban Growth Area.

2. Adequate Public Facilities and Services. There are plans and capacity to serve the areas with urban governmental services as set forth in the Growth
Management Act. There is no requirement to extend these services prior to
transferring the area from Urban Growth Area Reserve to Urban Growth
Area, but the Capital Facility Plans must document the capacity and plans to
serve at urban levels of service within the 20-year planning period.

3. Land Use Plans. The respective city, or county for unincorporated Urban
Growth Areas, have comprehensive plans and land use regulations in
place to allow for the transition from Urban Growth Area Reserve to Urban
Growth Area. The respective jurisdiction will also have in place development
regulations that ensure urban densities are achieved within the existing
Urban Growth Area. Urban Growth Area Reserves should be jointly planned
between Whatcom County and the respective city.

4. Natural Resource Lands. Expansion into the Urban Growth Area Reserve will
not allow uses that are incompatible with adjoining natural resource lands
unless mitigated through buffers, increased setbacks or other measures as
necessary to maintain the productivity of the adjacent resource lands. If the
expansion is into lands zoned Agricultural, the city and county shall have an
interlocal agreement or regulations in place that implement a program that
outlines the respective roles in protecting at least 100,000 acres of
agricultural land in Whatcom County.

5. Environment. Land use regulations are in place to ensure protection of the
environment and sensitive watersheds.

6. Open Space Corridors. Continued provisions are made for open space
corridors within and between Urban Growth Areas where not otherwise
precluded by previous development patterns.

Below are issues, established by urban area that must be addressed in order to
authorize areas to be re-designated from Urban Growth Area Reserve to Urban
Growth Area.

Bellingham Urban Area

The south Yew St. and the south Caitac areas have been designated as Urban
Growth Area Reserves. Prior to re-designating the south Yew St. area to UGA, need
for additional land capacity must be demonstrated, planning for adequate public
facilities and services must be completed, and potential impacts on Lake Padden
water quality must be addressed. Prior to re-designating the south Caitac area to
UGA, need for additional land capacity must be demonstrated and planning for
adequate public facilities and services must be completed.
Lake Padden is considered a sensitive water body because it is designated as impaired by pollution under Clean Water Act standards [303(d) Category 5 Waters]. This area has also not demonstrated the ability to provide adequate public facilities and services within the twenty-year planning period. The portion of the Lake Padden Watershed that was previously designated as an Urban Growth Area is designated as an Urban Growth Area Reserve. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Reason for change: The City of Bellingham recommended retaining the south Yew St. area in the UGA Reserve and adding the south Chaltac area into the UGA Reserve.

Birch Bay Urban Area

An area bisected by Blaine Rd., generally north of Arnie Rd., has been designated as Urban Growth Area Reserve. Prior to re-designating this area to UGA, need for additional land capacity and planning for adequate public facilities and services must be demonstrated. The area currently zoned R10A west of Blaine Rd. should maintain a density of one dwelling/10 acres in recognition of the wetlands and floodplain in this 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 growth forecast can be accommodated in the existing UGA without expansion into the UGA Reserve at this time. The text above provides guidance relating to any future proposals to expand the UGA into the UGA Reserve.

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

Whatcom County Comprehensive Plan 2-106
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 west 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. These 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.

Whatcom County Comprehensive Plan 2-109
The joint resolution included goals for watershed management that extended beyond urbanization. Goals were included for stormwater management, on-site waste systems, conservation, forest management, spill response, hazardous materials transport and handling, data/information management, education/public involvement, and other topics. A joint strategy was agreed to for developing specific plans to meet the adopted goals. Eight high-priority goals were selected first and plans have been completed and jointly adopted for each of the goals.

In 1998, the City, County, and District 10 formalized their joint commitment to protect and manage the lake through the joint adoption of an interlocal agreement and allocation of funding toward protection and management efforts in the watershed. A five-year program plan was developed for ten program areas. Specific priority was placed on activities related to watershed ownership, stormwater management, and urbanization/land development.

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

In 2003, there were approximately 2,730 existing dwelling units in the Lake Whatcom watershed located outside of the Bellingham UGA. Under the zoning adopted in January 2004, the gross potential build-out in this area is about 6,507 total dwelling units. Therefore, even under the more restrictive zoning adopted in January of 2004, there could be a significant amount of new development in the watershed.

Water and sewer service are provided by Water District 10. Capacity problems in the district's sewer line, which serves Geneva and Sudden Valley, have caused overflows into the lake in the past. An aggressive program to preclude stormwater infiltration has eliminated the overflow problems to a large extent. In addition, the district has a contractually limited flow capacity to Bellingham. The Lake Louise Road sewage interceptor was constructed in January 2003 to carry waste water from Sudden Valley and Geneva and serves as a complement to the Lake Whatcom Boulevard trunk line. The interceptor was designed to service full build-out of Sudden Valley and Geneva.

There are several pending subdivisions in the area which are being proposed at less than full density but which will increase the overall development level outside of urban areas to a significant degree.
In 2006 the Whatcom County Council approved funding to study reconveyance of DNR managed County Forest Board Lands.

In 2004, the Department of Natural Resources (DNR) Board on Natural Resources adopted the Lake Whatcom Landscape Plan. This plan provides additional protections on state-managed lands within the Lake Whatcom watershed. The plan provides additional protections on streams and potentially unstable slopes not normally included in forest practices in Washington State. If the DNR exchanges land from the watershed the protections provided by the plan would not be applicable to the new owner. Chapter 11: Environment, contains more discussion of Lake Whatcom issues and includes additional goals and policies related to watershed management, stormwater, and water quality.

**Goal 2MM:** Prioritize the Lake Whatcom area as an area to minimize development, repair existing storm water problems, specifically for phosphorus, and ensure forestry practices do not negatively impact water quality. Provide sufficient funding and support to be successful.

**Policy 2MM-1:** Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.

**Policy 2MM-2:** Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed.

**Policy 2MM-3:** Recognize that all users of Lake Whatcom water have an interest in the resource and should share in the cost of its protection.

**Policy 2MM-4:** Work cooperatively with the City and Water District 10 to identify, review, and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various jurisdictions. Place a particular focus on the information needed to evaluate the impacts of additional development in the watershed. Include an analysis of the diversion from the Middle Fork of the Nooksack. Coordinate effort with the Lake Whatcom Management Committee process.

**Policy 2MM-5:** Evaluate and pursue, as appropriate, the use of incentives to encourage voluntary lot consolidation, transfer or purchase of development rights, current use taxation, and participation in open space conservation programs.

**Policy 2MM-6:** Do not allow density bonuses within the Lake Whatcom Watershed.
Policy 2MM-7: Work cooperatively with the City and Water District 10 to develop benchmarks to determine the effectiveness of management options; when goals have been achieved, or when additional actions are necessary.

Policy 2MM-8: Continue to develop and refine structural and non-structural best management practices (BMPs), both voluntary and required, to minimize development impacts within the Lake Whatcom watershed.

Policy 2MM-9: Work to keep Whatcom County Forest Board and Forest Purchase lands within the Lake Whatcom watershed in public ownership, and support managing forestry on said lands in a manner that minimizes sediment and phosphorus yields from streams.

Policy 2MM-10: Encourage the location of public services such as schools, libraries, and post offices, within Rural Communities that would likely reduce the vehicle miles traveled within the watershed.

Reason for change: The Lake Whatcom text, goals and policies have been modified and moved to Chapter 11. Sudden Valley goals and policies are included below.

**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.

*Whatcom County Comprehensive Plan*
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.

**Goal 2NN:** Recognize Sudden Valley as a Rural Community (Type 1 LAMIRD) with unique challenges that require active participation in the planning process.

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

Policy 2NN-2: Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed.

Policy 2NN-3: Recognize the existing parcelization and the commitment for development of the remaining multi-family parcels in Sudden Valley.

Policy 2NN-4: Work with the Community Association towards voluntary density reduction of additional lots within Sudden Valley.

Policy 2NN-5: 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.

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.

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.

**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: 2OONN:** Continue to recognize private parcels surrounded by National Park or National Forest as part of Whatcom County's jurisdiction.

**Policy 2OONN-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.

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**Title:** Master Planned Resort

**Purpose:** To recognize and contain resort areas that existed on July 1, 1990, or permit new master planned resort areas that depend on a setting of significant natural amenities.

**Definition:** Historic or new resort planned development that is self-contained and fully integrated, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities.

**Reason for change:** Planned unit developments are only allowed within UGAs (WCC 20.85.020), and not within Rural areas.

**Locational Criteria:** Resorts may be located in urban or rural areas within a setting of significant natural amenities.

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**Title:** Rural Community (Type I LAMIRD)

**Purpose:** To recognize rural development consisting of the infill, development, or redevelopment of commercial, industrial, residential, or mixed uses areas that existed on July 1, 1990 and limit and contain more intensive rural land uses within logical outer boundaries.
Policies on the definition and locational criteria for Rural Communities are found under Goals 2HH and 2JJ in this chapter.

**Title: Rural Tourism (Type II LAMIRD)**

**Purpose:** To recognize small-scale recreational or tourist uses in rural areas, and to limit and contain more intensive rural development on those lots.

Policies on the definition and locational criteria for Rural Tourism designations are found under Goals 2HH and 2KK in this chapter.

**Title: Rural Business (Type III LAMIRD)**

**Purpose:** To recognize development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses, to limit and contain more intensive development on those lots.

Policies on the definition and locational criteria for Rural Business designations are found under Goals 2HH and 2LL in this chapter.

**Title: Rural Neighborhood**

**Purpose:** To recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.

Policies on the definition and locational criteria for Rural Neighborhood designations are found under Goal 2MM in this chapter.

**Title: Rural**

**Purpose:** To provide opportunity for a variety of low-density residential development including cluster development with the flexibility to practice farming or forestry, or operate a home occupation or cottage industry; to retain a sense of community. Also to encourage agriculture and forestry activities through the use of incentives.

Policies on the definition and locational criteria for Rural designations are found under Goal 2GG in this chapter.
Title: Agriculture - Resource Lands

Purpose: To recognize and promote agriculture in Whatcom County and protect prime agricultural soils and productive agricultural lands from conversion to other uses. To prevent conflicts between residential and agricultural uses.

Definition: Commercial agriculture lands generally located on parcels 40 acres or larger, with one dwelling unit per 40 acres or legal lot of record allowed.

Reason for Change: The Agriculture designation has lots that are smaller than 40 acres. The zoning generally allows a house on an existing legal lot of record.

Locational Criteria: Agriculture designation criteria are set forth in Chapter 8, Resource Lands. Soils identified as prime agricultural soils; large parcels; existing commercial agricultural uses.

Title: Rural Forestry - Resource Lands

Purpose: To provide flexibility in use, enabling the landowner to live on the land and practice forestry and forestry-related industry.

Definition: Lands used primarily for growing trees with some low-density residential development.

Locational Criteria: Rural Forestry designation criteria are set forth in Chapter 8, Resource Lands. Lands useful for growing trees for commercial timber production; usually located within public service districts; accessed by private roads built to Whatcom County development standards or public roads; low density residential development; land parcels generally 20 acres or greater in size; property often in tax deferred status.

Title: Commercial Forestry - Resource Lands

Purpose: To provide land base for commercial forestry activities and provide predictability of future land use to forest land owners.

Definition: Land primarily devoted to commercial timber production.

Locational Criteria: Commercial Forestry designation criteria are set forth in Chapter 8, Resource Lands. Land primarily devoted to growing trees for long term commercial timber production; located outside public service districts such as fire and water; accessed by private or state forest roads; parcels generally 40 acres or larger in size; land in tax deferred status.
Title: Mineral Resource Lands - Resource Lands

Purpose: To ensure a long-term supply of mineral resources and provide predictability in land use.
Definition: Lands of long-term commercial significance for the extraction of minerals.

Locational Criteria: MRL designation criteria are set forth in Chapter 8, Resource Lands. Proven mineral resources of long-term commercial significance, low-density rural areas, designated Agricultural lands generally with Non-Prime Farmland Soils and when demonstrated to be of higher value as a mineral resource than as an agricultural resource; and designated Forestry lands of higher value as a mineral resource than as forestry resource.

Title: Public Recreation

Purpose: To provide the public with open space and recreational opportunities; to protect conservation areas.
Definition: Areas with unique scenic or recreational amenities.

Locational Criteria: Parcels owned or managed by public or private agencies for recreational or conservation use.

Title: Special Study Areas

Purpose: To indicate areas where regional planning efforts are a high priority and necessary in order to address important local issues in greater detail.
Definition: Includes the Lake Whatcom Watershed and certain areas within the Lummi Reservation.

Reason for Change: There is no designation on the Whatcom County Comprehensive Plan map called “Special Study Areas.”

Open Space

Introduction

Cascade peaks, forested mountains, the Nooksack drainage, farmlands, riparian corridors, lakes, shorelines and islands contain the natural beauty and character of Whatcom County's landscape. This setting contributes greatly to the quality of life enjoyed by county residents who value its elements of environmental quality, scenic beauty and recreational opportunities. Whether thought of as broadly as a
mountain range and the marine waters of the Strait of Georgia, or as narrowly as a small corridor between two buildings in a 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 citizen 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
County Council Preliminary Draft
June 21, 2016

Chapter 2 – Land Use

Whatcom County contains many public open space lands such as county and state parks and state and national forest lands. Whatcom County stewards over 15,000 acres of parkland. Whatcom County Parks and Recreation Department maintains 32 park sites totaling over 4,000 acres. The Washington State Parks Department stewards operate more than 2,4003,000 acres of state parks. The Washington State Department of Natural Resources manages stewards over 88,000,000 acres of state forest land in Whatcom County, including two Natural Resource Conservation Areas. These forest lands are generally open to the public for recreational uses, except for seasonal and some special use restrictions. The US Forest Service and the North Cascades National Park manage over 800,000 acres of land in the eastern portion of the county for timber, recreation, wildlife habitat, fisheries production, and wilderness.

Under the provisions of the Open Space Taxation Act (RCW 84.34), Whatcom County may classify will designate as "Open Space" farms, forests, and beneficial open lands upon request by individual land owners when such lands meet adopted criteria and policies. These adopted policies are contained in the policies established in this section. A Public Benefit Rating System that implements the policies rates each application under consideration.

Properties which qualify under the county's Open Space program are granted partial relief from property taxes in exchange for maintaining their land in open space use as defined by state law and county policies. Some open space categories require that a landowner provide public access provisions to the property while other categories do not have this requirement. According to latest Assessor's information, 119,907 acres were classified under the County's open space program in 2014. 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 2RR: Identify and protect open space corridors within and between urban growth areas. These corridors should include trails and other lands useful for recreation, while
emphasizing wildlife habitat, and connection of critical areas, where feasible.

Policy 2RR-1: Identify marine, riverine, and other riparian corridors as essential elements of open space corridors.

Policy 2RR-2: Identify contiguous forested landscapes as essential elements of open space corridors.

Policy 2RR-3: Identify tidelands and floodplains as essential elements of open space corridors.

Policy 2RR-4: Identify estuaries, lakes, and rivers as naturally occurring open space corridors.

Policy 2RR-5: Plan greenway corridors within urban growth areas. Ensure development is consistent with these corridors through the permit process and incentive programs.

Policy 2RR-6: Include common open space in which pedestrian and bicycle pathways may be integrated in new developments.

Goal 2SS: Promote coordination among the county, cities, Port of Bellingham, and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.

Policy 2SS-1: Encourage all jurisdictions to provide adequate neighborhood parks and play areas within safe walking and bicycling distances of residential neighborhoods.

Policy 2SS-2: Link county open space corridors with those of adjacent jurisdictions where viable.

Policy 2SS-3: Encourage separation of urban growth areas through planning, development regulations, open space purchase, conservation easements, and other appropriate mechanisms.

Encouraging Open Space Conservation

A variety of methods act to encourage the retention of open space. These range from regulatory restrictions to incentives and to public purchase. It has been the policy of Whatcom County to create an equitable tax climate for the landowner willing to maintain land as open space, through the use of the Open Space Taxation Act. While the Growth Management Act authorizes the purchase of open space corridors, in many cases incentive-based measures may be more flexible, productive, and desirable.
Public and private conservation organizations such as the Nature Conservancy, the
Trust for Public Land, and the Whatcom Land Trust serve important functions such
as assisting in negotiating with property owners, providing funding sources, and
accepting conservation easements and land donations. Often such organizations
can act quickly to provide interim preservation during the time period necessary for
government action to occur.

Finally, protection of private property rights has been identified through the
Visioning Process as an important issue for Whatcom County residents that needs
to be expressed in public policy concerning open space.

**Goal 2TT:** Ensure equity between the public benefit and the private
burden while encouraging open space retention.

**Policy 2TT-1:** Retain valuable agriculture and forestry lands by enrollment in
Whatcom County’s open space taxation program.

**Policy 2TT-2:** Recognize that some parcels in the open space taxation
program, while key components of the open space system, may
not be open to the public.

**Policy 2TT-3:** Support the conservation of fish and wildlife habitat through
enrollment in Whatcom County’s open space taxation program.

**Policy 2TT-4:** Support the retention of open space and open space corridors
through the use of education and incentives, such as purchase
or transfer of development rights, density bonuses within UGAs,
cluster development, and acquisition of easements.

**Policy 2TT-5:** Avoid inflexible land use regulations by engaging in a
proactive program of public investment, landowner incentives,
and other actions aimed at preserving open space.

**Policy 2TT-6:** Improve public access to shorelines and other lands using such
mechanisms as purchase or transfer of development rights,
density bonuses within UGAs, and open space tax status.

**Policy 2TT-7:** Utilize the Conservation Opportunity Matrix developed by the
Natural Heritage Task Force in 1990 as a tool for evaluating
Evaluate conservation opportunities, comparing conservation
alternatives, and developing a list of priority sites.

**Policy 2TT-8:** Make expenditures for public purposes, such as open space,
parks or greenbelts, with existing public funds and other sources
as appropriate. New local taxes for these purposes should be
imposed only upon the vote of the people.
Policy 2TT-9: Support the conservation of unique environmental features through the creative use of cluster subdivisions.

Policy 2TT-10: Support the incorporation of stream greenbelts into subdivision design as common open space and provide incentives for stream buffers greater than those legally required.

Policy 2TT-11: Support the important role of public and private conservation organizations.

Policy 2TT-12: Support public and private land trusts in acquiring conservation easements that provide open space attributes, consistent with the intents of property owners.

Policy 2TT-13: Review the goals of Preserving a Way of Life: A Natural Heritage Plan for Whatcom County, as endorsed by the Whatcom County Council in 1991 and continue to implement those goals which are appropriate, beneficial, consistent with this plan, and within the County's fiscal capabilities.

Policy 2TT-14: Consider an update to Whatcom County Open Space Policies and Criteria and Public Benefit Rating System (as amended in 1995 under Ord. No. 1995-040) to further incentivize voluntary fish and wildlife habitat enhancement and protection on privately owned lands and shorelines.

Open Space Corridors Map

The Open Space Corridors Map (2-340) indicates both areas of interest for acquisition or easements to implement the open space objectives and other areas which will remain private but because of their nature serve as visual or wildlife corridors. This does not imply that all sites will be acquired, nor have their development potential reduced. Property owners may or may not have been contacted regarding potential public access.

Essential Public Facilities

Introduction

Essential public facilities are those facilities that are "typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020" (RCW 36.70A.200, Siting of essential public facilities).
The county has also designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities.

Reason for change: Regional transit authority facilities as defined in RCW 81.112 were added to the list of essential public facilities by the State legislature in 2010 (Senate Bill 6279). However, regional transit authorities may only be established in two or more contiguous counties each having a population of 400,000 or more (RCW 81.112.030). Therefore, this change to the state statute does not apply to Whatcom County. Instead of adding regional transit authority facilities to the list above, the quotes will simply be removed.

Purpose

This section of the Land Use chapter outlines a recommended process for identifying essential public facilities, defining locational criteria for such facilities, selecting sites for them, and establishing an appeal mechanism as required by the RCW. The suggested process emphasizes avoidance of process duplication, considers the long- and short-term impacts of such siting, provides for effective public review and participation, and stresses compatibility with neighboring land uses.

Process

This section was prepared with consideration of information and procedures adopted by other jurisdictions. An Essential Public Facilities Advisory Committee composed of citizen, business, health care and government representatives met in 2001-2002 and recommended modifications to this chapter to refine the process for siting essential public facilities. The original essential public facilities ordinance was adopted in 2004 and has since been amended. The process adapted for use by Whatcom County and recommended herein has been recognized as a model site selection process at the state level.

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

The GMA goal of encouraging citizen participation and coordination is served by this section. This section has been prepared to satisfy that goal while also meeting the intent of the County-Wide Planning Policies (CWPPs), and the general guidelines of the Visioning Community Value Statements. The CWPPs require identification of appropriate land for public facilities, a cooperative and structured process to consider siting of essential public facilities of a regional, or state-wide nature. Visioning Community Value Statements underscore the importance of citizen participation. Adoption of this section and implementation of its goals and policies satisfies Growth Management goals, Visioning Community Value Statements, and County-Wide Planning Policies.
GMA Requirements

RCW 36.70A.200 requires that each county include a process for identifying and siting essential public facilities. The RCW defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities, state and local correction facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities for sex offenders. Additionally, the county has designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities. This section meets the requirements of the Growth Management Act.

Background Summary

Essential public facilities include those facilities considered difficult to site because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety. The Growth Management Act (RCW 36.70A.200) and the Washington Administrative Code (WAC 365-195-550340) indicate that essential public facilities:

- Are typically difficult to site;
- Provide a public service to meet a public need, including a local service need; and
- Are provided, substantially funded or contracted for by government or subject to public service obligations.

County-Wide Planning Policies (CWPP) stipulate that the county and cities must identify appropriate land for public facilities meeting the needs of the community. Adopted CWPPs require the county and cities to develop a cooperative and structured process, including public involvement at an early stage, to consider siting of public facilities of a regional, or state-wide, or federal nature. Any new facilities or major expansions of existing facilities must conform to these local siting procedures.

Reason for change: County-wide Planning Policy K-2 references regional and state-wide facilities, but not federal facilities.

The CWPPs also address the desirability of shared rights-of-way when not in conflict with wildlife, technical, or public health and safety concerns.
Issues, Goals, and Policies

Siting Essential Public Facilities

Essential public facility siting may not be prohibited by any local plan or regulation; the Growth Management Act, however, empowers local government to determine those plans, policies, and regulations that are most appropriate to county communities.

An equitable distribution of public facilities is important to avoid an unfair concentration of any such facilities within the county. A well-defined appeal process must be part of any siting process. Some essential public facilities, federal facilities for example, must meet multiple levels of siting and permitting approval; coordination is important to avoid unnecessary and costly delays brought about by redundant processes.

Goal 2UU: Utilize the established process for siting essential public facilities.

Policy 2UU-1: Adhere to the process for essential public facility site selection as outlined in the comprehensive plan and zoning ordinance. This process is summarized as follows:

- An applicant for an essential public facility should consult with the Whatcom County Planning & Development Services Department very early in the process of developing a proposal to determine the siting criteria and County permit requirements for the proposed facility.
- Essential public facilities that are allowed as a permitted use are processed administratively by the Planning & Development Services Department.
- Essential public facilities that require a conditional use permit require a public hearing before the hearing examiner. Notice in the newspaper, notice posted on the site and notice mailed to all property owners within 300' of the subject site must be accomplished.

Reason for change: Notice provisions are set forth in Whatcom County Code 2.33.060 and .070.

- Siting criteria in the comprehensive plan and zoning ordinance will be applied when deciding where to site essential public facilities.

Policy 2UU-2: Where possible, use essential public facilities sites jointly for public benefit; trails or open space, for example, could share a corridor or site used primarily for transportation.
Policy 2UU-3: The Growth Management Act identifies certain essential public facilities and the County Council has taken legislative action, with the assistance of an essential public facilities advisory committee, to identify additional essential public facilities. A proponent or government agency shall apply for a comprehensive plan amendment to add a particular land use to the adopted list of essential public facilities. In order to be added to the list of essential public facilities, the applicant must demonstrate that the facility:

- Is typically difficult to site;
- Provides a public service; serves a public need, which may be a local service; need; and
- Is provided, substantially funded or contracted for by government or subject to public service obligations.

Policy 2UU-4: If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of citizen, business, health care, and government representatives, as appropriate, will be appointed by the County Executive to make recommendations relating to the proposed amendments.

Goal 2VV: Utilize the established siting criteria for essential public facilities.

Policy 2VV-1: Locate essential public facilities that generate traffic equal to or greater than similar-sized residential or commercial development near major transportation corridors.

Policy 2VV-2: Do not site essential public facilities where they would have a probable significant adverse impact on critical areas or designated resource lands—designated as environmentally sensitive areas or resource lands.

Policy 2VV-3: Site essential public facilities on property where needed expansion of the facility, based upon population forecasts, level of service standards or projected facility needs, can be accommodated within a 20-year planning period.

Policy 2VV-4: State and regional highways in unincorporated Whatcom County that have been designated as essential state or regional transportation facilities are I-5, State Route 539 (the Guide Meridian), State Route 546/9 (Badger/Garrison from the Guide to Sumas), and State Route 20 to eastern Washington. Other transportation facilities in unincorporated Whatcom County that
have been designated as essential public facilities are Amtrak
Cascades passenger rail service, the Burlington Northern Santa
Fe railroad tracks, and the Cherry Point marine port facilities.
Such facilities in the City of Bellingham include Fairhaven
Station (intercity passenger rail terminal), Bellingham Cruise
Terminal (Alaska Ferry), and the Port of Bellingham (marine
port). Additionally, State Route 543 (the truck route at the
Blaine border) is an essential public facility located within the
city limits of Blaine.

Widening of existing state highways or railroad tracks (including
construction of sidings) and siting new state highways or
railroad tracks should be planned in the Washington Highway
System Plan, Amtrak Cascades Plan and the Freight Rail Plan.
The state will invite the Regional Transportation Planning
Organization and the County to participate in planning studies,
review design plans, and provide comments when siting new or
expanded state highways or railroad tracks.

Highways and railroad tracks that qualify as essential public
facilities should be sited in accordance with all of the following
principles. These facilities should be located:

- In a manner that minimizes or mitigates noise impacts to
  surrounding residential areas.
- Outside of the Lake Whatcom Watershed, unless there
  are no viable alternatives.
- In a manner that allows continued fish passage beyond
  the road or railroad tracks or restores blocked passage.
- In a manner that avoids or mitigates wetland impacts.
- In a manner that minimizes impacts of additional
  impervious surfaces by treating stormwater runoff.
- In a manner that encourages a vibrant economy by
  facilitating the efficient movement of people and freight.
- In a manner that accommodates pedestrians, bicycles,
  and transit.

Major passenger intermodal terminals should be located in
General Commercial, Tourist-Commercial, Airport Operations,
Urban Residential-Medium Density or industrial zones.

Reason for change: Whatcom County Ordinance 2012-032, relating to rural land
use planning and limited areas of more intensive rural development (LAMIRDS),
amended the Tourist Commercial zoning district to no longer allow major passenger
intermodal terminals.
Freight railroad switching yards and terminals should be located in industrial zones.

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, serves 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 the Safety Compatibility Zone Examples, Basic Safety Compatibility Qualities, and Safety Compatibility Criteria Guidelines in the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40, 9-44, 9-45, and 9-47). Special attention shall be given to whether or not the proponent has purchased the land in safety compatibility zone 1 as identified in the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40).

- 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 &

Whatcom County Comprehensive Plan 2-133
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 2VV-14: There are currently no secure community transition facilities for sex offenders located in Whatcom County.

Within unincorporated Whatcom County, secure community transition facilities for sex offenders will be sited in accordance with all of the following:

1. Secure community transition facilities shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of existing risk potential facilities, which are:
   - Public schools;
   - Private schools;
   - School bus stops,
   - Licensed day care
   - Licensed pre-school facilities;
   - Public parks;
   - Publicly dedicated trails;
   - Sports fields;
   - Playgrounds;
   - Recreational and community centers;
   - Churches, synagogues, temples or mosques;
   - Public libraries;
   - Public and private youth camps; and
   - Other uses identified by the State Department of Social and Health Services pursuant to RCW 71.09.020(1311).
Reason for change: A 2009 amendment to RCW 71.09.020 changed the subsection number for the definition of “risk potential activity” from 11 to 13.

“Within the line of sight” shall mean that it is possible to reasonably visually distinguish and recognize individuals. An unobstructed visual distance of 600’ shall be considered to be within the line of sight. Line of sight may be considered to be less than 600’ if the applicant can demonstrate that visual barriers exist or would be created that would visually screen the risk potential facility from the secure community transition facility.

1. No more than one secure community transition facility, with a maximum of three people (other than staff), shall be located within Whatcom County.

2. The average response time of emergency services to a proposed secure community transition facility will be balanced against the proximity of the proposed secure community transition facility to the above risk potential facilities. Great weight will be given to sites that are farthest removed from the risk potential facilities listed above.

3. In identifying potential sites within a county for the location of a secure community transition facility, the State Department of Social and Health Services shall work with local governments to provide for the equitable distribution of such facilities. In coordinating and deciding upon the siting of secure community transition facilities, great weight shall be given by the county and cities within the county to:

   a. The number and location of existing residential facility beds operated by the department of corrections or the mental health division of the department of social and health services in each jurisdiction in the county; and

   b. The number of registered sex offenders classified as level II or level III and the number of sex offenders registered as homeless residing in each jurisdiction in the county.

“Equitable distribution” means siting or locating secure community transition facilities in a manner that will not cause a disproportionate grouping of similar facilities either in any one county, or in any one jurisdiction or community within a county, as relevant.
Whatcom County should seek a financial mitigation agreement from the Department of Social and Health Services for costs associated with law enforcement training, emergency procedure training and other expenses identified under RCW 71.09.344.

Policy 2VV-15: If significant amendments to the essential public facility siting criteria are proposed in the future, an essential public facilities committee consisting of citizen, business, health care, and government representatives, as appropriate, will be appointed by the County Executive to make recommendations relating to the proposed amendments.

Goal 2WW: Provide for broad participation in the siting process by affected agencies, citizens and any other interested parties.

Policy 2WW-1: Assure that any specific procedure for siting facilities considered as regional or essential is consistent with county comprehensive plans and County-Wide Planning Policies.

Goal 2XX: Utilize the established review or appeal procedure to resolve differences of opinion regarding facility site selection.

Policy 2XX-1: Appeals relating to essential public facility siting shall be decided by the Hearing Examiner and/or County Council, in accordance with the zoning ordinance, prior to proceeding with any appeals to Superior Court.

Policy 2XX-2: County regulations will not preclude the siting of essential public facilities in designated zoning districts.

Adult Businesses

Introduction

Purpose

The purpose of the adult business section is to prevent crime, protect residential areas and sensitive uses from incompatible uses, protect retail trade, maintain property values, preserve the quality of life in Whatcom County, protect gateways, corridors and connections in the community, preserve rural character and protect children from increased hazards created by adult businesses.

Process
Because of adverse secondary effects of adult businesses, the County Council established a year-long moratorium in 1998 on accepting new applications until appropriate policies and regulations could be established governing adult businesses. Whatcom County Planning Division staff originally drafted this section in response to the moratorium. It was reviewed with a representative of the Whatcom County Prosecuting Attorney’s office with regard to Constitutional issues. The Planning Commission held a public hearing before final adoption by the County Council.

GMA Requirements

The GMA does not require a Comprehensive Plan to address adult businesses. However, a county is authorized to plan for land use in general (RCW 36.70A.070). Additionally, the Comprehensive Plan can include any elements relating to the physical development within its jurisdiction (RCW 36.70A.080).

Background Summary

Whatcom County provides an outstanding quality of life that is worthy of preserving for future generations. This quality of life is partially dependent upon controlling crime, protecting residential areas, protecting businesses, preserving rural character and maintaining property values. Adult businesses can adversely impact the quality of life and, therefore, Whatcom County should regulate where such uses are allowed.

Issues, Goals, and Policies

Location of Adult Entertainment Establishments

Adult businesses have been shown to create adverse secondary effects upon the community in the form of crime, harming other forms of retail trade, impacting property values and causing deterioration in the quality of life. Such secondary effects can intensify when adult businesses are located in close proximity to one another. Regulating the location of adult businesses is necessary in unincorporated Whatcom County in order to protect the quality of life and minimize adverse secondary impacts of such businesses.

Goal 2YY: Utilize the established criteria for the location of adult businesses.

Policy 2YY-1: Adult businesses will be allowed with administrative approval use permits in Light Impact Industrial zoning districts that are located within City Urban Growth Areas. Adult businesses will not be allowed in the Light Impact Industrial zone immediately southeast of the Bellingham International Airport because, as
the main entrance to the airport, it serves as a gateway to the community.

Policy 2YY-2: Adult businesses will not be allowed in other zoning districts.

Policy 2YY-3: Adult businesses will not be allowed within 1,000 feet of a school, day care, church, park, library, residential zoning district, rural zoning district, Interstate-5, or state highway.

Policy 2YY-4: An adult business will not be allowed within 1,000 feet of any other adult business.

Policy 2YY-5: Non-conforming adult businesses will be terminated by operation of the Whatcom County Code in 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 archeological significance.”

Goal 2ZZ: Recognize Whatcom County’s historical and archeological attributes and identify and encourage the preservation of lands, sites, and structures that have historic or archeological significance.

Policy 2ZZ-1: Whatcom County shall prepare a cultural resource inventory to identify and document archeological and historic resources.

Policy 2ZZ-2: The County’s cultural resource inventory shall be updated on a continuing basis to ensure the inventory’s usefulness as a historic preservation and land use tool.

Policy 2ZZ-3: The County’s cultural resource inventory shall be coordinated with similar programs maintained by municipalities and Tribes.
within the county to ensure the comprehensiveness of the
inventory.

Policy 2ZZ-4: Consistent with its resources and based on the standards of the
cultural resources inventory, the County shall provide technical
assistance to local groups whose work can be incorporated into
the County's inventory.

Policy 2ZZ-5: The County shall seek to preserve and enhance archeological,
historic, and cultural resources by enacting a qualifying historic
preservation ordinance and carrying out the mandates of that
ordinance.

Policy 2ZZ-6: The County shall meet its cultural resource management
obligation under federal, state, and local regulations in an
efficient and effective manner.

Policy 2ZZ-7: Consistent with its resources, the County shall provide technical
assistance on cultural resource matters.

Policy 2ZZ-8: The County shall promote preservation of identified
archeological, historic, and cultural resources.

Policy 2ZZ-9: On projects under its authority, the County shall consistently
seek to mitigate negative impacts to cultural resources.

Policy 2ZZ-10: The County shall undertake through a public/private partnership
a coordinated long-range planning in conjunction with
representatives of arts, heritage, and tourism organizations, to
develop strategies for preserving and enhancing cultural
resources.

Policy 2ZZ-11: The County shall continue to cooperate with cultural groups and
the organized representatives of the tourism industry to
promote cultural tourism and ensure that cultural tourism
projects remain eligible for funding assistance through its
hotel/motel tax fund program.

Reason for change: The above Historic and Cultural Resources text, Goal and
Policies were modified and moved from Chapter 10, Design.

**Land Use—Action Plan**

**Regulatory Changes**
Overall Land Use

1. Refer to a technical advisory committee to review the following:
   - Redundant regulations.
   - Unnecessary regulations.
   - Regulations that could be replaced by incentive programs.
   - Regulations that could be replaced by education programs.
   - Regulations which serve to protect the public welfare, health, and safety.
   - Regulations that prohibit fair, timely and well-publicized review.

Reason for change: Goal 2D, Policies 2D-1, 2D-2, 2D-3, 2D-4, 2G-1 and 2H-1 address most of the above issues.

2.1. Draft and propose regulatory changes to implement the recommendations from this plan and give serious consideration to recommendations from advisory committees appointed by the County Executive or County Council.

Reason for change: The Executive or Council can appoint an advisory committee and consider their recommendations at any time.

3.2. Propose zoning ordinance changes to designate and develop guidelines and policies and appropriate regulatory amendments to accompany Business/Industry Parks and Crossroads Commercial designations.

Reason for change: Industrial parks are allowed in urban growth areas zoned for industrial uses. The LAMIRD designations were amended and no longer include a "Crossroads Commercial" designation.

4.3. Design, present, and adopt a creative land use regulatory program which utilizes such innovative techniques as cluster development, purchase of development rights, transfer of development rights and mitigation banking.

Reason for change: Clustering is generally allowed by zoning. PDRs and TDRs are addressed by policies 2F-4 and 2DD-10. Mitigation banks are addressed in Chapter 11, Environment.

5. Revise the zoning ordinance to:
   - Include a new zone designation(s) for business/industrial parks possibly as a supplement to the existing 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.
Reason for change: Policy 6J-8 in Chapter 6 (Transportation) addresses bus services to Sudden Valley. Chapter 5 generally addresses utilities and chapter 11 generally addresses stormwater.

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.

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


Citizen Involvement

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.

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

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

Timing/Review

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
Using the Growth Management Oversight Committee, develop a cooperative approach to Geographic Information System use with all the cities and interested special districts which may include regular user meetings, cooperative funding, and data needs.

Reason for change: The County's GIS personnel coordinate with cities and special purpose districts on an informal, as needed basis.

Work with the City of Blaine to establish a project review process for development within Blaine's UGA that ensures consistency with Blaine's Comprehensive Plan and development regulations and standards.

Reason for change: The County and the City of Blaine approved an interlocal agreement in 2012 that addresses processing development applications in the Blaine UGA.

Adopt and maintain County zoning for the Blaine UGA which would allow urban densities to develop only in conjunction with annexation or a commitment to annex within a very specific timeline and under very specific conditions.

Reason for Change: The County already has zoning that requires 10 acre residential densities in the Blaine UGA until public water and sewer are extended. At the current time, the City typically does not extend public water and sewer prior to annexation.

Work with the City of Blaine to develop an appropriate level of regulation to adequately protect the Drayton Harbor watershed. Cooperate with the City in enforcing these regulations.

Reason for change: Chapter 11 and Policy 2V-1 in Chapter 2 address Drayton Harbor.

Work with all cities to ensure limitation of development in floodplains within their UGAs.

Reason for change: Chapter 11, Goal 2K and associated policies in Chapter 2, and Policy 2P-2 in Chapter 2 address flooding.

Establish a time frame and process to work with the City of Everson and land owners to develop an environmentally safe plan to facilitate conversion of mineral resource lands adjacent to Everson to urban or rural land uses.

Reason for change: Policy 2W-2 addresses this issue for the Everson UGA.
20. Work with cities to develop regulations that assure compatibility of uses adjacent to resource lands.

Reason for change: Policies 2W-4 (Everson), 2Y-2 (Lynden), 2Z-4 (Nooksack) and 2AA-5 (Sumas) address this issue. Additionally, the interlocal agreements address resource lands.

21. Develop a time frame and process to work with cities to make the appropriate changes to urban growth area boundaries and zoning designations when necessary.

Reason for change: The Growth Management Act requires UGA review by 2016 and every eight years thereafter.

25. Review and update interlocal agreements with each city, as necessary, to address:
   - levels of service within and outside the UGAs;
   - identification of needed improvements and establishment of how they will be funded;
   - development standards within the UGA and review procedures, including wetland and floodplain protection, for development proposals;
   - coordination with the county on greenbelt and open space designations;
   - timing and procedures for review of adequate land supply;
   - consistency with the Coordinated Water System Plan;
   - actions specific to each city and identified in the goals and policies for that city;
   - extension of water and sewer services within UGAs;
   - specific development density requirements within annexation proposals;
   - cities should show evidence of meeting their infill goals as identified in their comprehensive plans;
   - mitigation agreements for conversion of lands designated on the County Comprehensive Plan map as Resource Lands, with the exception of depleted Mineral Resource Lands.

Reason for change: Interlocal agreements are addressed in the policies for each city. Interlocal agreements were approved in 2012 and extend through the year 2022.

22. Adopt interlocal agreements with water and sewer districts, if appropriate, to assure service to county unincorporated urban growth areas and limit urban levels of service outside Short Term Planning Areas.
Reason for change: Water and sewer service for the Birch Bay and Columbia Valley unincorporated UGAs is addressed in Policies 2BB-1 and 2BB-6.

22. Work with the Sudden Valley Community Association to implement the density reduction program.

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

23. Establish on-going communications link with Whatcom County Water District 13, Columbia Valley Water District and Community Associations to work towards mutually beneficial infrastructure solutions including combined services in the Columbia Valley UGA.

Reason for change: Water and sewer service for the Columbia Valley UGA are addressed in Policy 2BB-6.

24. 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.

25. 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.

26. 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.

27. 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

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.

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.

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.

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.

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.
349


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**2016 Notes:**

- Health impacts associated with planning commission recommendations. (Low, high, intermediate)
- Data collected and analyzed for urban planning commission recommendations.
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**3.6.6.1 Plan Exclusion from Priority Development Measures**

- Developments that are excluded from the planning process and review by the Planning Commission are not subject to comprehensive or environmental review.

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**2016 Notes:** 2014 Notes to P2S: Associated Health Impacts. Diet. 2008 Camp Plan Goal Language.
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> Develop an integrated mix of land uses.  
> Encourage walkability.  
> Encourage local healthy food vendors.  
> Economic development of healthy food retail  
> Infrastructure improvements recommended.  
> Mixed-use zoning addressed in Policy 2N-7.  
> Food market.  
> Food entrepreneurship.  
> Job creation.  |  |  |  |  |  |  |
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AB2016-47B

The following documents are available at the Whatcom County Council Office.
2014
Health Impact Review of the Whatcom County Comprehensive Plan

Literature Summary:
Access to Healthy Food
Literature Summary:
Physical Activity
Literature Summary:
Mental Health
Literature Summary:
Social Context
Literature Summary:
Injury & Safety
Healthy Planning Workshop: Summary Report

Overview + Background

Over the past five years, community improvement processes and plans have prioritized the need to focus on the built environment and relationship to health outcomes. Staff at the Whatcom County Health Department and members of the Public Health Advisory Board are involved in a project to explore how to integrate public health into community planning and design, specifically through the Whatcom County Comprehensive Plan. The goal of this project is to create a set of prioritized policy recommendations for the 2016 update of the Whatcom County Comprehensive Plan that have the potential to improve the health & well-being of Whatcom County residents. Many aspects of health are connected to community planning and design; however during this phase of the project, the focus was on policies that help achieve goals identified in the Whatcom County Community Health Improvement Plan: promoting healthy and active living by expanding access to healthy food; creating safe places to walk, bike, play and connect; and limiting exposure to harmful substances.

The purpose of the Healthy Planning Workshop was to move from generalized, best practice comprehensive plan policies that are health-promoting to specific policies that are best suited for the Whatcom County comprehensive plan.
March 2, 2016

Whatcom County Council
311 Grand Avenue
Bellingham, WA 98225

Re: Bellingham Urban Growth Area Review

Dear Council Members,

Thank you for the opportunity to provide written comments for the record in the County's urban growth area review/comprehensive plan update process. Several assertions have been made by representatives of the Caitac and S. Yew Street areas that require a response. These assertions are related to the County's land capacity analysis and the City's financial impact analysis and utility planning for the Caitac area.

Land Capacity Analysis

The Council has heard testimony related to the methodology and accuracy of the County's land capacity analysis (LCA), using the recent Dewey Valley annexation as an example. As we stated in our oral testimony, the assertion that the LCA contains an overstated buildout for the Dewey Valley area is incorrect. The confusion lies in the initial buildout projections given to the Bellingham City Council during the annexation review process. The LCA had, and has the correct buildout projection (98-195 new homes) for the area.

Others have stated that the LCA over estimates development capacity in areas of the city that contain a range of allowed densities. For example, in areas with zoning that allows 6 to 12 units per acre, the LCA uses the base density of 6 units per acre to forecast future growth capacity. It was incorrectly suggested that the LCA uses the mid-point density figure in these areas (or 9 units per acre in this example).

Additional assertions were made regarding basic flaws in LCA methodology, primarily related to wetland buffers. As the Council is aware, the same LCA methodology was used in all the jurisdictions, including the rural areas. Changes in the methodology at this point in the process would require the County and all other jurisdictions to reassess their land capacity and population allocations.
Financial Impact Analysis and Utility Plans

Caitac representatives, both in a February 5, 2016 letter to you and in oral testimony questioned the results of the City's financial impact analysis (FIA) for the Caitac area. They asserted that the FIA contained errors as to the improvements that would be needed to serve the area, and the costs to the public for the improvements. As we indicated in our previous testimony, the FIA methodology is fairly standard, used by many jurisdictions to identify potential costs to provide the full range of urban services to an annexation area. It has been used by the City for over a decade now.

Mr. Jones's testimony regarding the Caitac property raised a number of issues that should be clarified. The 2/5/16 letter discusses the difference between the draft 2007 sewer plan and the approved 2009 plan. The information in the 2007 document is irrelevant as the 2009 plan addressed the ability of the City to treat the potential future sewage for the adopted population and employment growth numbers. This total population estimate stayed consistent with only general locations of future growth within the existing UGA’s changing. The plan was not a conveyance plan and therefore did not establish where future growth would occur, only general areas of the city and UGA for input of the sewage into the system. Mr. Jones assertion that the City's sewer plan anticipates and accounts for development of the Caitac property is misleading.

In 2013, a water system plan update was approved by the City. Using this most up to date plan clears up many of Mr. Jones's misunderstandings of the City's future water system. Throughout the letter, he refers to the "350 Cordata Zone" tank and the "460 King Mountain Water Reservoir" as separate projects. The 2013 Water plan clarifies that there will only be one water reservoir constructed on upper King Mountain, not two. That tank will provide service to most properties in northern Bellingham, not just the Caitac property. The Kearney Street Pump Station will be installed in conjunction with the reservoir construction. The estimated price tag of $4,250,000 is not an error as it also includes additional conveyance pipe work and not just the pump station. The comparison to the cost to build the Birch Street pump station is misleading. That pump station was constructed privately in 2005 for $800,000 per the developers supporting costs submitted to the City. Obviously, construction costs have increased substantially since 2005. A City constructed pump station is required to be built under prevailing wage rules which also increases the cost.

Additionally, the letter alludes to the fact that many future infrastructure projects will not be built without funding from Caitac, and therefore land near the Caitac property will not develop. This may or may not be true. Any inclusion of the Caitac properties would provide additional participants in funding future projects, however they are not reliant on Caitac to be constructed.

On February 9th, the County Council assigned Bellingham the responsibility to accommodate over 31,000 additional residents during the planning period without any changes to the City's UGA. On February 22nd, the City Council directed staff to use the County-approved population growth figure in the update to our comprehensive plan. The Council indicated a willingness to accept the higher growth figure primarily because
it does not require changes to the UGA. We are proceeding in good faith based on the County Council's February 9th vote. Changing direction at this point in the process by revising the City's UGA boundary would make it very difficult to complete our work on the comprehensive plan update by the statutory deadline.

Please contact me if you have any questions regarding this information.

Sincerely,

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.

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

1) p. 2-73; lines 21-25:  Because of the special characteristics of Cherry Point, including deep water port access, rail access, and proximity to Canada, this area has long had regional significance for the siting of large industrial or related facilities. 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.

Cherry Point is also important historically and culturally to the Coast Salish people, and part of the usual and accustomed fishing area for five treaty tribes, reserved under the Treaty of Point Elliot of 1855. The Lummi Nation and Western Washington University have identified an ancestral village dating back over 3,000 years ago in this area. The Cherry Point UGA contains sites of primary archeological and cultural significance.

Since the designation of this area for industrial development years ago, newer scientific study of the shoreline ecology has identified Cherry Point’s unique function as part of the Fraser River/Salish Sea ecosystem and the associated Cherry Point Aquatic Reserve has been designated by the state Department of Natural Resources to recognize the ecological importance of the aquatic lands in this area.

Since adoption of earlier versions of this Comprehensive Plan there has been an increasing recognition of the impacts that fossil fuel use and transportation has on human health, and both the local and global environment. The Cherry Point UGA contains the second-largest emitter of carbon air pollution in Washington State (Ecology, June 2016) and scientific findings show that the use of refined or unrefined fossil fuels overseas contribute up to 16% of the mercury in the soil in the Northwest from return air from Asian burning of those fossil fuels, and that carbon deposition in water from air emissions are the major contributor to ocean acidification. Recent studies by NOAA have found that very small amounts of hydrocarbons lead to congenital heart
failure in juvenile herring and salmon, and may have contributed to the crash of the Cherry Point Herring stock. 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. (Weimer)

2) p. 2-74; lines 6-13: The Aquatic Reserve Management Plan acknowledges that so long as the existing industries, complying with all federal, state and local laws and regulations, they may do not conflict with the Aquatic Reserve although their activities may pose risks for the recovery of species and other goals of 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 shoreline and upland stream and wetland functions and values are of continuing importance to the recovery and protection of species identified in the Aquatic Reserve Management Plan. The area includes one of the last undeveloped Intertidal wetlands of any size in Northern Puget Sound, with importance to juvenile salmon and other species. Existing industries may continue to can serve the Aquatic Reserve's objectives so long as they are managed according to the Plan and so long as the lessees comply with applicable legal requirements and actively work to further the goals of the Reserve (CPAR MP p. 2). (Weimer)

3) p. 2-74; lines 15-25: 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 existing industrial developments. While deep water access made future shipping facilities desirable in the past, recent actions by federal and state regulators denying a proposed fourth pier at Cherry Point have underscored the fact that any future industrial development will undergo scrutiny for compliance with federal and state laws, including treaty rights. Based on the public record developed during this plan review and best available science in the record, the County no longer supports construction of additional export docks or piers at Cherry Point due to environmental and treaty right concerns related to: (a) physical interference with shoreline functions and values; (b) physical interference with traditional, historic and commercial fishing and shellfish harvesting at the Cherry Point shoreline; and (c) the increased risk of catastrophic and cumulative small oil and fuel spills from increased large vessel traffic, potential collisions with tankers and other vessels serving the existing three piers at Cherry Point, and related barge traffic and support vessels, 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, 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, the 2003 Whatcom County Industrial Land Study, and the 2015 Whatcom County Comprehensive Economic Development Strategy. (Weimer)

4) p. 2-74; lines 27 - p. 2-75, line 14: The characteristics that make Cherry Point unique as a site for the existing major industrial developments 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 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 the water borne commerce of the existing users.

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 and from Alaska and to other Pacific Rim locations. The large acreage, good rail access and proximity to Washington State and Canadian ports makes the remaining upland area at Cherry Point suitable for major sustainable, clean-energy manufacturing or production of other commercial or industrial products. 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. 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. 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. (Weimer)
5) p. 2-76; lines 9-16: **Water**: Whatcom County Public Utility District #1 currently provides industrial process water to all major industrial facilities at Cherry Point and has additional water available contracts in place to provide process water to properties that are currently undeveloped. 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 to provide potable water for their facilities. *Existing industries consume large quantities of water, in many cases drawn from the Nooksack River. It is the County's policy to support renewed efforts to reduce both water consumption levels and the quantity of discharges, in favor of recycled water use.* (Weimer)

6) p. 2-76; lines 32-43: 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 appropriately as opportunities present themselves. **While** these existing industries need to be protected from the inappropriate encroachment of incompatible uses; particularly residential uses that could affect their ability to expand. *At the same time, the expansion of these industries needs to be done in ways that do not significantly impact the ecology of the Salish Sea or encourage expanded use of fossil fuels.* The best means for protecting these industries from incompatible adjoining residential 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. (Weimer)

7) p. 2-77; Policy 2CC-3: Assure that Cherry Point's unique features of large parcelization, existing port access, and rail transportation availability are maintained and protected from incompatible development. (Weimer)

8) p. 2-77; Policy 2CC-7: Permit support activities, warehousing, shipping rail shipment, 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. (Weimer)

9) p. 2-77; Policy 2CC-8: 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. *Cherry Point industries provide family wage jobs and fuel for our county and*
Washington State. It is the responsibility of Cherry Point industries to fully cooperate and coordinate with our local firefighters, EMS, and environmental protection agencies to guard public health and safety and reduce environmental impacts and in sharing information pertaining to and necessary for protecting public health, safety and the environment. (Brenner)

10) p. 2-77; Policy 2CC-9: 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, consistent with other County policies mandating and supporting energy and water conservation. (Weimer)

11) p. 2-78; Policy 2CC-10: It is the policy of Whatcom County to limit the number of industrial 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. to the existing three approved leases identified in the Lands Commissioner’s Order No. 201037 designating the Cherry Point Aquatic Reserve (BP, Intalco, and Phillips 66) to:

- Support and remain consistent with the state Department of Natural Resources’ withdrawal of Cherry Point tidelands and bedlands from the general leasing program and species recovery goals of the Cherry Point Aquatic Reserve designation and CPAR MP;
- Further public health and safety;
- Recognize federal actions upholding treaty rights;
- Protect traditional commercial and tribal fishing;
- Prevent conflicts with vessel shipment operations of existing refineries that could lead to catastrophic oil or fuel spills; and
- Adhere to best available science documenting species decline in the Salish Sea and at Cherry Point and enhance the likelihood of reaching the recovery goals of the CPAR and the Puget Sound Partnership’s recovery goals for Year 2035.

This policy shall be implemented as of the date of adoption of this Plan, including but not limited to:
- during review of pending applications;
- as a Council declaration of changed conditions affecting public health and safety concerning impacts of shoreline use at Cherry Point, in the reopening of any hearing on existing approvals;
- during consistency determinations of new applications; and
- at all levels of County land use review, as a health and safety policy, as a substantive SEPA policy under RCW 43.21C.060, and as a basis for modifying and interpreting development and zoning regulations.
This policy potentially provides greater protection of the shoreline than other County policies or regulations and therefore takes precedence and is controlling over any conflicting policy or regulation. (Weimer)

12) p. 2-78; New Policy 2CC-14: In recognition of national policy protecting the unique ecosystem of Puget Sound/the Salish Sea, as reflected in the Magnuson Amendment to the Marine Mammal Protection Act, 33 USC Sec. 476(b), and to protect human and environmental health, the County shall immediately adopt County regulations and rules governing land use practices that prohibit the development or expansion of any new or existing infrastructure within the Cherry Point UGA, limited to the following:

No officer, employee, or other official of Whatcom County shall issue, amend, renew, grant, or otherwise approve any easement, vacation of right-of-way, permit, license, or any authorization or entitlement of any kind under County authority that would have the effect of facilitating construction, renovation, modification, or alteration of any terminal, dock, or other facility in, on, 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 at that facility for consumption in the State of Washington.

The Whatcom County zoning code, development regulations, and SEPA policies shall reflect and implement this policy directive. (Weimer)

13) p. 2-78; New Policy 2CC-15: Without delaying implementation of the foregoing policy (2CC-13), the County shall undertake a study to be completed by December of 2017 to examine existing County laws, including those related to public health, safety, development, building, zoning, permitting, electrical, nuisance, and fire codes, and develop recommendations for legal ways the County can work to limit fossil fuel exports. The study shall review and analyze any legal advice freely submitted to the County by legal experts on behalf of a variety of stakeholder interests, and make that advice public as part of the study report

- Based on the above study, develop proposed Comprehensive Plan amendments and associated code and rule amendments for Council consideration as soon as possible.

- Until the above mentioned amendments are implemented, the Prosecuting Attorney and/or the County Administration shall on a bi-weekly basis, provide the County Council a written summary listing all known pre-application correspondence or permit application submittals and notices, federal, state, or local, that involve activity with the potential to expand the export of fossil fuels from Cherry Point. (Weimer)
14) p. 2-113; Policy 2NN-3: Recognize the existing parcelization and the commitment for development of the remaining development potential of multi-family parcels in Sudden Valley. (Donovan)

15) p. 2-113; Policy 2NN-8: 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 appropriately. (Donovan)

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.

16) p. 2-73; lines 27-41: 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 August 2000 and again in November 2010, the State Lands Commissioner ordered the Cherry Point tidelands and bedlands withdrawn from the state’s general leasing program, except for existing leases, and designated them as the “Cherry Point Aquatic Reserve.” In December 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 Aquatic Reserve. 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). (Weimer)

17) p. 2-77; New Policy 2CC-2: Ensure that existing developments in the Cherry Point UGA maintain and operate under management plans that to accomplish the goals of the Aquatic Reserve Management Plan. Ensure that future developments or expansions within the Cherry Point UGA are consistent with the following:

- Clean-energy and low-carbon emitting industries are favored;
- Strict avoidance of estuaries and near-shore wetlands, as they play not only an important role in protecting habitat, but also serve as flood storage areas in the absorption of future sea level rise;
- Additional hardening of the shoreline through bulkheads or other methods at Cherry Point is prohibited;

- Any proposed new development is consistent with an archeological study designed in cooperation with the Lummi Nation and reviewed by the Lummi Nation as part of the record for any permitting review;

- Water-intensive uses are prohibited and any new development shall utilize state-of-the-art water recycling manufacturing technology to minimize water use.

(Weimer)

Tabled Items

18) p. 2-78; New Policy ZCC-14: 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)
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 engaged 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)

Changes Approved March 29

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)

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)

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:

1) Consultation with a focus group of potential TDR/PDR users in the building industry.

2) 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.
- 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.

3) 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)
Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 4, Capital Facilities.

Preliminary draft, Comprehensive Plan Chapter 4, Capital Facilities

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

The Whatcom County Council will hold a public hearing on March 22, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 4, Capital Facilities (AB2016-047A). This public hearing will give the public the opportunity to provide comments to the County Council relating specifically to Chapter 4, Capital Facilities.

The Council is conducting the Whatcom County Comprehensive Plan and the urban growth area (UGA) review, 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:
1/26/2016: Briefed and discussed
2/23/2016: Amended

COUNCIL ACTION:
3/22/2016: Received public comments

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

Capital Facilities

Introduction

Capital facilities as defined here, and for purposes of the plan, include facilities owned by Whatcom County and other public entities. Capital facilities typically have long useful lives, significant costs, and are not mobile. Whatcom County capital facilities include buildings, land, parks, and roads (transportation facilities, including roads, are addressed in chapter 6).

Capital facilities provided by other public entities may be addressed included in this plan by reference. Those capital facilities plans that may be adopted by reference include plans for water, sewer, fire protection, storm water, and schools, parks and recreation facilities.

Purpose

This chapter contains policies to guide Whatcom County in providing adequate public facilities and services within the county’s financial capability, and provides a unifying framework for facilities planning. It also establishes levels of service for certain county-owned and operated capital facilities. The cities and other public owners of capital facilities are encouraged to use the Whatcom County Comprehensive Plan as a guide in preparing their own plans and capital improvement programs, particularly with respect to designated urban growth areas (UGAs).

Process

In 1991, the firm of Henderson, Young and Company (HYCo) was hired to obtain the necessary expertise in capital facilities planning to assist the county in preparing this chapter. Unlike most other chapters of this plan, Capital Facilities did not involve a citizen’s committee or a technical advisory committee per se. The functions assumed by committees for other chapters were not required for completion of this chapter. Methodology, however, was needed to bring together technical expertise concerning all county organizational divisions that manage the capital facilities of the county. HYCo provided that methodology. Department and division administrators have been called upon repeatedly to provide detailed information on existing facilities, levels of service, funding, projected improvements, and revenue sources. Through that process, they participated in the plan as an ad hoc technical committee. Because of the complexity of this topic, the County Council went through an exercise to establish preliminary levels of service after receiving recommendations from department heads. After review and input by the public, these preliminary levels of service were finalized.
HYCo was responsible for organizing the effort toward completion of this chapter in the original 1997 Comprehensive Plan, with much of the actual work performed by the Whatcom County Planning Division. This chapter was updated in 2004 as part of the seven-year review required under the Growth Management Act and in 2009.

**GMA Goals, and County-Wide 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, 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 County-Wide Planning Policies (CWPP), and general guidelines of the Visioning Community Value Statements.

Although CWPPs do not separately address capital facilities, as defined in this chapter, they are addressed within a number of the policies. Policies requiring fiscal and physical ability to provide adequate public facilities, services, and infrastructure are satisfied in this chapter. The interlocal agreements specified in the policies must address reasonable criteria for annexation and ensure adequate public services including transportation, parks, administrative services and corrections facilities.

In relation to capital facilities, the Visioning Community Value Statements emphasize the importance of law enforcement, crime prevention, and other social services, as well as encourage retention and development of recreational opportunities.

Growth Management Goals, Countywide Planning Policies, and Visioning Community Value Statements will be served by adoption of this chapter and implementation of its goals, policies, and action plans.

**GMA Requirements**

The Growth Management Act mandates that counties required to plan under the Act adopt comprehensive plans including an inventory of facilities, a forecast of future needs for such facilities, the proposed location and the capacities of expanded or new facilities, minimum levels of service, of facility capacity, a six-year plan for financing those facilities with indication of sources for that funding, and a requirement to re-assess the Land Use chapter of this plan if there are funding shortfalls. The Land Use element must be consistent and coordinated with the capital facilities plan, with respect to adopted minimum levels of service and adequacy of facilities to serve development. These Growth Management Act requirements are addressed in this chapter of the Comprehensive Plan, the Whatcom County 20-Year Capital Facilities Plan (Appendix E) and in the Six-Year Capital Improvement Program for Whatcom County Facilities (Appendix F).
Background Summary

Capital facility cost is estimated based on studies, adopted level of service standards, or other planning assumptions. Availability of revenue from existing sources may not be sufficient for needed facilities. Mechanisms for additional funding may be developed or proposed; these mechanisms may include new or additional taxes, or impact fees.

Once a level of service standard is established for a particular facility, then a cost can be assigned to achieve the desired level of service. The next step is to develop funding mechanisms to pay for the desired levels of service.

Levels of service for different facilities are defined differently. In this chapter, the level of service for most facilities is defined as a unit per population; for example, a fraction of a square-foot of office space per capita or a number of jail beds or park acres per 1,000 population. The major exception is roads, for which level of service is measured as volume over capacity ratios, i.e., how many cars are anticipated to use a particular section of road (volume) divided by how many cars the road can theoretically accommodate over a specific period of time (capacity).

Reason for change: The proposed amendments include replacing numerical level of service (LOS) standards for certain facilities with policies supportive of those facilities. Additionally, LOS standards for transportation have been moved to chapter 6 (Ordinance 2009-037).

One of the major issues confronting Whatcom County in relation to capital facilities is the question of availability of revenue versus ability to provide services. While it is generally desirable to provide high levels of service for roads, law enforcement, and other essential services, costs for those services continue to rise and, generally, new or additional taxes are undesirable.

Whatcom County has kept additions to its capital facilities to a minimum over the past ten years (1999-2009) in order to contain the cost of government operations. Whatcom County has relied on a pay-as-you-go approach for funding capital expenditures under one million dollars. Large capital acquisitions have been financed with general obligation debt. The 2009 budget for debt service is $1,893,618, or one per cent of 2009 budgeted revenues of $188,439,728.

The GMA expressly authorizes cities and counties to impose impact fees on new development to help finance the capital facilities required to serve new development. This authorization applies only to capital facilities owned or operated by government entities: (a) public streets and roads; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities. Certain background information that must be included in a capital facilities element of the Comprehensive Plan in order to collect transportation impact fees is included in Appendix G.
Reason for change: Transportation is addressed in Chapter 6.

If the adopted/desired level of service cannot be achieved without acquiring major debt, raising taxes beyond acceptable levels or establishing unacceptably high impact fees, then the level of service standard must be adjusted, facility costs must be reduced, or growth must be curtailed until a balance is achieved. Adjusting land use to achieve desirable levels of service standards is one means of attaining concurrency. Concurrency, as required by the GMA, means that adequate facilities as defined by adopted levels of service are available at the time that the impacts of development occur or within a specified time thereafter. The GMA, at minimum, requires concurrency for transportation facilities. Concurrency is obviously desirable preferred for all other capital facilities as well in providing if the overall goal is to provide for new development while maintaining an acceptable quality of life that people desire.

With regard to fire protection, Whatcom County has not adopted level of service standards (NFPA 1720 or any other response time based level of service) for most urban or rural areas. The County should define an urban level of service for fire protection during the required 7-year comprehensive plan review and update process. The 7-year plan review and update process should demonstrate that the urban growth areas have adequate existing fire protection facilities and service capacities to meet the urban level of service and any additional needed fire facilities and services. If the level of service standard adopted by the County cannot be provided over the 20-year planning period, then re-designation of UGAs to rural designations should be considered.

Reason for change: Fire protection level of service standards were adopted in 2011 (Ordinance 2011-018).

**Issues, Goals, and Policies**

Adopted levels of service are incorporated within the following goals, policies, and action plans:

**Goal 4A:** Within the county's financial capacity, adopt a carefully planned program of county services and facilities.

**Policy 4A-1:** Establish appropriate level of service standards for county facilities commensurate with the ability of the county to fund them.

Reason for change: The proposed amendments include replacing numerical level of service (LOS) standards for certain facilities with policies supportive of those facilities.
Policy 4A-2: Extend—Provide County facilities and services in a manner that supports future urban growth in urban growth areas (UGAs).

Policy 4A-3: Evaluate all types of county facilities to determine whether they should serve—provided—at countywide or strictly unincorporated areas. Levels of service. Transportation facility levels of service should be evaluated for appropriateness as to adopted urban or rural levels of service.

Reason for change: Level of service standards for transportation have been moved to chapter 6.

Policy 4A-4: The land use element of the comprehensive plan must be reassessed to ensure that land use is coordinated and consistent with the financing plan within the capital facilities element and to ensure probable funding does not fall short of meeting existing needs.

Goal 4B: Develop a six-year financing program for capital facilities that meets the requirements of the GMA, achieves the county’s adopted levels-of-service, and is within financial capability as determined by projected financial resources.

Policy 4B-1: Maintain and update, on at least a biennial basis, a six-year capital improvement program (CIP) that identifies projects, outlines a schedule, and designates realistic funding sources for all county capital projects based on a review of population and revenue conditions existing at that time.

Goal 4C: Locate county facilities which require urban infrastructure, serve primarily urban populations, and are urban in character within identified urban growth areas (UGAs).

Policy 4C-1: Evaluate all new capital facilities requiring a new site for urban characteristics and limit selection of sites for urban projects to designated UGAs.

Goal 4D: Develop and implement a coordinated program of facility improvement and expansion for the departments and agencies which together carry out the county’s law enforcement and corrections functions.

Policy 4D-1: Complete those capital improvement projects necessary to eliminate any space deficiencies in law enforcement facilities and corrections facilities.
Policy 4D-2: Maintain Sheriff's Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded or new facilities developed in response to increasing need.

Policy 4D-3: Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded or new facilities developed in response to increasing need.

Policy 4D-4: Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded or new facilities developed in response to increasing need.

Goal 4E: Develop and carry out a realistic long-range program of facility expansion or improvement to accommodate the county's projected staffing requirements for departments and agencies.

Policy 4E-1: Include in the capital facilities plan, a program of building and space improvements to efficiently provide quality work space for projected staffing levels through the 20-year planning period.

Policy 4E-2: Investigate alternatives to facility construction through the private sector, and pursue technologically feasible alternatives.

Goal 4F: Achieve level of service standards targets for parks and trails, recreational facilities identified in this chapter, and which support objectives and priorities identified in the Comprehensive Parks and Recreation and Open Space Plan, in the Natural Heritage Plan, and in this plan.
Policy 4F-1: The following level of service standards are adopted for parks and trails:

developed parks ...................... 9.6 acres per 1,000 population
trails ................................. 0.60 of a mile per 1,000 population

Reason for change: The park and trail level of service standards have been moved from Policy 4G-1 below to Policy 4F-1 because Goal 4F addresses park and trails.

Policy 4F-2: Seek non-capital opportunities to acquire, enhance and maintain park lands, trails, and other recreational facilities. Consider partnering with cities, school districts, park & recreation districts and others when planning and implementing park and trail projects.

Policy 4F-3: Include acquisition and development costs in the six-year CIP for future park and trails projects.

Policy 4F-4: Develop a recreational facilities program that achieves and maintains the level of service for athletic fields and courts, trails, and support facilities for shoreline access, picnicking, and camping without adding to capital costs.

Policy 4F-5: Place a high priority on improvements to existing county recreational sites and facilities and using them to their full potential, including those outlined in the Whatcom County Comprehensive Parks, and Recreation and Open Space Plan, before investing capital in the acquisition and development of new facilities.

Policy 4F-6: Continue to provide and support activity centers, including senior centers, to serve the growing population of Whatcom County by the following methods, as needed, which are listed in priority order: (1) implementing programming changes, (2) adding space to existing centers, and/or (3) establishing new centers. Continue to provide centers for use by senior citizens and others.

Goal 4G: Establish levels of service for roads, parks, corrections, and administrative services.

Policy 4G-1: For purposes of transportation management systems, adopt level of service standards (LOS) for transportation facilities as listed in Chapter 6, Transportation, Policy 6A-3.

Policy 4G-2: Adopt the following level of service standards for park facilities:

Whatcom County Comprehensive Plan 4-7
developed parks ..................... 9.6 acres per 1,000 population
trails .................................. 0.60 of a mile per 1,000 population
activity centers ..................... five centers per 100,000 population

Reason for change: The capacity and ability of activity centers to accommodate increased demand is based upon programming and building size. As population increases, additional demand could be accommodated with program changes, building additions or a new building. Therefore, instead of imposing a strict numerical standard for activity centers, amendments to Policy 4F-5 are proposed to support activity centers and provide a prioritized method of meeting increased demand while minimizing future capital costs.

Policy 4G-3: Adopt the following level of service for correction facilities:

   jails ........................................ 1.42 beds per 1,000 population
   juvenile detention .................. 0.125 beds per 1,000 population

Reason for change: The existing jail LOS does not reflect the actual need for jail beds. The County has undertaken an extensive jail planning process including a jail planning task force, needs assessment, and environmental impact statement. The existing jail LOS is based solely on population growth. However, the need for jail beds is also influenced by a number of other factors including state & local laws and criminal justice practices. Jail planning is not based upon the strict application of a numerical standard contained in the existing LOS. Therefore, the numerical standard would be replaced with new Policy 4D-2, which supports construction of a new jail to safely provide needed corrections facilities over the 20-year planning period.

The existing juvenile detention LOS standard does not reflect the actual need for juvenile detention beds. Because of alternative correction methods, the need for juvenile detention beds has not increased proportionately with population growth. Therefore, instead of imposing a strict numerical standard for juvenile detention, new Policy 4D-3 is proposed to support adequate provisions of juvenile detention facilities and programs.

Policy 4G-4: Adopt the following levels of service standards are adopted for administrative facilities:

   sheriff’s office (unincorporated) ........... 0.26 sq. ft. per capita
   sheriff emergency ops (county-wide) ....... 0.011 sq. ft. per capita

Reason for change: In conjunction with the jail planning process, the County has undertaken a process to review Sheriff’s Headquarter space including a needs assessment and environmental impact statement. The need for Sheriff’s Headquarter space is not based upon the strict application of a numerical standard
contained in the existing LOS. Therefore, the numerical standard would be replaced
with new Policy 4D-2, which supports construction of a Sheriff’s Headquarters facility
co-located with the new jail.

The Sheriff’s Office Division of Emergency Management has re-located to a joint
coordination center, near the airport. The joint coordination center is shared with
the City of Bellingham Office of Emergency Management, and operates as Whatcom
Unified Emergency Management. This space is adequate for emergency operations
and does not need to be re-evaluated every two years when the six-year capital
improvement program is updated. Therefore, instead of imposing a strict numerical
standard for emergency operations, new Policy 4D-4 is proposed to support
adequate provisions of emergency management facilities.

Goal 4H: Coordinate with non-county facility providers such as
cities, school districts and other special purpose districts
to support the future land use pattern promoted by this
plan.

Policy 4H-1: Establish interagency planning mechanisms to assure
coordinated and mutually supportive capital facility plans from
special districts, cities, and other major non-county facility
providers which are consistent with this and other chapters of
the comprehensive plan.

Policy 4H-2: In consultation and coordination with special districts, cities, and
other major non-county facility providers, review and update as
appropriate capital facility plans supporting UGAs in conjunction
with the GMA 7-Year Review and 10-Year UGA Review.

Policy 4H-3 The 7-year comprehensive plan review and update-UGA review
process should demonstrate that the urban growth areas are
served by urban levels of fire protection facilities and service. If
the level of service standard adopted by the County cannot be
provided over the 20-year planning period, then re-designation
of UGAs to rural designations should be considered.

Policy 4H-4 Urban levels of service for fire protection shall be a response
time of 8 minutes 80% of the time when the department
covering the urban area has staffed the fire station. When the
fire station is not staffed the response time shall be 10 minutes
80% of the time, or a WSRB Rating of 6.

Rural levels of service for fire protection shall be a response
time of 12 minutes 80% of the time when the department
covering the rural area has staffed the fire station. When the fire
station is not staffed the response time shall be 14 minutes 80%
of the time, or a WSRB Rating of 8.
Goal 4J: Maintain effective concurrency measures and procedures for all facilities and services necessary for development.

Policy 4J-1: Based on established levels of service for all road segments under control of the county, administer a concurrency management program that provides for consistent and predictable evaluation of the impacts of future proposed development.

Goal 4K: Consider alternative funding sources for needed county facilities to assure levels of service adopted in the plan.

Policy 4K-1: After all other financing options have been exhausted, consider the use of bonded indebtedness to finance major capital investments in infrastructure.

Policy 4K-2: Identify and promote public private partnerships to provide and enhance the provision of necessary services.

Goal 4L: Ensure that capital facilities provide protection for threatened and endangered fish and wildlife species.

Policy 4L-1: Fish and wildlife habitat should be carefully considered when selecting projects for the Six-Year Capital Improvement Program.

Policy 4L-2: Projects selected for the Six-Year Capital Improvement Program shall not degrade habitat for threatened and endangered species.

Policy 4L-3: Projects selected for the Six-Year Capital Improvement Program should strive to restore degraded habitat for threatened and endangered species, when the projects are in direct contact with such habitat. The County Council will determine when such restoration is financially feasible through adoption of the six-year capital improvement program and the County budget.

Goal 4M: Enable school districts to receive impact fees to fund a proportionate share of system improvements reasonably related to new development by adopting into this plan their capital facilities plans, and establishing interlocal
agreements with the districts to collect and transfer funds.


Policy 4M-2: The capital facilities plan for the Ferndale School District, adopted by the district on December 23, 2005, is adopted into the comprehensive plan by reference.


NOTE: Capital facility plan references will be updated as new plans are formulated.

Goal 4N: Adopt special district and County capital facility plans for unincorporated UGAs, not associated with a city, into this plan by reference when consistent with the Whatcom County Comprehensive Plan.

Policy 4N-1: The Birch Bay Water and Sewer District Comprehensive Water System Plan, dated March 2009, is adopted by reference into the comprehensive plan.


Policy 4N-6: The Columbia Valley Water District 2013 Water System Plan Update is adopted by reference into the comprehensive plan. This water system serves a portion of the Columbia Valley UGA.
Policy 4N-7: The Water District No. 13 Small Water System Plan, dated August 2012, is adopted by reference into the comprehensive plan. This water system serves a portion of the Columbia Valley UGA.

Policy 4N-8: The Water District No. 13 Comprehensive Sewer Plan, dated August 2012, is adopted by reference into the comprehensive plan. This sewer system serves a portion of the Columbia Valley UGA.


Policy 4N-12: The Whatcom County Fire District No. 7 Capital Facilities Plan, dated February 2016May 2011, is adopted by reference into the Comprehensive Plan (except that the UGA boundaries shown in the Fire District No. 7 Capital Facilities Plan are not adopted by reference).

NOTE: Capital facility plan references will be updated as new plans are formulated.

**Capital Facilities—Action Plan**

1. Adopt a county six-year CIP to meet the GMA specifications including concurrency and all other capital needs for the six-year financing program component of the capital facilities element.

Reason for change: The six-year CIP is already addressed in Policy 4B-1.

2. Identify appropriate levels of long-term bonded debt to finance major capital investments in infrastructure.

Reason for change: Identifying the level of long term debt is an exercise that the County's elected officials, in conjunction with the Finance Department, may undertake at any time at their discretion.
3. Explore alternative funding sources as authorized under the GMA to help fund the cost of infrastructure expansions required to serve new development.

Reason for change: Alternative funding is generally addressed in Goal 4K.

4. Maintain a concurrency management or monitoring process for transportation and adequacy reviews of new development as an integral part of land use and building permit review.

Reason for change: Transportation is addressed in Chapter 6 of the Comprehensive Plan and transportation concurrency is addressed in Chapter 20.78 of the Whatcom County Zoning Code.

5. Explore alternative funding techniques for law and justice facilities and operations, including contracts for service with other agencies, private providers, and joint use of facilities.

Reason for change: Alternative funding is generally addressed in Goal 4K.

6. Analyze probable future staffing and space requirements in conjunction with the budget process and updating of the capital facilities plan.

Reason for change: This is addressed in Goal 4E and Policy 4E-1.

7. Pursue acquisition strategies for resource conservancy and linear parks (trails) on an other than fee simple basis to reduce cost without significant reduction in public use/benefit potential.

Reason for change: The intent of this action item is somewhat similar to Policy 4F-1.

8. Pursue joint ventures with cities, school districts, and other potential partners in developing regional athletic parks as recommended in the Comprehensive Park and Recreation-Open Space Plan.

Reason for change: This approach generally has been incorporated into Policy 4F-1.

9. Work with special districts, cities, and other major non-county facility providers including water and sewer districts, fire districts, public utility districts and others as appropriate to establish levels of service for urban growth areas. This must be done in order to assure facilities adequate to provide for anticipated population growth and development consistent with land-use plan designations and zoning.

Whatcom County Comprehensive Plan 4-13
10. Explore alternative technology to create cost savings for capital facility needs.

Reason for change: Technological alternatives are addressed by Policy 4E-2.

11. Establish public/private partnership alternatives to capital financing.

Reason for change: Public/private partnerships are addressed by Policy 4K-2.

12. Capital facility plans for water, sewer, stormwater, fire and schools that serve unincorporated UGAs will be incorporated by reference when consistent with the Whatcom County Comprehensive Plan.

Reason for change: This is addressed in Goal 4N.
Proposed Council Changes to Comprehensive Plan

Chapter 4 – Capital Facilities

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16 (http://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. 4-5; Goal 4D: Develop and implement a coordinated program of facility improvement and or expansion for the departments and agencies which together carry out the county's law enforcement and corrections functions. (Mann)

p. 4-5; Policy 4D-1: Complete those capital improvement projects necessary to eliminate correct any space deficiencies in law enforcement facilities and corrections facilities. (Mann)

p. 4-6; Policy 4D-2: Maintain Sheriff's Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)

p. 4-6; Policy 4D-3: Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)

p. 4-6; Policy 4D-4: Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)
Passed February 23

p. 4-9, Goal 4H: Coordinate with non-county facility providers such as cities, school districts, and other special purpose districts to support the future land use pattern promoted by this plan. (Donovan)
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**Title of Document:**

Afternoon COTW, June 28: Discussion and preliminary Council direction on Comprehensive Plan Appendices.
Evening Council Meeting, June 28: Public hearing on Comprehensive Plan Appendices.

**Attachment:**

1. Cover letter
2. Draft Planning Commission Findings

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<th>SEPA review required?</th>
<th>(X) Yes</th>
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<td>SEPA review completed?</td>
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**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
- 6/21/2016: Comments received; did not discuss
- 6/28/2016: Comments received and held in Committee

**Council Action:**

- 6/28/2016: Public Testimony Received

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council)
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.
Call To Order: The meeting was called to order, by Whatcom County Planning Commission Chair, Nicole Oliver, in the Whatcom County Northwest Annex at 6:30 p.m.

Roll Call
Present: Natalie McClendon, Jerry Vekved, Gary Honcoop, Nicole Oliver, David Hunter, Kelvin Barton, Andy Rowlson, Atul Deshmene
Absent: Michael Knapp

Staff Present: Mark Personius, Matt Aamot, Gary Davis, Tyler Schroeder-Executive's Office, Mike McFarlane-Parks Department, Becky Boxx

Department Update
Mark updated the commission on their upcoming schedule.

Open Session for Public Comment
Max Perry, Whatcom County: Stated that when the Comprehensive Plan update process started staff stated the plan would be streamlined, but it has actually become larger.

Commissioner Comments
There were no commissioner comments.

Approval of Minutes
Commissioner Vekved corrected page 3, line 25 to read: Mr. Boggs stated reasons may be the associated costs and time to do the plans. Whatcom County has interpreted that new agricultural activities require a farm plan.

Commissioner Rowlson moved to approve the minutes as corrected. Commissioner McClendon seconded. The motion carried.

Public Hearing
Amendments to Whatcom County Comprehensive Plan (WCCP) Appendices, which 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.

Matt Aamot presented an overview of the staff report.
Appendix A – Glossary
A number of the definitions have been updated for consistency with the Growth
Management Act (GMA), the state administrative codes, the zoning code and the
Critical Areas Ordinance (CAO).

Appendix B – Acronyms
Some new ones were added and some were deleted.

Appendix C – Countywide Planning Policies
The current Comprehensive Plan contains the GMA Planning Goals, the Countywide
Planning Policies and the Visioning Value Statements.

The Planning Commission recommended adding the GMA Planning Goals to Chapter 1
so they are being removed from this appendix.

There are no changes to the Countywide Planning Policies. The county and the cities
will probably get together in the next several years to review them.

This appendix also contains the community value statements from 1994. Staff
recommends removing them from the plan.

Appendix D – Bibliography
Staff is proposing to add a number of reference documents that are relevant to the
Comprehensive Plan.

Appendix E & F – Capital Facilities
The GMA requires Comprehensive Plans to contain certain information relating to
capital planning. These include an inventory of existing facilities, such as trails,
schools, etc. It must also include a forecast of future needs. One way to forecast future
needs is to utilize a level of service (LOS). The GMA requires a LOS for transportation.
In the Comprehensive Plan, chapter 4, we also have LOS standards for parks, trails
and fire protection. The GMA also requires that new and expanded facilities be shown,
including their location and capacity, a financing plan and the land use plan and capital
plan consistency.

Appendix E covers both county facilities and non-county facilities. For county facilities
it references the Six Year CIP (Appendix F) and provides more generalized information
for years 7-20. For non-county facilities it summarizes water, sewer, fire and school
plans. The concept is to provide for adequate facilities to keep pace with growth as it
occurs through the 20 year planning period. The 20 year CFP also includes a county
revenue analysis that projects the potential county funding available for capital
projects over the 20 year planning period.
Appendix F is the more detailed capital plan for county facilities only. It provides an inventory of existing facilities, a list of planned projects, projected costs and funding sources.

Appendix G – Transportation Impact Fees

The state law says that only projects that are set forth in the Comprehensive Plan are eligible for impact fees. The county put a list of transportation projects in the plan that would be eligible for impact fees if they were ever adopted. Impact fees have not been adopted so staff recommends deleting this appendix. Appendix G is proposed to be replaced with Water Resource and Salmon Recovery Programs, which is part of Chapter 11.

Appendix H – Bellingham International Airport Overlay Zones

There are six zones, each with different policies.

Appendix I – Bellingham International Airport Imaginary Surfaces

The federal governments rules establish imaginary surfaces around airports to preserve the navigable airspace. They are concerned about tall buildings or antennas creating a hazard for aircraft. There is a provision in the county zoning code prohibiting tall structures from protruding into these imaginary surfaces. The current map also shows the Blaine airport which was shut down so it is proposed to be deleted.

Staff recommended the Planning Commission approve the amendments.

The hearing was opened to the public.

There was no public testimony.

The hearing was closed.

Commissioner Barton addressed the list of parks in Appendix F. There are beach accesses in Birch Bay that are not included in the list.

Mike McFarlane stated those are not county park facilities but rather road ends, maintained by Public Works, which is why they do not show up on the list. Parks does not oversee or maintain them.

Commissioner Barton stated some of them are a requirement and they function and are signed the same as the other beach accesses. How can they be listed?

Mr. Aamot suggested adding a footnote stating there are road end public access areas.
Mr. McFarlane stated Public Works has been reluctant to list those as parks or public access because they are basically transportation routes. He had no problem with adding a footnote.

Commissioner Barton stated the community prefers they not be called road ends because there are no roads around most of them. They are just walkways to the beach from Birch Bay Drive.

Mr. McFarlane stated it is an issue in other parts of the county such as Lummi Island, Nooksack River, Lake Whatcom, etc. Another suggestion may be a paragraph that lists all of these types of accesses.

Mr. Aamot suggested Public Works could create an inventory which would not necessarily have to be in this document but available for the public.

Commissioner Oliver asked if they are referenced in the Parks and Open Space Plan.

Mr. McFarlane stated they are not because they are treated as roads.

Commissioner McClendon stated these sites are very valuable so they should not go away.

Mr. Aamot suggested a note that there are public access properties on right of way ends that intersect the shoreline. The RCW stating these areas can't be abandoned could also be cited.

Commissioner Rowlson liked that idea because he did not want to see another list.

The commission agreed to the verbiage: Pursuant to RCW 36.87.130, there are also public access properties on right of way ends that intersect shorelines.

Commissioner Rowlson asked why the placeholder for impact fees (Appendix G) is being taken away.

Mr. Aamot stated that it has been over a decade since it was added and the county still has not adopted impact fees. As such the appendix is not serving any purpose. If the county does adopt impact fees in the future a new appendix could be added.

Commissioner Rowlson asked why there was no mention of the Lynden Airport.

Mr. Aamot stated they did not receive any maps from Lynden.

Commissioner Vekved addressed the definition of "Distribution Pipeline". The language was changed from as amended to if amended. What is the intent?

Mr. Schroeder stated it is referring to the federal code, which if amended, this would then revert to the federal code which is referenced.
Commissioner Hunter addressed Appendix E, page 70, regarding County Road Property Tax Levy. It seems we are not spending what we could be spending because we are banking the ability to tax an additional 1% per year.

Mr. Aamot stated current councils have chosen not to draw on that banked capacity but future councils could.

Mr. Schroeder explained the taxing process and how banking works.

Commissioner Vekved addressed "Groundwaters". What is artificially stored ground water?

Mr. Aamot stated the definition is: Water that is made available in underground storage artificially. Either intentionally or incidentally to irrigation.

Commissioner Rowlson asked where the budget figures come from.

Mr. Schroeder stated the Executive's Office meets with the Finance Department along with other county departments to determine the budget numbers.

**Commissioner Rowlson moved to recommend approval of the Comprehensive Plan Appendices as amended and the Findings of Fact and Reasons for Action. Commissioner Hunter seconded. Roll Call Vote: Ayes – Barton, Honcoop, Hunter, McClendon, Oliver, Rowlson, Vekved; Nays – 0; Abstain – Deshmante; Absent – Knapp. The motion carried.**

**Public Hearing**

Amendments to Whatcom County Code (WCC) Title 20 (Zoning), Title 21 (Land Division Regulations), Title 22 (Guide Meridian Improvement Plan), and the official zoning map. Title 20 amendments include amending WCC Chapter 20.36 to require reclamation plans for surface mining uses in the Rural zone, amending Chapter 20.43 revising the maximum percentage of lot area that can be removed from production of forest products in the Commercial Forestry zone, amendments to WCC Chapter 20.72, 20.80 and 20.97 and the Point Roberts Character Plan involving sign regulations in the Point Roberts Special District, amending WCC Chapter 20.82 concerning new sewer lines and amendments to WCC Chapters 20.24, 20.65, 20.66, 20.68, and 20.80.210 to update references to the Urban Fringe Subarea Plan. WCC 20.80.210 is adopted by reference in the WCCP and amendments to that section are also a WCCP amendment. The Point Roberts Character Plan is a part of the Point Roberts Subarea Plan, which is a subset of the WCCP, therefore the amendment is an amendment to the WCCP.

Gary Davis presented an overview of the staff report.

**Title 20 – Zoning Code**
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.


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

Date

Date

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.

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.
c. 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
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 use 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 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-consumptive, 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 Comprehensive Plan.
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.
Proposed Council Changes to Comprehensive Plan

Appendix A – Glossary

Page and line numbers reflect Planning Commission Recommended Draft [http://whatcomcounty.civicplus.com/DocumentCenter/View/18677]. To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. A-1: Aquatic: [...] [definition needed] (Brenner)

2) p. A-1: 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 creates an undeveloped tract, while maintaining the same overall density. As a result, an undeveloped tract is created, while maintaining the same overall density. (Brenner)

3) p. A-5: 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 365-196-210) 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. (Brenner)

4) p. A-7: 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 and located in the agricultural protection zone. 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. (Brenner)

5) p. A-6: Natural Resource Lands: Natural Resource Lands include being 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 or that have long-term significance for the extraction of minerals. (Brenner)
6) p. A-7: Private Utilities: Water and/or sewer service owned and operated by an entity other than a political subdivision of the federal, state, local or tribal governments. (Brenner)

7) p. A-7: Public Utilities: Water and/or sewer services owned and operated by a political subdivision of federal, state, local or tribal governments (includes water and sewer districts and public utility districts). (Brenner)

8) p. A-11: 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 size, placement, and other development standards. (Brenner)

Items 9 through 37 concern comma use, capitalization, and other grammatical changes and may be considered in a single motion.

9) p. A-1 – A-11: Capitalize all words in defined terms (e.g., Affordable Housing, Agricultural Land) (Brenner)

10) p. A-1: Compensation: Something given or received as an equivalent for services, debt, loss, injury, etc. (Brenner)

11) p. A-2: 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, which meets all of the criteria in Whatcom County Code 20.80.980. (Brenner)

12) p. A-2: 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 It is a framework intended to guide the development of comprehensive plans for each jurisdiction in the county. (Brenner)

13) p. A-2: 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). (Brenner)

14) p. A-3: 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. (Brenner)
15) p. A-4: Gathering Pipeline: Means a pipeline that transports gas from a current production facility to a transmission or main or as defined at 49 CFR 192.3, as amended. (Brenner)

16) p. A-4: General aAviation aAirport: 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. (Brenner)

17) p. A-4: 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. (Brenner)

18) p. A-4: 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. (Brenner)

19) p. A-5: Growth Management Act (GMA): State law requiring jurisdictions with certain projected growth rates to prepare a comprehensive land use plan (RCW 36.70A). (Brenner)

20) p. A-5: 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. (Brenner)

21) p. A-5: 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) (Brenner)

22) p. A-6: 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. (Brenner)

23) p. A-6: 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. *(Brenner)*

24) p. A-6: 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. *(Brenner)*

25) p. A-6: 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. *(Brenner)*

26) p. A-6 Mitigation: Measures taken to avoid, minimize, or compensate for adverse environmental impacts associated with a project or non-project land use action. *(Brenner)*

27) p. A-6: 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 365-196-210)* 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. *(Brenner)*

28) p. A-7: One-number locator service (one-call): Means a service through which a person can notify utilities and request field marking of underground facilities. *(Brenner)*

29) p. A-7: Potable: Potable describes water that is suitable for drinking by the public. *(WAC 246-290)* *(Brenner)*

30) p. A-7: Productive: Capable of economically producing wood, fiber, or food products. *(Brenner)*

31) p. A-8: 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. *(Brenner)*
32) p. A-9: 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) (Brenner)

33) p. A-9: Sustainable: Sustainability is aAn 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) (Brenner)

34) p. A-9: Urban Fringe Subarea Plan: A plan pertaining to the Bellingham Urban Growth Area and a portion of Whatcom County surrounding Bellingham, and 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. (Brenner)

35) p. A-10: 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. (Brenner)

36) p. A-10: 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. (Brenner)

37) p. A-10: Watershed: A geographic region within which water drains into a particular river, stream, or body of water. (Brenner)
APPENDIX B
# 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>Full Name</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>ARCO</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>GERB</td>
<td>Community Economic Revitalization Board (1x)</td>
</tr>
<tr>
<td>GFR</td>
<td>Community Trip Reduction (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 Program</td>
</tr>
<tr>
<td>CPRROS</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>GTFR</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>DLI</td>
<td>Washington State Department of Labor and Industries (1x)</td>
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<tr>
<td>DNL</td>
<td>Day Night Average Sound Level</td>
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<tr>
<td>DNR</td>
<td>Washington State Department of Natural Resources</td>
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<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>DUI</td>
<td>Driving under the influence (0x)</td>
</tr>
<tr>
<td>ECA</td>
<td>Environmentally Critical Area (0x)</td>
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<td>EDA</td>
<td>Economic Development Administration (1x)</td>
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<td>EDTF</td>
<td>Economic Development Task Force (0x)</td>
</tr>
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<td>EFSRC</td>
<td>Energy Facility Site Evaluation Committee (1x)</td>
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<td>Environmental impact statement (0x)</td>
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<tr>
<td>EMF</td>
<td>Electromagnetic field</td>
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<tr>
<td>EPFAC</td>
<td>Essential Public Facility Advisory Committee (0x)</td>
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<td>ESA</td>
<td>Endangered Species Act</td>
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<td>ETF</td>
<td>Environmental Task Force (0x)</td>
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<td>FAWS</td>
<td>Forest and Wildlife Stewardship (0x)</td>
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<td>FERC</td>
<td>Federal Energy Regulatory Commission</td>
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<td>GC</td>
<td>General Commercial zone (0x)</td>
</tr>
<tr>
<td>Acronym</td>
<td>Definition</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
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<tr>
<td>GI</td>
<td>Gateway Industrial zone (0x)</td>
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<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<tr>
<td>GM</td>
<td>General Manufacturing zone (0x)</td>
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<td>GMA</td>
<td>Growth Management Act</td>
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<tr>
<td>G-P</td>
<td>Georgia-Pacific (0x)</td>
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<td>HII</td>
<td>Heavy Impact Industrial zone (0x)</td>
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<td>HUD</td>
<td>US Department of Housing and Urban Development (1x)</td>
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<tr>
<td>HPA</td>
<td>Hydraulic Project Approval (0x)</td>
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<tr>
<td>I-5</td>
<td>Interstate-5 (north-south freeway)</td>
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<tr>
<td>ITS</td>
<td>Intelligent Transportation Systems (1x)</td>
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<tr>
<td>JRA</td>
<td>Junior Rehabilitation Administration (0x)</td>
</tr>
<tr>
<td>kV</td>
<td>Kilovolt (1x)</td>
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<tr>
<td>LAMIRD</td>
<td>Limited Areas of More Intensive Rural Development</td>
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<tr>
<td>LID</td>
<td>Low Impact Development (1x) Local improvement district (0x)</td>
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<tr>
<td>LII</td>
<td>Light Impact Industrial zone (0x)</td>
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<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>
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<tr>
<td>MRC</td>
<td>Marine Resources Committee</td>
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<td>MRL</td>
<td>Mineral Resource Land</td>
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<td>MVA</td>
<td>Megavoltampere (0x)</td>
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<tr>
<td>MW</td>
<td>Megawatt (0x)</td>
</tr>
<tr>
<td>NC</td>
<td>Neighborhood-Commercial zone (0x)</td>
</tr>
<tr>
<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
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<tr>
<td>NRCS</td>
<td>Natural Resources Conservation Service</td>
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<tr>
<td>NSEA</td>
<td>Nooksack Salmon Enhancement Association (0x)</td>
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<td>OCD</td>
<td>Office of Community Development (0x)</td>
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<tr>
<td>OEDP</td>
<td>Overall Economic Development Program (1x)</td>
</tr>
<tr>
<td>OFM</td>
<td>Washington State Office of Financial Management</td>
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<tr>
<td>ORV</td>
<td>Off-road vehicle</td>
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<tr>
<td>PHS</td>
<td>Priority habitats and species (1x)</td>
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<td>PSE</td>
<td>Partnership for Sustainable Economy (0x)</td>
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<td>PUD</td>
<td>Public utility district OR-Planned unit-development (0x)</td>
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<td>PUGA</td>
<td>Provisional Urban Growth Area (0x)</td>
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<td>R</td>
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<td>RC</td>
<td>Resort-Commercial zone (0x)</td>
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<td>RCW</td>
<td>Revised Code of Washington</td>
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<td>RF</td>
<td>Rural Forestry zone (on the Lummi Reservation; Rural Farm) (0x)</td>
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<td>RHAC</td>
<td>Residents’ Housing Advisory Committee (0x)</td>
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<td>RR R/W</td>
<td>Rail Road Right of Way</td>
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<tr>
<td>RRI</td>
<td>Rural Residential Island zone (0x)</td>
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<tr>
<td>RRMA</td>
<td>Recreation Resource Management Area</td>
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<tr>
<td>RR1</td>
<td>Residential Rural zone (1 dwelling per acre) (0x)</td>
</tr>
<tr>
<td>RR2</td>
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<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>Definition</td>
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<tr>
<td>---------</td>
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<tr>
<td>RV</td>
<td>Recreational vehicle</td>
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<tr>
<td>R2A</td>
<td>Rural zone (1 dwelling per 2 acres)</td>
</tr>
<tr>
<td>R5A</td>
<td>Rural zone (1 dwelling per 5 acres)</td>
</tr>
<tr>
<td>R10A</td>
<td>Rural zone (1 dwelling per 10 acres)</td>
</tr>
<tr>
<td>SECFF</td>
<td>Secure Community Transition Facilities</td>
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<td>SEPA</td>
<td>State Environmental Protection Act</td>
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<td>SMA</td>
<td>Shoreline Management Act</td>
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<td>SMAC</td>
<td>Surface Mining Advisory Committee</td>
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<td>Seaplane Base</td>
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<td>TC</td>
<td>Tourist Commercial zone</td>
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<td>TDM</td>
<td>Traffic Demand Management</td>
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<td>TDR</td>
<td>Transfer of development rights</td>
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<td>TTAC</td>
<td>Technical Transportation Advisory Committee</td>
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<td>UGA</td>
<td>Urban growth area</td>
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<td>UPAC</td>
<td>Utilities Planning and Advisory Committee</td>
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<td>UR</td>
<td>Urban Residential zone</td>
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<td>UR4</td>
<td>Urban Residential zone (4 dwellings per acre)</td>
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<td>United States Department of Agriculture</td>
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<td>VOC</td>
<td>Volatile Organic Compound</td>
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<td>WA-CERT</td>
<td>Washington State Community Economic Revitalization Team</td>
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<td>WWU</td>
<td>Western Washington University</td>
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Proposed Council Changes to Comprehensive Plan

Appendix B – List of Acronyms

Page and line numbers reflect Planning Commission Recommended Draft (http://wa.whatcomcounty.civicplus.com/DocumentCenter/View/18677). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) ADU — Accessory Dwelling Unit (Brenner)

2) AG — Agricultural zone (Brenner)

3) CF — Commercial Forestry zone (Brenner)

4) CTAC — Citizens' Transportation Advisory Committee (Brenner)

5) L&I — Washington State Department of Labor and Industries (Brenner)

6) DOC — Department of Corrections (Brenner)

7) DUI — Driving Under the Influence (Brenner)

8) EIS — Environmental Impact Statement (Brenner)

9) GC — General Commercial Zoning (Brenner)

10) GM — General Manufacturing Zoning (Brenner)

11) HII — Heavy Impact Industrial Zoning (Brenner)

12) HUD — United States Department of Housing and Urban Development (Brenner)

13) LID — Local Improvement District (Brenner)

14) LII — Light Impact Industrial Zoning (Brenner)
15) MW _______ Megawatt (Brenner)

16) NC _______ Neighborhood Commercial Zoning (Brenner)

17) R _______ Rural Zoning (Brenner)

18) RC _______ Rural Commercial Zoning (Brenner)

19) RF _______ Rural Forestry Zoning (Brenner)

20) RR-I _______ Rural Residential – Island Zoning (Brenner)

21) RR _______ Rural Residential Zoning (Brenner)

22) R2A _______ Rural Zoning; 1 Unit / 2 Acres (Brenner)

23) R5A _______ Rural Zoning; 1 Unit / 5 Acres (Brenner)

24) SMAC _______ Surface Mining Advisory Committee (Brenner)

25) SR9 _______ State Route 9 (Brenner)

26) SR547 _______ State Route 547 (Brenner)

27) SVCA _______ Sudden Valley Community Association (Brenner)

28) TC _______ Tourist Commercial Zoning (Brenner)

29) TDR _______ Transfer of Development Rights (Brenner)

30) UR _______ Urban Residential Zoning (Brenner)

31) WCC _______ Whatcom Community College (Brenner)

32) WCCP _______ Whatcom County Comprehensive Plan (Brenner)

33) WWU _______ Western Washington University (Brenner)
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 Shoreslines 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.

Whatcom County Comprehensive Plan
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 statues, 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
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.

P. Private Property Rights

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.

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 43.21e. 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 Resourcelands: 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.

Whatcom County Comprehensive Plan  C- 15
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.

*Those 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. Whatacum 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. Accordingly, 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 forest use in 50 years.

Environment
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.
APPENDIX D
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**Mineral Resources**


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Environment


Recreation


Land Use
APPENDIX E

(PROPOSED TO BE REPLACED IN ITS ENTIRETY WITH THE ATTACHED)
[Note: this appendix is proposed to be deleted and replaced in its entirety]
Table of Contents

Chapter 1 – Introduction.................................................................2
Chapter 2 – Parks, Trails and Activity Centers.................................5
Chapter 3 – Maintenance & Operations...........................................9
Chapter 4 – General Government Office Buildings and Sites...........10
Chapter 5 – Sheriff’s Office............................................................11
Chapter 6 – Emergency Management...........................................12
Chapter 7 – Adult Corrections.........................................................13
Chapter 8 – Juvenile Detention.......................................................15
Chapter 9 – Transportation.............................................................16
Chapter 10 – Stormwater Facilities...............................................25
Chapter 11 - Water Systems..........................................................27
Chapter 12 – Sewer Systems..........................................................39
Chapter 13 – Schools.................................................................51
Chapter 14 – Fire Protection..........................................................59
Chapter 15 – Solid Waste.............................................................66
Chapter 16 – County Revenue Projections.....................................69
Chapter 1 - Introduction

Capital facilities, such as parks & recreation facilities, County buildings, law enforcement & criminal justice facilities, transportation, stormwater, water, sewer, school, and fire protection facilities are important because they support the growth envisioned in the Whatcom County Comprehensive Plan. Capital facilities generally have very long useful lives, significant costs, and are not mobile.

The focus of this 20-Year Capital Facilities Plan (CFP) is supporting the County’s review of urban growth areas and planning needed public facilities for the County’s population. County facility plans, city plans, special district plans, population, adopted level of service (LOS) standards and other demand indicators are the principal factors considered in the CFP. This CFP addresses both the six year period from 2017-2022 and, more generally, the seven to twenty year planning period from 2023-2036.

Growth Management Act

Growth Management Act (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)).

The CFP is required by the GMA under RCW 36.70A.070. The GMA requires the CFP to identify facilities, include a realistic financing plan, and make adjustment to the plan if funding is inadequate. Specifically, RCW 36.70A.070(3) requires the capital facilities plan to include:

(a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;

(b) a forecast of the future needs for such capital facilities;

(c) the proposed locations and capacities of expanded or new capital facilities;

(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; and

(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.
CFP Purpose

In 2016, the County completed the required urban growth area (UGA) review in which the County considered growth forecasts and allocations, urban growth boundaries, and comprehensive plan designations. Projected population and employment growth to 2036 is a key assumption of this CFP. The purpose of the CFP is to plan adequate public facilities consistent with the Comprehensive Plan’s land use element, including UGA planning.

CFP Assumptions

This CFP is based on the following sources of information and assumptions:

- **County Facility Plans:** The County updates the *Six-Year Capital Improvement Program for Whatcom County Facilities* every other year and this six-year plan informs the 20-Year CFP. The County updates this 20-Year CFP, which also includes information relating to capital improvements in years 7-20, at least every eight years at the state-required periodic update of the Comprehensive Plan.

- **Service Provider Plans:** The capital plans of cities, special purpose districts, and other service providers, particularly those serving UGAs, were collected and reviewed including inventories, forecast of future needs, planned facilities, growth forecasts, and potential funding.

- **Growth Forecasts:** Forecasts of population and job growth were allocated to each UGA and the rural areas. The 2013 population and employment and the 2036 growth for each capital facility service provider were then estimated by special district boundary.

- **Revenue Forecasts:** Forecasts of revenues for County facilities were prepared out to the 2036 horizon year (Chapter 16). The revenue sources for city and special district service providers are summarized from available plans.

Special Purpose District Plans

Special purpose districts provide a number of facilities addressed by this CFP, including water, sewer, schools, and fire protection. Some of these special districts have prepared their own capital plans that provide information for these facilities. Specifically, with regard to special purpose district plans, Washington Administrative Code 365-196-415(4) indicates that the County should:

(a) Summarize the information within the capital facilities element;

(b) Synthesize the information from the various providers to show that the actions, taken together, provide adequate public facilities; and

(c) Conclude that the capital facilities element shows how the area will be provided with adequate public facilities.

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474
Special districts play an important role in supporting the County’s land use plans. Information from special district plans, when available, has been summarized in this CFP.

**CFP Organization**

The CFP contains the inventory of existing facilities and presents a summary of capital improvement projects and financing to pay for these projects.

Each type of public facility is presented in a separate chapter, which generally follows the format shown below.

- **Inventory of Current Facilities:** A summary of existing capital facilities.

- **Forecast of Future Needs:** A forecast of future capital facility needs, which may include review of the County or service provider level of service (LOS) or design standards if applicable, is presented for each type of public facility.

- **Capital Projects and Funding:** A summary of capital improvements proposed through the planning period. A more detailed plan for County facilities is provided in the *Six-Year Capital Improvement Program for Whatcom County Facilities 2017-2022*, while generalized County capital improvements and funding for the remainder of the planning period (2023-2036) are identified in this 20-year CFP. For non-County providers, capital projects identified in the service providers’ most recent plans are summarized.
Chapter 2 – Parks, Trails and Activity Centers

The Whatcom County Parks and Recreation Department mission statement is to enrich the quality of life for the community and preserve the natural and cultural heritage of the County through provision of outstanding parks and trails, open space and natural areas, as well as recreational activities and senior services. Whatcom County government accomplishes this mission by providing a variety of recreational facilities, services and programs to residents and visitors.

In addition, there are three special parks districts that include land in unincorporated portions of the County. These parks and recreation districts are presented after County facilities.

Inventory of Current Facilities – County Facilities

County Parks, Trails and Activity Centers

The 2016 inventory of Whatcom County recreation facilities includes approximately 14,700 acres of park and open space area, 65 miles of trails, and 13 activity centers, as shown in more detail in the Six-Year Capital Improvement Program for Whatcom County Facilities.

Future Needs – County Facilities

Whatcom County Comprehensive Plan Policy 4F-1 (in Chapter 4) establishes level of service standards for developed parks and trails, as shown below.

<table>
<thead>
<tr>
<th>Category</th>
<th>LOS Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developed Parks</td>
<td>9.6 acres per 1,000 population</td>
</tr>
<tr>
<td>Trails</td>
<td>0.60 of a mile per 1,000 population</td>
</tr>
</tbody>
</table>

Developed Parks - Forecast of Future Needs

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. With a projected county-wide population of 275,450 in the year 2036, the County’s existing parks will meet the adopted level of service over the 20-year planning period. However, the County is proposing park improvement projects to increase quality of existing park facilities and develop the Birch Bay Community Park to meet the longer term needs of a growing population.

Trails - Forecast of Future 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 a projected county-wide population of 275,450 in
the year 2036, almost 100 additional miles of trails would be needed over the 20-year planning period to serve the people of Whatcom County.

Activity Center - Forecast of Future Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for activity centers. Rather, the Comprehensive Plan Policy 4F-5 states:

Continue to provide and support activity centers, including senior centers, to serve the growing population of Whatcom County by the following methods, as needed, which are listed in priority order: (1) implementing programming changes, (2) adding space to existing centers, and/or (3) establishing new centers.

Capital Projects and Funding – County Facilities

Developed Parks

Park projects anticipated in the six-year planning period include approximately $2.2 million in improvements. These projects, and their associated funding sources, are shown in the Six-Year Capital Improvement Program for Whatcom County Facilities. It is anticipated that approximately $500,000 would be spent annually on various park projects throughout the 7 to 20 year planning period. These costs would be paid from Real Estate Excise Tax (REET), grants, and foundation funds. The County will also monitor the adequacy of County park facilities throughout the planning period and consider other capital improvements and maintenance projects if warranted in the future.

Trail Improvements

Trail projects anticipated in the six-year planning period include approximately $3.5 million in improvements. These projects, and their associated funding sources, are shown in the Six-Year Capital Improvement Program for Whatcom County Facilities. It is anticipated that approximately $326,000 would be spent annually on various trail projects throughout the 7 to 20 year planning period. These costs would be paid from REET and grant funds. The County will also monitor the adequacy of County trail facilities throughout the planning period and consider other capital improvements and maintenance projects if warranted in the future.

Activity Centers

Activity Center projects anticipated in the six-year planning period include approximately $125,000 in improvements. These projects, and their associated funding sources, are shown in the Six-Year Capital Improvement Program for Whatcom County Facilities. It is anticipated that approximately $23,000 would be spent annually on various activity center projects throughout the 7 to 20 year planning period. These costs would be paid from REET and grant funds. The County will also monitor the adequacy of activity centers throughout the planning period and consider other capital improvements and maintenance projects if warranted in the future.
Regional Parks Districts

There are three regional park districts that include land area in unincorporated Whatcom County:

- Point Roberts Park & Recreation District 1;
- Blaine-Birch Bay Park & Recreation District 2; and
- Lynden Regional Parks & Recreation District 3.

Point Roberts Park & Recreation District 1

The Point Roberts Park and Recreation District does not have a capital facilities plan or master plan. However, the voters of the District approved a proposition on November 5, 2013 for Community Center Capital Improvements General Obligation Bonds in the amount of $250,000. This proposition authorized the District to replace the roof and HVAC systems of the community center, improve drainage on the site, and make other capital improvements to maintain and improve the safety and structural soundness of the center. The proposition authorized the District to issue $250,000 of general obligation bonds maturing within a maximum 10 years and to levy property taxes annually, in addition to regular tax levies, to repay the bonds.

Blaine-Birch Bay Park & Recreation District 2

The Blaine-Birch Bay Park & Recreation District 2 Master Plan Document was adopted by the Blaine-Birch Bay Park and Recreation District 2 Commissioners on February 9, 2016 (Resolution # 2016-1). The Master Plan states:

... The Blaine-Birch Park and Recreation District 2 (Formerly Northwest Park and Recreation District 2) has been in existence since 1979. From the time of the original inception of the District, the area has gone through significant change and growth. New homes, businesses and residents have come to the area over the past twenty years. Residents with a wide range of ages and interests now live in the District. Park, recreation and trail needs are becoming very important to the livability of the region. ... (p. 18).

The Master Plan contains a facility inventory identifying park and recreation facilities within the District (pp. 24-34), recommended LOS standards (pp. 20-21), funding options and methods (p. 35), and a six-year capital improvement program that includes $1.5 million in trail connection improvement projects in 2016-2017 (pp. 36-37).

The voters of the District approved a proposition on November 5, 2013 to assess a regular property tax levy for a four year period (2014-17) of $0.10 per $1,000.00 of assessed valuation to fund staffing, operations, maintenance, and capital improvements to improve recreation and leisure time activities and opportunities for people of all ages in the greater Blaine-Birch Bay area.
Lynden Regional Parks and Recreation District 3

The Lynden Regional Parks and Recreation District is currently in the process of updating their master plan. The voters of the District did not approve a proposition on November 6, 2012 that would have authorized the District to purchase an indoor recreation facility, to issue $9,500,000 of general obligation bonds maturing within a maximum term of 30 years to finance acquisition of such facility, and to levy property taxes annually in excess of regular property tax levies to repay such bonds.
Chapter 3 – Maintenance & Operations

Inventory of Current Facilities

The 2016 inventory of County maintenance and operations/facilities management space is 44,411 square feet located at 901 W. Smith Rd. (the Central Shop), 316 Lottie St. and 2030 Division Street, as shown in more detail in the Six-Year Capital Improvement Program for Whatcom County Facilities.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for maintenance and operations facilities. Rather, it contains goals and policies supportive of providing adequate County facilities.

Capital Projects and Funding

The following capital improvement projects are anticipated in the six-year planning period: A new van/crane truck garage and the Central Shop exhaust system. These improvements will cost approximately $400,000, which will be paid with the funding sources shown in the Six-Year Capital Improvement Program for Whatcom County Facilities.

There are no capital improvement projects currently identified that would add maintenance and operations space within the 7 to 20 year planning period. However, the County will monitor the adequacy of maintenance and operation facilities throughout the planning period and consider capital improvements if warranted in the future. Maintenance projects will be undertaken as needed.
Chapter 4 – General Government Office Buildings and Sites

Inventory of Current Facilities

The 2016 inventory of County general government office buildings and sites is 306,691 square feet at eight locations, as shown in more detail in the *Six-Year Capital Improvement Program for Whatcom County Facilities*.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for maintenance and operations facilities. Rather, it contains goals and policies supportive of providing adequate County facilities. Specifically, Comprehensive Plan Policy 4A-1 is to “Plan appropriate county facilities commensurate with the ability of the county to fund them.”

Capital Projects and Funding

Capital improvement projects anticipated in the six-year planning period include improvements to the Whatcom County Courthouse (311 Grand Ave.), 509 Girard St., 1500 N. State St., the Civic Center (322 North Commercial), Northwest Annex (5280 Northwest Dr.) and multiple other locations. Additionally, a new mental health triage center is planned. These improvements will cost approximately $23.2 million, which will be paid with the funding sources shown in the *Six-Year Capital Improvement Program for Whatcom County Facilities*.

Capital improvement projects in the 7 to 20 year planning period include a $34 million dollar Courthouse exterior project, which would be paid with bond proceeds that would be repaid from the General Fund, Real Estate Excise Tax (REET I) and/or Economic Development Initiative (EDI) program funds. Additionally, approximately $700,000 to $1,000,000 would be spent annually on various general maintenance projects. These costs would be paid from REET I and/or EDI funds.

The County will also monitor the adequacy of County buildings throughout the planning period and consider capital improvements and maintenance projects if warranted in the future.
Chapter 5 – Sheriff’s Office

Inventory of Current Facilities

The 2016 inventory of Sheriff’s Office space is 23,326 square feet at six locations, as shown in more detail in the Six-Year Capital Improvement Program for Whatcom County Facilities.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for Sheriff’s Office space. Rather, it contains goals and policies supportive of providing adequate Sheriff’s Office facilities. Specifically, Comprehensive Plan Policy 4D-2 is to:

Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates... Existing facilities may be expanded or new facilities developed in response to increasing need.

Most Sheriff’s Office functions are currently based in the Public Safety Building adjacent to the Courthouse and are remote from the 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. Because of these issues, existing Sheriff’s Office facilities and associated functions will be consolidated (except for “Resident Deputy” program facilities), and co-located on the site of the proposed new jail.

Capital Projects and Funding

A new Sheriff’s Headquarters facility, co-located with the proposed new jail on LaBounty Rd. in Ferndale, is proposed within the six-year planning period. The Sheriff’s Headquarters facility would cost approximately $19 million, paid with bond proceeds that would be repaid from the General Fund.

There are no capital improvement projects currently identified that would add Sheriff’s Office space within the 7 to 20 year planning period. However, the County will monitor the adequacy of Sheriff’s Office facilities throughout the planning period and consider capital improvements if warranted in the future. Maintenance projects will be undertaken as needed.
Chapter 6 – Emergency Management

Inventory of Current Facilities

The 2016 inventory of Sheriff’s Office, Division of Emergency Management space is 24,000 square feet, located at the Whatcom Unified Emergency Coordination Center (WUECC). Rented by and shared between both Whatcom County and the City of Bellingham, the WUECC is comprised of 2,000 square feet of office space and an additional 22,000 square feet of support facilities (used for meetings, training, exercises, and during emergencies). The WUECC serves as the Emergency Operations Center for both the County and the City.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for emergency management space. Rather, it contains goals and policies supportive of providing adequate emergency management facilities. Specifically, Comprehensive Plan Policy 4D-4 is to:

Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded or new facilities developed in response to increasing need.

Capital Projects and Funding

There are no capital improvement projects currently identified that would add usable emergency management space within the 20 year planning period. However, the County will monitor the adequacy of emergency management facilities throughout the planning period and consider capital improvements if warranted in the future. Maintenance projects will be undertaken as needed.
Chapter 7 – Adult Corrections

Inventory of Current Facilities

The County’s Main Jail was designed for 148 beds, although it currently has 283 beds due to double bunking, internal remodeling and use of temporary beds. 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. The Main Jail is located in the Public Safety Building next to the County Courthouse in downtown Bellingham and the Minimum Security Correction Facility is located in the Bakerview Rd. industrial area.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for adult corrections facilities. Rather, it contains goals and policies supportive of providing adequate corrections facilities. Specifically, Comprehensive Plan Policy 4D-2 is to:

Maintain Sheriff's Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded or new facilities developed in response to increasing need.

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), in the Whatcom County Jail Planning Task Force Recommendations (Dec. 2011 and March 2012), and in the Whatcom County Adult Corrections Facilities & Sheriff's Headquarters Pre-Design Report (Sept. 2013).

Capital Projects and Funding

In an effort to meet the community need, the County plans to construct a new Adult Corrections Facility on LaBounty Rd. in Ferndale, tentatively scheduled to open with 521 beds within the six-year planning period. At the time this new jail is opened, the offenders at the minimum-security
corrections facility would be relocated to the new facility. The cost of the proposed new jail is approximately $112,000,000, which would be paid with bond proceeds that would be repaid with new sales tax.

As an interim measure, existing correction facility improvements are planned so that these buildings can continue to function until the new jail is completed. The cost of the improvements to the existing jail facilities is approximately $3,000,000, which would be paid from the Jail Improvement Fund and the General Fund.

There are no capital improvement projects currently identified that would add jail facilities within the 7 to 20 year planning period. However, the County will monitor the adequacy of jail facilities throughout the planning period and consider capital improvements if warranted in the future. Maintenance projects will be undertaken as needed.
Chapter 8 – Juvenile Detention

Inventory of Current Facilities

The 2016 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.

Future Needs

Chapter 4 of the Whatcom County Comprehensive Plan does not contain LOS standards for juvenile detention. Rather, it contains goals and policies supportive of providing adequate juvenile facilities. Specifically, Comprehensive Plan Policy 4D-3 is to:

- Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded or new facilities developed in response to increasing need.

Capital Projects and Funding

There are no capital improvement projects currently identified that would add juvenile detention space within the 20 year planning period. However, the County will monitor the adequacy of juvenile detention facilities and alternative correction methods throughout the planning period and consider capital improvements if warranted in the future. Maintenance projects will be undertaken as needed.
Chapter 9 – Transportation

Transportation (Countywide)

Overview

Whatcom County’s roadway network is principally made up of County roads as well as state highways, such as I-5 and SR-9, which provide intercity and interstate connections. In addition to the roadway network, Whatcom County also operates a daily ferry service between Gooseberry Point and Lummi Island.

Inventory of Current Facilities

The 2014 inventory of County transportation facilities shows a total of 939 miles of County roads (approximately 358 miles are classified as an arterial or collector roadways). Table 9-1 shows the existing miles of countywide arterial roadways by federal functional classification.

Table 9-1. Inventory of County Roadways by Functional Classification

<table>
<thead>
<tr>
<th>Functional Classification</th>
<th>Total Miles of Roadway (centerline miles)</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Major Collector</td>
<td>134.1</td>
<td>14%</td>
</tr>
<tr>
<td>Rural Minor Collector</td>
<td>154.2</td>
<td>16%</td>
</tr>
<tr>
<td>Rural Local Access</td>
<td>455.8</td>
<td>49%</td>
</tr>
<tr>
<td>Urban Principal Arterial</td>
<td>0.3</td>
<td>0%</td>
</tr>
<tr>
<td>Urban Minor Arterial</td>
<td>25.5</td>
<td>3%</td>
</tr>
<tr>
<td>Urban Collector</td>
<td>37.8</td>
<td>4%</td>
</tr>
<tr>
<td>Urban Minor Collector</td>
<td>6.4</td>
<td>1%</td>
</tr>
<tr>
<td>Urban Local Access</td>
<td>125.5</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>939.5</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>


In addition to the roadway network discussed above, the County owns one ferry vessel which it uses to provide its Lummi Island ferry service.
Future Needs

County LOS Standards

The Whatcom County Comprehensive Plan’s Chapter Six establishes LOS standards for transportation facilities. Motor vehicle LOS for roadway segments is based on a volume/capacity (V/C) ratio, the estimated peak-hour volume of a roadway segment divided by the estimated hourly capacity of that segment, as categorized in Table 9-2.

Table 9-2. Level of Service Designations by Volume/Capacity

<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>

Whatcom County’s adopted transportation LOS standards for roadway segments are set in Comprehensive Plan Policies 6A-1 through 6A-4. For county arterials and major collectors located outside of urban growth areas during weekday p.m.-peak hours, the adopted LOS is C or better, except for specified primary routes as shown on Map 6-2, which have a LOS of D or better. The LOS standard for county arterials and major collectors within urban growth areas during weekday p.m. peak hours is D or better.

LOS Analysis

The Transportation LOS analysis is taken from an analysis prepared for the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015). Using the Whatcom Council of Governments regional model, the projected population and employment growth was used to estimate the number of trips that will be generated in 2036. These trips were then distributed among transportation analysis zones and assigned to the street network. The result is a model of projected future traffic conditions based on the land use assumptions for each of the studied alternatives. The future transportation network reflects future improvement projects for which funding has been committed.
After the future 2036 traffic volume on each analysis road segment was projected, it was divided by the road’s capacity to calculate the volume to capacity (V/C) ratio. For any segments on which projected V/C would exceed the adopted LOS standard for that road a potential adverse impact was identified, and mitigation identified that would lower V/C to a level within adopted standards.

Table 9-3 lists the county roads with projected 2036 V/C ratios that exceed LOS standards under the Final EIS preferred alternative. A total of 1.64 miles of County roadways are projected to be deficient, or about 0.5% of the total 358 miles of County arterial and collector roads.

**Table 9-3. Roadways with Deficient Segments by 2036**

<table>
<thead>
<tr>
<th>Analysis ID</th>
<th>Road Name</th>
<th>Location</th>
<th>Length (mi.)</th>
<th>LOS Standard V/C</th>
<th>Projected 2036 LOS V/C</th>
</tr>
</thead>
<tbody>
<tr>
<td>162</td>
<td>Hannegan Rd</td>
<td>Van Wyck Rd to Kelly Rd</td>
<td>1.01</td>
<td>0.9 (LOS D)</td>
<td>0.93 (LOS E)</td>
</tr>
<tr>
<td>243</td>
<td>Lakeway Dr</td>
<td>Bellingham City Limits to</td>
<td>0.42</td>
<td>0.9 (LOS D)</td>
<td>1.10 (LOS F)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lowe Ave</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>244</td>
<td>Lakeway Dr</td>
<td>Lowe Ave to Terrace Ave</td>
<td>0.21</td>
<td>0.9 (LOS D)</td>
<td>0.97 (LOS E)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Deficient Roadway Segments</strong></td>
<td>1.64</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Source: Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015) Tables 3.9-1 and 3.9-2*

**Capital Projects and Funding**

Table 9-4 identifies the roadway locations that have been identified for improvement over the next 20 years, with planning-level cost estimates. Based on this list and a review of current safety and system preservation needs, the County annually prepares and adopts a Six-Year Transportation Improvement Program (TIP), which programs the implementation of needed improvements over the next six years. Funding sources for transportation improvement projects are identified in Chapter 16.

Projects to increase capacity on roadway segments that are projected to fall below adopted LOS (listed in Table 9-3) are included in the 20-year plan. If sufficient capacity cannot be achieved through these projects, or funding is insufficient to implement the needed capacity increase, the County can consider adjusting the adopted LOS.

Only a few new roadway alignments are included among the 20-year projects: Lincoln Road between Shintaffer Road and Blaine Road, Horton Road between Northwest Drive and Aldrich Road, and Slater Road between Northwest Drive and Hannegan. These projects are intended to provide additional east-west connectivity north of Birch Bay and northwest of Bellingham.
<table>
<thead>
<tr>
<th>ID</th>
<th>Portion of project in S-Year Plan</th>
<th>Project Name</th>
<th>Location/ Project Limits</th>
<th>Proposed Improvement</th>
<th>Estimated Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-3</td>
<td>X</td>
<td>Birch Bay-Lynden Road/ Harborview Road</td>
<td>Intersection</td>
<td>Construct intersection improvements to include turn lanes and install traffic signal when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>R-4</td>
<td>X</td>
<td>Lincoln Road Extension and Improvement</td>
<td>Harborview Road to Blaine Road (SR 548)</td>
<td>Reconstruct existing road and construct 2-lane urban arterial to Blaine Road with non-motorized enhancement including construction of roundabouts at intersections with Blaine Road and Harborview Road</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>S-15</td>
<td>X</td>
<td>Birch Bay-Lynden Road/Blaine Road (SR-548)</td>
<td>Intersection</td>
<td>Construct intersection improvements to include roundabout or install turn lanes and traffic signal, when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>S-17</td>
<td></td>
<td>Grandview Road (SR 548)/ Vista Drive</td>
<td>Intersection</td>
<td>Construct intersection improvements to include roundabout or install turn lanes and traffic signal when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>EIS-3</td>
<td></td>
<td>Hannegan Road</td>
<td>Bellingham City Limits - Van Wyck Road</td>
<td>Add left-turn lanes at intersections and driveways and widen the road to meet the urban minor arterial standard.</td>
<td>$3,868,000</td>
</tr>
<tr>
<td>EIS-4</td>
<td></td>
<td>Hannegan Road</td>
<td>Van Wyck Road - SR 544</td>
<td>Add left-turn lanes at intersections and driveways and widen the road meet the rural major collector standard.</td>
<td>$9,673,000</td>
</tr>
<tr>
<td>WC-7</td>
<td></td>
<td>Lake Louise Rd.</td>
<td>Sudden Valley Gate 13 to Austin St.</td>
<td>Reconstruct to Major Collector standards including non-motorized facilities</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>WC-8</td>
<td></td>
<td>Lake Louise Rd.</td>
<td>Sudden Valley Gate to Whatcom Blvd.</td>
<td>Reconstruct to Major Collector standards including non-motorized facilities</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>WC-10</td>
<td>X</td>
<td>Marine Drive</td>
<td>McAlpine Road to BNSFRR Overpass.</td>
<td>Reconstruct to Urban Minor Arterial standards with non-motorized facilities</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>WC-14</td>
<td></td>
<td>Slater Rd.</td>
<td>Hannegan Rd. to Northwest Dr.</td>
<td>Construct 2-lane extension road to Kelly Rd. at Collector standards with non-motorized facilities</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>ID</td>
<td>Portion of project in 6-Year Plan</td>
<td>Project Name</td>
<td>Location/ Project Limits</td>
<td>Proposed Improvement</td>
<td>Estimated Project Cost</td>
</tr>
<tr>
<td>--------</td>
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<td>--------------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>EIS-10</td>
<td>X</td>
<td>Slater Road/Ferndale Road</td>
<td>Intersection</td>
<td>Install traffic signal when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>I-2</td>
<td></td>
<td>Birch Bay-Lynden Road/ Kickerville Rd.</td>
<td>Intersection</td>
<td>Construct intersection improvements to include roundabout or install turn lanes and traffic signal, when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>I-4</td>
<td></td>
<td>Birch Bay Drive/ Harborview Rd</td>
<td>Intersection</td>
<td>Improve/ redesign the intersection with turn lanes, and install traffic signal, when warranted</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>R-6</td>
<td></td>
<td>Harborview Road</td>
<td>Birch Bay Drive to Birch Bay-Lynden Road</td>
<td>Improve roadway to urban principal arterial standards including non-motorized facilities</td>
<td>$200,000</td>
</tr>
<tr>
<td>R-7</td>
<td></td>
<td>Harborview Road</td>
<td>Birch Bay-Lynden Road to Drayton Harbor Rd</td>
<td>Improve roadway to major collector standards including non-motorized facilities</td>
<td>$200,000</td>
</tr>
<tr>
<td>M-1</td>
<td>X</td>
<td>Birch Bay Drive</td>
<td>Alderson Road to Shintaffer Road</td>
<td>Improve roadway to urban minor arterial standards including non-motorized facilities</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>M-2</td>
<td>X</td>
<td>Birch Bay Drive</td>
<td>Alderson Road to Point Whitehorn Road</td>
<td>Improve to urban minor arterial standards including non-motorized facilities</td>
<td>$1,800,000</td>
</tr>
<tr>
<td>M-8</td>
<td></td>
<td>Portal Way</td>
<td>Birch Bay – Lynden Road to Loomis Trail Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>M-13</td>
<td></td>
<td>Jackson Road</td>
<td>Birch Bay Drive to Grandview Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized facilities</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>S-5</td>
<td></td>
<td>Blaine Road (SR 548)/ Drayton Harbor Road</td>
<td>Intersection</td>
<td>Improve / redesign the intersection with turn lanes and install traffic signal when warranted</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>S-6</td>
<td></td>
<td>Blaine Road (SR 548) / Loomis Trail Road</td>
<td>Intersection</td>
<td>Improve/redesign the intersection with turn lanes and install traffic signal when warranted</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>WC-11</td>
<td>X</td>
<td>North Shore Rd.</td>
<td>Bellingham City limits to Y Rd.</td>
<td>Reconstruct to Minor Arterial standards with non-motorized facilities enhancement (bike lane), clear zones</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>WC-12</td>
<td>X</td>
<td>Siper Rd.</td>
<td>SR 9 (Nooksack Rd.) to Hopewell Rd.</td>
<td>Reconstruct to Collector Standards including drainage system and non-motorized facilities</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>ID</td>
<td>Portion of project in 6-Year Plan</td>
<td>Location/ Project Limits</td>
<td>Proposed Improvement</td>
<td>Estimated Project Cost</td>
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<td>----------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>WC-13</td>
<td>Slater Rd. (along Kelly)</td>
<td>Hannegan to SR 542 (Mt. Baker Highway)</td>
<td>Upgrade from Local to Collector class and reconstruct at Collector standards including drainage system and nonmotorized facilities</td>
<td>$10,000,000</td>
<td></td>
</tr>
<tr>
<td>M-6</td>
<td>Drayton Harbor Road</td>
<td>Harborview Road to Blaine Road</td>
<td>Improve to rural collector standards with shoulders for non-motorized travel.</td>
<td>$1,800,000</td>
<td></td>
</tr>
<tr>
<td>M-10</td>
<td>Birch Point Road</td>
<td>Semiahmoo Drive to Shintaffer Road</td>
<td>Reconstruct to urban minor arterial standards including non-motorized facilities</td>
<td>$3,000,000</td>
<td></td>
</tr>
<tr>
<td>M-14</td>
<td>Loomis Trail Road</td>
<td>Blaine Road to Portal Way</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$1,200,000</td>
<td></td>
</tr>
<tr>
<td>M-15</td>
<td>Semiahmoo Drive</td>
<td>Blaine city limits to Birch Point Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$2,000,000</td>
<td></td>
</tr>
<tr>
<td>M-16</td>
<td>Shintaffer Road</td>
<td>Lincoln Road to Birch Bay Dr.</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$600,000</td>
<td></td>
</tr>
<tr>
<td>M-17</td>
<td>Vista Drive</td>
<td>Bay Road to Grandview Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$1,500,000</td>
<td></td>
</tr>
<tr>
<td>M-18</td>
<td>Bay Road</td>
<td>Blaine Road to Vista Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$2,600,000</td>
<td></td>
</tr>
<tr>
<td>M-19</td>
<td>Alderson Road</td>
<td>Birch Bay Drive to Blaine Road</td>
<td>Reconstruct to rural collector standards including paved shoulders for non-motorized travel.</td>
<td>$600,000</td>
<td></td>
</tr>
<tr>
<td>WC-1</td>
<td>Bakerview Rd.</td>
<td>E Bakerview to Aldrich Rd</td>
<td>Reconstruct to urban arterial, standards including non-motorized facilities</td>
<td>$3,000,000</td>
<td></td>
</tr>
<tr>
<td>WC-21</td>
<td>San Juan Blvd.</td>
<td>40th St. to 48th St.</td>
<td>Construction and extension of new Urban Arterial (2 phases) with non-motorized facilities</td>
<td>$7,700,000</td>
<td></td>
</tr>
<tr>
<td>EIS-1</td>
<td>X Lakeview Drive/ Terrace Avenue N/</td>
<td>Bellingham City Limits - Lake Whatcom</td>
<td>Widen to 4 lanes at urban minor arterial</td>
<td>$12,402,000</td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td>Portion of project in 6-Year Plan</td>
<td>Project Name</td>
<td>Location/ Project Limits</td>
<td>Proposed Improvement</td>
<td>Estimated Project Cost</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------</td>
<td>-------------------------------</td>
<td>----------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>EIS-2</td>
<td></td>
<td>Cable Street</td>
<td>Boulevard</td>
<td>standards; add left turn lanes.</td>
<td>$7,993,000</td>
</tr>
<tr>
<td>EIS-6</td>
<td></td>
<td>Everson Goshen Road</td>
<td>SR 542 - SR 544</td>
<td>Add left-turn lanes at rural major collector standards.</td>
<td>$1,833,000</td>
</tr>
<tr>
<td>EIS-7</td>
<td></td>
<td>Marine Drive</td>
<td>Lummi Shore Drive (North of Cagey Road) - Country Lane</td>
<td>Add left-turn lanes at rural major collector standards.</td>
<td>$3,157,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bancroft Road - Alderwood Avenue</td>
<td>Add left-turn lanes at urban minor arterial standards.</td>
<td></td>
</tr>
<tr>
<td>W. Smith Road/ Northwest Drive</td>
<td>Intersection</td>
<td>Intersection</td>
<td>Construct roundabout when warranted</td>
<td>$4,000,000</td>
<td></td>
</tr>
<tr>
<td>E. Smith Road/ Hannegan Road</td>
<td>Intersection</td>
<td>Intersection</td>
<td>Improve/redesign intersection or build roundabout when warranted</td>
<td>$3,000,000</td>
<td></td>
</tr>
<tr>
<td>EIS-8</td>
<td></td>
<td>Northwest Drive</td>
<td>Bellingham City Limits - Smith Road W</td>
<td>Add left-turn lanes at rural minor arterial standards.</td>
<td>$5,526,000</td>
</tr>
<tr>
<td>EIS-9</td>
<td></td>
<td>Slater Road</td>
<td>Lake Terrell Road - 0.70 mile west of Haxton Way (1.8 miles)</td>
<td>Add left-turn lanes at rural major collector standards.</td>
<td>$2,140,000</td>
</tr>
</tbody>
</table>
Transit

Overview

Whatcom Transportation Authority (WTA) is the primary provider of public transportation services in Whatcom County. WTA provides fixed-route bus service in Bellingham and throughout Whatcom County. Complementary paratransit service is offered in conjunction with broader senior and disabled service under the Specialized Transportation program. WTA also offers vanpool leasing, ride matching and commuter van service from selected markets.

Inventory of Current Facilities

The WTA operates 30 fixed routes with 59 transit coaches (primarily 35- and 40-foot Gillig buses). Paratransit service is provided by 34 mini-buses with a capacity to carry 16 passengers each. WTA owns and manages a fleet of 39 vans for its two commuter van services. Table 9-5 below summarizes the park & ride facilities that WTA serves along with routes that serve them.

Table 9-5: Whatcom Transportation Authority Park & Ride Facilities

<table>
<thead>
<tr>
<th>Park &amp; Ride</th>
<th>Location</th>
<th>Served by Routes</th>
<th>Number of Parking Stalls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cordata Station</td>
<td>4170 Cordata Parkway</td>
<td>3, 4, 15, 24, 25X, 26, 27</td>
<td>70</td>
</tr>
<tr>
<td></td>
<td></td>
<td>48, 55, 71X, 232, 331</td>
<td></td>
</tr>
<tr>
<td>Chuckanut</td>
<td>999 N. Burlington Rd.</td>
<td>80X</td>
<td>369</td>
</tr>
<tr>
<td>Alger</td>
<td>Lake Samish Rd.</td>
<td>80X</td>
<td>54</td>
</tr>
<tr>
<td>Ferndale Station</td>
<td>1671 Main Street</td>
<td>27, 70X, 55</td>
<td>131</td>
</tr>
<tr>
<td>South Bellingham East</td>
<td>I-5 and Old Fairhaven Parkway (Exit 250 East side)</td>
<td>105</td>
<td>29</td>
</tr>
<tr>
<td>South Bellingham West</td>
<td>I-5 and Old Fairhaven Parkway (Exit 250 West side)</td>
<td>105</td>
<td>24</td>
</tr>
<tr>
<td>Lynden Station</td>
<td>1945 Front Street</td>
<td>26, 25X</td>
<td>89</td>
</tr>
<tr>
<td>Northwest Avenue</td>
<td>East of Northwest on McLeod Rd.</td>
<td>232</td>
<td>(Not listed)</td>
</tr>
<tr>
<td>Birch Bay Square</td>
<td>8115 Birch Bay Square St.</td>
<td>70X, 55</td>
<td>10</td>
</tr>
<tr>
<td>Blaine Library</td>
<td>3rd and G Street</td>
<td>70X, 55</td>
<td>10</td>
</tr>
<tr>
<td>Lincoln Creek</td>
<td>Lincoln Street, north of I-5 on-ramp</td>
<td>80X, 90A&amp;B, 190</td>
<td>530</td>
</tr>
<tr>
<td>Fairhaven Park &amp; Ride</td>
<td>Harris and 4th</td>
<td>(Not listed)</td>
<td>237</td>
</tr>
<tr>
<td>Blaine Library</td>
<td>3rd and G Street</td>
<td>(Not listed)</td>
<td>10</td>
</tr>
</tbody>
</table>

Future Needs

Public transit providers typically provide LOS standards difficult to relate to capital facility needs with respect to changes in population over time. For example, Whatcom Transportation Authority (WTA) provides one capital facility standard of a shelter at each transit stop that has 25 boardings or more (WTA Strategic Plan, page 2-43, September 2004).

Capital Projects and Funding

Capital Project Funding

According to WSDOT’s 2014 Summary of Public Transportation, WTA is expected to receive $2.8 million annually from 2016-2021 from Federal Section 5307 Grants. These are the only funds reserved for capital, as other revenue sources such as fare box revenues and sales tax may also be used for operating expenses.

Capital Projects

The WTA breaks down capital outlays under categories that include Vehicles, Public Facilities, Strategic Partnerships, Street Side Improvements, and Technology Projects. The WTA’s 2016-2021 approved Transportation Improvement Program identified the following projects that will occur during the County CFP planning period.

Table 9-6. Transit Capital Projects

<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>Whatcom Transportation Authority</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Purchases</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost</td>
<td>6,290</td>
<td>477</td>
<td>7,259</td>
<td>5,461</td>
<td>4,035</td>
<td>4,166</td>
<td>27,688</td>
<td></td>
</tr>
<tr>
<td>Technology Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost</td>
<td>4,150</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4,150</td>
<td></td>
</tr>
<tr>
<td>Facilities Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost</td>
<td>1,850</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,950</td>
<td></td>
</tr>
</tbody>
</table>

Source: WTA 2016-2021 Approved Transportation Improvement Program.
Chapter 10 – Stormwater Facilities

Inventory of Current Facilities

The Public Works Department is responsible for 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 storm flows and improve water quality.

In response to increasing federal and state mandates to manage stormwater and the public’s desire to improve stewardship of sensitive watersheds, Whatcom County established a Stormwater group in the Surface Water Division of the Public Works Department in 2005. The Stormwater group is responsible for planning, designing, engineering, and construction of stormwater facilities. Inventories of existing stormwater facilities are maintained by the Public Works Department. The Engineering Services Division maintains an inventory of all road-related facilities. The Stormwater group 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. Completed stormwater construction projects since the Public Works-Stormwater group was created in 2005 are listed below.

Table 10.1 Completed Stormwater Projects

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Lake Whatcom Geneva Stormwater Retrofits</td>
<td>2006</td>
</tr>
<tr>
<td>2 Lake Whatcom Cable Street Reconstruction &amp; Stormwater Improvements</td>
<td>2007</td>
</tr>
<tr>
<td>3 Lake Whatcom Lahti Drive Stormwater Improvements</td>
<td>2010</td>
</tr>
<tr>
<td>4 Lake Whatcom Silver Beach Creek Improvements - Brow nsville Drive to E. 16th Place</td>
<td>2011</td>
</tr>
<tr>
<td>5 Lake Whatcom Silver Beach Creek Improvements - West Tributary</td>
<td>2012</td>
</tr>
<tr>
<td>6 Lake Whatcom Coronado-Fremont Stormwater Improvements</td>
<td>2014</td>
</tr>
</tbody>
</table>

Future Needs

An increasing emphasis on the protection of sensitive watersheds has resulted in the adoption of comprehensive stormwater plans, including plans for Lake Whatcom and Birch Bay. The adopted plans identify work towards planning, design, engineering, and construction of capital projects intended to address stormwater issues.

In addition, the County has adopted a Stormwater Management Program in accordance with the NPDES Phase II permit. This program applies to about 15,000 acres of unincorporated lands including the Birch Bay UGA, Ferndale UGA, Bellingham UGA and other lands along the south shore of Lake Whatcom. Goals of the Stormwater Management Program include detecting and eliminating illicit discharges to surface waters, controlling runoff from new development, redevelopment, and new construction, pollution prevention and operation and maintenance for
municipal operations, educating the public, monitoring stormwater monitoring, and collecting and reporting data on the Program.

Capital Projects and Funding

Stormwater improvement projects anticipated in the six-year planning period include the following:

- Lake Whatcom Watershed – Water quality improvements, drainage system upgrades, outfall retrofits, channel restoration, and stormwater improvements.

- Birch Bay Watershed - Drainage improvements and an inlet upgrade.

These improvements will cost a total of approximately $7.2 million, which will be paid with the funding sources shown in the *Six-Year Capital Improvement Program for Whatcom County Facilities*.

It is anticipated that approximately $1.4 million will be spent annually on various stormwater improvement projects in the 7 to 20 year planning period. These costs would be paid from the Flood Fund, REET, state grants and Birch Bay Watershed and Aquatic Resource Management (BBWARM) District funds. The County will also monitor the adequacy of County stormwater facilities throughout the planning period and consider additional capital improvements and/or maintenance projects if warranted in the future.
Chapter 11 – Water Systems

Water Systems

Planning relating to public water systems is carried out in the Whatcom County Coordinated Water System Plan (CWSP), individual water system plans, and this Capital Facilities Plan. An introduction to the CWSP is presented below. For purposes of this Capital Facilities Plan, water systems are divided into major systems that serve urban growth areas (urban water systems) and other systems that have 50 or more connections. This chapter addresses urban water systems, including information summarized from the individual water system plans. Information about other systems with 50 or more connections is included in the Coordinated Water System Plan.

Coordinated Water System Plan

The draft CWSP (2016) is a plan for public water systems that identifies the present and future needs of the systems and sets forth means of meeting those needs in the most efficient manner possible. The Whatcom County Council established the planning area, called the Critical Water Supply Service Area (CWSSA), for the original CWSP effort in 1993, and retained the same area for the 2000 CWSP update and the 2016 CWSP update. The CWSSA includes all of Whatcom County west of the Mount Baker-Snoqualmie National Forest Boundary excluding certain portions of the Lummi and Nooksack Indian reservations.

The draft CWSP was prepared under the direction of the Water Utility Coordinating Committee (WUCC). The WUCC included representatives of individual water utilities located in the CWSSA with more than 50 connections that chose to participate, as well as representatives of the Washington State Department of Health, Whatcom County Health Department, Whatcom County Planning & Development Services, Whatcom County Public Works, and the Whatcom County Council. The CWSP review was conducted with the primary objective of supporting the public drinking water supply needs of the County and achieving coordination between water services, the Growth Management Act, and the Whatcom County Comprehensive Plan.

The CWSP addresses a number of topics, including population, water demand, existing water systems, water utility service areas, minimum design standards, utility service review procedures, receivership of failing systems, issues with potential implications for public water systems, and plan implementation.

The draft CWSP contains a water rights capacity analysis to compare water system’s existing water rights, and/or existing intertie agreements, against current and anticipated future demands in an effort to determine whether systems are projected to meet their future requirements, have surplus water, or have insufficient future water rights. Based on the results of the water rights analysis (which take into account existing intertie agreements), the existing and projected population, and the historic and projected water demand, a water rights status for each Group A community public water system is assigned. Analyses prepared in the individual water system plans will be more accurate and should be utilized if available (draft CWSP, p. 3-5 and Appendix 1).
Urban Water Systems

Inventory of Current Facilities

This section of the Capital Facilities Plan inventories the 14 primary water systems that provide water service to Whatcom County’s UGAs. The table below provides information relating to existing connections, water rights, contracts for water, supply, storage, and water sources.

### Table 11.1 Water Supply Inventory by Service Provider

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Connections</th>
<th>Water Rights</th>
<th>Contracted Water</th>
<th>Available Supply</th>
<th>Storage Capacity</th>
<th>Primary Water Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing</td>
<td>Approved</td>
<td>Allocated to Blaine Supply</td>
<td>Annual Instantaneous</td>
<td>Instantaneous</td>
<td>Annual Instantaneous</td>
</tr>
<tr>
<td>Birch Bay Water and Sewer District (1)</td>
<td>5,386</td>
<td>unspecified</td>
<td>2.35</td>
<td>3.73</td>
<td>2.35</td>
<td>3.73</td>
</tr>
<tr>
<td>City of Bellingham</td>
<td>42,011</td>
<td>unspecified</td>
<td>162.82</td>
<td>162.87</td>
<td>(2.80)</td>
<td>(2.80)</td>
</tr>
<tr>
<td>City of Blaine (2)</td>
<td>2,685</td>
<td>unspecified</td>
<td>5.41</td>
<td>7.19</td>
<td>(1.40)</td>
<td>(1.40)</td>
</tr>
<tr>
<td>City of Everett</td>
<td>783</td>
<td>unspecified</td>
<td>0.54</td>
<td>1.15</td>
<td>(0.24)</td>
<td>(0.24)</td>
</tr>
<tr>
<td>City of Ferndale</td>
<td>1,518</td>
<td>unspecified</td>
<td>1.91</td>
<td>4.23</td>
<td>(0.32)</td>
<td>(0.32)</td>
</tr>
<tr>
<td>City of Lynden (3)</td>
<td>5,071</td>
<td>unspecified</td>
<td>5.83</td>
<td>13.93</td>
<td>5.83</td>
<td>13.93</td>
</tr>
<tr>
<td>City of Nooksack</td>
<td>122</td>
<td>unspecified</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>City of Sumas</td>
<td>500</td>
<td>unspecified</td>
<td>3.39</td>
<td>5.08</td>
<td>(2.14)</td>
<td>(4.28)</td>
</tr>
<tr>
<td>Columbia Valley Water District</td>
<td>1,564</td>
<td>unspecified</td>
<td>0.38</td>
<td>0.58</td>
<td>0.38</td>
<td>0.58</td>
</tr>
<tr>
<td>Lake Whatcom Water and Sewer District</td>
<td>3,795</td>
<td>4.00</td>
<td>2.05</td>
<td>2.60</td>
<td>2.05</td>
<td>2.60</td>
</tr>
<tr>
<td>PLU 1</td>
<td>452</td>
<td>N/A</td>
<td>38.87</td>
<td>53.64</td>
<td>38.87</td>
<td>53.64</td>
</tr>
<tr>
<td>Water District 2 (4)</td>
<td>568</td>
<td>unspecified</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Water District 7</td>
<td>659</td>
<td>1,165</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Water District 13</td>
<td>166</td>
<td>1,339</td>
<td>0.41</td>
<td>1.33</td>
<td>0.41</td>
<td>1.33</td>
</tr>
</tbody>
</table>

Source: Draft EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Area Review (March 2015, p. 4-227), City of Bellingham Water System Plan (June 2009), Second Amendment to Agreement to Supply Water between Nooksack and Sumas (August 2009), Lake Whatcom Water and Sewer District e-mail of April 28, 2016, Lake Whatcom Water and Sewer District Water System Comprehensive Plan (October 2010), the Washington Department of Health Office of Drinking Water Sentry Internet Home page (accessed April and May 2016), Rodney Langer (CHS Engineers) e-mail of May 3, 2016, City of Lynden e-mail of May 10, 2016, City of Ferndale e-mail of May 16, 2016, and City of Blaine e-mail of May 16, 2016.

Notes:

- All water quantity metrics expressed in millions of gallons per day (mgd), except storage capacity which is million gallons (mg).
- Available supply is the sum of water rights and contracts. It represents the total supply available to serve a provider's own customers.
- Contracted water numbers in parentheses indicate contracts to provide water to other systems. Such contracts are subtracted from the provider's water rights to calculate available supply.
- This table does not provide a full accounting of all contracts to provide water to other systems. Rather it notes all contracts discovered when analyzing available water supply for these larger providers.

1. BBWS BD has two water rights which are shared in a single system with City of Blaine. Therefore these rights are counted under City of Blaine’s water rights and available supply.
2. See note #1 regarding BBWS water rights.
3. Water rights in this table are based on City of Lynden's interpretation which differs from the Department of Ecology's interpretation.
4. The City of Bellingham provides both water and storage capacity to Water District 2.
Future Needs

Water system plans provide a design standard, generally expressed as water consumption in gallons/day per equivalent residential unit (ERU). When applying this standard to growth projections, and comparing to the water source capacity, a water system provider can obtain a sense for how planned growth will affect water service into the future.

Water service providers prepare water system plans including a program of capital improvements that address the system’s anticipated needs within their designated water service area, consistent with local land use plans. The table below identifies the purveyor’s design standards.

### Table 11.2 Design Standards

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Design Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Bay Water and Sewer District</td>
<td>116-135 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Bellingham</td>
<td>199 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Blaine</td>
<td>165 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Everson</td>
<td>250 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Ferndale</td>
<td>175 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Lynden</td>
<td>216 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Nooksack</td>
<td>175 gallons/day per ERU</td>
</tr>
<tr>
<td>City of Sumas</td>
<td>282 gallons/day per ERU</td>
</tr>
<tr>
<td>Columbia Valley Water District</td>
<td>215 gallons/day per ERU</td>
</tr>
<tr>
<td>Lake Whatcom Water and Sewer District</td>
<td>150-250 gallons/day per ERU</td>
</tr>
<tr>
<td>PUD No. 1</td>
<td>N/A$^1$</td>
</tr>
<tr>
<td>Water District 2</td>
<td>170 gallons/day per ERU</td>
</tr>
<tr>
<td>Water District 7</td>
<td>214 gallons/day per ERU</td>
</tr>
<tr>
<td>Water District 13</td>
<td>239 gallons/day per ERU</td>
</tr>
</tbody>
</table>

$^1$ PUD No. 1 serves industrial and commercial properties.

Population

The table below provides an overview of the planning horizon year and horizon year population for the latest water system plans in comparison to Whatcom County Comprehensive Plan’s population projections for the year 2036. As can be seen by a review of the table, most urban water systems plan conservatively for drinking water needs, particularly given the time it takes to seek new water supplies to serve growth.
<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Horizon year of Capital Plan</th>
<th>Capital Plan Population</th>
<th>County's 2036 Population Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Bay Water/ Sewer</td>
<td>2036</td>
<td>14,565</td>
<td>14,414</td>
</tr>
<tr>
<td>City of Bellingham</td>
<td>2032</td>
<td>122,672&lt;sup&gt;3&lt;/sup&gt;</td>
<td>123,710</td>
</tr>
<tr>
<td>City of Blaine</td>
<td>2036</td>
<td>10,500&lt;sup&gt;1&lt;/sup&gt;</td>
<td>9,585</td>
</tr>
<tr>
<td>City of Everson</td>
<td>2036</td>
<td>4,046</td>
<td>3,907</td>
</tr>
<tr>
<td>City of Ferndale</td>
<td>2036</td>
<td>20,072</td>
<td>19,591</td>
</tr>
<tr>
<td>City of Lynden</td>
<td>2036</td>
<td>19,575</td>
<td>19,275</td>
</tr>
<tr>
<td>City of Nooksack</td>
<td>2036</td>
<td>2,425</td>
<td>2,425</td>
</tr>
<tr>
<td>City of Sumas&lt;sup&gt;3&lt;/sup&gt;</td>
<td>2036</td>
<td>2,323</td>
<td>2,323</td>
</tr>
<tr>
<td>Columbia Valley Water District</td>
<td>2030</td>
<td>N/A&lt;sup&gt;4&lt;/sup&gt;</td>
<td>2,886</td>
</tr>
<tr>
<td>PUD 1</td>
<td>N/A&lt;sup&gt;5&lt;/sup&gt;</td>
<td>N/A&lt;sup&gt;5&lt;/sup&gt;</td>
<td>N/A&lt;sup&gt;5&lt;/sup&gt;</td>
</tr>
<tr>
<td>Lake Whatcom Water and Sewer District</td>
<td>2027</td>
<td>10,855&lt;sup&gt;6&lt;/sup&gt;</td>
<td>12,204</td>
</tr>
<tr>
<td>W.C. Water District 2</td>
<td>2029</td>
<td>1,905&lt;sup&gt;7&lt;/sup&gt;</td>
<td>1,533</td>
</tr>
<tr>
<td>W.C. Water District 7</td>
<td>2027</td>
<td>2,123&lt;sup&gt;8&lt;/sup&gt;</td>
<td>2,118</td>
</tr>
<tr>
<td>W.C. Water District 13</td>
<td>2031</td>
<td>1,170&lt;sup&gt;9&lt;/sup&gt;</td>
<td>1,786</td>
</tr>
</tbody>
</table>

N/A = Not Available

1 The City of Bellingham Water System Plan (June 2009) contains a population projection of 122,672 for the year 2026. The City of Bellingham Water System Plan Update (October 2013) extends the horizon year to 2032, but does not include an updated population projection.

2 Projected service area population per draft City 2016 Comprehensive Water System Plan.

3 Information regarding the Sumas water system is from the Draft Capital Facilities Element of the Sumas Comprehensive Plan (April 2018).

4 The Columbia Valley Water District 2013 Water System Plan Update does not include a specific 20-year population projection. However, the Water System Plan projects that it will serve 1,242 equivalent residential units (ERUs) in 2030 (pp. 36 and 37).

5 Since PUD1 provides retail water service only to areas characterized by and designated for industrial and commercial uses, the district's 2004 WSP does not provide population projections or a horizon year. PUD 1 also owns and operates the Grandview potable water supply system – retail.

6 The Lake Whatcom Water and Sewer District Water System Comprehensive Plan anticipates 4,125 ERUs in 2027 (Appendix A, Exhibit 2), which equates to a population of about 10,855 using average household sizes described in the Water System Comprehensive Plan (p. 17).

7 Water District 2 projects future connections rather than population. The district plans to serve 797 connections by 2029. Applying the Bellingham average household size of 2.49 and occupancy rate of 96% results in approximately 1,905 people served by the 797 connections in 2029.

8 Water District 7 projects future connections rather than population. The district plans to serve 888 connections by 2027. Applying the Bellingham average household size of 2.49 and occupancy rate of 96% results in approximately 2,123 people served by the 888 connections in 2027. However, Water District 7 is approved to serve up to 1,145 residential service connections (State Department of Health letter from Richard Rodriguez and John Thiemann to James Trowbridge dated January 5, 2009). Therefore the District could serve a population of about 2,700, which is greater than the projected population of the District in 2036.

9 Water District 13 could potentially serve a total of 1,338 residential connections (Whatcom County Water District # 13 Small Water System Plan, p. 14).
Capital Projects and Funding

Water services and capital improvements are funded primarily by the users of the system through water rates and general facilities charges. Water rates can be adjusted to match the funding required for capital and operational needs. Connection fees are usually charged to developers when a development necessitates expansion of the district’s capacity. There are also governamental funding programs. These include the Public Works Trust Fund, a revolving loan fund designed to help local entities through low-interest loans, and the Drinking Water State Revolving Fund, which involves low-interest federally funded loans.

Birch Bay Water and Sewer District

The Birch Bay Water and Sewer District provides service within and adjacent to the Birch Bay Urban Growth Area. The District obtains its water supply from the City of Blaine (well field). The District’s facilities include over 3.1 million gallons of storage in three reservoirs, four booster pump stations and nearly 80 miles of water transmission and distribution piping. The system includes multiple interties with the City of Blaine system and an emergency intertie with the Bell Bay Jackson Water Association system. The District’s *Comprehensive Water System Plan* (2009) and *Comprehensive Water System Plan Amendment No. 1* (2010) indicate that existing water supply is sufficient through 2030 at the forecast demand (page ES-3, as amended). The District’s plan states that additional water supply, including use of surplus storage, and/or conservation will be necessary to meet the demand beyond that time. The District’s 2009 Comprehensive Water Plan, as amended, includes several new supply and distribution projects expected to address supply deficiencies.

Besides its residential and commercial customers, the District provides water supply to the BP Cherry Point Refinery. At the time of completion of the 2009 plan, the District provided this service through a wholesale agreement with PUD 1 (see below). The 2010 amendment to the plan was developed based on an amendment to the City of Blaine water supply contract confirming additional supply, and confirming retail water supply to the Refinery by the District. The District’s draft 2016 Comprehensive Water Plan is based on service to 14,565 persons by year 2036. The draft plan update is based on an annual water demand increasingly from 116 gpd/ERU in 2015 to 135 gpd/ERU in 2036 as seasonal homes transition into full time residences. With service to the forecast population and service to district commercial and other non-residential customers, the year 2036 maximum day demand is forecast to be 3.58 million gallons per day. The District has a contract with the City of Blaine to provide a maximum supply of 3.73 million gallons per day in 2036. Birch Bay’s Comprehensive Water Plan indicates that it will extend future service areas to areas within the district boundaries and provides future connection policies.
City of Bellingham

The City of Bellingham Water System Plan (June 2009) and the City of Bellingham Water System Plan Update (October 2013) indicate that the City maintains a water system consisting of an intake from Lake Whatcom, water treatment plant, pump stations, 13 water reservoirs with over 25 million gallons of storage capacity, and almost 400 miles of water lines (2009 Water System Plan, pp. 3-3, 3-5, 3-7, 3-19, 3-21, and 3-32). The Bellingham water system has interties with Water District 2, Water District 7, the Lake Whatcom Water and Sewer District, and five other systems (2009 Water System Plan, p. 1-8). The projected average daily demand for the water system is 12.2 million gallons per day in 2032 and the projected maximum daily demand is 20 million gallons per day in 2032 (2013 Water System Plan Update, p. 2-4). The City of Bellingham has adequate water rights to meet projected demand over the planning period (2013 Water System Plan Update, p. 2-5). The City of Bellingham Water System Plan Update contains a capital improvement program with approximately $50 million in capital projects (2016-2018). These projects include a dissolved air flotation pretreatment system, disinfection improvements, metering, water main replacements, property acquisitions in the Lake Whatcom Watershed, water quality projects in the Lake Whatcom Watershed, and Nooksack River dam and pipeline improvements (2013 Water System Plan Update, p. 5-3). Revenue sources for system improvements include water rates, grants, loans, utility local improvement districts, and revenue bonds (2009 Water System Plan, pp. ES-5 and 1-13). The City’s financing program is adequate to cover planned capital improvements (2013 Water System Plan Update, p. 6-1 and 6-2).

City of Blaine

The City of Blaine is updating their Comprehensive Water System Plan and anticipates completion in mid-2016. The City of Blaine Comprehensive Water System Plan (2009) indicates that the City maintains a water system consisting of wells, a water treatment plant, booster pumps, five water reservoirs with a storage capacity of 4.59 million gallons, and approximately 95 miles of water lines up to 18 inches in diameter (City GIS data). The Blaine water system serves city residents and provides water, per terms of wholesale supply agreements, to both the Birch Bay Water and Sewer District and the Bell Bay Jackson Water Association. The City provides service throughout the current City Limits, with the exception of a few parcels that are presently served directly by the Birch Bay Water and Sewer District. The City also serves the Pipeline Road UGA, but service to the Shipyard UGA is by Birch Bay Water and Sewer District. The City also serves an area of unincorporated Whatcom County southeast of the City. This service area was declared in 2010 and is anticipated to remain unchanged as a result of the City’s work on its 2016 Comprehensive Water System Plan.

The projected average daily demand for the Blaine water system is approximately 2.7 million gallons per day in 2036 and the projected maximum daily demand is approximately 5.4 million gallons per day in 2036 (2016 Plan, work in progress). This preliminary forecast is significantly lower than as presented in the 2009 Comprehensive Water System Plan due to lower residential growth rate forecasts in the City’s UGA, and lower water use per single family equivalent, in both the City and Birch Bay Water and Sewer District systems. The City of Blaine Comprehensive Water System Plan (2009) documents water rights in the form of a claim, permits and certificates in
the amount of 4.28 million gallons per day (instantaneous). Subsequent efforts have increased the City’s water rights in the form of a claim, permits and certificates in the amount of 7.776 million gallons per day (instantaneous). Those efforts included securing a portion of the water rights held by Birch Bay Water and Sewer District, by amendment to the water supply agreement. The additional rights are reflected in Water Rights No. G1-26820, G1-28481, G1-26821 and G128046. Comparison of the year 2036 forecast demand to current water rights indicates that the city has adequate water supply to meet the needs of population growth over the 20 year period.

The City of Blaine Comprehensive Water System Plan (2009) contains a capital improvement program with approximately $22 million in capital projects over the 20 year planning period (2009 - 2029). Several of those projects have been completed since 2009. The City of Blaine Comprehensive Water System Plan (2016 - work in progress) will include the remaining projects, subject to updated analysis in the context of the revised demand forecast. Some additional projects may be identified where opportunity or strategy arises to address a water system need more efficiently, or in phases, or to meet additional City objectives. Projects are identified and planned to maintain adequate capacity for all elements of the system, from supply through treatment, storage, transmission and distribution, as well as capital needs for operation and management of the system. Anticipated revenue sources for capital improvements include grants, loans, connection fees, water rates and developer constructed facility contracts (2009 Plan, p. 9-3). The City’s financing plan has and will project adequate revenues to cover expenses over the 20-year planning period (2009 Plan, p. 9-1).

City of Everson

The City of Everson Water System Comprehensive Plan (2013) and the City of Everson Water System Comprehensive Plan Amendment No. 1 (2015) indicate that the City of Everson maintains a water system consisting of a well field with three wells, booster pumps, three 160,000 gallon water reservoirs, and over 13 miles of water lines (pp. 3 and 10-12). The Everson water system also has an intertie with the City of Nooksack Water System for use during maintenance or an emergency (pp. 3 and 17). The projected average daily demand for the water system is 483,500 gallons per day in 2036 and the projected maximum daily demand is 908,980 gallons per day in 2036 (p. 11). The City of Everson’s water system has source capacity to meet the projected need over the 20-year planning period (pp. 10-11). The City of Everson Water System Comprehensive Plan Amendment No. 1 contains a capital improvement program with approximately $3.3 million in capital projects over the next 20 years (2016 - 2036). These projects include water line improvements, an additional deep well (to replace two existing shallow wells), water treatment facilities, and an additional 160,000 gallon storage reservoir (pp. 39-42). Anticipated revenue sources for system improvements include grants, loans, connection fees, water rates and developer constructed facility contracts (p. 43). The City’s financing plan projects adequate revenues to cover expenses over the 20-year planning period (Appendix D).
City of Ferndale

The Draft City of Ferndale Water System Plan (2016) indicates that the City maintains a water system consisting of wells, a water treatment plant, three water reservoirs with a storage capacity of almost three million gallons, two pump stations, one pressure booster station and 73 miles of water lines. In December 2011, Ferndale converted to a groundwater supply with greensand filtration for its drinking water. Previous to this, it purchased industrial grade water from PUD No. 1 and treated the water at its own surface water treatment plant. In October 2014, Ferndale added a reverse osmosis system to treat its groundwater supply to reduce hardness. The City no longer purchases water from PUD No. 1. The Ferndale water system has interties for emergency use only with Mountain View Water Association, Northwest Water Association, Thornton Water Association and North Star Water Association (p. 2-18). The projected average daily demand for the Ferndale water system is 2.27 million gallons per day in 2036 and the projected maximum daily demand is 3.96 million gallons per day in 2036 (p. 2-15). The Draft City of Ferndale Water System Plan indicates that the city has adequate water rights to meet the needs of population growth over the 20 year period (p. 1-12). The Draft City of Ferndale Water System Plan contains a capital improvement program with approximately $20 million in capital projects over the next 20 years (2016 - 2036). These projects include water main upgrades and replacements, increasing well production and redundancy, and constructing additional storage (p. 3-16). Anticipated revenue sources for capital improvements include grants, loans, bonds, connection fees, water rates and developer constructed facility contracts. If applicable, the City may also utilize the utility local improvement district process (Ch. 9). The City has maintained budgetary controls over the water system. Rates and connection fees will continue to be set at levels required to finance operation, maintenance, and capital improvements (Ch. 9).

City of Lynden

The Draft City of Lynden Water System Plan (2016) indicates that the City of Lynden maintains a water system consisting of a Nooksack River water intake structure, water treatment plant, booster pumps, two water reservoirs with a storage capacity of approximately 8.47 million gallons, and 82 miles of water lines (Chapter 2). The City's new 8 million gallon per day Water Treatment Plant went online September 23, 2015. The new plant doubles treatment capacity includes grit removal and sedimentation basins equipped with plate settlers to handle the heavy sediment load from the Nooksack River. The facility also features high rate deep bed gravity filters, and a combination of UV disinfection and chlorine to disinfect the water. The Lynden water system provides wholesale water supply to two water association systems (Chapter 2). The projected average daily demand for the Lynden water system is 2.44 million gallons per day in 2036 and the projected maximum daily demand is 6.35 million gallons per day in 2036 (Chapter 4). The Draft City of Lynden Water System Plan indicates that the City has adequate water supply to meet the needs of population growth over the 20 year period (Chapter 7). However, the City of Lynden and Ecology have an existing dispute over the City water rights. The City has entered into a memorandum of agreement (MOA) with Ecology to address long-standing water right issues between the City and Ecology. Resolution of water supply issues for City of Lynden is important for future planning in the City’s water service area. The Draft City of Lynden Water System Plan contains a capital improvement
program in Chapter 9 that will include a new reservoir and booster pump station, as well as various water main improvements to increase distribution capacity and replace aging infrastructure. Anticipated revenue sources for capital improvements include grants, loans, connection fees, water rates and developer constructed facility contracts as discussed in Chapter 10. The City’s financing plan projects adequate revenues to cover expenses over the 20-year planning period (Chapter 10).

City of Nooksack

The City of Nooksack Water System Plan (2012) and the City of Nooksack Water System Plan Update (2016) indicate that the City of Nooksack obtains all its water from the City of Sumas (Water System Plan Update, p. 9). Nooksack maintains a water system consisting of booster pumps, water reservoirs shared with the Nooksack Valley Water Association with a capacity of 700,000 gallons (one-half of which is owned by Nooksack), and over 8 miles of water lines (Water System Plan, pp. 10 and 31). The Nooksack water system has interties with the Nooksack Valley Water Association and, for emergency purposes, with the Everson water system (Water System Plan, pp. 14 and 43). The projected average daily demand for the water system is 165,550 gallons per day in 2036 (derived from Water System Plan Update, Table D-2). The City of Nooksack’s water system has capacity to meet the projected demand over the 20-year planning period (Water System Plan Update, Tables D-2 and D-3). The City of Nooksack Water System Plan Update contains a capital improvement program with over $1 million in capital projects over the next 20 years (2016 - 2036). These projects include water line, standpipe and hydrant improvements (Water System Plan Update, p. 12). Anticipated revenue sources include water rates, connection fees, utility taxes, interest, reserves, grants, and loans. The City’s financing plan projects adequate revenues to cover expenses over the six-year planning period (Water System Plan Update, pp. 13-15).

City of Sumas

The City of Sumas Water System Comprehensive Plan (2011 Revision) indicates that the City of Sumas maintains a water system consisting of two well fields with seven wells, booster pumps, a 500,000 gallon water reservoir (which is directly adjacent to, and tied into, a 500,000 gallon water association reservoir), and almost 18 miles of water lines (pp. 1-5 and 3-21). The City of Sumas sells water wholesale to the Sumas Rural Water Association, the Nooksack Valley Water Association, and the City of Nooksack (p. 1-15). In addition, the draft Capital Facilities Element of the Sumas Comprehensive Plan (April 2016) indicates that, based on a 2015 water supply agreement, Sumas also sells water wholesale to the Meadowbrook Water Association (p. 4-5). As presented in the City’s water system plan, the projected average daily demand for the City of Sumas is 371,958 gallons per day in 2030 and the projected maximum daily demand is 743,916 gallons per day in 2030 (p. 3-24). The City of Sumas’ water system has source capacity to meet the annual projected need over the 20-year planning period through the year 2030 (pp. 4-3 and 4-8). According to the Capital Facilities Element of the draft 2016 update of the Sumas Comprehensive Plan, in the year 2036 the total system demand, including the city and all wholesale customers, will equal 3,569 gallons per minute and 3,383 acre-feet per year. These flow rates are below the maximum volumes established in the city’s water rights, therefore the city will have sufficient
source capacity to accommodate projected growth through 2036 (p. 4-6 and Table 4-2 on p. 4-7). The draft Capital Facilities Element also indicates that, based on the configuration of the city wholesale distribution system and construction of an additional 500,000 gallon storage tank by the Sumas Rural Water Association, Sumas has sufficient storage capacity to support planned growth through 2036 (p. 4-7). The draft 2016 update of the Capital Facilities Element of the Sumas Comprehensive Plan includes a 20-year capital improvement program (2016-2036) that identifies over $900,000 in capital projects to be funded through a combination of monthly rates and charges, connection charges, and developer contracts (Table 4-3 on p. 4-8). The draft Capital Facilities Element also includes a six-year financial analysis (2016-2021) indicating that the city water system will have sufficient revenues to cover anticipated expenditures, including capital improvement costs, through 2021 (p. 4-25). The City of Sumas Water System Comprehensive Plan “Service Area Policies and Conditions” requires that facilities necessitated by new development will be funded by the developer, except when the City requires oversizing (p. 1-14).

Columbia Valley Water District

The Columbia Valley Water District 2013 Water System Plan Update (2013) indicates that the Columbia Valley Water District maintains a water system consisting of three wells, booster pumps, four reservoirs with a total storage capacity of 762,000 gallons, and approximately 20 miles of water lines (pp. 8, 9 and 11). The District has explored an emergency intertie with Water District 13 (p. 22). The projected average daily demand for the water system is 279,450 gallons per day in 2030 and the projected maximum daily demand is 536,600 gallons per day in 2030 (pp. 45-47). The District has source capacity to meet the projected need over the 20-year planning period through the year 2030 (pp. 45-47). The Columbia Valley Water District 2013 Water System Plan Update contains a capital improvement program with almost $7.9 million in capital projects (2016 - 2022). These projects include water line improvements, fire hydrant replacements, pump replacements, and a potential intertie (Figure 8-2). Potential revenue sources for system improvements include cash reserves, general facilities charges, water sales revenue, local facilities charges, developer participation, utility local improvement district financing, bond financing, grants, and loans (pp. 77-82).

PUD 1

PUD 1 provides water service to both the Grandview industrial/commercial service area north of Ferndale, as well the Cherry Point UGA (an industrial area). PUD 1’s Comprehensive Water Plan (2004) does not measure water demand in population as most other WSPs do. The majority of the district’s water service customers are industrial and commercial customers. The PUD’s Comprehensive Water Plan indicates that it has sufficient water supply to meet the district’s needs to the end of the district plan’s 20-year planning period (2024). The plan includes a series of capital improvements including the acquisition of other potable water system treatment plants and water distribution and storage improvements. Although the district’s plan does not include maps showing future water service extensions, portions of the narrative on future water service indicate the district’s future water service plans to serve its entire district.
Lake Whatcom Water and Sewer District

The Lake Whatcom Water and Sewer District Water System Comprehensive Plan (2010) indicates that the District maintains a water system consisting of a water intake system, water treatment plant, booster pumps, water reservoirs with a combined storage capacity of almost 2.56 million gallons, and approximately 67 miles of water lines (pp. 8-10). The District’s water system has interties with the City of Bellingham water system, both for purchased water supply and for emergency use (pp. 47-48). The projected average daily demand for the water system is 909,596 gallons per day in 2027 and the projected maximum daily demand is 1,617,880 gallons per day in 2027 (Appendix A, Exhibit 2). The Lake Whatcom Water and Sewer District water system has source capacity to meet the projected demand through 2027 and for full build-out (Appendix A, Exhibit 2). The Lake Whatcom Water and Sewer District Comprehensive Sewer Plan (2014) contains a capital improvement program for both sewer and water projects. This plan contains over $2.2 million in water system capital projects (2016 - 2019). These projects include security upgrades, an overflow drain, water system rehabilitation and replacement projects, treatment plant improvements, water line replacements, and reservoir maintenance (Comprehensive Sewer Plan, Exhibit K). Anticipated financing methods for system improvements include connection fees, water rates, utility local improvement districts, developer extension agreements, loans and bonds (Water System Comprehensive Plan, p. 63).

Water District 2

The Whatcom County Water District #2 Water System Plan (2009) indicates that the District obtains all its water from the City of Bellingham, through an intertie with the City (p. 1-2). Water District 2 maintains a water system consisting of approximately 15 miles of water lines. The District does not have storage reservoirs or pumps, but relies on the City of Bellingham for storage and pressure (p. 1-2). The projected average daily demand for the water system is approximately 163,325 gallons per day in 2029 (derived from the Water System Plan, p. 2-10). The District has a contract in place with the City of Bellingham that will provide adequate water to meet this demand over the planning period.

The District’s Certified Operator stated, in an e-mail of May 9, 2016, that all of the District financed projects in the Water System Plan’s “Capital Improvement Schedule” have been completed (p. 8-2). The most recent capital improvements included approximately 5,150 of old water main completed in 2014 financed by a loan from the Drinking Water State Revolving Fund and repaid from general revenue. The Water System Plan is scheduled for update over the next couple of years during which time the capital improvement plan will be reviewed for the next 10 – 20 year period. Revenue sources for future capital projects include water rates and connection fees to repay loans (p. 9-1).
Water District 7

The *Whatcom County Water District # 7 Water System Plan* (2008) indicates that the District obtains all its water from the City of Bellingham, through an intertie with the City (p. 1-3). Water District 7 maintains a water system consisting of booster pumps, water reservoirs with a capacity of 485,000 gallons, and over 12 miles of water lines. The projected average daily demand for the water system is approximately 190,000 gallons per day in 2027 (derived from the *Water System Plan*, pp. 2-5 and 3-1). Water District 7 is approved to serve up to 1,145 residential connections (p. 1-3), which is more than the projected number of dwelling units in the District in the year 2036. The District’s Certified Operator stated, in e-mails of April 10, 12, and 14 2016, that all of the “Recommended 6 Year Capital Improvements” identified in the 2008 Water System Plan have been completed as of 2015. The “Recommended 20 Year Capital Improvements” identified in the 2008 Water System Plan focus on replacement of existing water mains with similar size pipe, at a total cost of approximately $750,000 (p. 8-4). Revenue sources will be water rate increases as necessary to repay loans likely from the United States Department of Agriculture, Drinking Water State Revolving Fund, or Public Works Trust Fund.

Water District 13

The *Whatcom County Water District # 13 Small Water System Plan* (2012) indicates that Water District # 13 maintains a water system consisting of two wells, two reservoirs with a total storage capacity of 300,000 gallons, and associated water lines (pp. 26-27). The projected average daily demand for the water system is almost 127,000 gallons per day in 2031 and the projected maximum daily demand is estimated at over 253,000 gallons per day in 2031 (pp. 15). The District has source capacity to meet the projected need over the 20-year planning period through the year 2031 (p. 32). The *Whatcom County Water District # 13 Small Water System Plan* contains a capital improvement program with approximately $353,000 in capital projects. These projects include backup power at well sites, storage tank piping modifications, replacing/adding valves, and water line improvements (p. 31).
Chapter 12 – Sewer Systems

Sanitary Sewer

There are a total of 10 wastewater collection systems and seven wastewater treatment plant (WWTP) facilities that serve UGAs in Whatcom County. Most of the facilities provide services within city limits with plans for future service to areas designated as UGAs. However, some systems provide service to unincorporated UGAs (Birch Bay Water & Sewer District and Water District 13).

Inventory of Current Facilities

The following cities and sewer districts (in alphabetical order) provide sanitary sewer service to UGAs in the County:

- **City of Bellingham** maintains a wastewater collection system within its city limits and sewer service zones within the UGA. The City operates a wastewater treatment plant that is also used by Lake Whatcom Water and Sewer District. The city plans future service within its UGA.

- **Birch Bay Water & Sewer District** owns and operates a wastewater collection and treatment system that serves the Birch Bay UGA, a portion Cherry Point UGA, and a parcel within the Blaine UGA.

- **City of Blaine** provides a collection and a wastewater treatment system for property within the city limits. The City also provides contract service to the Harbor Shores Sewer Association in the City’s southern UGA area. Blaine’s wastewater treatment is handled by the Lighthouse Point Water Reclamation Facility, constructed in 2010. The facility, which generates Class A reclaimed water, was a full replacement of the City’s prior treatment plant. The city plans future sewer service to areas within its UGA, and has adequate expansion capacity in the Lighthouse Point facility.

- The **City of Everson** maintains a collection system to serve property within the city limits. The city’s sewer system also provides wastewater treatment for the City of Nooksack. Both cities provide funding for operation and maintenance of the treatment facility. The city plans future sewer service to areas within its UGA.

- The **City of Ferndale** provides sewer collection and treatment facilities for property within the city limits and plans future collection and treatment to the city’s UGA. The City also serves two areas outside the UGA, east of the City, but has no plans to expand service in these areas.

- **Lake Whatcom Water & Sewer District** maintains a sanitary sewer collection system that serves the Geneva UGA, east of the city limits, and other areas around Lake Whatcom. The district relies upon the City of Bellingham wastewater system for treatment.

- The **City of Lynden** provides sewer collection and treatment facilities for property within the city limits and plans future collection and treatment to the city’s UGA upon annexation. The City also operates permitted composting facilities for beneficial use of biosolids.

- **City of Nooksack** constructed a wastewater collection system for property within the city limits in 1987. The city has plans to provide future service to unserved properties within its city limits.
and to properties within its associated UGA. By agreement with the City of Everson, Nooksack pumps its sewage for treatment at the Everson Wastewater Treatment Plant. Nooksack also provides funding for the operation and maintenance of the Everson Wastewater Treatment Plant.

- The City of Sumas provides a wastewater collection system for property within the city limits. Since 1999, the city has had wastewater treatment provided at a large regional treatment facility in Abbotsford, BC owned and operated by Fraser Valley Regional District. The city plans to extend sewer service to UGA property upon annexation.

- Whatcom County Water District 13 provides wastewater collection and treatment to a portion of the Columbia Valley UGA in unincorporated Whatcom County.

An inventory of existing wastewater facilities located in the County is presented in the table on the following pages. The table summarizes wastewater volume treated per day, total treatment capacity, and surpluses or deficits for the wastewater treatment systems expressed in million gallons per day (mgd). Existing population is also noted.
### Table 12.1 Wastewater System Inventory

<table>
<thead>
<tr>
<th>Year of Plan</th>
<th>Service Provider</th>
<th>Miles of Pipe</th>
<th>Collection System Existing Conditions</th>
<th>Existing Average Flow (mgd)</th>
<th>Design Flow (mgd)</th>
<th>Surplus/Deficit (mgd)</th>
<th>Service Area 2013 Population Estimate</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>Birch Bay Water and Sewer District (BBWSD)</td>
<td>56</td>
<td>The collection system is composed of approximately 56 miles of gravity and pressure sewer lines and 11 pump stations. Bellingham's sewer service area covers approximately 30 sq. miles. The City operates and maintains approximately 319 miles of sewer mains and 6 miles of force mains. There are 27 pump stations in the system. The existing service area for the Blaine sewage treatment system is in the Blaine city limits. In July 2010, the Lighthouse Point Water Reclamation Facility came on-line with capacity to treat 1.54 MGD. The City of Blaine wastewater collection system consists of gravity sewers, force mains, and eight pumping stations.</td>
<td>0.97</td>
<td>1.44&lt;sup&gt;2&lt;/sup&gt;</td>
<td>0.47</td>
<td>6,639</td>
<td>The WWTP discharges to the Strait of Georgia.</td>
</tr>
<tr>
<td>2000</td>
<td>City of Bellingham</td>
<td>324</td>
<td></td>
<td>19.5&lt;sup&gt;3&lt;/sup&gt;</td>
<td>34.3</td>
<td>14.8</td>
<td>86,629</td>
<td>The WWTP discharges to the Bellingham Bay.</td>
</tr>
<tr>
<td>2004</td>
<td>City of Blaine</td>
<td>40</td>
<td></td>
<td>0.5</td>
<td>1.54</td>
<td>1.04</td>
<td>4,778</td>
<td>The WWTP discharges to Semiahmoo Bay.</td>
</tr>
<tr>
<td>2012</td>
<td>City of Everson&lt;sup&gt;4&lt;/sup&gt;</td>
<td>10</td>
<td>The collection system has over 10 miles of gravity and force main pipe and 8 wastewater pump stations within city limits. The Everson WWTP treats wastewater from both Everson and Nooksack. Ferndale's collection system has 56 miles of gravity and force main piping and 17 pump stations. There are over 62 miles of pipe and 14 operating wastewater pump stations within the City of Lynden sewage collection system. The Lynden WWTP is an extended aeration secondary treatment plant that uses oxidation ditches and UV disinfection to treat effluent prior to discharge in the Nooksack River.</td>
<td>0.28</td>
<td>0.44</td>
<td>0.16</td>
<td>2,510</td>
<td>The WWTP discharges to the Nooksack River.</td>
</tr>
<tr>
<td>2016</td>
<td>City of Ferndale&lt;sup&gt;5&lt;/sup&gt;</td>
<td>58</td>
<td></td>
<td>1.62</td>
<td>6.37</td>
<td>4.75</td>
<td>12,558</td>
<td>The WWTP discharges to the Nooksack River.</td>
</tr>
<tr>
<td>2016</td>
<td>City of Lynden</td>
<td>62</td>
<td></td>
<td>1.11</td>
<td>2.18</td>
<td>1.07</td>
<td>12,707</td>
<td>The WWTP discharges to the Nooksack River.</td>
</tr>
<tr>
<td>2012 (Amended in 2016)</td>
<td>City of Nooksack&lt;sup&gt;6&lt;/sup&gt;</td>
<td>8</td>
<td>The collection system consists of almost 8 miles of gravity and force main pipe, 4 wastewater pump stations, and 2 grinder pumps. The City's sewage is treated at the Everson WWTP. The City of Sumas contracts with the City of Abbotsford, Canada for sewer service. Sumas sewage flows account for less than 2% of the volume received by the JAMES Treatment Plant in Abbotsford. The City contract allows for a</td>
<td>0.14</td>
<td>0.22</td>
<td>0.08</td>
<td>1,400</td>
<td>Plan date listed is the date of the agreement with the City of Abbotsford, British Columbia which goes through 2028. Approximately 0.110 mgd of the existing flow is generated by a single</td>
</tr>
<tr>
<td>2009</td>
<td>City of Sumas</td>
<td>10</td>
<td></td>
<td>0.227</td>
<td>0.400</td>
<td>0.173</td>
<td>1,448</td>
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41

512
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<tr>
<th>Year of Plan</th>
<th>Service Provider</th>
<th>Miles of Pipe</th>
<th>Collection System Existing Conditions</th>
<th>Existing Average Annual Flow (mgd)</th>
<th>Design Flow (mgd)</th>
<th>Surplus/Deficit (mgd)</th>
<th>2013 Population Estimate</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Lake Whatcom Water and Sewer District</td>
<td>82</td>
<td>maximum treatment of 0.4 mgd.</td>
<td></td>
<td></td>
<td></td>
<td>10,389</td>
<td>industrial user, the PSE cogeneration plant.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The District does not have a sewage treatment plant. The District contracts with the City of Bellingham to treat and dispose of domestic sewage. The District operates and maintains gravity and pressure sewer lines and 27 sewage pump stations. Water District 13 owns, operates, and maintains a domestic wastewater collection system consisting of two pump stations, approximately 4 miles of pipe, a wastewater treatment plant, and a force main that transfers flows from the treatment plant to the drainfield.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The 2014 agreement between the District and the City of Bellingham is for maximum peak instantaneous flows of up to 2,400 gallons per minute.</td>
</tr>
<tr>
<td>2012</td>
<td>Water District 13</td>
<td>4</td>
<td></td>
<td>0.062</td>
<td>0.125</td>
<td>0.083</td>
<td>790</td>
<td></td>
</tr>
</tbody>
</table>

1. The information in this table is from the Draft EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Area Review (March 2015, p. 4-241), the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Area Review (November 2015, Appendix E), and individual sewer plans.

2. Permitted capacity subject to completion of treatment plant upgrades (in progress 2016).

3. City of Bellingham e-mail of May 12, 2016.

4. Design flow figure is the planned upgrade capacity for the Everson WWTP (two-thirds of the planned capacity is for the City of Everson). Construction activities on the Everson WWTP upgrade commenced in 2015 and are scheduled to be completed by the end of 2016.

5. Design flow figure is the City of Ferndale’s WWTP capacity following Phase III construction in 2019.

6. Design flow figure is the planned upgrade capacity for the Everson WWTP (one-third of the planned capacity is for the City of Nooksack). Construction activities on the Everson WWTP upgrade commenced in 2015 and are scheduled to be completed by the end of 2016.

7. Design flow is determined by dividing the peak contract capacity by a peaking factor of 2.5.
Future Needs

Sewer provider design standards are provided below, which are based on the estimated wastewater usage (gallons/day for each person or equivalent residential unit).

**Table 12.2 Design Standards**

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Design Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Bay Water and Sewer District</td>
<td>70 gallons/capita/day</td>
</tr>
<tr>
<td>City of Bellingham</td>
<td>102 gallons/capita/day</td>
</tr>
<tr>
<td>City of Blaine</td>
<td>184 gallons/ERU/day</td>
</tr>
<tr>
<td>City of Everson</td>
<td>96 gallons/capita/day</td>
</tr>
<tr>
<td>City of Ferndale</td>
<td>154 gallons/capita/day</td>
</tr>
<tr>
<td>City of Lynden</td>
<td>100 gallons/capita/day</td>
</tr>
<tr>
<td>City of Nooksack</td>
<td>89 gallons/capita/day</td>
</tr>
<tr>
<td>City of Sumas</td>
<td>80 gallons/capita/day</td>
</tr>
<tr>
<td>Lake Whatcom Water and Sewer District</td>
<td>100 gallons/capita/day</td>
</tr>
<tr>
<td>Water District 13</td>
<td>67 gallons/capita/day</td>
</tr>
</tbody>
</table>

*Source: Derived from individual sewer plans. Blaine figure is from City of Blaine in an e-mail of May 12, 2016. Sumas figure is from the Sumas City Planner in an e-mail of March 7, 2016.*
The table below identifies projected treatment capacity in 2022 for each sewer provider that serves a UGA, given planned growth for these areas.

**Table 12.3 Sewer Treatment Capacity 2022**

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Current Treatment Capacity (MGD)</th>
<th>2022 Treatment Capacity Surplus (Deficit) expressed in MGD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham</td>
<td>34.300</td>
<td>10.6</td>
</tr>
<tr>
<td>Birch Bay Water &amp; Sewer</td>
<td>1.44</td>
<td>0.00&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Blaine</td>
<td>1.54</td>
<td>0.75</td>
</tr>
<tr>
<td>Everson</td>
<td>0.441&lt;sup&gt;2&lt;/sup&gt;</td>
<td>0.124</td>
</tr>
<tr>
<td>Ferndale</td>
<td>6.37&lt;sup&gt;3&lt;/sup&gt;</td>
<td>3.36</td>
</tr>
<tr>
<td>Lynden</td>
<td>2.18</td>
<td>0.48</td>
</tr>
<tr>
<td>Nooksack</td>
<td>0.220&lt;sup&gt;2&lt;/sup&gt;</td>
<td>0.062</td>
</tr>
<tr>
<td>Sumas</td>
<td>0.400</td>
<td>0.150</td>
</tr>
<tr>
<td>Lake Whatcom Water &amp; Sewer District</td>
<td>1.382</td>
<td>0.444</td>
</tr>
<tr>
<td>WC Water District 13</td>
<td>0.125</td>
<td>0.039</td>
</tr>
</tbody>
</table>

1. Per forecast of future flows in *Engineering Report for Wastewater Treatment Plant Improvements, Birch Bay Water and Sewer District, 2012*. The next facility upgrade is planned for completion by 2022 for capacity through year 2032, per the flow and loading forecast in the referenced report.

2. The City of Everson anticipates completing a wastewater treatment plant upgrade in 2016, which will increase the current peak month treatment capacity to 0.441 MGD for Everson and to 0.220 MGD for Nooksack.

3. Treatment capacity with planned improvements to the wastewater treatment plant.
The table below identifies projected treatment capacity in 2036 for each sewer provider that serves a UGA, given planned growth for these areas.

### Table 12.4 Sewer Treatment Capacity 2036

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Current Treatment Capacity (MGD)</th>
<th>2036 Treatment Capacity Surplus (Deficit) expressed in MGD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham</td>
<td>34.300</td>
<td>.800</td>
</tr>
<tr>
<td>Birch Bay Water &amp; Sewer</td>
<td>1.44</td>
<td>(0.50)</td>
</tr>
<tr>
<td>Blaine</td>
<td>1.54</td>
<td>0.39</td>
</tr>
<tr>
<td>Everson</td>
<td>0.4412</td>
<td>0.000</td>
</tr>
<tr>
<td>Ferndale</td>
<td>6.372</td>
<td>2.27</td>
</tr>
<tr>
<td>Lynden</td>
<td>2.18</td>
<td>0.13</td>
</tr>
<tr>
<td>Nooksack</td>
<td>0.2202</td>
<td>0.000</td>
</tr>
<tr>
<td>Sumas</td>
<td>0.400</td>
<td>0.105</td>
</tr>
<tr>
<td>Lake Whatcom Water &amp; Sewer District</td>
<td>1.382</td>
<td>0.265</td>
</tr>
<tr>
<td>WC Water District 13</td>
<td>0.125</td>
<td>0.006</td>
</tr>
</tbody>
</table>

1. The *Engineering Report for Wastewater Treatment Plant Improvements, Birch Bay Water and Sewer District, 2012*, forecasts flow in year 2032 as 1.80 MGD, resulting in an apparent deficit of 0.36 MGD at that time. The forecast flow in 2032 is extrapolated to 2036 for the analysis above. The 2012 report recommends capacity upgrade by 2022 to maintain adequate capacity. The 2012 report will be updated prior to that upgrade to assure the upgrade is implemented for then-current flow and loading forecasts, including provision of adequate capacity for year 2036.

2. The City of Everson anticipates completing a wastewater treatment plant upgrade in 2016, which will increase the current peak month treatment capacity to 0.441 MGD for Everson and to 0.220 MGD for Nooksack.

3. Treatment capacity with planned improvements to the wastewater treatment plant.

### Population and Capital Projects

#### Population

The table below identifies each sewer provider’s latest sewer plan horizon year and population, as well as the County’s 2036 population projection. This table serves to provide an order of magnitude check with respect to the population that each service provider is planning on serving in comparison to the population projections for the 2036 Whatcom County Comprehensive Plan.
<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Horizon year of Capital Plan</th>
<th>Capital Plan Population</th>
<th>County's 2036 Population Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham</td>
<td>2026</td>
<td>122,007</td>
<td>123,710</td>
</tr>
<tr>
<td>Birch Bay Water and Sewer</td>
<td>2036</td>
<td>13,578</td>
<td>13,046</td>
</tr>
<tr>
<td>Blaine</td>
<td>2025</td>
<td>10,871</td>
<td>9,585</td>
</tr>
<tr>
<td>Everson</td>
<td>2036</td>
<td>4,044</td>
<td>3,907</td>
</tr>
<tr>
<td>Ferndale</td>
<td>2036</td>
<td>19,591</td>
<td>19,591</td>
</tr>
<tr>
<td>Lynden</td>
<td>2036</td>
<td>19,282</td>
<td>19,275</td>
</tr>
<tr>
<td>Nooksack</td>
<td>2036</td>
<td>2,470</td>
<td>2,425</td>
</tr>
<tr>
<td>Sumas</td>
<td>2036</td>
<td>2,323(^1)</td>
<td>2,323</td>
</tr>
<tr>
<td>Lake Whatcom Water and Sewer District</td>
<td>2032</td>
<td>10,556</td>
<td>12,380(^2)</td>
</tr>
<tr>
<td>Water District 13</td>
<td>2029</td>
<td>1,595</td>
<td>1,773</td>
</tr>
</tbody>
</table>

1. From the Draft City of Sumas Comprehensive Plan.
2. The boundaries of the District are larger than the area served by sewer.

Capital Facility Projects

Sewer services and capital facilities are funded primarily by the users of the system through service charges and connection fees. These rates are adjusted as needed to fund capital and operational needs. Some grant programs exist for the construction of sewer facilities and upgrades, but, like many grant programs, they are generally very competitive.

City of Bellingham

The City of Bellingham Comprehensive Sewer Plan (2009) indicates that the City maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains (p. 5-1). The City of Bellingham operates a wastewater treatment plant, which is also utilized by the Lake Whatcom Water and Sewer District (pp. 2-1 and 8-1). The City of Bellingham Comprehensive Sewer Plan contains a capital improvement program with approximately $54.2 million in capital projects (2016 - 2026). These projects include collection system improvements and wastewater treatment plant improvements (p. 12-6). The financial plan indicates that system development charges, rates, cash reserves, and revenue bonds are funding sources to implement the plan and that projected funds will be adequate for planned capital projects (p. 12-7).

Birch Bay Water and Sewer District

The Birch Bay Water and Sewer District Comprehensive Sewer Plan was adopted by the District in 2009. The District is completing an updated plan in 2016. Birch Bay Water and Sewer District provides sewer collection and treatment services for the area within and some areas adjacent to the
Birch Bay UGA. The system includes a wastewater treatment plant, 11 pump stations and over 56 miles of collection and conveyance piping. The wastewater treatment plant was evaluated in 2012. The headworks facility was replaced in 2014 and aeration upgrades are in progress in 2016. Following completion of the aeration upgrades, the facility will be permitted for 1.44 million gallons per day, maximum month average daily flow. The District’s 2009 plan indicates where current sewer service exists and establishes a future service area that consists of portions of then-current Birch Bay, Blaine, and Cherry Point UGAs. The plan identifies future trunk lines and lift station and force main upgrades or additions. The system serves development throughout the UGA, including all developed areas along the Birch Bay shoreline and existing urban-density development inland. The County has since removed significant areas from the Birch Bay and Blaine UGAs, particularly areas at Birch Point and north of Lincoln Road. The sewer service area addressed in the 2016 plan update includes all of the Birch Bay UGA, and parcels and plats with existing sewer service. The most recent District sewer planning document is its *Engineering Report for Wastewater Treatment Plant Improvements* (2012). The report includes an updated forecast of growth in population, flow and loadings. The report recommended improvements for immediate implementation (the work to be completed in 2016) and an upgrade to be completed by year 2022. With the revised population forecast for this plan, the next plant upgrade will potentially be necessary prior to 2022. The 2016 plan update will refine the timing of the next plant upgrade and future updates to the 2012 report will address capacity needs for year 2036 population and corresponding flow and loading. The 2009 plan includes a capital improvement plan for adequate capacity and extension or upgrade of collection system facilities to service the designated area. Several of those projects have been completed. The 2016 plan will revise that capital plan to exclude service to areas no longer in the UGA or service area and update the list of projects anticipated for service within the UGA and adjacent existing service area.

**City of Blaine**

The *City of Blaine General Sewer Plan* (2004, revised 2005) and associated Technical Memorandum (2016) indicate that the City of Blaine maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The City of Blaine operates a bio-membrane wastewater treatment plant that discharges to Semiahmoo Bay. The plant is called the Lighthouse Point Water Reclamation Facility and uses advanced membrane bio-reactors to purify wastewater to meet Class A water reuse standards, such as irrigation of parks and golf courses. Lighthouse Point replaced the city’s former facility which has since been decommissioned. Lighthouse Point generates reclaimed water suitable for industrial and agricultural uses, and the city is currently contracted with Resort Semiahmoo to supply reclaimed water for golf course irrigation, and a private user for service of a landscape water feature.

The plant has a design capacity of 3.1 million gallons per day (mgd) for purification, and has the current capacity to treat an annual average of 1.54 mgd. The City of Blaine General Sewer Plan contains a capital improvement program with approximately $33.5 million in capital projects over its 20-year planning period. A significant portion of that has already been invested in developing Lighthouse Point and the flow attenuation tanks; a total of $26.0 million was estimated in the Plan for those two facilities. In the next 20 years (2016 - 2036), the City forecasts line extensions and
installation of pumping facilities to serve new development, as well as phased expansion of the Lighthouse Point facility. However, these are only necessary if development occurs and will be paid primarily through general facility fees. These projects include sewer trunk line extensions, and associated pump stations, into the East Blaine planning area as development in that area generates the need. They also include development of sewer trunk line extensions, and associated pump stations, in the West Blaine planning area as development also creates the need there. The vast majority of these facilities will be developer installed. The City’s financing plan projects adequate revenues to cover expenses over the 20-year planning period only if the City continually assesses the rate structure and general facility fees as time progresses. The City has accomplished the greatest goal outlined in the plan (building the new treatment facility), and is well-staged to expand the delivery system as demand increases due to expanding population.

City of Everson

The City of Everson General Sewer Plan (2012) indicates that the City of Everson maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The City of Everson operates a wastewater treatment plant, which is also utilized by the City of Nooksack (pp. 3-1 and 3-3). The Everson Wastewater Treatment Plant is being upgraded in 2016 to increase capacity to accommodate projected growth over the 20-year planning period (City of Nooksack 2012 General Sewer Plan Elements Amendment, January 2016, p. 3-2). The Everson General Sewer Plan contains a capital improvement program with approximately $4.5 million in capital projects over the next 20 years (2016 - 2036). These projects include pump station, collection system and wastewater treatment plant improvements (pp. 11-3 through 11-8). The financing plan indicates there are fiscal challenges, but also includes strategies for addressing projected funding gaps (pp. 11-8 through 11-10).

City of Ferndale

The Draft City of Ferndale Comprehensive Sewer Plan (2016) indicates that the City of Ferndale maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The City of Ferndale also operates a wastewater treatment plant (pp. 15). The City plans to increase the capacity of the wastewater treatment plant from 3.23 MGD to 6.37 MGD (p. 16). The existing lagoon system will be converted to an extended aeration activated sludge treatment plant. The Draft Ferndale Comprehensive Sewer Plan contains a capital improvement program with approximately $71 million in capital projects over the next 20 years (2016 - 2036). These projects include pump stations, collection system, and wastewater treatment plant improvements and inflow/infiltration reduction projects. The City’s financing plan projects adequate revenues to cover expenses over the 20-year planning period (p. 32).

City of Lynden

The Draft City of Lynden General Sewer Plan (2016) indicates that the City of Lynden maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The City of Lynden also operates a wastewater treatment plant that include an influent pump station, headworks with screens and grit removal, three anoxic selector tanks, two oxidation
ditches, two secondary clarifiers, effluent cloth disc filters, UV disinfection system, effluent Parshall flume, effluent pump station, sludge thickening and digestion, sludge dewatering, and composting facilities (Chapter 5). The Draft Lynden General Sewer Plan contains a capital improvement program with capital projects over the next 20 years from 2016 - 2036 (Chapter 12). The City’s financing plan projects adequate revenues to cover expenses over the 20-year planning period (Chapter 12).

City of Nooksack

The City of Nooksack 2012 General Sewer Plan Elements Amendment (January 2016) indicates that the City of Nooksack maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The City of Nooksack does not operate a wastewater treatment plant. Wastewater from Nooksack is treated at the Everson Wastewater Treatment Plant (pp. 3-1 and 3-3). The Everson Wastewater Treatment Plant is being upgraded in 2016 to increase capacity to accommodate projected growth over the 20-year planning period (City of Nooksack 2012 General Sewer Plan Elements Amendment, January 2016, p. 3-2). The Plan also contains a capital improvement program with over $2.5 million in capital projects over the next 20 years (2016-2036). These projects include pump station, collection system and wastewater treatment plant improvements (pp. 11-2 through 11-5). The six-year and 20-year financing plans indicate there are fiscal challenges based upon existing fee structures, but also includes strategies for addressing projected funding gaps (pp. 11-6 through 11-9).

City of Sumas

The City of Sumas does not have a comprehensive sewer plan. The Sumas sewer system was addressed in the 2016 update of the Sumas Comprehensive Plan. The Sumas Comprehensive Plan addresses the 20-year period through 2036 including a 2036 population of 2,323.

The City of Sumas owns and maintains a sewage collection and transmission system that includes gravity sewer lines and a small number of sewer lift stations. The Sumas system directs sewage to a discharge into the City of Abbotsford system in British Columbia, Canada.

The City has an ongoing contract with the City of Abbotsford to receive and treat sewage collected in Sumas. This contract provides for the receipt and treatment of a maximum volume of 400,000 gallons per day through December 31, 2028. Discharges from the Sumas system are metered on a daily basis. A review of City records from January through December 2015 indicates that typical maximum effluent levels are approximately 227,000 gallons per day total. Approximately 110,000 gallons of the City’s total maximum daily discharge is generated by a single industrial customer. Using the conversion factor of 300 gallons per day per equivalent residential unit (ERU), the total contract amount equates to 1,333 ERUs. The available capacity of 173,000 gallons per day is equivalent to approximately 577 ERUs. Excluding the one large industrial customer, which generates the equivalent of 367 ERUs, leaves an available capacity of 966 ERUs for the remainder of the City. This available capacity equals a 248% increase over the current City typical maximum daily volume of 117,000 gallons per day or 390 ERUs (e.g., maximum daily volume without considering the single large industrial use). This CFP assumes a population increase from 1,468 in
2015 to 2,323 in 2036 along with a comparable level of employment, representing a 58% increase through 2036. On this basis, it appears that Sumas has sufficient sewer service capacity to meet its needs through 2036.

The Sumas Comprehensive Plan shows the locations of sewer main extensions necessary to serve new development in the Sumas UGA. All system extensions necessary to serve new development will be provided by developers. The City completed a sewer lift station that was designed to be deep enough to receive gravity flows from all areas within the Sumas unincorporated UGA and UGA Reserve. The draft Capital Facilities Element of the Sumas Comprehensive Plan (2016) includes a 20-year capital improvement program (2016-2036) that identifies over $480,000 in capital projects to be funded through a combination of monthly rates and charges, connection charges, and developer contracts (Table 4-1 on p. 4-4). The draft Capital Facilities Element of the Sumas Comprehensive Plan also includes a six-year financial analysis (2016-2021) indicating that the city sewer system will have sufficient revenues to cover anticipated expenditures, including capital improvement costs, through 2021 (p. 4-25).

Lake Whatcom Water and Sewer District

The Lake Whatcom Water and Sewer District Comprehensive Sewer Plan 2014 Update (2014) indicates that the District maintains a wastewater collection and conveyance system comprised of gravity sewers, pump stations, and force mains. The District sends wastewater to the City of Bellingham for treatment and disposal (pp. 4-16). The District and the City of Bellingham have a contract for wastewater treatment and disposal through the year 2034. The Lake Whatcom Water and Sewer District Comprehensive Sewer Plan 2014 Update contains a capital improvement program with approximately $3.4 million in capital projects over the next several years (2016 - 2019). These projects include pump station replacements, sewer line replacements, and manhole rehabilitation (pp. 24-25 and Exhibit K). The District engages in revenue planning and reviews sewer rate structures to address future costs to the District (pp. 19-21 and 24).

Water District 13

Water District 13 provides sewer service to a portion of the Columbia Valley UGA. The Whatcom County Water District No. 13 Comprehensive Sewer Plan (2012) indicates that Water District 13 maintains a wastewater system comprised of pressure and gravity sewer pipes, pump stations, a wastewater treatment plant, and a force main that transfers flows from the treatment plant to the drainfield (p. 5-1). The Whatcom County Water District No. 13 Comprehensive Sewer Plan contains a capital improvement program with approximately $11.7 million in capital projects from 2017 to 2029. These projects include re-lining lagoons in the wastewater treatment plant, replacing a pump station force main, upgrading the wastewater treatment plant by installing a membrane bioreactor, refurbishing chlorination equipment, and installing new pipe (p. 7-11). The financing plan indicates that the District could issue bonds and utilize general facilities charges, developer extension charges, and monthly service charges to pay for capital facility improvements (pp. 7-7, 7-8, 7-14 and Figure 7.2).
Chapter 13 – Schools

Schools

This section evaluates the seven public school districts that serve Whatcom County and provides:

- An inventory of current facilities, showing the existing enrollment capacity at the elementary, middle school and high school levels;
- A forecast of future needs, indicating whether existing school facilities can accommodate future student enrollment projections; and
- Capital projects and funding, summarizing the facility improvements proposed by the districts to provide additional classroom space for future students.

Inventory of Current Facilities

Inventories of the school districts’ existing facilities located in Whatcom County are presented in this section. Each inventory includes the number of students that the school district can accommodate (enrollment capacity) for the elementary, middle school and high school grades.

Bellingham School District

The Bellingham School District serves the majority of the City of Bellingham and surrounding areas. The school district’s current enrollment capacity is shown below.

Table 13.1 Bellingham School District Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>4,815</td>
</tr>
<tr>
<td>Middle School</td>
<td>2,700</td>
</tr>
<tr>
<td>High School</td>
<td>3,350</td>
</tr>
<tr>
<td>Total K-12</td>
<td>10,865</td>
</tr>
</tbody>
</table>

Source: Bellingham School District No. 501 Capital Facilities Plan 2015-2021 (August 2015, Table 2-A). This capacity reflects permanent and portable capacity at each grade level.
Blaine School District

The Blaine School District serves the City of Blaine and its UGA, most of the Birch Bay UGA, and surrounding rural areas. The school district’s current enrollment capacity is shown below.

Table 13.2 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>1,120</td>
</tr>
<tr>
<td>Middle School</td>
<td>540</td>
</tr>
<tr>
<td>High School</td>
<td>740</td>
</tr>
<tr>
<td>Total K-12</td>
<td>2,400</td>
</tr>
</tbody>
</table>

Source: Blaine School District Capital Facilities Plan (December 2015, p. 6).

Ferndale School District

The Ferndale School District serves the City of Ferndale and its UGA, and rural areas including the Lummi Reservation and Lummi Island. The school district’s current enrollment capacity is shown below.

Table 13.3 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>2,975</td>
</tr>
<tr>
<td>Middle School</td>
<td>1,300</td>
</tr>
<tr>
<td>High School</td>
<td>1,925</td>
</tr>
<tr>
<td>Total K-12</td>
<td>6,200</td>
</tr>
</tbody>
</table>

Source: Ferndale Schools Capital Facilities Plan and School Impact Fee Ordinance (April 2013, p. 3).
Lynden School District

The Lynden School District serves the City of Lynden and its UGA, and surrounding agricultural and rural areas. The school district’s current enrollment capacity is shown below.

Table 13.4 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>1,350</td>
</tr>
<tr>
<td>Middle School</td>
<td>600</td>
</tr>
<tr>
<td>High School</td>
<td>700</td>
</tr>
<tr>
<td>Total K-12</td>
<td>2,650</td>
</tr>
</tbody>
</table>

Source: Lynden School District Capital Facilities Plan (Feb. 2016, p. 5)

Meridian School District

The Meridian School District serves mostly rural areas, although the City of Bellingham extends into the southern portion of the District. The school district’s current enrollment capacity is shown below.

Table 13.5 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>888¹</td>
</tr>
<tr>
<td>Middle School</td>
<td>494</td>
</tr>
<tr>
<td>High School</td>
<td>870</td>
</tr>
<tr>
<td>Total K-12</td>
<td>2,252</td>
</tr>
</tbody>
</table>


¹ Capacity includes Irene Reither Elementary School and Ten Mile Creek Elementary School (which currently provides space for the Parent Partnership Program).
Mount Baker School District

The Mount Baker School District serves the Columbia Valley UGA and rural areas in eastern Whatcom County. The school district’s current enrollment capacity is shown below.

Table 13.6 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>1,255</td>
</tr>
<tr>
<td>Middle School</td>
<td>428</td>
</tr>
<tr>
<td>High School</td>
<td>944</td>
</tr>
<tr>
<td>Total K-12</td>
<td>2,627</td>
</tr>
</tbody>
</table>


Nooksack Valley School District

The Nooksack Valley School District serves the cities of Everson, Nooksack, Sumas and their associated UGAs, and surrounding agricultural and rural areas. The school district’s current enrollment capacity is shown below.

Table 13.7 Current Enrollment Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>Total Enrollment Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>1,180</td>
</tr>
<tr>
<td>Middle School</td>
<td>650</td>
</tr>
<tr>
<td>High School</td>
<td>1,320</td>
</tr>
<tr>
<td>Total K-12</td>
<td>3,150</td>
</tr>
</tbody>
</table>

Source: Everson/Nooksack/Sumas City Planner email of March 7, 2016.
Future Needs

The forecast of future needs shows whether a school district’s existing capacity will be able to accommodate projected student enrollment increases over the 20-year planning period, or whether the districts will need plans for additional school facilities to meet future needs. Several school districts have developed 20-year student enrollment projections in association with their capital facility plans (CFPs). School district projections are used in the analysis, when available. When 20-year projections are not available from the school district CFPs, consultant projections developed for the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015) are utilized.

Future enrollment is affected by demographic trends (such as an aging population) and trends in alternative school methods including home schooling, Running Start program, and online schooling. Therefore, school districts routinely monitor enrollment growth trends and may adjust their plans accordingly. The table below shows whether existing classroom capacity will be adequate to serve the projected student enrollment in 2036. As can be seen by this analysis, deficits are experienced in four school districts by 2036. School districts can address future deficits by constructing additional classrooms, installing portables, and/or increasing the number of students accommodated in existing classrooms.

Table 13.8 Whatcom County School District – Forecast of Future Needs 2036

<table>
<thead>
<tr>
<th>School District</th>
<th>Existing Student Capacity</th>
<th>2036 Enrollment Projection</th>
<th>2036 School Surplus (Deficit) Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham</td>
<td>10,865</td>
<td>12,331^1</td>
<td>(1,466)</td>
</tr>
<tr>
<td>Blaine</td>
<td>2,400</td>
<td>2,456^2</td>
<td>(56)</td>
</tr>
<tr>
<td>Ferndale</td>
<td>6,200</td>
<td>6,521^3</td>
<td>(321)</td>
</tr>
<tr>
<td>Lynden</td>
<td>2,650</td>
<td>3,432^4</td>
<td>(782)</td>
</tr>
<tr>
<td>Meridian</td>
<td>2,252</td>
<td>1,529^5</td>
<td>723</td>
</tr>
<tr>
<td>Mount Baker</td>
<td>2,627</td>
<td>2,126^6</td>
<td>499</td>
</tr>
<tr>
<td>Nooksack Valley</td>
<td>3,150</td>
<td>2,012^7</td>
<td>1,138</td>
</tr>
</tbody>
</table>

1 The Bellingham School District No. 501 Capital Facilities Plan 2015-2021 (August 2015) shows enrollment in the 2034-35 school year at 12,141 students (Table 1-8). The County has extrapolated this enrollment projection to the year 2036.
3 Projected enrollment is from the background information prepared for the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015), contained in an e-mail from BERK Consulting (March 1, 2016).
4 Lynden School District Capital Facilities Plan (February 2016, p. 9).
5 Projected enrollment is from the background information prepared for the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015), contained in an e-mail from BERK Consulting (March 1, 2016). The projected enrollment does not include students in the Meridian Parent Partnership Program (MP3). MP3 currently serves approximately 150 students on campus that live all over Whatcom County and another 130 students via on-line methods from around the state. It is anticipated that MP3 enrollment will continue to increase throughout the 20-year planning period.
7 Projected enrollment is from the background information prepared for the Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015), contained in an e-mail from BERK Consulting (March 1, 2016).
Capital Projects and Funding

Most school districts in Whatcom County have capital facility plans that inventory existing school facilities, project future enrollment levels, and identify capital projects needed to support student enrollment growth in their respective districts.

Capital Project Funding

School Districts in Washington State fund capital improvements with both State and local dollars. Local capital financing is usually achieved through two primary mechanisms. The first is the property tax, in which residents of the school district vote to finance a capital bond with an increase in property taxes. The annual bond cost is spread over the life of the bond. Therefore, if property values increase over time the levy rate necessarily declines to generate the same annual revenue.

The second potential financing tool is a school impact fee, which is designed to recover costs from new development for the facility improvements necessary to serve development. This fee is usually charged to new residential development based on the number and type of units constructed.

Bellingham School District

The future needs analysis above indicates that the Bellingham School District’s projected enrollment in 2036 will exceed the current school capacity by 1,466 students. The Bellingham School District No. 501 Capital Facilities Plan 2015-2021 (Aug. 2015) indicates that permanent capacity will increase by 652 over the six-year planning period (Table 3). The projects that will increase permanent capacity are the Lowell Elementary School renovation/addition, the Happy Valley Elementary School replacement, a new Options High School, and the Sehome High School replacement/addition (Table 3). Installing portables and purchasing additional property are also planned in the next six years (Table 3). These projects are being funded by a $160 million bond measure passed by the voters in November 2013, state matching funds, and impact fees.

While the District’s CFP is a six-year plan, rather than a 20-year plan, it does state that “The District will closely monitor population growth and incorporate planned projects to meet actual student needs in future updates to this Plan” (p. 3).
Blaine School District

The future needs analysis above indicates that the Blaine School District’s projected enrollment in 2036 will exceed the current school capacity by 56 students. The *Blaine School District Capital Facilities Plan* (Dec. 2015) indicates that permanent capacity will increase by at least 60 more students over the six-year planning period, with flexibility built into the plan to accommodate up to a total of 184 more students (p. 11). Projects in the six-year planning period include improvements to the Blaine Primary School, Blaine Elementary School and Blaine High School (p. 11). These projects are being funded by a $45 million bond measure passed by the voters in February 2015. The CFP also indicates that the District plans to identify a site that could accommodate a school in the Birch Bay area, although this project is not currently funded (p. 12).

Ferndale School District

The future needs analysis above indicates that the Ferndale School District’s projected enrollment in 2036 will exceed the current school capacity by 321 students. The *Ferndale Schools Capital Facilities Plan and School Impact Fee Ordinance* (April 2013) indicates that the District is looking at replacing two elementary schools and one high school in the six-year planning period at the cost of about $140 million (p. 5). The proposed funding source would primarily be voter approved bonds and state matching funds (p. 6).

Lynden School District

The future needs analysis above indicates that the Lynden School District’s projected enrollment in 2036 will exceed the current school capacity by 782 students. The *Lynden School District Capital Facilities Plan* (Feb. 2016) indicates that permanent capacity will increase by 250 more students over the six-year planning period and by a total of 1,050 over the 20-year planning period (pp. 5, 10 and 11). Projects in the six-year planning period that will add capacity are construction of a new Fisher Elementary School and construction of a new Lynden Middle School (p. 10). These projects are being funded by a $48 million bond measure passed by the voters in April 2015 and state matching funds. The CFP also indicates that the District plans to make necessary additions to address the high school facility needs and elementary school facility needs within the 20-year planning period. The District would seek voter approval of bond measures in the future for these projects (pp. 10 and 11).
Meridian School District

The future needs analysis above indicates that the Meridian School District’s projected enrollment in 2036 can be accommodated by the current school facilities. The *Meridian School District No. 505 Capital Facilities Plan 2015-2021* (June 2015) indicates that the District recently completed capacity and improvement projects at Irene Reither Elementary School and Meridian High School (p. 8). The District’s CFP states that “The District plans to monitor capacity and enrollment growth and, as necessary, will update this Plan to reflect capacity needs and related planned projects” (p. 8). In fact, the Meridian School District Superintendent indicated, in a letter of February 23, 2016, that the District is currently experiencing considerable growth at the elementary level. Therefore, the Meridian Parent Partnership Program (MP3), which currently occupies the Ten Mile Creek Elementary School, will be re-located to a new campus west of the District Office on Laurel Rd. This new campus will consist of portable buildings, parking and lawn area. The Ten Mile Creek Elementary School will be utilized for kindergarten and 1st grade classrooms at the beginning of the 2017-2018 school year.

Mount Baker School District

The future needs analysis above indicates that the Mount Baker School District’s projected enrollment in 2036 can be accommodated by the current school facilities. The *Mount Baker School District Capital Facilities Plan* (May 2013) indicates that the District has adequate classroom space to serve projected student enrollment through the entire 20-year planning period (p.12). While the District does not plan to add classroom space, it does plans to invest in facility improvements, maintenance and energy upgrades (p. 12).

Nooksack Valley School District

The future needs analysis above indicates that the Nooksack Valley School District’s projected enrollment in 2036 can be accommodated by the current school facilities. Projects in the six-year planning period include replacing the Nooksack Valley Middle School (except the covered play area), expanding the Nooksack Elementary School (adding one kindergarten, three general classrooms and enclosing a covered play area), and replacing the Nooksack Valley High School. These projects are being funded by almost $28 million bond measure passed by the voters in February 2015 and state matching funds. The District also plans improvements to roofs, HVAC controls, gym floors and floor coverings over the six-year planning period.
Chapter 14 – Fire Protection

Fire Protection

The County is served by 15 different fire departments or districts, 13 of which serve unincorporated portions of the County:

- City of Bellingham
- City of Lynden
- Fire District 1
- Fire District 4
- Fire District 5
- Fire District 7
- Fire District 8
- Fire District 11
- Fire District 14
- Fire District 16
- Fire District 17
- Fire District 18
- Glacier Fire District 19
- North Whatcom Fire and Rescue
- South Whatcom Fire Authority

The cities of Bellingham and Lynden have their own fire departments. There are urban growth areas (UGAs) within the boundaries of seven fire districts in the County. These seven districts serve the UGAs along with surrounding rural areas. Fire District 1 serves the cities of Everson and Nooksack. Fire District 7 serves the City of Ferndale and the Cherry Point UGA. Fire District 8 serves portions of the Bellingham UGA. Fire District 14 serves the City of Sumas and the Columbia Valley UGA. North Whatcom Fire and Rescue, which also provides service within the boundaries of Fire District 4, serves the City of Blaine, the Birch Bay UGA, the Lynden UGA (outside city limits) and portions of the Bellingham UGA. South Whatcom Fire Authority serves portions of the Bellingham UGA. Six fire districts serve rural areas and do not contain UGAs within their boundaries. These are Fire Districts 5, 11, 16, 17, 18 and 19.

Each city and fire protection district is assigned a numeric fire protection rating (a Class 1 rating is considered best) by the Washington Surveying and Rating Bureau. Insurance companies fund the Bureau to perform on-site inspections of fire districts to determine the rating. The Bureau analyzes five areas: average response time, water supply, communication network, schedule of fire inspections, and existing conditions of fire stations. Fire station evaluations focus on the age of vehicles, amount of personnel training, and whether the facilities are staffed or not. Insurance companies use the fire protection rating to help determine insurance rates on all fire insurance policies. Quality of fire service can have a significant impact on fire insurance rates with the greatest impact experienced by commercial occupancies.

In addition to fire protection services, the agencies listed here provide responses to medical emergencies. In fact, EMS calls account for the majority of the responses by most fire protection agencies.

The City of Bellingham and Whatcom County operate the 911 emergency telephone system, called What-Comm. The initial call receiving site is located in Bellingham, and is responsible for dispatching most law enforcement agencies in Whatcom County. All fire and medical related calls
are forwarded to the Fire Dispatch Center located at Bellingham Fire Department’s Broadway Street Station. The Fire Dispatch Center is responsible for dispatching all municipal fire departments and fire districts in Whatcom County. The Bellingham Police Department operates the What-Comm center and the Bellingham Fire Department operates the Fire Dispatch Center.

Inventory of Current Facilities

The table below summarizes the capital facilities for each fire district. It also includes each district’s fire rating, service population and whether the District serves an urban growth area (UGA).

**Table 14.1 Fire Facilities Inventory**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Bellingham</td>
<td>7</td>
<td>3</td>
<td>82,203</td>
<td>Y</td>
</tr>
<tr>
<td>City of Lynden</td>
<td>1</td>
<td>5</td>
<td>12,726</td>
<td>Y</td>
</tr>
<tr>
<td>Fire District 1</td>
<td>2</td>
<td>7/8</td>
<td>10,796</td>
<td>Y</td>
</tr>
<tr>
<td>Fire District 5</td>
<td>1</td>
<td>5</td>
<td>1,452</td>
<td>N</td>
</tr>
<tr>
<td>Fire District 7</td>
<td>6</td>
<td>6/5</td>
<td>22,447</td>
<td>Y</td>
</tr>
<tr>
<td>Fire District 8</td>
<td>2</td>
<td>5</td>
<td>7,779</td>
<td>Y</td>
</tr>
<tr>
<td>Fire District 11</td>
<td>1</td>
<td>7</td>
<td>989</td>
<td>N</td>
</tr>
<tr>
<td>Fire District 14</td>
<td>3</td>
<td>5-9</td>
<td>7,855</td>
<td>Y</td>
</tr>
<tr>
<td>Fire District 16</td>
<td>3</td>
<td>8</td>
<td>1,616</td>
<td>N</td>
</tr>
<tr>
<td>Fire District 17</td>
<td>2</td>
<td>5</td>
<td>1,364</td>
<td>N</td>
</tr>
<tr>
<td>Fire District 18</td>
<td>2</td>
<td>6</td>
<td>2,132</td>
<td>N</td>
</tr>
<tr>
<td>Glacier Fire District 19</td>
<td>1</td>
<td>7</td>
<td>425</td>
<td>N</td>
</tr>
<tr>
<td>North Whatcom Fire &amp; Rescue and Fire District 4</td>
<td>11</td>
<td>4/5</td>
<td>40,750</td>
<td>Y</td>
</tr>
<tr>
<td>South Whatcom Fire Authority</td>
<td>5</td>
<td>5</td>
<td>12,782</td>
<td>Y</td>
</tr>
</tbody>
</table>

1. Fire rating is based upon the Washington Surveying and Rating Bureau (WSRB).
2. One of the 7 stations is a medic station that serves unincorporated areas of the County.
3. Fire rating for Cherry Point is 6 and fire rating for Ferndale is 5.
4. The WSRB ratings vary within Fire District 14 from 5 (in Sumas) to 9 (in outlying areas), depending on location and type of structure.
Future Needs

Whatcom County adopted a level of service (LOS) standard tied to response time and fire ratings in the Comprehensive Plan in 2011. The Whatcom County Comprehensive Plan contains the following LOS standards:

Urban levels of service for fire protection shall be a response time of 8 minutes 80% of the time when the department covering the urban area has staffed the fire station. When the fire station is not staffed the response time shall be 10 minutes 80% of the time, or a WSRB Rating of a 6.

Rural levels of service for fire protection shall be a response time of 12 minutes 80% of the time when the department covering the rural area has staffed the fire station. When the fire station is not staffed the response time shall be 14 minutes 80% of the time, or a WSRB Rating of an 8.

Staffed stations shall be a fire station that is staffed 24 hours a day 7 days a week 365 days a year. Staff may be paid, volunteer, or combination of the two.

Fire district capital facility plans submitted in 2011 or later will be reviewed against the new county-wide LOS standards. Whatcom County will consider incorporating information from fire district capital facility plans into the Whatcom County Comprehensive Plan, as they are approved by the districts.
<table>
<thead>
<tr>
<th>Fire District</th>
<th>WSRB Rating Standard</th>
<th>Response Time Standard</th>
<th>Meets Adopted LOS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Bellingham Fire Department</td>
<td>8 minutes 80% of the time for the Bellingham UGA</td>
<td>Yes²</td>
<td></td>
</tr>
<tr>
<td>City of Lynden Fire Department</td>
<td>8 minutes 80% of the time for the Lynden UGA</td>
<td>Yes³</td>
<td></td>
</tr>
<tr>
<td>Fire District 1</td>
<td>6 for the Everson and Nooksack UGAs 8 for rural areas</td>
<td>10 minutes 80% of the time for the Everson and Nooksack UGAs 14 minutes 80% of the time for rural areas</td>
<td>Yes⁴</td>
</tr>
<tr>
<td>Fire District 7</td>
<td>8 minutes 80% of the time for the Ferndale UGA and Cherry Point UGA 12 minutes 80% of the time for rural areas</td>
<td>Yes⁵</td>
<td></td>
</tr>
<tr>
<td>Fire District 8</td>
<td>8 minutes 80% of the time for the Bellingham UGA 12 minutes 80% of the time for rural areas</td>
<td>No⁶</td>
<td></td>
</tr>
<tr>
<td>Fire District 14</td>
<td>6 for the Columbia Valley &amp; Sumas UGAs 8 for rural areas</td>
<td>10 minutes 80% of the time for the Columbia Valley &amp; Sumas UGAs 14 minutes 80% of the time for rural areas</td>
<td>Yes⁷</td>
</tr>
<tr>
<td>North Whatcom Fire and Rescue and Fire District 4</td>
<td>8 for rural areas (unstaffed stations)</td>
<td>8 minutes 80% of the time for the stations serving the UGAs (outside city limits) 12 or 14 minutes 80% of the time for rural areas (depending on whether the station is staffed or not)</td>
<td>Yes⁸</td>
</tr>
<tr>
<td>South Whatcom Fire Authority</td>
<td>8 for rural areas (unstaffed stations)</td>
<td>8 minutes 80% of the time for the Bellingham UGA 12 or 14 minutes 80% of the time for rural areas (depending on whether the station is staffed or not)</td>
<td>Yes⁹</td>
</tr>
</tbody>
</table>

1 The Fire Districts also serve rural areas located outside UGAs.
2 Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015, p. 3-17).
3 Final EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (November 2015, p. 3-17).
4 Whatcom County Fire District #1 Capital Facilities Plan (August 2015).
5 Whatcom County Fire District No. 7 Capital Facility Plan 2016-2036 (February 2016).
6 Current responses times to portions of the Bellingham UGA are not within the LOS standards. However, the LOS will be met with planned improvements set forth in the Whatcom County Fire District #8 Capital Facilities Plan (June 2013).
7 Whatcom County Fire District #14 Capital Facilities Plan (August 2015).
8 North Whatcom County Fire & Rescue and Fire District #4 Capital Facilities Plan (May 2015).
Table 14.3 LOS Analysis – Fire Districts Serving Rural Areas

<table>
<thead>
<tr>
<th>Fire District</th>
<th>WSRB Rating Standard</th>
<th>Response Time Standard</th>
<th>Meets Adopted LOS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire District 5</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
<tr>
<td>Fire District 11</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
<tr>
<td>Fire District 16</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
<tr>
<td>Fire District 17</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
<tr>
<td>Fire District 18</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
<tr>
<td>Glacier Fire District 19</td>
<td>8</td>
<td>14 minutes 80% of the time</td>
<td>Yes¹</td>
</tr>
</tbody>
</table>


Capital Projects and Funding

Capital Project Funding

Fire Districts usually fund needed capital improvements through a combination of revenue sources. These can include property tax levies, cash reserves, capital bond proceeds, mitigation fees, fire impact fees and other sources.

The State of Washington authorizes fire districts to levy both “regular” and “special” property taxes to support their operational and capital needs. As part of the regular property tax levy, a fire service provider is authorized to levy a property tax at a total maximum rate of $1.50 per $1,000 of assessed value. However, the total maximum aggregate “regular” property tax levy by local taxing agencies in an area may not exceed $5.90. Occasionally, all local levies will total more than this limit. In this case, “junior” taxing districts, including fire districts, must follow state statute to lower their levy rate so that the total aggregate rate does not exceed the statutory limit. Fire districts may also pass “special” property tax levies for short-term periods without a statutory maximum levy limit. Fire impact fees may be collected on new residential and commercial development to fund facility improvements, provided that the County and/or city governments adopt ordinances authorizing such impact fees.
Capital Projects

A summary of the capital projects for the fire departments and districts serving UGAs are provided below.

City of Bellingham Fire Department

The City of Bellingham Fire Department serves area within the city limits and will serve the UGA upon annexation. Currently, the Bellingham Fire Department assists in providing service to the City's UGA through mutual aid response agreements with Fire Districts. The Draft *Bellingham Comprehensive Plan Capital Facilities and Utilities Chapter* (2016) contains $495,997 in Fire Department capital improvement projects over the six-year planning period (2017-2022). These projects include replacing medic units and equipment. These costs will be paid from the Medic One fund. There are also a number of unfunded projects including the fire boathouse, Fire Station 1 remodel, fire training center, new fire station, and replacing fire engines, a ladder truck, medic units and support vehicles.

City of Lynden Fire Department

The City of Lynden Fire Department serves area within the city limits and will serve the UGA. Currently, the City of Lynden Fire Department assists in providing service to the City’s UGA through mutual aid and automatic aid agreements with North Whatcom Fire and Rescue. The Draft *Lynden Capital Facilities Plan* (2016) contains approximately $8,020,000 million in capital improvement projects over the 20-year planning period. These projects include a new fire station, training facility, air unit, adding a third ambulance and a variety of apparatus and vehicle replacement purchases. Capital facility funding sources include property tax, sales tax, ambulance utility fees, transport fees, plan check fees, and impact fees.

Fire District # 1

Fire District # 1 serves the Everson UGA, Nooksack UGA and surrounding areas. The *Whatcom County Fire District # 1 Capital Facilities Plan* (August 2015) contains approximately $9.5 million in capital improvement projects over the 20-year planning period (pp. 14 and 15). These projects include Station 81 replacement (Everson), Station 82 remodel and storage building (Lawrence Rd.), and a variety of apparatus and vehicle purchases. Capital facility funding sources include property tax revenues, a bond measure, other district revenues and grants (pp. 12 and 13).

Fire District # 7

Fire District # 7 serves the Ferndale UGA, Cherry Point UGA and surrounding areas. The *Whatcom County Fire District No. 7 Capital Facility Plan* (February 2016) contains approximately $19.2 million in capital improvement projects over the 20-year planning period (pp. 22-24). These projects include station improvements, a Department Training Center, and a variety of apparatus and vehicle purchases. Capital facility funding sources include property tax revenues, bonds, grants, reserves and potentially mitigation fees (pp. 24-26).
Fire District # 8

Fire District # 8 serves a portion of the Bellingham UGA and surrounding areas. The Whatcom County Fire District # 8 Capital Facilities Plan (June 2013) contains approximately $9.8 million in capital improvement projects over the 20-year planning period (pp. 17-18). These projects include Station 31 replacement (Marine Dr.), Station 34 improvements (McKenzie Rd.), a new station (Kwina Rd.), and a variety of apparatus and vehicle purchases. Capital facility funding sources include District revenues such as property taxes, bonds, property sales, mitigation fees, funds from the Lummi Nation, funds from the City of Bellingham, and grants (pp. 13-15).

Fire District # 14

Fire District # 14 serves the Sumas UGA, Columbia Valley UGA and surrounding areas. The Whatcom County Fire District # 14 Capital Facilities Plan (August 2015) contains approximately $6 million in capital improvement projects over the 20-year planning period (pp. 17-18). These projects include station improvements, land purchase, and a variety of apparatus and vehicle purchases. Capital facility funding sources include annual revenues such as property taxes, reserves, mitigation fees and grants (pp. 13-15).

North Whatcom Fire & Rescue / Fire District 4

In 2011, North Whatcom Fire and Rescue (also known as Fire District 21) completed a functional consolidation with Whatcom County Fire District 4 whereby NWFR provides management and all operation services through a contract with District 4. North Whatcom Fire & Rescue now provides service to the Blaine UGA, Birch Bay UGA, Lynden UGA (outside of city limits), and a portion of the Bellingham UGA. A single capital facilities plan has been developed for the two Districts. The North Whatcom Fire & Rescue and Fire District # 4 Capital Facilities Plan (May 2016) contains approximately $59.6 million in capital improvement projects over the 20-year planning period (pp. 9 and 10). These projects include a new station, upgrading/remodeling existing stations, and a variety of apparatus and vehicle purchases. Capital facility funding will primarily come from capital bond proceeds (p. 13).

South Whatcom Fire Authority

The South Whatcom Fire Authority was formed in 2009 after voters approved a consolidation of four smaller fire districts. South Whatcom Fire Authority serves portions of the Bellingham UGA and surrounding areas. The District has five existing station and five fire engines. In 2016, the District is asking voters to approve a $1.96 million bond to replace three of the District's five fire engines.
Chapter 15 – Solid Waste

Solid Waste (County)

State law requires each county within the state, in cooperation with the various cities located within the county, to prepare a coordinated, comprehensive solid waste management plan. The purpose is to plan for solid waste reduction, collection, handling, management and programs designed to meet the needs of the county and cities (RCW 70.95.080).

The Whatcom County Health Department is the lead planning agency for solid waste management in the County. The Health Department’s Solid Waste Division is responsible for several program areas encompassing waste prevention, economically efficient recycling and disposal systems, litter control, hazardous waste education and disposal opportunities, monitoring the county’s closed landfills, comprehensive planning, and providing support for the Whatcom County Solid Waste Advisory Committee.

The County prepared a Draft 2016 Whatcom County Comprehensive Solid and Hazardous Waste Management Plan (Jan. 2016) which serves as the basis for the solid waste component of the Capital Facilities Plan.

Inventory of Current Facilities

The County’s solid waste system is a combination of private and public entities. Solid waste handling facilities in Whatcom County currently include two primary transfer stations, five drive box collection stations, one public-use and one private moderate-risk waste fixed facility (for small business and household hazardous waste collection), one vactor waste transfer station, and approximately 13 composting and recycling facilities (both permitted and non-permitted). Additionally, there are three anaerobic digesters (one of which requires a permit), three biosolids land application facilities, three private industrial landfills, and six 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. While exempt from the need to obtain permits, recycling facilities are important to the system in Whatcom County, particularly, Northwest Recycling, Inc., which is presently one of the largest facilities offering residential and commercial recycling. The table below lists solid waste facilities in the County that are part of the solid waste permit system.
Table 15.1 Exiting Solid Waste Facilities with Permits

<table>
<thead>
<tr>
<th>Facility</th>
<th>Operator</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Transfer Stations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RDS Transfer Station</td>
<td>Recycling &amp; Disposal Services, Inc.</td>
<td>4916 LaBounty Pl, Ferndale, WA 98248</td>
</tr>
<tr>
<td>RDC Transfer Station</td>
<td>Regional Disposal Co.</td>
<td>1524 Slater Rd, Ferndale, WA 98248</td>
</tr>
<tr>
<td>Drop Box Collection Stations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SSC Birch Bay-Lynden Drop Box Facility</td>
<td>Sanitary Service</td>
<td>4297 Birch Bay Lynden Rd, Blaine, WA 98230</td>
</tr>
<tr>
<td>SSC Cedarville Drop Box Facility</td>
<td>Sanitary Service</td>
<td>Cedarville Rd, Bellingham, WA 98226</td>
</tr>
<tr>
<td>SSC Roeder Ave Drop Box Facility</td>
<td>Sanitary Service</td>
<td>1001 Roeder Ave, Bellingham, WA 98225</td>
</tr>
<tr>
<td>Nooksack Valley Disposal Drop Box Facility</td>
<td>Nooksack Valley Disposal, Inc.</td>
<td>250 Birch Bay-Lynden Rd, Lynden, WA 98264</td>
</tr>
<tr>
<td>Cando Recycling Transfer Station</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moderate-Risk Waste (MRW) Facility, Public Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whatcom County MRW Facility</td>
<td>Whatcom County Health Department</td>
<td>3505 Airport Dr, Bellingham, WA 98226</td>
</tr>
<tr>
<td>Moderate-Risk Waste (MRW) Facility, Private Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seattle City Light MRW Facility</td>
<td>Seattle City Light</td>
<td>500 Newhalem St, Rockport, WA 98283</td>
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<tr>
<td>Vector Waste Transfer Station</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Bellingham Vector Waste Transfer Station</td>
<td></td>
<td>2140 Division St, Bellingham, WA 98226</td>
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<tr>
<td>Composting Facility (permitted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Green Earth Technology Composting Facility</td>
<td>Alsand Enterprises</td>
<td>774 Meadowlark Ln, Lynden, WA 98264</td>
</tr>
<tr>
<td>Anaerobic Digester (permitted)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edaleen Cow Power, LLC</td>
<td>Edaleen Cow Power, LLC</td>
<td>9593 Guide Meridian, Lynden, WA 98264</td>
</tr>
<tr>
<td>Biosolids Land Application Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tjoelker Enterprises Biosolids Facility</td>
<td>Tjoelker Enterprises</td>
<td>1530 Burk Rd, Blaine, WA 98230</td>
</tr>
<tr>
<td>Shannon Tjoelker Biosolids Facility</td>
<td></td>
<td>1687 Burk Rd, Blaine, WA 98230</td>
</tr>
<tr>
<td>Lil John Biosolids Facility</td>
<td></td>
<td>9497 Hill Rd, Sumas, WA 98295</td>
</tr>
</tbody>
</table>

Source: Draft EIS Whatcom County 2016 Comprehensive Plan and Development Regulations Update and Urban Growth Areas Review (March 2015, pp. 4-255 and 4-256)

Future Needs

The forecast of municipal solid waste (MSW) generation is based upon the solid waste generation projections in the Draft 2016 Whatcom County Comprehensive Solid and Hazardous Waste Management Plan (Section 2.3.8, pp. 23-26).

The table below shows projected total MSW generated, the amount of this waste anticipated to be disposed, and the amount anticipated to be recycled.
Table 15.2 Solid Waste Generation Forecast

<table>
<thead>
<tr>
<th>Year</th>
<th>Total MSW Generated (tons)</th>
<th>Total MSW Disposed (tons)</th>
<th>Total MSW Recycled (tons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>249,189</td>
<td>135,134</td>
<td>114,055</td>
</tr>
<tr>
<td>2022</td>
<td>305,000</td>
<td>160,000</td>
<td>145,000</td>
</tr>
<tr>
<td>2036</td>
<td>405,000</td>
<td>203,000</td>
<td>202,000</td>
</tr>
</tbody>
</table>

Source: The solid waste that was deposited in landfills and recycled for 2013 is from the Draft Whatcom County Comprehensive Solid and Hazardous Waste Management Plan (2016, page 24). The projections for 2022 and 2036 are contained in an e-mail from Jeff Hegedus, Environmental Health Supervisor with the Whatcom County Health Department (March 10, 2016).

The County uses waste generation forecasting as a vital element of solid waste management planning. The County uses this data to help address waste prevention, recycling and special waste issues. The County updates its waste generation models periodically and uses them in conjunction with program and facility planning and evaluation.

Capital Projects and Funding

Currently, the only County capital facility is the Whatcom County Moderate-Risk Waste Facility on Airport Dr. Whatcom County Solid Waste Division has no capital projects for County facilities. However, the Draft 2016 Whatcom County Comprehensive Solid and Hazardous Waste Management Plan states “... The County will continue to work with the private solid waste service providers to ensure that facility capacity is constructed in advance of need...” (Section 2.3.8, p. 25).
Chapter 16 – County Revenue Projections

Whatcom County Capital Facilities Revenue Analysis

This section discusses Whatcom County’s Capital Facilities Revenue for County-provided facilities and services. It assumes the County continues to be responsible for Birch Bay and Columbia Valley.

Introduction

The purpose of this financial analysis is to support the financing plan for the Capital Facilities Plan (CFP) that is required by RCW 36.70A.070(3). These revenue estimates have been developed to assist in project prioritization and planning, and represent realistic, but not exact, estimates of revenue available for the CFP.¹

Estimated future revenues have been projected for the Plan’s 2017-2036 time period, in year of expenditure dollars.² These revenues have been grouped according to the following categories:

- Undedicated Transportation Revenues – are composed of Road Fund revenues from the following sources: county road property tax levy, motor vehicle fuel tax allocations, and other undedicated transportation revenues including state timber sales, County Arterial Preservation Grant, Federal Forest Title I entitlement payments, forest excise tax, and minor miscellaneous sources.

- Dedicated Capital Transportation Revenues – these revenues are required by law to be used for specific types of capital expenditures.

- Other Capital Revenues – these revenues must be used for capital, but they are not transportation specific. They include Real Estate Excise Tax (REET), Rural Counties Public Facilities Tax, Conservation Futures, Parks State Grants, Stormwater State and Federal Grants.

- Potential Policy Options – these policy options may make additional capital revenues available to the County via policy changes.

Some of the funds discussed in this analysis may be used to fund the maintenance and operations of existing capital facilities or to construct new ones. However, if maintenance and operations costs of existing facilities increase faster than the revenues that support them, jurisdictions are confronted with difficult decisions regarding whether to fund these costs, at the expense of building new capital projects, or to adjust Level of Service (LOS) standards. Those decisions will be made by the County Council and executive leadership of the County according to the County’s needs and opportunities.

¹ The revenue estimates are not intended to be precise forecasts. Exact funding levels are difficult to predict given the uncertainties of funding sources. The estimates discussed in this section are to be used for planning purposes; actual revenues are highly sensitive to local, state, and federal policy decisions; personal choices of residents; economic cycles and other market forces.

² Year of expenditure dollars have been inflated to the year in which they are expected to be received.
Assumptions

The revenue projections included in this analysis are based on the assumption that all city UGAs in Whatcom County will be annexed by their respective cities by the end of the study period, and that Birch Bay, Cherry Point and Columbia Valley will remain unincorporated for the duration. To the extent that a city’s UGA represents land that is needed to accommodate the next 20 years of projected growth, and that actual patterns of growth are in line with the patterns envisioned in the Comprehensive Plan, one would expect that most or all of these areas will be annexed during the study period. The schedule at which annexations will occur is unknown; therefore, for purposes of this study they are assumed to occur in equal increments each year. Assuming complete annexation also gives this analysis the most conservative estimate of future revenues. A discussion of the implications of more scaled-back levels of annexation follows the base revenue projections.

Undedicated Transportation Revenues

Undedicated transportation revenues are unrestricted Road Fund revenues. These revenues are used to fund administration, engineering, road maintenance & operations, ferry operations and construction. About 19% of unrestricted road revenues are available for construction activities. A discussion of the major sources of these revenues follows:

County Road Property Tax Levy

This property tax is collected by Whatcom County specifically for transportation funding and accounts for a large portion of the County’s transportation funds. Since the passage of Initiative 747 in 2001, property tax increases are restricted to 1.0% of the previous year’s revenues plus new construction. In inflation-adjusted terms, revenues from property tax are actually declining, since the 1.0% allowed increase does not keep pace with inflation (which has averaged 2.53% for the period 1990 - 2015).

If a jurisdiction does not adjust the Property Tax levy rate annually to collect the full 1.0% allowed increase in revenues, the difference between the collected value and the legally-allowed 1.0% increase becomes “banked capacity” which may be collected in future years. Currently Whatcom County has banked capacity of approximately $1.8 million. For this portion of the analysis we have assumed that the County will not increase the levy rate to collect this banked capacity, nor will they collect the allowed 1.0% increase, but will continue to collect funds at a level equal to the previous year’s revenues, plus new construction. By not taking the maximum allowed annual revenue increase, the County’s banked capacity will increase each year.

State Motor Vehicle Fuel Tax

Counties and cities receive a portion of the State Motor Vehicle Fuel Tax (MVF) based on a complex reimbursement formula that includes population, road maintenance and reconstruction costs, and annual needs. The State of Washington increased fuel taxes each year during the period of 2005-2008 but most revenues went to state projects while funding to the County has only increased marginally since 2006 from $3.7 million to $3.9 million. The Legislature increased gas taxes again in 2015, with another increase taking effect in 2016, these increases are also not
expected to significantly impact County revenues. Revenues from this funding source are forecast to increase modestly at 1.89% per year.

**Other Undedicated Transportation Revenues**

The State Legislature increased the County Arterial Preservation funding to Whatcom County from $420,000 per year to $515,000 in 2012. This funding source has increased in small increments to $577,822 in 2015. It is forecast to increase in line with the Motor Vehicle Fuel Tax at 1.89% per year. Federal Forest – Title I revenue has been decreasing in recent years and is expected to be phased out by the federal government within a few years. Forest excise tax (previously known as private harvest tax) and state timber sale revenues fluctuate based on market conditions. Other undedicated sources include delinquent property taxes, leasehold excise tax, and minor miscellaneous amounts. For purposes of this study, forest excise tax, timber sales and other undedicated sources have been combined and projected based on the average of the amounts received in the last six years from these sources.

*Figure 16-1. Whatcom County Undedicated Transportation Revenues 1993-2036*

*1993 – 2015 data represents actual undedicated transportation revenues used for construction and 2016 -2036 projected amounts of undedicated revenues available for construction activities. This study assumes Public Works will utilize 19% of its undedicated transportation revenues for capital projects. Federal and state grants were heavily utilized in the period of 2008 - 2014; therefore, less local funding was consumed. Excess revenues have been reserved in the Road fund balance.*
Table 16-1 shows anticipated total Undedicated Transportation Revenues available for capital construction the next six years and the remaining 14 years of the planning period.

Table 16-1. Projected Future Whatcom County Undedicated Transportation Revenues 2017-2036

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<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$4,546,789</td>
<td>$4,582,777</td>
<td>$4,619,091</td>
<td>$4,655,737</td>
<td>$4,676,762</td>
<td>$4,713,789</td>
<td>$71,252,334</td>
<td>$99,047,279</td>
</tr>
</tbody>
</table>
Dedicated Capital Transportation Revenues

Motor Vehicle Fuel Tax – Paths & Trails Revenues

Beginning in 1997, one percent of the Motor Vehicle Fuel Tax is required by state law to go toward establishing and maintaining paths and trails for pedestrians, equestrians, and bicyclists. Based on average growth rate since inception, we have forecast revenues at an annual increase of 1.5% over the prior year.

Figure 16-2 shows 1.0% of the historical MVF Tax revenue to the left of the dotted line, and projected revenues available for paths and trails capital to the right.

Figure 16-2. Whatcom County MVF Tax Revenue 1993-2036 (Allocated for Capital Projects)

Table 16-2 shows anticipated total Motor Vehicle Fuel Tax revenues available for path and trail capital projects for the next six years and the remaining 14 years of the planning period.

Table 16-2. Projected Future Whatcom County Motor Vehicle Fuel Tax – Paths & Trails Revenues 2017-2036

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$40,942</td>
<td>$41,556</td>
<td>$42,179</td>
<td>$42,812</td>
<td>$43,454</td>
<td>$44,106</td>
<td>$691,671</td>
<td>$946,718</td>
</tr>
</tbody>
</table>
Grants

State Transportation Grants

Grants are an important funding source for transportation capital projects; however, these funds are distributed in a competitive process making it difficult to project future grant funding levels. State grants are primarily funded with the state-levied portion of the MVF Tax.

There have, in recent years, been increases in the State MVF Tax rate. However, many of these additional funds were earmarked for specific large projects, although there was some allocation to local jurisdictions. The Transportation Partnership Act of 2005 provided some additional funds to the Transportation Improvement Board and the County Road Administration Board, for a total of $80 million to be disbursed to local jurisdictions as grants over a 16-year period. However, these increases in funds are very small relative to demand, with requests to the Transportation Improvement Board overreaching available funds. For this analysis, recent historical grant revenue trends were considered.

Assumptions: These revenues have been estimated on a per capita basis on the assumption that over time a jurisdiction will generally receive its “fair share” of available grant revenues. Since 1993 Whatcom County has averaged $6.72 per capita in grant revenues per year. However, this number has been lower in recent years averaging $5.60 per capita since 2006. This analysis assumes $5.60 per capita in the future with no annual increase. Total revenues are therefore expected to change on pace with changes in population.

For this analysis average annual dollars are assumed in each year. However, in reality these dollars will vary greatly from year to year since they are awarded on a project-specific basis.

Figure 16-3 shows historical state grant revenues to the left of the dotted line, and projected revenues to the right.
Table 16-3 shows estimated total state grant revenues for the next six years and the remaining 14 years of the planning period.

**Table 16-3. Projected Future Whatcom County State Transportation Grant Revenues 2017-2036 (Allocated for Capital Projects)**

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$506,053</td>
<td>$507,598</td>
<td>$509,105</td>
<td>$510,583</td>
<td>$512,020</td>
<td>$513,419</td>
<td>$7,311,347</td>
<td>$10,370,126</td>
</tr>
</tbody>
</table>

**Federal Transportation Grants**

Federal transportation grants are funded through the federal portion of the fuel excise tax. The federal gas tax rate has fluctuated between $0.183 and $0.184 per gallon since 1993. The majority of these funds are deposited into the Highway Trust Fund and disbursed to the states through the Highway and Mass Transit Accounts.

As with state grants, these funds are distributed in a competitive process making it difficult to determine future grant funding levels.

**Assumptions:** Since 1993 Whatcom County has received an annual average of $26.07 per capita of federal grant funding. Lacking an increase in the federal gas tax rate, future average annual per
capita federal grant dollars are estimated to remain at that rate with no annual increase. As with state grant dollars, changes in total revenues are expected to occur at the rate of change in the population. In addition, average annual dollars are assumed in each year while in reality these dollars will vary greatly from year to year since they are awarded on a project-specific basis.

Figure 16-4 shows historical federal grant revenues to the left of the dotted line, and projected revenues to the right.

Figure 16-4. Whatcom County Federal Transportation Grant Revenues 1993-2036 (Allocated for Capital Projects)

Table 16-4 shows anticipated total federal grant revenues for the next six years and the remaining 14 years of the planning period.

Table 16-4. Projected Future Whatcom County Federal Transportation Grant Revenues 2017-2036 (Allocated for Capital Projects)

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$2,355,857</td>
<td>$2,363,052</td>
<td>$2,370,067</td>
<td>$2,376,949</td>
<td>$2,383,636</td>
<td>$2,390,149</td>
<td>$34,036,932</td>
<td>$48,276,842</td>
</tr>
</tbody>
</table>

Table 16-5 shows total projected transportation revenues for Whatcom County.

Table 16-5. Projected Total Transportation Revenues 2017-2036 (Allocated for Capital Projects)

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$7,449,841</td>
<td>$7,494,983</td>
<td>$7,540,443</td>
<td>$7,585,081</td>
<td>$7,615,872</td>
<td>$7,681,463</td>
<td>$113,292,284</td>
<td>$158,840,768</td>
</tr>
</tbody>
</table>
Other Capital Revenues

Real Estate Excise Tax

Real Estate Excise Tax (REET) revenues are levied in two portions and must be expended on capital projects. Since the REET is based on the total value of real estate transactions in a given year, the amount of REET revenues a county receives can vary substantially from year to year based on the normal fluctuations in the real estate market. During years when the real estate market is active, revenues are high, and during softer real estate markets revenues are lower.

REET is levied in two parts, REET I (the first 0.25%), and REET II (the second 0.25%), for a total tax of 0.5% of total assessed value. REET I and REET II revenues must be spent on capital projects that are listed in a county’s current capital facilities plan. The definition of capital facilities, according to RCW 82.46.010, for REET I funding is:

> those public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets; roads; highways; sidewalks; street and road lighting systems; traffic signals; bridges; domestic water systems; storm and sanitary sewer systems; parks; recreational facilities; law enforcement facilities; fire protection facilities; trails; libraries; administrative and judicial facilities...

REET II generally follows the above guidelines, but is more restricted, as it may not be spent on recreational facilities, law enforcement facilities, fire protection facilities, trails not associated with parks, libraries, administrative facilities, or judicial facilities (RCW 82.46.035).

Assumptions: This analysis assumes an average annual rate of turn-over of existing property at 6% in 2016. This rate increases at 0.5% per year until the normal turnover rate of 7.0% is reached in 2018. Normal turnover rate is based upon the average actual rate of turnover from the period of 1993 – 2015.

REET revenues generally must be used for capital projects; however, modifications to RCW 82.46.010 and 82.46.035 allow counties to transfer up to $1 million per year for operations and maintenance of existing capital projects through 2016. Whatcom County has opted to transfer $1 million per year to the Parks Department under this provision. For purposes of this study, the $1 million in 2016 is assumed to be withdrawn from the REET II fund balance and will not affect revenue projections. This analysis assumes all REET revenues are available for the capital projects discussed in this plan.

Figure 16-5 shows historical Real Estate Excise Tax revenue to the left of the dotted line, and projected revenues to the right.
Table 16-6 shows anticipated total Real Estate Excise Tax revenues for the next six years and the remaining 14 years of the planning period.

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$4,001,421</td>
<td>$4,346,089</td>
<td>$4,382,913</td>
<td>$4,419,759</td>
<td>$4,456,604</td>
<td>$4,493,450</td>
<td>$68,777,084</td>
<td>$92,877,278</td>
</tr>
</tbody>
</table>

Rural Counties Public Facilities Tax (Rural Sales Tax)

Washington State allows rural counties to impose a local sales tax to fund capital projects that have an economic development purpose and finance personnel positions in economic development offices. This tax, which is deposited in the County’s Public Utilities Improvement Fund, is not an additional sales tax for residents, but rather is given to the jurisdiction in the form of a tax credit against the 6.5% state sales tax. Whatcom County began collecting the tax during 1999. It is currently levied at 0.09% in Whatcom County and is collected countywide. The law (RCW 82.14.370) states “For counties imposing the tax at the rate of .09 percent before August 1, 2009, the tax expires on the date that is twenty-five years after the date that the .09 percent tax rate was first imposed by that county.” Whatcom County’s expiration date is August 1, 2032.
Assumptions: Because this tax is collected on retail sales we have based future projections on an assumed increase of 3.3% annual growth in taxable retail sales within the County. This rate is the taxable sales growth rate for Whatcom County for the period of 1994-2015. Revenues are assumed to be collected until August 1, 2032. Executive recommendations adopted by Council designate 30% of the proceeds of the tax revenue be used for County capital facilities. The remaining 70% is designated for economic development loans and grants to other government entities throughout the county (Economic Development Initiative – EDI).

Figure 16-6 shows historical Rural Counties Public Facilities Tax revenue for County capital facilities to the left of the dotted line, and projected revenues to the right.

Figure 16-6. Whatcom County Rural Counties Public Facilities Tax Revenues 2000-2032 (Available for County Capital Facilities)

Table 16-7 shows anticipated total Rural Counties Public Facilities Tax revenues for County capital facilities for the next six years and the remaining 14 years of the planning period.

1 1994 is the first year of taxable sales date available on the Department of Revenue website.
Table 16-7. Projected Future Whatcom County Rural Counties Public Facilities Tax Revenues 2017-2036 (Available for County Capital Facilities)

<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$1,115,334</td>
<td>$1,152,140</td>
<td>$1,190,161</td>
<td>$1,229,436</td>
<td>$1,270,008</td>
<td>$1,311,918</td>
<td>$14,996,035</td>
<td>$22,265,032</td>
</tr>
</tbody>
</table>

Conservation Futures Revenues for Parks

In accordance with RCW 84.34.230, the County can impose a countywide property tax levy of $.0625 per thousand dollars assessed valuation for the purpose of purchasing open space and future development rights. The current levy rate is $.041756 per thousand.

Assumptions: For planning purposes, the amount of the levy to be set aside for park and trail acquisitions is 5% of the current year levy after consideration is made for the purchase of a Lummi Island Heritage Trust conservation and access easement for $400,000. Future property tax levy increases have been projected at the historical 1997 – 2015 growth rate of 2.9% per annum.

Figure 16-7 shows actual usage of Conservation Futures funding for park acquisitions to the left of the dotted line, and projected usage of future revenues to the right.

Figure 16-7. Conservation Futures Revenues 1993 – 2036 (Available for Parks Capital Acquisitions)

Table 16-8 shows anticipated Conservation Futures funding for Parks capital projects for the next six years and the remaining 14 years of the planning period.

* Large percentage increases in 1993 – 1996 assessed valuations precluded using data from those years.
Table 16-8. Projected Future Conservation Futures Revenues 2017 – 2036 (Available for Parks Capital Projects)

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$54,204</td>
<td>$55,776</td>
<td>$57,394</td>
<td>$59,058</td>
<td>$60,771</td>
<td>$62,533</td>
<td>$1,092,028</td>
<td>$1,441,764</td>
</tr>
</tbody>
</table>

Parks State Grants

Parks grants are applied for through the Washington State Recreation and Conservation Office. These funds have traditionally been quite limited and are distributed in a competitive process making it difficult to determine future grant funding levels. For this analysis, historical grant revenue trends were considered.

**Assumptions:** These revenues have been estimated on a countywide per capita basis on the assumption that over time the County will generally receive its “fair share” of available state grant revenues. Since 1993 Whatcom County has averaged $.16 per capita in grant revenues per year. This analysis assumes that funding level will continue in the future with no annual increase. Total revenues are therefore expected to change on pace with changes in population.

For this analysis average annual dollars are assumed in each year. However, in reality these dollars will vary greatly from year to year since they are awarded on a project-specific basis.

Figure 16-8 shows historical state grant revenues to the left of the dotted line, and projected revenues to the right.
Figure 16-8. Parks State Grant Revenues 1993-2036 (Allocated for Capital Projects)

Table 16-9 shows anticipated state grant revenues for Parks capital projects for the next six years and the remaining 14 years of the planning period.

Table 16-9. Projected Future State Grant Revenues 2017 – 2036 (Available for Parks Capital Projects)

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$34,509</td>
<td>$34,990</td>
<td>$35,478</td>
<td>$35,972</td>
<td>$36,474</td>
<td>$36,983</td>
<td>$575,304</td>
<td>$789,710</td>
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</table>

Stormwater State Grants

The Whatcom County Stormwater Fund was established in 2009 to account for projects and programs which protect water resources, improve water quality, and reduce impacts from stormwater runoff in the unincorporated areas of the county. State stormwater grants are applied for through the Washington State Department of Ecology.

Assumptions: These revenues have been estimated on a per capita basis on the assumption that over time a jurisdiction will generally receive its “fair share” of available grant revenues. Since 2009 Whatcom County has averaged $3.18 per capita in grant revenues per year. This analysis conservatively assumes that a $3 per capita rate continues in the future with no annual increase. Total revenues are therefore only expected to change on pace with changes in population.
For this analysis average annual dollars are assumed in each year. However, in reality these dollars will vary greatly from year to year since they are awarded on a project-specific basis.

Figure 16-9 shows historical state grant revenues to the left of the dotted line, and projected revenues to the right.

![Graph showing Stormwater State Grant Revenues 2009-2036 (Allocated for Capital Projects)]

Table 16-10 shows anticipated state grant revenues for Stormwater capital projects for the next six years and the remaining 14 years of the planning period.

<table>
<thead>
<tr>
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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$271,100</td>
<td>$271,928</td>
<td>$272,735</td>
<td>$273,527</td>
<td>$274,296</td>
<td>$275,046</td>
<td>$3,918,783</td>
<td>$5,555,425</td>
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</table>

**Stormwater Federal Grants**

The Whatcom County Stormwater Fund was established in 2009 to account for projects and programs which protect water resources, improve water quality, and reduce impacts from stormwater runoff in the unincorporated areas of the county. Federal stormwater grants are applied for from the Environmental Protection Agency.

**Assumptions:** These revenues have been estimated on a per capita basis on the assumption that over time a jurisdiction will generally receive its “fair share” of available grant revenues. Since 2009 Whatcom County has averaged $.95 per capita in grant revenues per year; however, federal grant...
funding has been more sporadic than state funding. This analysis assumes a $.95 per capita rate that continues in the future with no annual increase. Total revenues are therefore only expected to change on pace with changes in population.

For this analysis average annual dollars are assumed in each year. However, in reality these dollars will vary greatly from year to year since they are awarded on a project-specific basis.

Figure 16-10 shows historical state grant revenues to the left of the dotted line, and projected revenues to the right.

Figure 16-10. Stormwater Federal Grant Revenues 2009-2036 (Allocated for Capital Projects)

Table 16-11 shows anticipated federal grant revenues for Stormwater capital projects for the next six years and the remaining 14 years of the planning period.


<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Future Revenues</td>
<td>$85,848</td>
<td>$86,110</td>
<td>$86,366</td>
<td>$86,817</td>
<td>$86,861</td>
<td>$87,098</td>
<td>$1,240,318</td>
<td>$1,759,218</td>
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</tbody>
</table>

Total Other Capital Revenues

Table 16-12 summarizes total other capital revenues for the next six years and the remaining 14 years of the planning period.
Table 16-12. Projected Total Other Capital Revenues

<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>Estimated Future Revenues</td>
<td>$5,562,418</td>
<td>$5,947,012</td>
<td>$6,025,047</td>
<td>$6,104,389</td>
<td>$6,185,014</td>
<td>$6,267,027</td>
<td>$88,597,541</td>
<td>$124,688,428</td>
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**Total Capital Revenues**

Table 16-13 summarizes total capital revenues (transportation and other) available for the next six years and the remaining 14 years of the planning period.

Table 16-13. Projected Total Capital Revenues

<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>Estimated Future Revenues</td>
<td>$13,012,067</td>
<td>$13,441,998</td>
<td>$13,565,490</td>
<td>$13,860,449</td>
<td>$13,860,886</td>
<td>$13,928,490</td>
<td>$201,889,825</td>
<td>$283,329,192</td>
</tr>
</tbody>
</table>

**Impact of Reduced Levels of Annexation**

Based on the structures used for each revenue projection outlined above, if the UGAs in Whatcom County were not completely annexed by the end of the study period, revenues would increase from the base, 100% annexation assumption. All else being equal, Whatcom County would have more assessed value of real property in the unincorporated parts of the County, leading to higher road levy and REET revenues. It would also retain more population in the unincorporated areas of the County, leading to higher state and federal transportation grant revenues.

**Potential Policy Options**

**Road Levy Banked Capacity**

As discussed in the first section of this analysis, if a jurisdiction does not increase the Property Tax levy rate annually to collect the full 1.0% allowed increase in revenues, the difference between the collected value and the allowed 1.0% increase becomes “banked capacity” which may be collected in future years. Currently Whatcom County has banked capacity of approximately $1.8 million, which means that the County could increase the levy rate to raise this much additional revenue annually.

If the County chooses not to take this banked capacity, it increases each year. Under this scenario, by the end of the study period (2036), total estimated banked capacity would be about $6.7 million.

**Stormwater Management Revenue**

Whatcom County’s stormwater management programs address state and federal water quality mandates and localized drainage and flooding problems that affect urbanized landscapes. These include, but are not limited to, design and construction of stormwater facilities, enhanced development standards, aggressive maintenance schedules, and regular facility inspections associated with the Lake Whatcom Total Maximum Daily Load (TMDL) and the County’s
National Pollutant Discharge Elimination System (NPDES) Phase II permit. Stormwater management programs are supported locally by the Road Fund, Real Estate Excise Tax Fund II, Flood Control Zone District Fund, and Birch Bay Watershed and Aquatic Resources Management District. State grants are a substantial revenue source, particularly for the capital program.

Future stormwater management services may require additional revenues between year five and the end of the 20-year planning period. At the present time, it cannot be accurately predicted what the appropriate allocation of local revenues and the availability of state and federal funds will be for that period. New revenues collected explicitly for stormwater management may be needed.

**Transportation Impact Fees**

Impact fees are a financing tool that requires new development to pay a portion of the costs associated with infrastructure improvements that are “reasonably related” to that development. The GMA allows agencies to develop and implement a transportation impact fee program to help fund some of the costs of transportation facilities needed to accommodate growth. State law (Chapter 82.02 RCW) requires that impact fees be related to improvements to serve new developments and not existing deficiencies; assessed proportional to the impacts of new developments; allocated for improvements that reasonably benefit new development; and spent on facilities identified in the Capital Facilities Plan.

Legally, financing for improvements that will serve the new development cannot rely solely on impact fees and must include other sources of public funds, and the fees must be structured in a manner that ensures that funds collected do not exceed a proportionate share of the costs of improvements reasonably related to new development.

The County has studied implementation of a transportation impact fee but no policy direction on this revenue source has been adopted yet. If the County were to implement this fee, revenues would vary based on the chosen fee rate and the types and amount of development that occurs.

**Park Impact Fees**

The same state law that authorizes transportation impact fees described above also authorizes the County to adopt impact fees for parks and recreational facilities. The same rules and conditions for transportation impact fees would apply to park impact fees.

**Existing Fund Balances**

Table 16-14 presents existing fund balances as of 1/1/2016 which are potentially available to support capital projects:
<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Balance</th>
<th>Applicable to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>3,000,000</td>
<td>Facilities</td>
</tr>
<tr>
<td>Road</td>
<td>16,000,000</td>
<td>Transportation</td>
</tr>
<tr>
<td>Chemical Depend/Mental Health</td>
<td>3,000,000</td>
<td>Facilities</td>
</tr>
<tr>
<td>Conservation Futures</td>
<td>2,465,082</td>
<td>Parks</td>
</tr>
<tr>
<td>Real Estate Excise Tax I</td>
<td>3,251,460</td>
<td>Facilities</td>
</tr>
<tr>
<td>Real Estate Excise Tax II</td>
<td>1,591,369</td>
<td>Parks &amp; Stormwater</td>
</tr>
<tr>
<td>Rural Sales Tax</td>
<td>414,500</td>
<td>Facilities</td>
</tr>
<tr>
<td>2010 Jail Improvements</td>
<td>733,734</td>
<td>Facilities</td>
</tr>
<tr>
<td>Superior Ct 4&lt;sup&gt;th&lt;/sup&gt; Judge Courtroom</td>
<td>143,897</td>
<td>Facilities</td>
</tr>
<tr>
<td>New Jail Project</td>
<td>1,738,147</td>
<td>Facilities</td>
</tr>
<tr>
<td>Courthouse Building Envelope</td>
<td>250,000</td>
<td>Facilities</td>
</tr>
<tr>
<td>Lummi Nation Lease</td>
<td>1,997,378</td>
<td>Transportation</td>
</tr>
<tr>
<td>Birch Bay Lynden/Portal Way Signal</td>
<td>124,685</td>
<td>Transportation</td>
</tr>
<tr>
<td>Rural Rd Safety Program</td>
<td>38,257</td>
<td>Transportation</td>
</tr>
<tr>
<td>Slater Rd Intersections</td>
<td>388,218</td>
<td>Transportation</td>
</tr>
<tr>
<td>Dakota Creek Bridge No 500</td>
<td>359,860</td>
<td>Transportation</td>
</tr>
<tr>
<td>Lake Whatcom Blvd Re-surfacing</td>
<td>993,863</td>
<td>Transportation</td>
</tr>
<tr>
<td>Hannegan Rd Structural Overlay</td>
<td>595,240</td>
<td>Transportation</td>
</tr>
<tr>
<td>Academy Rd Stormwater</td>
<td>107,107</td>
<td>Stormwater</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>37,192,797</strong></td>
<td></td>
</tr>
</tbody>
</table>
Six-Year Funding Balance

Estimated revenues from transportation sources within the six-year time period (2017-2022) have been compared to capital project costs. The six year Capital Improvement Plan includes $48,708,185 of capital costs and this study presents $45,348,483 of potential revenues plus $18.2 million of available transportation fund balances.

Parks and stormwater capital improvement requests over the next six years total $10,099,000. Funding sources, including grants, REET II, and available fund balance amounts total $17,120,521. In addition, Birch Bay Watershed and Aquatic Resources Management (BBWARM) District, which is an entity separate from Whatcom County, is requesting to use a small amount of REET II funding for their projects. Their projects over the six year period total $3,015,000. They are requesting $40,000 of REET II from available fund balance amounts. The District’s own funding sources will cover the other $2,975,000.

New sheriff’s office facilities are estimated at $19,040,000 to be financed by non-voted bonds and paid back from General Fund sources. New jail facilities are estimated at $112,000,000 to be financed by non-voted bonds and paid back from new voter-approved sales taxes. The County’s current non-voted debt capacity is $365 million.

Regarding other general capital facilities, sources over the 2017-2022 Capital Improvement Plan period total $35,103,842 whereas needs total $26,622,563.

Table 16-15. 2017 – 2022 Revenues Available to Fund the Six Year CIP

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Revenues</td>
<td>$7,449,641</td>
<td>$7,494,883</td>
<td>$7,540,443</td>
<td>$7,586,081</td>
<td>$7,615,872</td>
<td>$7,661,463</td>
<td>$45,348,483</td>
<td>$113,292,284</td>
</tr>
<tr>
<td>Real Estate Excise Tax</td>
<td>$4,001,421</td>
<td>$4,346,068</td>
<td>$4,382,913</td>
<td>$4,419,795</td>
<td>$4,456,604</td>
<td>$4,493,450</td>
<td>$26,100,214</td>
<td>$66,777,064</td>
</tr>
<tr>
<td>Rural Sales Tax</td>
<td>$1,115,334</td>
<td>$1,152,140</td>
<td>$1,190,161</td>
<td>$1,229,436</td>
<td>$1,270,098</td>
<td>$1,311,918</td>
<td>$7,288,997</td>
<td>$14,996,035</td>
</tr>
<tr>
<td>Conservation Futures</td>
<td>$54,204</td>
<td>$55,776</td>
<td>$67,384</td>
<td>$59,058</td>
<td>$60,771</td>
<td>$62,533</td>
<td>$349,738</td>
<td>$1,092,028</td>
</tr>
<tr>
<td>Parks State Grants</td>
<td>$34,509</td>
<td>$34,990</td>
<td>$35,478</td>
<td>$35,972</td>
<td>$36,474</td>
<td>$36,983</td>
<td>$214,408</td>
<td>$575,304</td>
</tr>
<tr>
<td>Stormwater Grants</td>
<td>$356,948</td>
<td>$358,038</td>
<td>$359,101</td>
<td>$360,144</td>
<td>$361,157</td>
<td>$362,144</td>
<td>$2,157,532</td>
<td>$5,157,111</td>
</tr>
<tr>
<td>Total Capital Revenues</td>
<td>$13,017,057</td>
<td>$13,441,996</td>
<td>$13,565,490</td>
<td>$13,690,449</td>
<td>$13,800,886</td>
<td>$13,929,490</td>
<td>$81,439,368</td>
<td>$201,869,825</td>
</tr>
</tbody>
</table>

Economic Development Planning

In addition to this CFP and the County’s Comprehensive Plan Economic Element, the County has also engaged in an economic development strategy through the Economic Development Investment (EDI) Program. The program plans for and funds infrastructure including but not limited to roads, bridges, water facilities, sanitary sewer facilities, and storm sewer facilities. Economic development planning efforts also resulted in a report entitled the Whatcom County Comprehensive Economic Development Strategy (CEDS) (March 2015) which identifies goals and strategies for growing the Whatcom County economy without sacrificing its natural assets. The CEDS identifies and prioritizes actions for achieving its goals. It also identifies projects, including their cost and potential funding sources, that are needed to help the County achieve its economic development goals. Executive recommendations adopted by the County Council designate 70% of the Rural
Counties Public Facility Tax be set aside for economic development loans and grants to governmental entities throughout the county.

NOTES:

1. This draft Whatcom County 20-Year Capital Facilities Plan will continue to be updated, as city and special district plans are updated and submitted to the County.

2. The existing Whatcom County 20-Year Capital Facilities Plan will be repealed in its entirety.
Proposed Council Changes to Comprehensive Plan

Appendix E – 20-year Capital Facilities Plan

Page and line numbers reflect Planning Commission Recommended Draft (http://whatcomcounty.civicplus.com/DocumentCenter/View/18696). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. E-11:
Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates... Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)

2) p. E-12:
Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)

3) p. E-13:
Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)

4) p. E-15:
Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. (Mann)
APPENDIX F
(PROPOSED TO BE REPLACED IN ITS ENTIRETY WITH THE ATTACHED)
Six-Year
Capital Improvement Program
For Whatcom County Facilities
2017-2022
Table of Contents

Chapter 1 - Introduction ......................................................... 3
Chapter 2 - Parks, Trails, and Activity Centers ............................ 5
Chapter 3 - Maintenance and Operations ..................................... 11
Chapter 4 - General Government Buildings and Sites ................... 12
Chapter 5 - Sheriff’s Office ...................................................... 14
Chapter 6 - Emergency Management ......................................... 16
Chapter 7 - Adult Corrections .................................................... 17
Chapter 8 - Juvenile Detention .................................................. 19
Chapter 9 - Transportation ........................................................ 20
Chapter 10 - Stormwater Facilities ........................................... 22
Chapter 11 - Total Costs ............................................................ 25
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 (CIP) for County projects every two years. The main purpose of the Capital Improvement Program is to identify priority capital improvement projects and estimated costs, outline a schedule for project completion, and designate funding sources for these projects based on a review of existing and projected population and revenue conditions for the six year planning period.

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.

Chapter 4 of the Whatcom County Comprehensive Plan establishes numerical “level of service” standards for County parks and trails and contains policies relating to other County facilities. Capital facility needs are forecasted over the six-year planning period by applying the adopted level of service standards to the expected population in the year 2022 and by considering other relevant factors.

C. Proposed locations and capacities of expanded or new capital facilities.

General locations and capacities (trail miles, jail beds, etc.) of proposed 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 2016 dollars). There are a variety of funding sources that the County utilizes to pay for capital facilities, including real estate excise taxes, the Public Utilities Improvement Fund (also known as the Rural Sales Tax Fund, Economic Development Initiative Fund or EDI Fund), Road Fund, state grants, federal grants and a variety of other funds. It is
anticipated that the County's largest project in the six-year planning period, the new jail, will require voter approval of an additional revenue stream.

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. Appropriations for 2017-2018 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 2019-2022 are included for planning purposes and review of potential future needs, but not for budget authorization at this time.
Chapter 2 – Parks, Trails, and Activity Centers

Parks

The 2016 inventory of County parks and open space areas is over 14,700 acres. This inventory is shown below.

Existing Parks

<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, 7467 Gemini St., Birch Bay</td>
<td>69.8</td>
</tr>
<tr>
<td>2</td>
<td>Boulevard Park, 471 Bayview Dr.</td>
<td>1.8</td>
</tr>
<tr>
<td>3</td>
<td>Broadway Beach Access, 7497 Birch Bay Dr.</td>
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<tr>
<td>4</td>
<td>Canyon Lake Community Forest</td>
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<tr>
<td>5</td>
<td>Chuckanut Mountain Park</td>
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<tr>
<td>6</td>
<td>Cottonwood Beach Access, 8191 Birch Bay Dr.</td>
<td>4.6</td>
</tr>
<tr>
<td>7</td>
<td>Deming Eagle Homestead Park, 5615 Truck Rd.</td>
<td>28.5</td>
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<tr>
<td>8</td>
<td>Hovander Homestead Park and Tennant Lake, 5299 Nielsen Rd.</td>
<td>338.3</td>
</tr>
<tr>
<td>9</td>
<td>Jackson Rd. Beach Access, Birch Bay</td>
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</tr>
<tr>
<td>10</td>
<td>Jensen Family Forest Park, 8051 Stein Rd.</td>
<td>21.7</td>
</tr>
<tr>
<td>11</td>
<td>Josh VanderYacht Park, 4106 Valley Highway</td>
<td>2.2</td>
</tr>
<tr>
<td>12</td>
<td>Lake Whatcom Park, 3220 North Shore Rd.</td>
<td>4,686.5</td>
</tr>
<tr>
<td>13</td>
<td>Lighthouse Marine Park, 811 Marine Dr. in Point Roberts</td>
<td>24.3</td>
</tr>
<tr>
<td>14</td>
<td>Lily Point Marine Park, 2315 APA Rd. in Point Roberts</td>
<td>274.0</td>
</tr>
<tr>
<td>15</td>
<td>Little Squalicum Park, 640 Marine Dr.</td>
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</tr>
<tr>
<td>16</td>
<td>Lookout Mountain Forest Preserve</td>
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</tr>
<tr>
<td>17</td>
<td>Lummi Island Beach Access, 2198 N. Nugent Rd.</td>
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</tr>
<tr>
<td>18</td>
<td>Monument Park, 25 Marine Dr. in Point Roberts</td>
<td>7.3</td>
</tr>
<tr>
<td>19</td>
<td>Northwest Soccer Park/Baseball &amp; Softball Complex, 5238 Northwest Dr.</td>
<td>36.5</td>
</tr>
<tr>
<td>20</td>
<td>Nugent's Corner River Access, 3685 Mt. Baker Highway</td>
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</tr>
<tr>
<td>21</td>
<td>Ostrom Conservation Site, 4304 South Pass Rd.</td>
<td>36.3</td>
</tr>
<tr>
<td>22</td>
<td>Point Whitehorn Marine Reserve, 6770 Koehn Rd.</td>
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</tr>
<tr>
<td>23</td>
<td>Redwood Park, 3310 Redwood Ave.</td>
<td>0.2</td>
</tr>
<tr>
<td>24</td>
<td>Samish Park, 673 N. Lake Samish Dr.</td>
<td>26.4</td>
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<tr>
<td>25</td>
<td>Semiahmoo Park, 9261 Semiahmoo Parkway</td>
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</tr>
<tr>
<td>26</td>
<td>Silver Lake Park, 9006 Silver Lake Rd.</td>
<td>410.4</td>
</tr>
<tr>
<td>27</td>
<td>Squires Lake Park, 2510 Nulle Rd.</td>
<td>82.3</td>
</tr>
<tr>
<td>28</td>
<td>Stimpson Family Nature Reserve, 2076 Lake Louise Rd.</td>
<td>376.1</td>
</tr>
<tr>
<td>29</td>
<td>Sunset Beach, 2580 West Shore Dr. on Lummi Island</td>
<td>5.4</td>
</tr>
<tr>
<td>30</td>
<td>Sunset Farm Park, 7977 Blaine Rd.</td>
<td>70.0</td>
</tr>
<tr>
<td>31</td>
<td>Ted Edwards Park, 4150 Oriental Ave.</td>
<td>3.6</td>
</tr>
<tr>
<td>32</td>
<td>Teddy Bear Cove Park, 1467 Chuckanut Dr.</td>
<td>8.8</td>
</tr>
<tr>
<td>33</td>
<td>Welcome Bridge River Access, 5585 Mosquito Lake Rd.</td>
<td>0.5</td>
</tr>
</tbody>
</table>

TOTAL 14,703.2

Pursuant to RCW 36.87.130, there are also public access properties on right-of-way ends that intersect shorelines.
Future Needs

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. The County's existing parks will meet the adopted level of service over the six-year planning period. However, the County is proposing park improvement projects to increase quality of existing park facilities and develop the Birch Bay Community Park to meet the longer term needs of a growing population.

Proposed Improvement Projects

Park improvement projects, totaling more than $2.2 million, are proposed over the six-year planning period. These costs would be paid by real estate excise taxes (REET), state grants, and the Nesset Foundation as shown in the table at the end of this chapter.
Trails

Whatcom County currently has 65.46 miles of trails in various locations throughout the County. This inventory is shown below.

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 Horizon/Bay Crest Trail</td>
<td>0.75</td>
</tr>
<tr>
<td>2</td>
<td>Bay to Baker Maple Falls- Glacier</td>
<td>4.00</td>
</tr>
<tr>
<td>3</td>
<td>Canyon Lake Community Forest</td>
<td>7.01</td>
</tr>
<tr>
<td>4</td>
<td>Chuckanut Mountain / Pine &amp; Cedar Lakes</td>
<td>15.52</td>
</tr>
<tr>
<td>5</td>
<td>Deming Homestead Eagle Park, Truck Rd.</td>
<td>0.30</td>
</tr>
<tr>
<td>6</td>
<td>Euclid Park</td>
<td>0.05</td>
</tr>
<tr>
<td>7</td>
<td>Hovander Homestead Park</td>
<td>3.20</td>
</tr>
<tr>
<td>8</td>
<td>Interurban, Chuckanut area</td>
<td>2.80</td>
</tr>
<tr>
<td>9</td>
<td>Jensen Family Forest Park, Stein Rd. and Birch Bay Lynden Rd.</td>
<td>0.67</td>
</tr>
<tr>
<td>10</td>
<td>Lake Whatcom Park</td>
<td>4.01</td>
</tr>
<tr>
<td>11</td>
<td>Lily Point, Point Roberts</td>
<td>4.16</td>
</tr>
<tr>
<td>12</td>
<td>Lookout Mountain Forest Preserve</td>
<td>4.11</td>
</tr>
<tr>
<td>13</td>
<td>Maple Creek Park, 7842 Silver Lake Rd., Maple Falls</td>
<td>1.28</td>
</tr>
<tr>
<td>14</td>
<td>Monument Park, 25 Marine Dr. in Point Roberts</td>
<td>0.35</td>
</tr>
<tr>
<td>15</td>
<td>Northwest Soccer Park Trail, Smith Rd. and Northwest Dr.</td>
<td>0.38</td>
</tr>
<tr>
<td>16</td>
<td>Ostrom Conservation Site, 4304 South Pass Rd.</td>
<td>0.56</td>
</tr>
<tr>
<td>17</td>
<td>Point Whitehorn Marine Reserve, 6770 Koehn Rd, Birch Bay</td>
<td>0.81</td>
</tr>
<tr>
<td>18</td>
<td>Samish Park, 673 N. Lake Samish</td>
<td>1.66</td>
</tr>
<tr>
<td>19</td>
<td>Semiahmoo Park</td>
<td>0.63</td>
</tr>
<tr>
<td>20</td>
<td>Silver Lake Park, 9006 Silver Lake Rd.</td>
<td>5.75</td>
</tr>
<tr>
<td>21</td>
<td>Squires Lake, 2510 Nulle Rd.</td>
<td>2.88</td>
</tr>
<tr>
<td>22</td>
<td>Stimpson Family Nature Reserve, 2076 Lake Louise Rd.</td>
<td>4.02</td>
</tr>
<tr>
<td>23</td>
<td>Sunset Farm, 7977 Blaine Rd.</td>
<td>0.56</td>
</tr>
</tbody>
</table>

TOTAL 65.46

Future 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, about 72 additional miles of trails would be needed by the year 2022 to serve the people of Whatcom County.

Proposed Improvement Projects

Trail improvement projects and associated facilities, totaling more than $3.5 million, are proposed over the six-year planning period. These costs would be paid by REET and grants as shown in the table at the end of this chapter. These projects would add 32 trail miles (the South Fork Park Trails project would add 4 miles and the Lake Whatcom Re-conveyance Land Trails project would add 28 miles). Potential acquisitions are also being considered that may add another 44 trail miles within the six-year planning.
Activity Centers

There are currently 13 activity centers that provide a variety of year-round programs for various age groups. The activity center inventory is shown below.

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, 7511 Gemini Street</td>
</tr>
<tr>
<td>2</td>
<td>Bellingham Senior Activity Center, 315 Halleck Street</td>
</tr>
<tr>
<td>3</td>
<td>Blaine Community Senior Center, 763 G Street</td>
</tr>
<tr>
<td>4</td>
<td>East Whatcom Regional Resource Center, 8251 Kendall Rd.</td>
</tr>
<tr>
<td>5</td>
<td>Everson Senior Center, 111 W. Main Street</td>
</tr>
<tr>
<td>6</td>
<td>Ferndale Senior Center, 1998 Cherry Street</td>
</tr>
<tr>
<td>7</td>
<td>Lynden Senior Center, 401 Grover Street</td>
</tr>
<tr>
<td>8</td>
<td>Plantation Rifle Range, 5102 Samish Way</td>
</tr>
<tr>
<td>9</td>
<td>Point Roberts Senior Center, 1487 Gulf Road</td>
</tr>
<tr>
<td>10</td>
<td>Roeder Home, 2600 Sunset Dr.</td>
</tr>
<tr>
<td>11</td>
<td>Sumas Senior Center, 461 2nd Street</td>
</tr>
<tr>
<td>12</td>
<td>Van Zandt Community Hall, 4106 Valley Highway</td>
</tr>
<tr>
<td>13</td>
<td>Welcome Senior Center, 5103 Mosquito Lake Rd.</td>
</tr>
</tbody>
</table>

Note: The Blaine, Everson, Lynden and Sumas Centers are owned by these respective cities. The Point Roberts 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 Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for activity centers. Rather, Comprehensive Plan Policy 4F-5 states:

Continue to provide and support activity centers, including senior centers, to serve the growing population of Whatcom County by the following methods, as needed, which are listed in priority order: (1) implementing programming changes, (2) adding space to existing centers, and/or (3) establishing new centers.

The County will budget for improvements to such facilities as needed.

Proposed Improvement Projects

One activity center improvement project, costing $125,000, is proposed over the six-year planning period. These costs would be paid by REET and a state grant as shown in the table below.
Six-Year Capital Improvement Program

The park, trail and activity center projects planned over the next six years are shown below.

<table>
<thead>
<tr>
<th>Parks</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Bay Community Park Development</td>
<td></td>
<td></td>
<td>30,000</td>
<td>470,000</td>
<td></td>
<td>500,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hovander Park Buildings Demo &amp; Site Restoration</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
<td>2</td>
</tr>
<tr>
<td>Hovander Park Maintenance Building</td>
<td>50,000</td>
<td>125,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>175,000</td>
<td>2</td>
</tr>
<tr>
<td>Hovander Park Slough Bridge</td>
<td></td>
<td></td>
<td>30,000</td>
<td>100,000</td>
<td></td>
<td></td>
<td>130,000</td>
<td>2</td>
</tr>
<tr>
<td>Lighthouse Marine Park Boat Ramp Replacement</td>
<td>10,000</td>
<td>115,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>125,000</td>
<td>2,3</td>
</tr>
<tr>
<td>Lummi Island Overlook Stairs</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
<td>2</td>
</tr>
<tr>
<td>Maple Creek Bridge Replacement</td>
<td></td>
<td>115,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>115,000</td>
<td>2</td>
</tr>
<tr>
<td>Nessett Restroom &amp; Bridge Improvements</td>
<td>180,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>180,000</td>
<td>4</td>
</tr>
<tr>
<td>Parks Headquarters Water Distribution System</td>
<td>50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>50,000</td>
<td>2</td>
</tr>
<tr>
<td>Samish Park Lodge Deck Replacement</td>
<td>50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>50,000</td>
<td>2</td>
</tr>
<tr>
<td>Semiahmoo Facility Remodel</td>
<td>50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>50,000</td>
<td>2</td>
</tr>
<tr>
<td>Silver Lake Park Bridge Replacement</td>
<td>35,000</td>
<td>175,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>210,000</td>
<td>2</td>
</tr>
<tr>
<td>Silver Lake Park Improvements</td>
<td>20,000</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
<td></td>
<td></td>
<td>420,000</td>
<td>2</td>
</tr>
<tr>
<td>Tennant Lake/Fragrance Garden Walk &amp; Irrigation</td>
<td>30,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>30,000</td>
<td>2</td>
</tr>
</tbody>
</table>

Whatcom County Comprehensive Plan
### Trails

<table>
<thead>
<tr>
<th>Project</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
<th>Year 6</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Whatcom Reconveyance Land Trails</td>
<td>200,000</td>
<td>343,000</td>
<td>233,000</td>
<td>363,000</td>
<td>246,000</td>
<td>380,000</td>
<td>1,765,000</td>
</tr>
<tr>
<td>Lake Whatcom Trailhead Improvements</td>
<td>195,000</td>
<td>780,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>975,000</td>
</tr>
<tr>
<td>Lake Whatcom Trailhead Restrooms</td>
<td>110,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>110,000</td>
</tr>
<tr>
<td>Maple Falls Trailhead</td>
<td>70,000</td>
<td>400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>470,000</td>
</tr>
<tr>
<td>South Fork Park Trails</td>
<td>209,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>209,000</td>
</tr>
</tbody>
</table>

**Activity Centers**

<table>
<thead>
<tr>
<th>Project</th>
<th>Year 1</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plantation Indoor Range Renovations</td>
<td>125,000</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**

<table>
<thead>
<tr>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
<th>Year 6</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,139,000</td>
<td>698,000</td>
<td>603,000</td>
<td>2,423,000</td>
<td>446,000</td>
<td>580,000</td>
<td>5,889,000</td>
</tr>
</tbody>
</table>

1. REET I
2. REET II
3. State Grant
4. Nesset Foundation
5. Federal Grant
Chapter 3 – Maintenance and Operations

Existing Maintenance and Operations Space

The 2016 inventory of maintenance & operations/facilities management space that serves the County is 44,411 square feet. This inventory is shown below.

<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>

Future Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for maintenance and operations. The County will budget for improvements to such facilities as needed.

Proposed Improvement Projects

Improvement projects at the Central Shop, totaling $400,000, are proposed over the six-year planning period. These costs would be paid by the road fund and shop services mark-ups as shown in the table below.

<table>
<thead>
<tr>
<th>Central Shop</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vector Truck Garage</td>
<td>300,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>300,000</td>
<td>1</td>
</tr>
<tr>
<td>Central Shop Exhaust System</td>
<td></td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>300,000</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>400,000</td>
<td></td>
</tr>
</tbody>
</table>

Funding Sources

1. Road Fund
2. Shop Services Mark-ups
Chapter 4 – General Government Buildings and Sites

Existing Office Space

The 2016 inventory of County government office space is 306,691 square feet at eight locations. This inventory is shown below.

<table>
<thead>
<tr>
<th></th>
<th>Building Name</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Civic Center Annex (322 North Commercial)</td>
<td>30,000</td>
</tr>
<tr>
<td>2</td>
<td>Central Plaza Building (215 N. Commercial)</td>
<td>10,307</td>
</tr>
<tr>
<td>3</td>
<td>County Courthouse (311 Grand Avenue)</td>
<td>200,000</td>
</tr>
<tr>
<td>4</td>
<td>Forest St. Annex (1000 North Forest St.)</td>
<td>14,000</td>
</tr>
<tr>
<td>5</td>
<td>509 Girard St.</td>
<td>13,189</td>
</tr>
<tr>
<td>6</td>
<td>3373 Mt. Baker Highway</td>
<td>2,110</td>
</tr>
<tr>
<td>7</td>
<td>1500 N. State St.</td>
<td>16,820</td>
</tr>
<tr>
<td>8</td>
<td>Northwest Annex (5280 Northwest Dr.)</td>
<td>20,265</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>306,691</strong></td>
</tr>
</tbody>
</table>

Future Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for general government buildings. The County will budget for improvements to such facilities as needed.

Proposed Improvement Projects

Improvement and maintenance projects on existing buildings and sites over the six-year planning period total approximately $23.2 million as shown below.
### Courthouse

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courthouse Projects</td>
<td>404,500</td>
<td>200,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>604,500</td>
<td>1,2</td>
</tr>
<tr>
<td>(Alarm Upgrades, etc.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exterior Maintenance</td>
<td>770,000</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>1,770,000</td>
<td>1</td>
</tr>
<tr>
<td>Chambers Remodel</td>
<td>140,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>140,000</td>
<td>1,2</td>
</tr>
</tbody>
</table>

### 509 Girard

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remodel</td>
<td>3,644,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3,644,000</td>
<td>2,3,4</td>
</tr>
</tbody>
</table>

### 1500 N. State St.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remodel</td>
<td>2,035,000</td>
<td>1,750,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3,785,000</td>
<td>2,4,5</td>
</tr>
</tbody>
</table>

### Civic Center

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remodel</td>
<td>2,253,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2,253,000</td>
<td>6,7</td>
</tr>
</tbody>
</table>

### Mental Health Triage Center

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Facility</td>
<td>700,000</td>
<td>6,300,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7,000,000</td>
<td>4,8,9</td>
</tr>
</tbody>
</table>

### Northwest Annex

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,000,000</td>
<td>1,7</td>
</tr>
</tbody>
</table>

### Multiple Locations

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance Projects</td>
<td>500,000</td>
<td>500,000</td>
<td>500,000</td>
<td>500,000</td>
<td>500,000</td>
<td>500,000</td>
<td>2,000,000</td>
<td>1,2</td>
</tr>
<tr>
<td>Direct Digital Control System Upgrades</td>
<td>336,063</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>336,063</td>
<td>1</td>
</tr>
<tr>
<td>Carpet Replacements</td>
<td>65,000</td>
<td>65,000</td>
<td>65,000</td>
<td>65,000</td>
<td>65,000</td>
<td>65,000</td>
<td>390,000</td>
<td>1</td>
</tr>
<tr>
<td>Interior Painting</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>300,000</td>
<td>1</td>
</tr>
</tbody>
</table>

**TOTAL** 4,382,500 | 12,830,063 | 3,565,000 | 815,000 | 815,000 | 815,000 | 23,222,563 |

### Funding Sources

1. REET I
2. EDI
3. Girard Fund
4. Inter-fund Loan
5. State Street Fund
6. Civic Center Fund
7. Road Fund
8. Chemical Dependency/Mental Health Fund
9. Grants

**Whatcom County Comprehensive Plan**

---

575
Chapter 5 – Sheriff’s Office

Existing Sheriff’s Office Space

The 2016 inventory of Sheriff’s office space is 23,326 square feet. This inventory is shown below.

EXISTING SHERIFF’S FACILITIES

<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>Laurel Substation (194 W. Laurel Rd.)</td>
<td>1,800</td>
</tr>
<tr>
<td>4</td>
<td>East Whatcom Regional Resource Center (8251 Kendall Road)</td>
<td>144</td>
</tr>
<tr>
<td>5</td>
<td>Birch Bay Fire Hall</td>
<td>192</td>
</tr>
<tr>
<td>6</td>
<td>Nugent’s Corner Fire Hall</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>23,326</td>
</tr>
</tbody>
</table>

Notes:

The Sheriff’s Office also has storage facilities at various locations in Whatcom County.

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.

Sheriff’s Office facilities include shared space at local fire districts, which is rented or leased space not solely dedicated to Sheriff’s Office use. This space is available depending on Fire District needs and is generally subject to change with short notice.

Future Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for Sheriff’s Office facilities. Rather, Comprehensive Plan Policy 4D-2 is to:

Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates... Existing facilities may be expanded or new facilities developed in response to increasing need.

Most Sheriff’s Office functions are currently based in the Public Safety Building adjacent to the Courthouse and are remote from the 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. Because of these issues, existing Sheriff’s Office facilities and
associated functions will be consolidated (except for "Resident Deputy" program facilities), and co-located on the site of the proposed new jail.

**Proposed Improvement Projects**

A new Sheriff’s Headquarters facility, co-located with the proposed new jail on LaBounty Rd. in Ferndale, is proposed within the six-year planning period. The Sheriff’s Headquarters facility would cost approximately $19 million, paid with bond proceeds that would be repaid from the General Fund, as shown below.

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Sheriff’s</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>19,040,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>19,040,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Funding Source**

1. Bonds (General Fund)
Chapter 6 - Emergency Management

Existing Emergency Management Space

The 2016 inventory of Sheriff’s Office, Division of Emergency Management space is 24,000 square feet, located at the Whatcom Unified Emergency Coordination Center (WUECC). Rented by and shared between both Whatcom County and the City of Bellingham, the WUECC is comprised of 2,000 square feet of office space and an additional 22,000 square feet of support facilities (used for meetings, training, exercises, and during emergencies). The WUECC serves as the Emergency Operations Center for both the County and the City.

**EXISTING EMERGENCY MANAGEMENT/EOC FACILITIES**

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Whatcom Unified Emergency Coordination Center</td>
<td>24,000</td>
</tr>
<tr>
<td></td>
<td>3888 Sound Way, Bellingham</td>
<td></td>
</tr>
</tbody>
</table>

Future Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for emergency management facilities. Rather, Comprehensive Plan Policy 4D-4 is to:

Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded or new facilities developed in response to increasing need.

The County will budget for improvements to such facilities as needed.

Proposed Improvement Projects

There are no capital improvement projects planned or needed in the six-year planning period.
Chapter 7 – Adult Corrections

Existing Jail Facilities

The County’s Main Jail was designed and originally built to hold 148 beds, although with some limited remodeling and the use of double bunking, the operational capacity of the main jail should be for the use of 212 beds. 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. The Main Jail is located in the Public Safety Building next to the County Courthouse in downtown Bellingham and the Minimum Security Correction Facility is located in the Bakerview Rd. industrial area.

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Jail Beds</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 Needs

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), in the Whatcom County Jail Planning Task Force Recommendations (Dec. 2011 and March 2012), and in the *Whatcom County Adult Corrections Facilities & Sheriff’s Headquarters Pre-Design Report* (Sept. 2013).

The Whatcom County Comprehensive Plan does not contain a level of service standard for jail facilities. Rather, Comprehensive Plan Policy 4D-2 is to:

Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded or new facilities developed in response to increasing need.
Proposed Improvement Projects

In an effort to meet the community need, the County plans to construct a new Adult Corrections Facility on LaBounty Rd. in Ferndale, tentatively scheduled to open with 521 beds. At the time this new jail is opened, the offenders at the minimum-security corrections facility would be relocated to the new facility.

As an interim measure, existing correction facility improvements are planned so that these buildings can continue to function until the new jail is completed.

The cost of the proposed new jail is approximately $112,000,000. The cost of the improvements to the existing jail facilities is approximately $3,000,000. These costs would be paid with bond proceeds that would be repaid with a new sales tax, the jail improvement fund, and the general fund as shown below.

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jail</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>112,000,000</td>
</tr>
<tr>
<td>Existing Correction Facilities</td>
<td>1,200,000</td>
<td>1,800,000</td>
<td>3,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interim Fixes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>1,200,000</td>
<td>24,200,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>115,000,000</td>
</tr>
</tbody>
</table>

Funding Sources

1. Bonds (New Sales Tax)
2. Jail Improvement Fund
3. General Fund
Chapter 8 – Juvenile Detention

Existing Juvenile Detention Facilities

The 2016 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.

EXISTING JUVENILE DETENTION BEDS

<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 Needs

The Whatcom County Comprehensive Plan does not contain a level of service standard for juvenile detention facilities. Rather, Comprehensive Plan Policy 4D-3 is to:

Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded or new facilities developed in response to increasing need.

The County will budget for improvements to such facilities as needed.

Proposed Improvement Projects

There are no capital improvement projects planned or needed in the six-year planning period.
Chapter 9 – Transportation

Existing Roads

The 2015 inventory shows a total of 938.55 miles of County roads. Additionally, there are 217.5 miles of state highways in Whatcom County (including I-5). Therefore, there are approximately 1,156 miles of public roads in Whatcom County.

Future 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 transportation 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 Six-Year Transportation Improvement Program includes preliminary planning for three proposed new road projects:

- Horton Road Connector (between Northwest Drive and Aldrich Road);
- Slater Road Connector (between Northwest Drive and Aldrich Road); and
- Lincoln Road extension (between Harborview Road and Blaine Road).

While these three 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 bridge replacements, reconstruction projects, and the Birch Bay Drive & Pedestrian Facility improvements, which include pedestrian and non-motorized enhancements along Birch Bay Dr.
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 Needs

Whatcom County Comprehensive Plan Policy 6A-1 is to establish the following levels of service (LOS) for purposes of maintaining transportation concurrency:

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).

The Special Programs Manager for the County Public Works Department confirmed that the ferry service currently meets and, over the six-year planning period, should continue to meet the interim LOS standard.

Proposed Improvement Projects

The Six-Year Transportation Improvement Program includes construction of ferry dock improvements and preliminary engineering for upgrading the Whatcom Chief and replacing the Whatcom Chief.

Total Transportation Costs

The County plans to expend $48.4 million on transportation projects, including road and ferry projects, over the six-year planning period. In addition to these local funds, it is anticipated that funding will be received from the State and Federal governments.
Chapter 10 – Stormwater Facilities

Existing Stormwater Management Facilities

The Public Works Department is responsible for 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 storm flows and improve water quality.

In response to increasing federal and state mandates to manage stormwater and the public’s desire to improve stewardship of sensitive watersheds, Whatcom County established a Stormwater group in the Surface Water Division of the Public Works Department in 2005. The Stormwater group is responsible for planning, designing, engineering, and construction of stormwater facilities. Inventories of existing stormwater facilities are maintained by the Public Works Department. The Engineering Services Division maintains an inventory of all road-related facilities. The Stormwater group 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. Completed stormwater construction projects since the Public Works-Stormwater group was created in 2005 are listed below.

<table>
<thead>
<tr>
<th>#</th>
<th>Location</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lake Whatcom</td>
<td>Geneva Stormwater Retrofits</td>
<td>2006</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>Lahil Drive Stormwater Improvements</td>
<td>2010</td>
</tr>
<tr>
<td>4</td>
<td>Lake Whatcom</td>
<td>Silver Beach Creek Improvements - Browning Drive to E. 16th Place</td>
<td>2011</td>
</tr>
<tr>
<td>5</td>
<td>Lake Whatcom</td>
<td>Silver Beach Creek Improvements - West Tributary</td>
<td>2012</td>
</tr>
<tr>
<td>6</td>
<td>Lake Whatcom</td>
<td>Coronado-Fremont Stormwater Improvements</td>
<td>2014</td>
</tr>
</tbody>
</table>

Lake Whatcom Coronado-Fremont Stormwater Improvements
Whatcom County Public Works received an award for the West Tributary of Silver Beach Creek Stormwater Improvements (Existing Site No. 5 above). Silver Beach Creek experiences increased stormwater runoff and greater peak flows due to its developed landscape. This project was 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 $500,000 and shared between local real estate excise tax (REET) revenues, a State of Washington Department of Ecology grant, and a federal EPA grant.

**Future Needs**

An increasing emphasis on the protection of sensitive watersheds has resulted in the adoption of comprehensive stormwater plans, including plans for Lake Whatcom and Birch Bay. The adopted plans identify work towards planning, design, engineering, and construction of capital projects intended to address stormwater issues.

**Proposed Improvement Projects**

Stormwater improvement projects, totaling more than $7.2 million, are proposed over the six-year planning period as shown below. These costs would be paid by the flood fund, REET, state grants, and Birch Bay Watershed and Aquatic Resources Management (BBWARM) District funds.
## Lake Whatcom

<table>
<thead>
<tr>
<th>Project Description</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agate Heights Estate/Bay Lane Water Quality Improvements</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,000,000</td>
<td>1,2,3</td>
</tr>
<tr>
<td>Sudden Valley Drainage System Upgrades and Outfall Retrofits</td>
<td>115,000</td>
<td>25,000</td>
<td>520,000</td>
<td></td>
<td></td>
<td></td>
<td>660,000</td>
<td>2</td>
</tr>
<tr>
<td>Silver Beach Creek Channel Restoration</td>
<td>150,000</td>
<td>50,000</td>
<td>550,000</td>
<td></td>
<td></td>
<td></td>
<td>750,000</td>
<td>2</td>
</tr>
<tr>
<td>Northshore Rd, East of City Limits Water Quality Improvements</td>
<td>150,000</td>
<td>50,000</td>
<td>600,000</td>
<td></td>
<td></td>
<td></td>
<td>800,000</td>
<td>2</td>
</tr>
<tr>
<td>Lowell Dr. and Cedarbrook Court Stormwater Improvements</td>
<td>150,000</td>
<td>50,000</td>
<td>600,000</td>
<td></td>
<td></td>
<td></td>
<td>800,000</td>
<td>2</td>
</tr>
<tr>
<td>Glen Cove Lane/Lakeside St. Water Quality Improvements</td>
<td>150,000</td>
<td>50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>200,000</td>
<td>2</td>
</tr>
</tbody>
</table>

## Birch Bay

<table>
<thead>
<tr>
<th>Project Description</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harborview Phase I Drainage Improvements</td>
<td>700,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>700,000</td>
<td>2,4</td>
</tr>
<tr>
<td>Harborview Phase II Drainage Improvements</td>
<td>80,000</td>
<td>585,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>665,000</td>
<td>2,4</td>
</tr>
<tr>
<td>Cottonwood Dr. Inlet Upgrade</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
<td>2,4</td>
</tr>
<tr>
<td>Richmond Park Drainage Improvements</td>
<td>300,000</td>
<td>50,000</td>
<td>1,200,000</td>
<td></td>
<td></td>
<td></td>
<td>1,550,000</td>
<td>2,4</td>
</tr>
</tbody>
</table>

**TOTAL** 1,295,000 1,175,000 1,355,000 1,950,000 800,000 650,000 7,225,000

### Funding Sources
1. Flood Fund
2. REET II
3. State Grant
4. BBWARM

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*Whatcom County Comprehensive Plan*
Chapter 11 – Total Costs

Total Costs for the six-year planning period are shown below.

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Total Cost</th>
<th>% of Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks, Trails, and Activity Centers</td>
<td>1,139,000</td>
<td>698,000</td>
<td>603,000</td>
<td>2,423,000</td>
<td>446,000</td>
<td>580,000</td>
<td>5,889,000</td>
<td>2.69%</td>
</tr>
<tr>
<td>Maintenance and Operations</td>
<td>300,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>400,000</td>
<td>0.18%</td>
</tr>
<tr>
<td>General Government Buildings and Sites</td>
<td>4,382,500</td>
<td>12,330,063</td>
<td>3,565,000</td>
<td>815,000</td>
<td>815,000</td>
<td>815,000</td>
<td>23,222,563</td>
<td>10.59%</td>
</tr>
<tr>
<td>Sheriff’s Office</td>
<td>0</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>3,808,000</td>
<td>19,040,000</td>
<td>8.69%</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Adult Corrections</td>
<td>1,200,000</td>
<td>24,200,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>22,400,000</td>
<td>115,000,000</td>
<td>52.47%</td>
</tr>
<tr>
<td>Juvenile Detention</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Transportation</td>
<td>7,465,016</td>
<td>7,696,432</td>
<td>7,035,021</td>
<td>8,181,007</td>
<td>8,434,618</td>
<td>8,696,091</td>
<td>46,408,185</td>
<td>22.09%</td>
</tr>
<tr>
<td>Stormwater Facilities</td>
<td>1,395,000</td>
<td>1,175,200</td>
<td>1,355,000</td>
<td>1,950,000</td>
<td>900,000</td>
<td>650,000</td>
<td>7,225,000</td>
<td>3.30%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>15,781,516</td>
<td>59,507,495</td>
<td>39,666,021</td>
<td>39,577,007</td>
<td>36,703,618</td>
<td>36,949,091</td>
<td>219,184,748</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

The County plans to undertake capital improvement projects costing more than $219 million between 2017 and 2022. The *Whatcom County Capital Facilities Revenue Analysis* contains a plan to finance these capital facilities within the County’s projected funding capacities.
Proposed Council Changes to Comprehensive Plan

Appendix F – 6-year Capital Improvement Plan

*Page and line numbers reflect Planning Commission Recommended Draft ([http://whatcomcounty.civicplus.com/DocumentCenter/View/18696](http://whatcomcounty.civicplus.com/DocumentCenter/View/18696)). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.*

1) p. F-13; in table: Remove demolition of Northwest Annex. *(Brenner)*

2) p. F-17; *Existing Jail Beds* table: Change Jail Bed count of the Public Safety Building from 283 to 212. *(Brenner)*

3) p. F-16: Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. *(Mann)*

4) p. F-17: Maintain Sheriff’s Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. *(Mann)*

5) p. F-19: Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded remodeled or new facilities developed in response to increasing changing need. *(Mann)*
Proposed Council Changes to Comprehensive Plan

Appendix G – Water Resources and Salmon Recovery Programs

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16 (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15163). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) Return all of Appendix G to Chapter 11 (Brenner)

2) p. G-2; lines 27-35: The WRIA 1 Joint Policy Boards are comprised of members of the WRIA 1 Joint Board and Salmon Recovery Board. This organizational level interacts with federal, state, and regional organizations at a policy-level and provides policy related direction to staff to coordinate the implementation and management of the WRIA 1 Watershed Management Plan – Phase 1, the WRIA 1 Salmonid Recovery Plan and other related activities. For purposes of incorporating regional issues into work plans, programs, etc. Additionally, the Joint Policy Boards:

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

(Brenner)

3) p. G-3; lines 24-28: 2005 WRIA 1 Watershed Management Plan – Phase One

The 2005 WRIA 1 Watershed Management Plan was completed approved in 2005 through the cooperation of local stakeholders and governments by the Joint Administrative Board, Planning Unit (by consensus), and the County Council. Pursuant to subsequent state requirements, a WRIA1 Watershed Detailed Implementation Plan was approved by the Joint Administrative Board, Planning Unit, and County Council in 2007. It provides a roadmap for addressing water quantity, water quality, instream flow, and fish habitat challenges. (Brenner)

4) p. G-5; line 29-32: 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 reduced the overflow problems to a large extent. (Brenner)
5) p. G-6; line 30-36: A significant cause of declining oxygen levels has been from residential development in the watershed. Past development permitted by the City of Bellingham and Whatcom County has led to increased phosphorus loading into the lake, which stimulates algae growth. Bacteria that consume the dying algae deplete the dissolved oxygen, leading to lower oxygen levels in the lake. Past poorly managed forest practices may have led to significant increases in phosphorus loading to the lake. (Brenner)

6) p. G-8; lines 5-10: 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 approved for developing specific plans to meet the adopted goals. (Brenner)

7) p. G-12; line 1-5: The primary purpose of the FCZD is flood hazard management. Revenue generated to for this purpose is accomplished in two ways: (1) a county-wide uniformly applied service charge tax; and, (2) supplemental revenue generated within localized Diking Districts and Sub-Flood Districts where specific local project activity is planned.

8) p. G-12; lines 24-26: Whatcom County’s Critical Areas Regulations aim to protect people and property in Frequently Flooded Area (FFAs) by requiring that any development in these areas conforms to WCC Title 17, Flood Damage Prevention. (Brenner)

9) p. G-13; lines 15-26: The current Permit boundary covers approximately 15,000 acres and generally includes the following areas (Error! Reference source not found.):

- Bellingham Urban Growth Area
- Sudden Valley
- Portions of the Hillsdale and Emerald Lake area
- Portions along North Shore Drive on Lake Whatcom and Lake Whatcom Boulevard
- Ferndale Urban Growth Area
- Portions along Chuckanut Drive and Chuckanut Bay
- Birch Bay Urban Growth Area (Beginning August 1, 2013)

Additionally, though not within the NPEDS permit area, the County has made the entire Lake Whatcom watershed subject to the illicit discharge detection and elimination requirements of the Permit through ordinance and agreement with the Department of Ecology. (Brenner)

10) p. G-16; lines 34-38: The WRIA 1 Salmonid Recovery Plan (2005), a chapter of the Puget Sound Salmon Recovery Plan, guides restoration in the Nooksack River and adjacent
watersheds. This plan was developed in partnership with Nooksack Tribe, Lummi Nation, Washington Department of Fish and Wildlife, Bellingham, Whatcom County Government and the small cities of Whatcom County. (Brenner)

*Items 11 through 35 concern comma use and other grammatical changes and may be considered in a single motion.*

11) p. G-3; lines 29-33: The goals of the WRIA 1 Watershed Management Project; are to have water of sufficient quantity and quality to meet the needs of current and future human generations, including the restoration of salmon, steelhead, and trout populations to healthy harvestable levels; and the improvement of habitats on which fish and shellfish rely. (Brenner)

12) p. G-3; lines 35-40: **Water Quantity** – To assess water supply and use, and develop strategies to meet current and future needs. The strategies should retain or provide adequate amounts of water to protect and restore fish habitat, provide water for future out-of-stream-uses, and ensure that adequate water supplies are available for agriculture, energy production, and population, and economic growth under the requirements of the state’s Growth Management Act. (Brenner)

13) p. G-3; lines 42- p. G-4, line 2: **Water Quality** – To ensure that the quality of our water is sufficient for current and future uses, including restoring and protecting water quality to meet the needs of salmon and shellfish, contact recreational uses, cultural uses, protection of wildlife, providing affordable, safe, domestic water supplies, and other beneficial uses. The initial objectives of the water quality management strategy will be to meet the water quality standards. (Brenner)

14) p. G-4; lines 12-17: In 2010, the WRIA 1 Joint Board adopted a work plan, budget, and financing strategy, called the Lower Nooksack Strategy, to advance a negotiated settlement of Tribal and state in-stream flow water rights on the mainstem of the Nooksack River, while maximizing the economic and environmental benefits of out-of-stream water use in the Lower Nooksack sub-basin. The Joint Board adopted the Lower Nooksack Strategy, consistent with WRIA 1 Watershed Management Plan priorities. (Brenner)

15) p. G-4; lines 40-44: Lake Whatcom is a large multi-purpose reservoir that is the source of drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several other smaller water districts/associations, and about 250 homes that
draw water directly from the lake. **All told,** the lake provides water to about half the population of Whatcom County. (Brenner)

16) p. G-5; lines 1-3: Lake Whatcom is a multiple use lake and watershed. In addition to providing water for drinking, commercial, and industrial uses, the lake is used for boating, swimming, and fishing. (Brenner)

17) p. G-6; lines 18-21: This study documented that Lake Whatcom is impaired for dissolved oxygen due to phosphorus loading and that streams flowing into Lake Whatcom do not meet fecal coliform bacteria standards. (Brenner)

18) p. G-7; lines 6-8: These lands will provide passive recreation opportunities with hiking and biking trails connecting various communities, neighborhoods, and parks throughout the watershed. (Brenner)

19) p. G-7; lines 40-42: 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.). (Brenner)

20) p. G-9; lines 32-35: Any new building permits on existing lots must be able to demonstrate that stormwater detention is included in 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... (Brenner)

21) p. G-10; lines 8-10: Aquifers are often integrally linked with surface water systems and are essential for meeting in-stream and out-of-stream water needs, such as for drinking water, agriculture, and industry. (Brenner)

22) p. G-10; lines 14-18: Many studies have been conducted related to groundwater quality in Whatcom County documenting water quality issues, such as exceedances of standards for nitrate, ethylene dibromide (EDB) and 1,2-dichloropropane (1,2-D), pesticides, iron, and other agricultural-related contaminants, particularly in the northern portion of the County. (Brenner)

23) p. G-10; lines 30-33: A comprehensive approach to flood hazard management planning provides for a better understanding of the river and floodplain system, it also and ensures that flooding and channel morphology problems are not simply transferred to another location within the basin, but are addressed in a comprehensive, basinwide manner. (Brenner)

24) p. G-10; lines 39-40: Whatcom County Public Works coordinates with the Flood Control Zone District Advisory Committee (FCZDAC) to identify and characterize flooding problems and provide recommendations for achieving consistent, long-term, flood hazard reduction strategies. (Brenner)
25) p. G-11; lines 27-29: **Repair and Maintenance Program** – Address problem areas with rivers, streams, and coastlines of Whatcom County, and mitigates future flood damages in a proactive and cost-effective manner. *(Brenner)*

26) p. G-11; lines 41-42: The FCZD is a quasi-municipal corporation that is a separate legal entity from the Whatcom County government. *(Brenner)*

27) p. G-12; lines 30-37: Stormwater runoff occurs when precipitation from rain or snowmelt flows over the land surface. The addition of roads, driveways, parking lots, rooftops, and other surfaces that prevent water from soaking into the ground to our landscape greatly increases the runoff volume created during storms. This runoff is swiftly carried to our local streams, lakes, wetlands, and rivers, and can cause flooding and erosion. Stormwater runoff also picks up and carries with it many different pollutants that are found on paved surfaces, such as sediment, nitrogen, phosphorus, bacteria, oil and grease, trash, pesticides, and metals. *(Brenner)*

28) p. G-12; line 46 – p. G-13, line 4: As a result, the United States Environmental Protection Agency (EPA) created the National Pollutant Discharge Elimination System (NPDES) to address stormwater runoff. States are then required to administer permits to local jurisdictions to regulate runoff as part of the NPDES Program. *(Brenner)*

29) p. G-14; lines 6-14: **Everyone wants clean water** to support healthy drinking water, safe recreational uses, quality water for irrigation and livestock, healthy fish, and shellfish that are safe to consume. Currently, many streams in Whatcom County do not meet water quality standards for fecal coliform bacteria. Fecal coliform bacteria are found in the intestinal tract of warm-blooded animals and when found in streams are an indicator of human or animal waste in the water. The higher the bacteria level, the greater the public health risk to people drinking water, wading, fishing, or consuming shellfish. The Pollution Identification and Correction (PIC) Program **has been** created to help implement community solutions to clean water. *(Brenner)*

30) p. G-15; lines 23-25: The declines in local salmonid stocks, especially Chinook salmon, have had profound economic, cultural, and social impacts on the greater WRIA 1 community. *(Brenner)*

31) p. G-15; lines 30-34: Nonetheless, salmon remain an integral part of the natural and social landscape of Whatcom County and the Nooksack River. Recent recovery watershed planning and restoration efforts by federal, state, local, and tribal governments, non-profit organizations, businesses, and private citizens demonstrate a commitment to salmon recovery in WRIA 1. *(Brenner)*
32) p. G-15; lines 42-46: The ultimate goal for salmon recovery in WRIA 1 is to recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream, river, estuarine, and nearshore marine processes, careful use of hatcheries, and responsible harvest, and with the active participation and support of local landowners, businesses, and the larger community. (Brenner)

33) p. G-16; lines 2-4: ...and to outline the framework for implementation of recommended actions that have been agreed to by local, state, tribal, and federal governments, and stakeholders in WRIA 1. (Brenner)

34) p. G-16; lines 8-10: Address late-timed Chinook through adaptive management, focusing in the near-term on identifying hatchery-removed versus naturally-produced population components; (Brenner)

35) p. G-16; lines 11-15: Facilitate recovery of WRIA 1 bull trout and steelhead by implementing actions with mutual benefit to both early chinook, and bull trout, and steelhead, and by removing fish passage barriers in presumed bull trout and steelhead spawning and rearing habitats in the upper Nooksack River watershed; (Brenner)
APPENDIX G

(Proposal – delete the existing Appendix G and replace with a description of the County’s water resource and salmon recovery programs)
Appendix G

Whatcom County Water Resource and Salmon Recovery Programs

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

Contents
Whatcom County Water Resource Programs ................................................................. 1
   WRJA 1 Watershed Management Project ................................................................. 1
   WRJA 1 Joint Board ................................................................................................. 2
   WRJA 1 Joint Policy Boards ..................................................................................... 2
   Local Integrating Organization (LIO) ........................................................................ 2
   WRJA 1 Planning Unit ............................................................................................. 3
   WRJA 1 Watershed Management Plan ..................................................................... 3
   Lake Whatcom Watershed Management ................................................................. 4
   Lake Whatcom Watershed Management Program .................................................... 7
   Sudden Valley ......................................................................................................... 8
   Groundwater Protection & Management ................................................................. 10
   Flood Hazard Management ...................................................................................... 10
   Organization ............................................................................................................ 11
   Pertinent Documents ............................................................................................... 12
   Stormwater Management ......................................................................................... 12
   County Stormwater Management Programs ......................................................... 12
   Salmon Recovery Program ....................................................................................... 15
   WRJA 1 Salmon Recovery Strategy ....................................................................... 15

Whatcom County Water Resource Programs

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

WRJA 1 Watershed Management Project

The WRJA 1 Watershed Management Project is the result of the 1998 Washington State Watershed Management Act, which required all participating local governments to address water quantity, with the option of addressing water quality, instream flows, and fish habitat. The WRJA 1 Watershed Management Project has brought together citizens, local governments, tribes, and state and federal agencies to address these issues.
The framework for watershed management in the state is based on geographic areas known as Water Resource Inventory Areas (WRIs). WR1 includes the Nooksack River basin and several adjoining smaller watersheds, such as the coastal drainages of Dakota and California Creeks, as well as Lake Whatcom.

Watershed planning in WR1 started in 1998 with the signing of a Memorandum of Agreement (MOA) between the Initiating Governments. In the WR1 the Initiating Governments are Whatcom County, City of Bellingham, Public Utility District No. 1, Lummi Nation, and Nooksack Tribe (the latter joining slightly later through a Letter of Agreement). The role of the Initiating Governments was to review a recommended Watershed Plan and take it to their governments' councils for adoption.

WR1 Joint Board

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

WR1 Joint Policy Boards

The WR1 Joint Policy Boards are comprised of members of the WR1 Joint Board and Salmon Recovery Board. This organizational level interacts with federal, state, and regional organizations at a policy-level and provides policy-related direction to staff for purposes of incorporating regional issues into work plans, programs, etc. Additionally, the Joint Policy Boards:

- Endorse programs/actions to forward to Legislative Bodies, as applicable
- Provide WR1 programs policy direction
- Meet and discuss watershed and salmon program topics as joint policy boards with decision-making of each policy board retained.

Local Integrating Organization (LIO)

The Whatcom Local Integrating Organization (LIO) is a function of the WR1 Watershed Joint Board and WR1 Salmon Recovery Board (Joint Policy Boards). Local integrating organizations are designated by the Puget Sound Partnership. The two WR1 Boards accepted the function of the Whatcom LIO in October 2010 under the integrated program structure, and was officially recognized by the Puget Sound Partnership's Leadership Council in November 2010. The purpose of the Whatcom LIO is to coordinate implementation of Puget Sound Action Agenda priorities that are consistent with or complement local priorities. One of its functions
is to provide a local update to the Action Agenda for Puget Sound. Local updates are intended to identify local priorities in the form of near-term actions (NTAs), which are priority actions with measurable outcomes that can be implemented in the next two years and that align with strategies in the Action Agenda for Puget Sound.

**WRIA 1 Planning Unit**

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

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

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

**WRIA 1 Watershed Management Plan**

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

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

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

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

- **Fish Habitat** – To protect or enhance fish habitat in the management area and to restore salmon, steelhead, and trout populations to healthy and harvestable levels and improve habitats on which fish rely.

In 2010, the WRIA 1 Joint Board adopted a work plan, budget and financing strategy, called the Lower Nooksack Strategy, to advance a negotiated settlement of Tribal and state in-stream flow water rights on the mainstem of the Nooksack River, while maximizing the economic and environmental benefits of out-of-stream water use in the Lower Nooksack sub-basin. The Joint Board adopted the Lower Nooksack Strategy consistent with WRIA 1 Watershed Management Plan priorities. Lower Nooksack Strategy Objectives:

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

**Lake Whatcom Watershed Management**

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

Lake Whatcom is large multi-purpose reservoir that is the source of drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several other smaller water districts/associations, and about 250 homes that draw water directly from the lake. All told, the lake provides water to about half the population of Whatcom County.
Lake Whatcom is a multiple use lake and watershed. In addition to providing water for drinking, commercial and industrial uses, the lake is used for boating, swimming, and fishing. The majority of the watershed is forested, mainly surrounding the large southermmost portion of the lake. Other land uses include residential development (approximately 5,030 homes are located within the watershed), limited agriculture and commercial development, parks, and other public facilities. The on-going management challenge is trying to determine the extent to which these practices can occur while maintaining safe, clean drinking water. The challenge is further complicated by possible requirements related to the Endangered Species Act, tribal water rights, and the potential impact these issues may have on how the City’s diversion from the Nooksack River is operated.

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

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

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

Lake Whatcom is the drinking water source for approximately half of Whatcom
County. Recent studies on Lake Whatcom conducted over a number of years
indicate water quality in the lake has declined. Oxygen levels in Lake Whatcom are
decreasing to lower levels, and are declining faster than in the past. In 1997-1998,
the Washington State Department of Ecology listed Lake Whatcom as an impaired
water body and placed Lake Whatcom on the Federal Clean Water Act 303(d) list
because of low oxygen levels in the lake and high bacteria levels in streams that
flow into the lake. The 303(d) listing requires the establishment of a Total
Maximum Daily Loads (TMDLs), that designates loading capacity of the lake—such
that there will be no measurable change in oxygen levels from natural lake
conditions. The TMDL goals will require a variety of planning, pollution-prevention,
pollution-reduction and technical approaches. Meeting the TMDL goals will be
required in order to stabilize water quality in Lake Whatcom. The Department of
Ecology issued the “Lake Whatcom Watershed Total Phosphorus and Bacteria Total
Maximum Daily Loads: Volume 1, Water Quality Study Findings” in 2008. This study
documented that Lake Whatcom is impaired for dissolved oxygen due to
phosphorus loading and that streams flowing into Lake Whatcom do not meet fecal
coliform bacteria standards. Loading capacities for total phosphorus and bacteria
reduction targets were set forth in this document. In 2013 The Department of
Ecology issued a draft “Lake Whatcom Watershed Total Phosphorus and Bacteria
Total Maximum Daily Loads: Volume 2, Water Quality Improvement Report and
Implementation Strategy.” in 2013. This report identifies how much phosphorus can
be discharged to the Lake and identifies how the bacteria load should be allocated
between the County and City of Bellingham, in order to meet water quality
standards.

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

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

Whatcom County Comprehensive Plan Apx G - 6
projects and adoption of regulations that restrict the application of commercial
fertilizers.

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

There are still state forest lands in the Lake Whatcom watershed. In 2004, the
Department of Natural Resources (DNR) Board on Natural Resources adopted the
Lake Whatcom Landscape Plan. This plan provides additional protections on
remaining state managed lands within the Lake Whatcom watershed. The plan
provides additional protections on streams and potentially unstable slopes not
normally included in forest practices in Washington State. If the DNR exchanges
land from the watershed the protections provided by the plan would not be
applicable to the new owner.

Lake Whatcom Watershed Management Program

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

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

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

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

In 1998, the City, County, and District 10 formalized their joint commitment to protect and manage the lake through the joint adoption of an interlocal agreement and allocation of funding toward protection and management efforts in the watershed. A five-year program plan was developed for ten program areas. Specific priority was placed on activities related to watershed ownership, stormwater management, and urbanization/land development.

The resulting Lake Whatcom Management Program guides actions to protect Lake Whatcom as a long-term supply of drinking water for the City of Bellingham and portions of Whatcom County. The program emphasizes protection over treatment in managing Lake Whatcom and its watershed. The structure of the Lake Whatcom Management Program includes legislative bodies, a management team, an interjurisdictional coordinating team, agency staff, and advisory committees.

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

Sudden Valley Recreational Subdivision

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

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

Whatcom County Comprehensive Plan Apx G - 8
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 either on-site or through a community-wide process.

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

**Groundwater Protection & Management**

Groundwater is contained in aquifers, which are subterranean layers of porous rock or soil. Most aquifers are replenished by rainwater, though some may contain water trapped during glacial periods. Aquifers are often integrally linked with surface water systems and are essential for meeting in-stream and out-of-stream water needs such as for drinking water, agriculture, and industry. Whatcom County residents rely heavily on groundwater for drinking water, agriculture, and commercial and industrial needs. Groundwater also plays an important role in maintaining stream flows. Many studies have been conducted related to groundwater quality in Whatcom County documenting water quality issues such as exceedances of standards for nitrate, ethylene dibromide (EDB) and 1,2-dichloropropane (1,2-D), pesticides, iron and other agricultural-related contaminants, particularly in the northern portion of the County. In general, groundwater in Whatcom County is very vulnerable to contamination because much of the County’s groundwater lies within a shallow unconfined aquifer. Activities that occur on the surface of the ground directly affect groundwater quality. Shallow wells that draw water from unconfined water table aquifers are at highest risk.

Whatcom County’s Critical Areas Regulations protect Critical Aquifer Recharge Areas (CARAs) during the development process, by precluding certain uses in CARAs and/or requiring certain precautions be taken in handling certain chemicals.

**Flood Hazard Management**

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

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

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

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

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

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

**National Flood Insurance Program** – Participate in the Congress-initiated National Flood Insurance Program (NFIP) of 1968, to make affordable flood insurance available to citizens of communities that adopt approved flood management regulations.

**Repair and Maintenance Program** – Address problem areas with rivers, streams, and coastlines of Whatcom County, and mitigates future flood damages in a proactive and cost-effective manner.

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

**Organization**

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

Following the severe floods of 1989 and 1990, in 1992 Whatcom County created the countywide Flood Control Zone District (FCZD), including both incorporated and unincorporated areas of the County. The FCZD is a quasi-municipal corporation that is a separate legal entity from the Whatcom County government. Even though this legal separation exists, the Whatcom County Council and the County Executive (Board of Supervisors) and the Public Works Department (staff) perform the governance and administrative support for the district.
The primary purpose of the FCZD is flood hazard management. Revenue generated to for this purpose is accomplished in two ways: (1) a county-wide uniformly applied service charge; and, (2) supplemental revenue generated within localized Diking Districts and Sub-Flood Districts where specific local project activity is planned.

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

Pertinent Documents

Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP)

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

Critical Areas Regulations (WCC 16.16)

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

Stormwater Management

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

County Stormwater Management Programs

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

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

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

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

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

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

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

Everyone wants clean water to support healthy drinking water, safe recreational uses, quality water for irrigation and livestock, healthy fish, and shellfish that are safe to consume. Currently, many streams in Whatcom County do not meet water quality standards for fecal coliform bacteria. Fecal coliform bacteria are found in the intestinal tract of warm-blooded animals and when found in streams are an indicator of human or animal waste in the water. The higher the bacteria level, the greater the public health risk to people drinking, wading, fishing, or consuming shellfish. The Pollution Identification and Correction (PIC) Program has been created to help implement community solutions to clean water.

Pollution – The key potential sources of bacteria that have been identified in Whatcom County coastal drainages are (1) animal waste from agricultural
operations, domestic pets, waterfowl, and wildlife, and (2) human sewage from failing on-site sewage systems (OSS), leaking sewers, or cross-connections.

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

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

**Salmon Recovery Program**

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

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

**WR1A 1 Salmon Recovery Strategy**

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

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

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

**Salmon Recovery Board (SRB)**

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

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

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

Appendix G – Water Resources and Salmon Recovery Programs

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16 (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15163). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) Return all of Appendix G to Chapter 11 (Brenner)

2) p. G-2; lines 27-35: The WRIA 1 Joint Policy Boards are comprised of members of the WRIA 1 Joint Board and Salmon Recovery Board. This organizational level interacts with federal, state, and regional organizations at a policy-level and provides policy related direction to staff to coordinate the implementation and management of the WRIA 1 Watershed Management Plan – Phase 1, the WRIA 1 Salmonid Recovery Plan and other related activities, for purposes of incorporating regional issues into work plans, programs, etc. Additionally, the Joint Policy Boards:

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

(Brenner)

3) p. G-3; lines 24-28: 2005 WRIA 1 Watershed Management Plan – Phase One

The 2005 WRIA 1 Watershed Management Plan was completed approved in 2005 through the cooperation of local stakeholders and governments by the Joint Administrative Board, Planning Unit (by consensus), and the County Council. Pursuant to subsequent state requirements, a WRIA1 Watershed Detailed Implementation Plan was approved by the Joint Administrative Board, Planning Unit, and County Council in 2007. It provides a roadmap for addressing water quantity, water quality, instream flow, and fish habitat challenges. (Brenner)

4) p. G-5; line 29-32: 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 reduced the overflow problems to a large extent. (Brenner)
5) p. G-6; line 30-36: A significant cause of declining oxygen levels has been from residential development in the watershed. Past development permitted by the City of Bellingham and Whatcom County has led to increased phosphorus loading into the lake, which stimulates algae growth. Bacteria that consume the dying algae deplete the dissolved oxygen, leading to lower oxygen levels in the lake. Past poorly managed forest practices may have led to significant increases in phosphorus loading to the lake. (Brenner)

6) p. G-8; lines 5-10: 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 approved for developing specific plans to meet the adopted goals. (Brenner)

7) p. G-12; line 1-5: The primary purpose of the FCZD is flood hazard management. Revenue generated to for this purpose is accomplished in two ways: (1) a county-wide uniformly applied service charge tax; and, (2) supplemental revenue generated within localized Diking Districts and Sub-Flood Districts where specific local project activity is planned.

8) p. G-12; lines 24-26: Whatcom County’s Critical Areas Regulations aim to protect people and property in Frequently Flooded Area (FFAs) by requiring that any development in these areas conforms to WCC Title 17, Flood Damage Prevention. (Brenner)

9) p. G-13; lines 15-26: The current Permit boundary covers approximately 15,000 acres and generally includes the following areas (Error! Reference source not found.):
   - Bellingham Urban Growth Area
   - Sudden Valley
   - Portions of the Hillsdale and Emerald Lake area
   - Portions along North Shore Drive on Lake Whatcom and Lake Whatcom Boulevard
   - Ferndale Urban Growth Area
   - Portions along Chuckanut Drive and Chuckanut Bay
   - Birch Bay Urban Growth Area (Beginning August 1st, 2013)

   Additionally, though not within the NPEDS permit area, the County has made the entire Lake Whatcom watershed subject to the illicit discharge detection and elimination requirements of the Permit through ordinance and agreement with the Department of Ecology. (Brenner)

10) p. G-16; lines 34-38: The WRIA 1 Salmonid Recovery Plan (2005), a chapter of the Puget Sound Salmon Recovery Plan, guides restoration in the Nooksack River and adjacent
watersheds. This plan was developed in partnership with Nooksack Tribe,
Lummi Nation, Washington Department of Fish and Wildlife, Bellingham,
**Whatcom County Government** and the small cities of Whatcom County.
(Brenner)

*Items 11 through 35 concern comma use and other grammatical changes and may be considered in a single motion.*

11) p. G-3; lines 29-33: The goals of the WRIA 1 Watershed Management Project; *are to have* water of sufficient quantity and quality to meet the needs of current and future human generations; *including the* restoration of salmon, steelhead, and trout populations to healthy harvestable levels; *and the improvement of habitats on which fish and shellfish rely.* (Brenner)

12) p. G-3; lines 35-40: **Water Quantity** – To assess water supply and use, and develop strategies to meet current and future needs. The strategies should retain or provide adequate amounts of water to protect and restore fish habitat, provide water for future out-of-stream-uses, and ensure *that* adequate water supplies are available for agriculture, energy production, *and* population, and economic growth under the requirements of the state’s Growth Management Act. (Brenner)

13) p. G-3; lines 42- p. G-4, line 2: **Water Quality** – To ensure *that* the quality of our water is sufficient for current and future uses, including restoring and protecting water quality to meet the needs of salmon and shellfish, *contact* recreational uses, cultural uses, protection of wildlife, providing affordable, safe, *domestic* water supplies, and other beneficial uses. The initial objectives of the water quality management strategy will be to meet the water quality standards. (Brenner)

14) p. G-4; lines 12-17: In 2010, the WRIA 1 Joint Board adopted a work plan, budget, and financing strategy, called the Lower Nooksack Strategy, to advance a negotiated settlement of Tribal and state in-stream flow water rights on the mainstem of the Nooksack River, while maximizing the economic and environmental benefits of out-of-stream water use in the Lower Nooksack sub-basin. The Joint Board adopted the Lower Nooksack Strategy, consistent with WRIA 1 Watershed Management Plan priorities. (Brenner)

15) p. G-4; lines 40-44: Lake Whatcom is *a* large multi-purpose reservoir that is the source of drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several other smaller water districts/associations, and about 250 homes that
The lake provides water to about half the population of Whatcom County. (Brenner)

Lake Whatcom is a multiple use lake and watershed. In addition to providing water for drinking, commercial, and industrial uses, the lake is used for boating, swimming, and fishing. (Brenner)

This study documented that Lake Whatcom is impaired for dissolved oxygen due to phosphorus loading and that streams flowing into Lake Whatcom do not meet fecal coliform bacteria standards. (Brenner)

These lands will provide passive recreation opportunities with hiking and biking trails connecting various communities, neighborhoods, and parks throughout the watershed. (Brenner)

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.). (Brenner)

Any new building permits on existing lots must be able to demonstrate that stormwater detention is included in 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... (Brenner)

Aquifers are often integrally linked with surface water systems and are essential for meeting in-stream and out-of-stream water needs, such as for drinking water, agriculture, and industry. (Brenner)

Many studies have been conducted related to groundwater quality in Whatcom County documenting water quality issues, such as exceedances of standards for nitrate, ethylene dibromide (EDB) and 1,2-dichloropropane (1,2-D), pesticides, iron, and other agricultural-related contaminants, particularly in the northern portion of the County. (Brenner)

A comprehensive approach to flood hazard management planning provides for a better understanding of the river and floodplain system, it also and ensures that flooding and channel morphology problems are not simply transferred to another location within the basin, but are addressed in a comprehensive, basinwide manner. (Brenner)

Whatcom County Public Works coordinates with the Flood Control Zone District Advisory Committee (FCZDAC) to identify and characterize flooding problems and provide recommendations for achieving consistent, long-term, flood hazard reduction strategies. (Brenner)
25) p. G-11; lines 27-29: **Repair and Maintenance Program** – Address problem areas with rivers, streams, and coastlines of Whatcom County, and mitigates future flood damages in a proactive and cost-effective manner. *(Brenner)*

26) p. G-11; lines 41-42: The FCZD is a quasi-municipal corporation that is a separate legal entity from the Whatcom County government. *(Brenner)*

27) p. G-12; lines 30-37: Stormwater runoff occurs when precipitation from rain or snowmelt flows over the land surface. The addition of roads, driveways, parking lots, rooftops, and other surfaces that prevent water from soaking into the ground to our landscape greatly increases the runoff volume created during storms. This runoff is swiftly carried to our local streams, lakes, wetlands, and rivers, and can cause flooding and erosion. Stormwater runoff also picks up and carries with it many different pollutants that are found on paved surfaces, such as sediment, nitrogen, phosphorus, bacteria, oil and grease, trash, pesticides, and metals. *(Brenner)*

28) p. G-12; line 46 – p. G-13, line 4: As a result, the United States Environmental Protection Agency (EPA) created the National Pollutant Discharge Elimination System (NPDES) to address stormwater runoff. States are then required to administer permits to local jurisdictions to regulate runoff as part of the NPDES Program. *(Brenner)*

29) p. G-14; lines 6-14: **Everyone wants clean water** to support healthy drinking water, safe recreational uses, quality water for irrigation and livestock, healthy fish, and shellfish that are safe to consume. Currently, many streams in Whatcom County do not meet water quality standards for fecal coliform bacteria. Fecal coliform bacteria are found in the intestinal tract of warm-blooded animals and when found in streams are an indicator of human or animal waste in the water. The higher the bacteria level, the greater the public health risk to people drinking water, wading, fishing, or consuming shellfish. The Pollution Identification and Correction (PIC) Program has been created to help implement community solutions to clean water. *(Brenner)*

30) p. G-15; lines 23-25: The declines in local salmonid stocks, especially Chinook salmon, have had profound economic, cultural, and social impacts on the greater WRIA 1 community. *(Brenner)*

31) p. G-15; lines 30-34: Nonetheless, salmon remain an integral part of the natural and social landscape of Whatcom County and the Nooksack River Watershed. Recent recovery watershed planning and restoration efforts by federal, state, local, and tribal governments, non-profit organizations, businesses, and private citizens demonstrate a commitment to salmon recovery in WRIA 1. *(Brenner)*
32) p. G-15; lines 42-46: The ultimate goal for salmon recovery in WRIA 1 is to recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream, river, estuarine, and nearshore marine processes; careful use of hatcheries and responsible harvest, and with the active participation and support of local landowners, businesses, and the larger community. (Brenner)

33) p. G-16; lines 2-4: ...and to outline the framework for implementation of recommended actions that have been agreed to by local, state, tribal, and federal governments and stakeholders in WRIA 1. (Brenner)

34) p. G-16; lines 8-10: Address late-timed Chinook through adaptive management, focusing in the near-term on identifying hatchery- versus naturally-produced population components; (Brenner)

35) p. G-16; lines 11-15: Facilitate recovery of WRIA 1 bull trout and steelhead by implementing actions with mutual benefit to both early chinook, and bull trout, and steelhead, and by removing fish passage barriers in presumed bull trout and steelhead spawning and rearing habitats in the upper Nooksack River watershed; (Brenner)
APPENDIX H
APPENDIX I
Proposed Council Changes to Comprehensive Plan

Appendix B – List of Acronyms

Page and line numbers reflect Planning Commission Recommended Draft (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/18677). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) ADU Accessory Dwelling Unit (Brenner)

2) AG Agricultural zone (Brenner)

3) CF Commercial Forestry zone (Brenner)

4) CTAC Citizens' Transportation Advisory Committee (Brenner)

5) L&I Washington State Department of Labor and Industries (Brenner)

6) DOC Department of Corrections (Brenner)

7) DUI Driving Under the Influence (Brenner)

8) EIS Environmental Impact Statement (Brenner)

9) GC General Commercial Zoning (Brenner)

10) GM General Manufacturing Zoning (Brenner)

11) HII Heavy Impact Industrial Zoning (Brenner)

12) HUD United States Department of Housing and Urban Development (Brenner)

13) LID Local Improvement District (Brenner)

14) LII Light Impact Industrial Zoning (Brenner)
15) **MW** ________ Megawatt (Brenner)

16) **NC** ________ Neighborhood Commercial Zoning (Brenner)

17) **R** ________ Rural Zoning (Brenner)

18) **RC** ________ Rural Commercial Zoning (Brenner)

19) **RF** ________ Rural Forestry Zoning (Brenner)

20) **RR-I** ________ Rural Residential – Island Zoning (Brenner)

21) **RR** ________ Rural Residential Zoning (Brenner)

22) **R2A** ________ Rural Zoning; 1 Unit / 2 Acres (Brenner)

23) **R5A** ________ Rural Zoning; 1 Unit / 5 Acres (Brenner)

24) **SMAC** ________ Surface Mining Advisory Committee (Brenner)

25) **SR9** ________ State Route 9 (Brenner)

26) **SR547** ________ State Route 547 (Brenner)

27) **SVCA** ________ Sudden Valley Community Association (Brenner)

28) **TC** ________ Tourist Commercial Zoning (Brenner)

29) **TDR** ________ Transfer of Development Rights (Brenner)

30) **UR** ________ Urban Residential Zoning (Brenner)

31) **WCC** ________ Whatcom Community College (Brenner)

32) **WCCP** ________ Whatcom County Comprehensive Plan (Brenner)

33) **WWU** ________ Western Washington University (Brenner)