<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td></td>
<td>1/4/2018</td>
<td></td>
<td>1/16/2018</td>
<td>SCOTW</td>
</tr>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head:</td>
<td>1/10/2018</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**

2018 Reorganization of Whatcom County approved council

**ATTACHMENTS:**

**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.)

2018 Reorganization of Whatcom County approved council

**COMMITTEE ACTION:**

1/16/2018: See Committee Assignments in file

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
<table>
<thead>
<tr>
<th>County Council Committee Assignments</th>
<th>Rud Browne</th>
<th>Barry Buchanan</th>
<th>Todd Donovan</th>
<th>Tyler Byrd</th>
<th>Satpal Sidhu</th>
<th>Timothy Ballew II</th>
<th>Barbara Brenner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Chairperson <em>(Will also act as Chair of the FCZD Board of Supervisors and as Council Rep. to Whatcom County Economic Development Investment Board)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council Vice-Chairperson</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive Pro-Tempore <em>(Can not be on COG)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Standing Committees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Criminal Justice and Public Safety</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance &amp; Administrative Services - Chair of Finance Committee will automatically act as Council Rep. to What-Comm Administrative Board</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Development</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Works and Health</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural Resources</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Select 2 Natural Res. Committee members as Representatives to Lake Whatcom Policy Group</strong></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other Committee Assignments</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Behavioral Health Advisory Committee <em>(replaced BHAB &amp; Beh. Health Revenue Adv. Committee)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bellingham International Airport Advisory</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bellingham/Whatcom Chamber of Commerce &amp; Industry</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Birch Bay Shellfish Protection District Adv. Committee</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council of Governments (COG) <strong>Appoint TWO members to serve on the Full Council (can not be Exec Pro-Tem)</strong></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council of Governments (COG) <strong>Appoint ONE of the above two members to also serve on the Executive Board and Transportation Policy Board (can not be Exec Pro-Tem)</strong></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Developmental Disabilities Board</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Drayton Harbor Shellfish Protection District</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>EMS Oversight Board <strong>Representative</strong></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>EMS Oversight Board <strong>Alternate Representative</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>Flood Control Zone Committee <em>(Ex Officio)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incarceration Prevention and Reduction Task Force <em>(Appoint one alternate)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intergovernmental Tribal Relations Committee <em>(Appt. TWO)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LEOFF Board</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserve Officers Board of Trustees <em>(Appoint two)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Local Emergency Planning Committee <em>(LEPC)</em></td>
<td>✓</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Lummi Island Ferry Advisory Committee <em>(Appoint ONE non-voting attendee)</em></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Lummi Island Ferry Advisory Committee <em>(Appoint TWO alternates)</em></td>
<td></td>
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<tr>
<td>Marine Resources Committee</td>
<td>✓</td>
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<tr>
<td>North Sound Behavioral Health Exec. Committee</td>
<td>✓</td>
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<td>Northwest Clean Air Agency</td>
<td>✓</td>
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<tr>
<td>Northwest Regional Council <em>(NWRC)</em></td>
<td>✓</td>
<td></td>
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</tr>
<tr>
<td>Opportunity Council</td>
<td>✓</td>
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<td></td>
<td></td>
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<td></td>
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<tr>
<td>Portage Bay Shellfish Protection District</td>
<td>✓</td>
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<td></td>
<td></td>
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<tr>
<td>Public Defense Advisory</td>
<td>✓</td>
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<td></td>
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<tr>
<td>Public Health Advisory Board</td>
<td>✓</td>
<td></td>
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<tr>
<td>Solid Waste Advisory</td>
<td>✓</td>
<td></td>
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</tr>
<tr>
<td>WSAC Alternate Board Member <em>(The Executive is the active representative, Councilmember is alternate)</em></td>
<td>✓</td>
<td></td>
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<tr>
<td>WSAC Legislative Steering Committee</td>
<td>✓</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Whatcom Transportation Authority</td>
<td>✓</td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>
### Whatcom County Council Agenda Bill

**Title of Document:** 2018 Supplemental Budget Request #3

**Attachments:** Ordinance, Memoranda & Budget Modification Requests

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

**Summary Statement or Legal Notice Language:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

**Supplemental #3 requests funding from the General Fund:**

1. To appropriate $500,000 in Non-Departmental to fund Opportunity Council Housing Rehab Grant program.
2. To appropriate $13,113 in The Sheriff’s Office to fund ballistic vests from grant proceeds.
3. To appropriate $95,000 to fund Electronic Patient Care Reporting System and EMS manager vehicle.
4. To appropriate $55,000 to fund communications van satellite system from donation proceeds.
5. To re-appropriate $1,100,000 funding for the City of Bellingham waterfront project.
6. To appropriate $35,000 to fund EMS manager vehicle acquisition.

**Committee Action:**

**Council Action:**

1/16/2018: Introduced 6-0

**Related County Contract #:**  

**Related File Numbers:**  

**Ordinance or Resolution Number:**
ORDINANCE NO.
AMENDMENT NO. 3 OF THE 2018 BUDGET

WHEREAS, the 2017-2018 budget was adopted December 6, 2016; and,
WHEREAS, changing circumstances require modifications to the approved 2017-2018
budget; and,
WHEREAS, the modifications to the budget have been assembled here for deliberation by
the Whatcom County Council.
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 2017-2018
Whatcom County Budget Ordinance #2016-068 is hereby amended by adding the following
additional amounts to the 2018 budget included therein:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Expenditures</th>
<th>Revenues</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non Departmental</td>
<td>500,000</td>
<td>(500,000)</td>
<td>-</td>
</tr>
<tr>
<td>Sheriff</td>
<td>13,113</td>
<td>(13,113)</td>
<td>-</td>
</tr>
<tr>
<td>Total General Fund</td>
<td>513,113</td>
<td>(513,113)</td>
<td>-</td>
</tr>
<tr>
<td>Countywide Emergency Medical Services Fund</td>
<td>185,000</td>
<td>-</td>
<td>185,000</td>
</tr>
<tr>
<td>Whatcom County Emergency Management Fund</td>
<td>55,000</td>
<td>(55,000)</td>
<td>-</td>
</tr>
<tr>
<td>Public Utilities Improvement Fund (EDI)</td>
<td>1,100,000</td>
<td>-</td>
<td>1,100,000</td>
</tr>
<tr>
<td>Equipment Rental and Revolving Fund</td>
<td>35,000</td>
<td>-</td>
<td>35,000</td>
</tr>
<tr>
<td>Total Supplemental</td>
<td>1,888,113</td>
<td>(568,113)</td>
<td>1,320,000</td>
</tr>
</tbody>
</table>

ADOPTED this ___ day of ________________, 2018.

ATTEST:

Dana Brown-Davis, Council Clerk

APPROVED AS TO FORM:

Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Chair of the Council

( ) Approved    ( ) Denied

Jack Louws, County Executive

Date: _________________________
## Summary of the 2018 Supplemental Budget Ordinance No. 3

<table>
<thead>
<tr>
<th>Department/Fund</th>
<th>Description</th>
<th>Increased (Decreased) Expenditure</th>
<th>(Increased) Decreased Revenue</th>
<th>Net Effect to Fund Balance (Increase) Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non Departmental</td>
<td>To fund Opportunity Council Housing Rehab Grant program.</td>
<td>500,000</td>
<td>(500,000)</td>
<td>-</td>
</tr>
<tr>
<td>Sheriff</td>
<td>To fund ballistic vests from grant proceeds.</td>
<td>13,113</td>
<td>(13,113)</td>
<td>-</td>
</tr>
<tr>
<td>Total General Fund</td>
<td></td>
<td>513,113</td>
<td>(513,113)</td>
<td>-</td>
</tr>
<tr>
<td>Countywide Emergency Medical Services Fund</td>
<td>To fund Electronic Patient Care Reporting System and EMS manager vehicle.</td>
<td>186,000</td>
<td>-</td>
<td>186,000</td>
</tr>
<tr>
<td>Whatcom County Emergency Management Fund</td>
<td>To fund communications van satellite system from donation proceeds.</td>
<td>55,000</td>
<td>(55,000)</td>
<td>-</td>
</tr>
<tr>
<td>Public Utilities Improvement Fund (EDI)</td>
<td>To re-appropriate funding for the City of Bellingham waterfront project.</td>
<td>1,100,000</td>
<td>-</td>
<td>1,100,000</td>
</tr>
<tr>
<td>Equipment Rental and Revolving Fund</td>
<td>To fund EMS manager vehicle acquisition.</td>
<td>35,000</td>
<td>-</td>
<td>35,000</td>
</tr>
<tr>
<td><strong>Total Supplemental</strong></td>
<td></td>
<td>1,888,113</td>
<td>(588,113)</td>
<td>1,320,000</td>
</tr>
</tbody>
</table>
MEMORANDUM

To: Whatcom County Executive Jack Louws
    And Whatcom County Council Members
From: Suzanne Mildner, Grant Coordinator
Subject: Budget Supplemental, Opportunity Council Grant
Date: December 15, 2017

The attached supplemental request for $500,000 is for the purposes of establishing budget authority in order to pass-through an available grant from the Washington State Department of Commerce to the Opportunity Council. The grant application was authorized by the County Council in Spring of 2017.

This is a HUD grant, passed through the state’s Commerce’s Community Development Block Grant Program, for which Opportunity Council’s project qualified for this financial assistance. Whatcom County has been designated by the Dept. of Commerce as the grantee for the purpose of contracting with the Opportunity Council as a subrecipient for this grant award of $500,000.00.

This project proposes the rehabilitation of up to 25 low-income, owner-occupied housing units over a three-year period. This is a direct benefit project (100% LMI) serving households in greater Whatcom County, excluding the City of Bellingham, as well as households in San Juan and Island Counties.

Please contact me at extension 5211 should you have any questions.

Thank you.
Supplemental Budget Request

Executive

Supplemental ID # 2520
Fund 1 Cost Center 4285
Originator: Suzanne Mildner

Expenditure Type: One-Time Year 2 2018 Add'l FTE □ Add'l Space □ Priority 1

Name of Request: Opportunity Council Housing Rehab Grant

X

Department Head Signature (Required on Hard Copy Submission) Date


<table>
<thead>
<tr>
<th>Costs:</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4333.1422</td>
<td>HUD-CDBG</td>
<td></td>
<td>($500,000)</td>
</tr>
<tr>
<td>6610</td>
<td>Contractual Services</td>
<td></td>
<td>$500,000</td>
</tr>
<tr>
<td>Request Total</td>
<td></td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

1a. Description of request:
This is a community development block grant from Washington State Department of Commerce, which will be passed through to Opportunity Council as subrecipient. It supports the OC's housing rehabilitation program for the benefit of low-income citizens in Whatcom, San Juan and Island Counties, and is targeting approximately 25 homes during the contract period.

1b. Primary customers:
Low- and moderate-income residents in Whatcom, San Juan and Island Counties

2. Problem to be solved:
This state grant source is required to pass through the local jurisdiction. Following the Council's approval of the grant application in March of 2017, the grant contract was awarded. A Subrecipient Agreement has been signed with Opportunity Council, who will complete the project scope of work and fulfill the grant requirements.

3a. Options / Advantages:
N/A

3b. Cost savings:
N/A

4a. Outcomes:
The Opportunity Council's program will provide direct benefit through rehab and repair projects for home improvement for approximately 25 low- and moderate-income households over the course of the contract period, up to 3 years hence.

4b. Measures:
Progress reports to be submitted by OC. The final grant closeout report will occur after evidence of all grant requirements having been met; a final public hearing will be conducted at grant closeout.

5a. Other Departments/Agencies:
Opportunity Council and their partner community resource centers in San Juan and Island Counties.

5b. Name the person in charge of implementation and what they are responsible for:
Ross Quigley is the Director of the Home Improvement Department at Opportunity Council.

6. Funding Source:
HUD, through Washington State Department of Commerce's CDBG Program
TO: Jack Louws, County Executive

FROM: Sheriff Bill Elfo

DATE: December 13, 2017

SUBJECT: Supplemental Budget ID #2518
City of Bellingham 2017 Justice Assistance Grant – Ballistic Vests

The attached Supplemental Budget requests budget authority to use Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the City of Bellingham Edward Byrne Memorial Justice Assistance Grant (JAG) FY2017 to purchase ballistic vests for SWAT in 2018.

Background and Purpose
The continued trend of violent attacks on innocent citizens at schools and public venues around the country reaffirms that law enforcement must be prepared and equipped to deal with armed suspects in order to effectively mitigate threats to the public. The Sheriff’s Office is required to provide ballistic protective equipment to uniformed personnel who are subject to occupational hazards that include gunfire/ballistic threats and currently issues ballistic resistant vests and helmets to all deputy sheriffs. SWAT has a current need for specialized vests designed for their assignment and operational needs.

The City of Bellingham has agreed to provide the County $13,113 from the Edward Byrne Memorial JAG FY2017 award to purchase ballistic vests.

Funding Amount and Source
Funding of $13,113 will be provided by the City of Bellingham. Funds originate from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2017, CFDA No. 16.738.

Please contact Undersheriff Jeff Parks at extension 6610 if you have any questions.

Thank you.
Supplemental Budget Request

Sheriff Operations

Suppl ID # 2518  

<table>
<thead>
<tr>
<th>Fund</th>
<th>Cost Center</th>
<th>Originator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1003517001</td>
<td>Dawn Pierce</td>
</tr>
</tbody>
</table>

Expenditure Type: One-Time  
Year 2 2018  
Add'l FTE ☐  Add'l Space ☐  Priority 1

Name of Request: SO Grant COB 2017 JAG - Ballistic Vests

X

Department Head Signature (Required on Hard Copy Submission)  
Date

Costs:

<table>
<thead>
<tr>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4333.1673</td>
<td>Byrne JAG Grant</td>
<td>($13,113)</td>
</tr>
<tr>
<td>6320.001</td>
<td>Office &amp; Op Supplies</td>
<td>$13,113</td>
</tr>
<tr>
<td>Request Total</td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

1a. Description of request:
The Sheriff’s Office received 2017 Byrne Justice Assistance Grant (JAG) Program funds through the City of Bellingham to purchase ballistic vests (W.C. Contract # 201709001)

The continued trend of violent attacks on innocent citizens at schools and public venues around the country reaffirms that law enforcement must be prepared and equipped to deal with armed suspects in order to effectively mitigate threats to the public. The Sheriff’s Office is required to provide ballistic protective equipment to uniformed personnel who are subject to occupational hazards that include gunfire/ballistic threats and currently issues ballistic resistant vests and helmets to all deputy sheriffs. SWAT has a current need for specialized vests designed for their assignment and operational needs.

1b. Primary customers:
Sheriff’s Office deputies

2. Problem to be solved:
Budget authority is needed to use grant funds to purchase ballistic vests in 2018.

3a. Options / Advantages:
The Sheriff’s Office will use grant funds rather than local funds to purchase this ballistic protective equipment.

3b. Cost savings:
Cost savings of $13,113.

4a. Outcomes:
SWAT members will receive specialized vests designed for their assignment and operational needs.

4b. Measures:

5a. Other Departments/Agencies:
The City of Bellingham will administer the grant and provide $13,113 to Whatcom County Sheriff’s Office to purchase ballistic vests per the grant agreement.

5b. Name the person in charge of implementation and what they are responsible for:

6. Funding Source:
$13,113 from City of Bellingham. Funds originate from U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2017, CFDA No. 16.738.

Rpt: Rpt Suppl Regular

Wednesday, December 13, 2017
MEMORANDUM

To: Whatcom County Council Members  
From: Tawni Helms, Administrative Coordinator  
Subject: Budget Supplemental – Electronic Patient Care Reporting System and EMS Manager Vehicle  
Date: December 14, 2017

BACKGROUND
With the successful passage of the EMS Levy, efforts have been made to fulfill the recommendations of the Funding Work Group (FWG) adopted by County Council in March, 2016. One of the FWG recommendations was the acquisition of a countywide electronic patient care reporting system (EPCR) and Record Management System (RMS). A new county-wide ePCR software program will provide a common data collection and analysis platform.

To achieve this goal, the Fire Chief’s Association in collaboration with the three largest fire agencies, nominated for the task, vetted several vendors to determine which could best accommodate the needs of a new county wide system. Image Trend, a leader in the industry, was determined to be the vendor most suited to Whatcom County needs. The Fire Chief’s Association also recognizes that ImageTrend will be able to provide for fire record management systems to further improve all aspects of response, patient care and outcomes.

On July 13, 2017 the Whatcom County EMS Oversight Board unanimously approved for council recommendation the acquisition and subsequent implementation of a county-wide ePCR software program in the amount of $150,000. Subsequently, the County Council approved the acquisition through Budget Supplemental Ordinance 2017-059. The contract has not yet been completed and is now anticipated for January 2018. This budget supplemental moves the previously approved budget expenditure to 2018.

A new EMS Manager is anticipated to begin work in 2018. This position requires a vehicle to travel to different agencies throughout the County.

ACTION:
The County Executive requests council review and approval of this budget supplemental in the amount of $150,000 for the acquisition of a new county wide ePCR and RMS system and the purchase of a vehicle for the new EMS Manager.
Supplemental Budget Request

Non-Departmental

Fund 130  Cost Center 130100  Originator: T. Helms

Expenditure Type: One-Time  Year 2  2018  Add'l FTE  □  Add'l Space  □  Priority 1

Name of Request: Vehicle for EMS Manager & EPCR system

X

Department Head Signature (Required on Hard Copy Submission)

Date

<table>
<thead>
<tr>
<th>Costs:</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7420</td>
<td>Computer-Capital Outlays</td>
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<tr>
<td></td>
<td>8351</td>
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</tr>
<tr>
<td></td>
<td>Request Total</td>
<td></td>
<td>$185,000</td>
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</table>

1a. Description of request:
The EMS Levy alowed for the recruitment of an EMS Manager. In 2017, two separate efforts took place to recruit for the new position. The second recruitment effort has not yet been completed and a candidate has not yet been hired. Once a candidate has been confirmed, a vehicle will be acquired.

On October 24, 2017 Council approved 2017 Supplemental Budget Ordinance #12 which included the acquisition and implementation of a new countywide Electronic Patient Care Reporting System. A contract with the vendor, Image Trend was delayed in 2017 and is now anticipated for approval in January, 2018. This supplemental budgets the previously approved expenditure for 2018.

1b. Primary customers:
Whatcom County EMS system providers, Whatcom County and citizens of Whatcom County. ALS and BLS providers, hospitals and patients.

2. Problem to be solved:
The new EMS Manager position requires a vehicle as they will be traveling between agencies throughout the County.

The new countywide EPCR system will provide a common data collection and analysis platform helping to improve systemwide efficiencies.

3a. Options / Advantages:

3b. Cost savings:

4a. Outcomes:
Transportation will be available for a position that requires mobility throughout the County.

Implementation of a new countywide electronic patient care reporting system.

4b. Measures:
Vehicle will be acquired. Efficiencies in patient care reporting will be evidenced with use of the new county reporting system.

5a. Other Departments/Agencies:
EPCR system will involve Division of Information Technology.

5b. Name the person in charge of implementation and what they are responsible for:
Perry Rice

Thursday, January 04, 2018
### Supplemental Budget Request

**Non-Departmental**

<table>
<thead>
<tr>
<th>Suppl ID #</th>
<th>Fund</th>
<th>Cost Center</th>
<th>Originator</th>
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</thead>
<tbody>
<tr>
<td>2516</td>
<td>130</td>
<td>130100</td>
<td>T. Helms</td>
</tr>
</tbody>
</table>

#### 6. Funding Source:
EMS Levy tax collection
To: Jack Louws, County Executive

From: Sheriff Bill Elfo, Director of Emergency Management
John Gargett, Deputy Director of Emergency Management

Subject: Supplemental Budget Request ID # 2519
Sheriff’s Office Communications Van Satellite System

Date: December 13, 2015

The attached Supplemental Budget Request seeks authority to purchase a satellite system for the Whatcom County Sheriff’s Office Communications Van to be funded by a Phillips 66 Corporate Citizenship Grant.

- Background and Purpose
The Whatcom County Sheriff’s Office Communications Van’s existing satellite system is at its end of life and needs to be replaced with updated technology. Satellite communications is a critical component of coordination and response to any emergency or disaster in Whatcom County, both county-wide when traditional phone and radio communications are interrupted and in hilly and mountainous terrain where they are routinely unavailable. Once installed, Whatcom County Sheriff’s Office will be able to continue to provide critical communications support.

- Funding Amount and Source
$55,000 from a Phillips 66 Corporate Citizenship Grant.

Please contact John Gargett if you have any questions.
Supplemental Budget Request

Status: Pending

Sheriff

Emergency Management

Supp# ID # 2519  Fund 167  Cost Center 16786  Originator: Frances Burkhart

Expenditure Type: One-Time  Year 2018  Add'l FTE  Add'l Space  Priority 3

Name of Request: Communications Van Satellite System

Department Head Signature (Required on Hard Copy Submission)  Date 1/5/18

<table>
<thead>
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<th>Costs</th>
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<tr>
<td></td>
<td>7410</td>
<td>Equipment-Capital Outlay</td>
<td>$55,000</td>
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</table>

Request Total $0

1a. Description of request:
Purchase and installation of an updated satellite system for the Whatcom County Sheriff's Office Communications Van.

1b. Primary customers:
Whatcom County Sheriff's Office

2. Problem to be solved:
The Whatcom County Sheriff's Office Communications Van's existing satellite system is at its end of life and needs to be replaced with updated technology. Satellite communications is a critical component of coordination and response to any emergency or disaster in Whatcom County, both county-wide when traditional phone and radio communications are interrupted and in hilly and mountainous terrain where they are routinely unavailable.

3a. Options / Advantages:
Recognizing the challenges of maintaining communications within Whatcom County, a Phillips 66 Corporate Citizenship Grant was awarded to Whatcom County for the purchase of this satellite system.

3b. Cost savings:
$55,000 in direct cost saving due to funding provided by the Phillips 66 Corporate Citizenship Grant.

4a. Outcomes:
Whatcom County Sheriff's Office will be able to continue to provide critical communications support.

4b. Measures:
The satellite system will be purchased, installed, and tested.

5a. Other Departments/Agencies:
N/A

5b. Name the person in charge of implementation and what they are responsible for:
N/A

6. Funding Source:
Whatcom County Sheriff's Office Division of Emergency Management received a Phillips 66 Corporate Citizenship Grant in the amount of $55,000 to fund this project. These funds were received by Whatcom County and deposited on 11/30/2017.
MEMORANDUM

TO: Whatcom County Council members

FROM: Jack Louws, County Executive

RE: EDI Program - City of Bellingham waterfront project

DATE: December 15, 2017

Attached is a Supplemental budget request for spending authority on an EDI Interlocal Grant Agreement for which budget authority is required.

On June 14, 2016, the Council adopted the EDI Board’s recommendation to provide funding through the EDI Program for the City of Bellingham’s Waterfront District Arterial Streets project.

The construction project met with several delays, and funding was reappropriated in 2017. We now request renewed funding authority for the 2018 budget. The construction process is now underway, and the timeline for completion is estimated to be late 2018 or early 2019. This grant funding is expected to be drawn upon by mid-2018.

This program funding is derived from the Public Utilities Improvement Fund.
Supplemental Budget Request

Executive

Supp# ID # 2517  Fund 332  Cost Center 332229  Originator: Suzanne Mildner

Expenditure Type: One-Time  Year 2 2018  Add'l FTE □  Add'l Space □  Priority 1

Name of Request: COB Waterfront Project - EDI grant

X

Department Head Signature (Required on Hard Copy Submission)  Date 12/18/17

Costs:

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</table>

| Request Total | $1,100,000 |

1a. Description of request:
EDI Program grant funding to support the City of Bellingham’s Waterfront District Arterial Streets project.

1b. Primary customers:
City of Bellingham

2. Problem to be solved:
In 2007, the EDI Board and the County Council approved a commitment of $1.1-million in EDI grant funding for a construction-ready project for the benefit of the Bellingham waterfront. In 2016 the City of Bellingham identified a project and entered into an interlocal agreement with Whatcom County. Funds were appropriated at that time, however there have been a number of delays. The project has begun and construction is now underway, and City of Bellingham is anticipating that construction of the primary arterial for the waterfront redevelopment will be continue through 2018.

3a. Options / Advantages:
The EDI Board and County Council have determined that this infrastructure project meets the objectives of the EDI Program project guidelines.

3b. Cost savings:
N/A

4a. Outcomes:
Project is estimated to be 50% complete by May or June of 2018, and full completion is estimated to be January 2019.

4b. Measures:
Final project report and budget summary.

5a. Other Departments/Agencies:
City of Bellingham

5b. Name the person in charge of implementation and what they are responsible for:
Ted Carlson, City of Bellingham's Public Works Director, is overseeing this project

6. Funding Source:
Public Utilities Improvement Fund
Supplemental Budget Request

Status: Pending

Public Works

Supp/ID # 2528 Fund 501 Cost Center 501100 Originator: Kellie Eiswald

Expenditure Type: One-Time Year 2018 Add'l FTE Add'l Space Priority 1

Name of Request: Vehicle Purchase for EMS Manager

X

Department Head Signature (Required on Hard Copy Submission) Date

<table>
<thead>
<tr>
<th>Costs</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
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<td>8301</td>
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<tr>
<td></td>
<td>Request Total</td>
<td></td>
<td>$0</td>
</tr>
</tbody>
</table>

1a. Description of request:
Addition to fleet. Purchase vehicle for EMS Manager.

1b. Primary customers:

2. Problem to be solved:

3a. Options / Advantages:

3b. Cost savings:

4a. Outcomes:

4b. Measures:

5a. Other Departments/Agencies:

5b. Name the person in charge of implementation and what they are responsible for:

6. Funding Source:
Operating Transfer In.
WHATCOM COUNTY COUNCIL AGENDA BILL

CLEARANCES
Originator: MCE 1/4/18
Division Head: 
Dept. Head: 
Prosecutor: 
Purchasing/Budget: 1/4/18
Executive: 

RECEIVED
JAN 09 2018
WHATCOM COUNTY COUNCIL

TITLE OF DOCUMENT:
Amendment No. 1 to Ordinance No. 2011-031 Establishing Project Budget No. 2 of the 2011 Budget

ATTACHMENTS:
1. Ordinance
2. Exhibit A
3. Supplemental Budget Request

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

Should Clerk schedule a hearing? ( ) Yes ( x ) NO
Requested "date:

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

Requesting Council approval for additional budget authority of $350,000 to be added to the project budget for Fund 337 – 2010 Jail Improvement Fund. Budget will be used to fund Phases 2 and 3 of the previously approved Design2Last contract.

COMMITTEE ACTION:

COUNCIL ACTION:
1/16/2018: Introduced 6-0

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

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
ORDINANCE NO. ________

AMENDMENT NO. 1 TO ORDINANCE NO. 2011-031 ESTABLISHING PROJECT BUDGET NO. 2 OF THE 2011 BUDGET

WHEREAS, Project Budget No. 2 of the 2011 Budget established the project budget for the Jail Improvement Fund; and

WHEREAS, that budget funded the Jail and Juvenile Controls Project; and

WHEREAS, that budget also funded Phases 1A and 1B of the Design2Last contract which resulted in building assessments, detailed investigations, project scopes and cost reports for improvements needed on the existing Jail and Work Center facilities; and

WHEREAS, additional funding is needed for Phases 2 (design) and 3 (construction) of selected improvement projects, and

WHEREAS, continued funding for this project is available by transfer from the General Fund,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Ordinance 2011-031 is hereby amended by adding $350,000 of expenditure authority, as described in Exhibit A, to the original project budget of $3,117,700, for a total amended project budget of $3,467,700.

ADOPTED this ___ day of ____________________, 2018.

ATTEST:

Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Chair of the Council

( ) Approved ( ) Denied

Jack Louws, County Executive
Date:__________________________________
**EXHIBIT A**

**JAIL IMPROVEMENT FUND - FUND 337**

<table>
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<tr>
<th>Account</th>
<th>Description</th>
<th>Original Project Budget</th>
<th>Amendment #1 to Ord. 2011-031</th>
<th>Total Amended Project Budget</th>
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<td>Other Improvements</td>
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<td>$0</td>
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</tr>
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<td><strong>Total</strong></td>
<td></td>
<td><strong>$3,117,700</strong></td>
<td><strong>$350,000</strong></td>
<td><strong>$3,467,700</strong></td>
</tr>
</tbody>
</table>

| **Revenues** | | | | |
| 8210 | Build America Bonds | $3,012,840 | $0 | $3,012,840 |
| 8301.326 | Operating Transfer In - REET 1 | $104,860 | $0 | $104,860 |
| 8301 | Operating Transfer In - Gen Fund | $0 | $350,000 | $350,000 |
| **Total** | | **$3,117,700** | **$350,000** | **$3,467,700** |
MEMORANDUM

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

Through: Tyler Schroeder, Deputy Executive

FROM: Rob Ney, Project and Operations Manager

RE: Supplemental Budget Request #2512

DATE: January 2, 2018

Enclosed is Supplemental Budget Request #2512 for additional budget authority for the Design2Last contract.

- Requested Action
  Facilities Management respectfully requests that the County Executive and Whatcom County Council approve the attached Supplemental Budget Request #2512, allowing sufficient budget authority to fund the existing Design2Last contract.

- Background and Purpose
  On November 8, 2017 the County Council approved the amended contract for Design2Last for Scoping, Design, and Project Management for improvements to the existing Jail. The existing Jail Improvement Project Based Budget does not have sufficient funds for the expanded scope of work approved in the contract. Currently, there is approximately $340,000 for design services in the Jail Improvement Project Based Budget. The Design2Last Contract was approved for an additional $543,000 (total contract amount to date $913,287.20).

  Based on the Design Charrette held on November 28, 2017 and in consideration that the Jail bond did not pass and the useful life of the existing Jail facility will
need to be extended, Design2Last and Facilities Management will be presenting to the County Council options for further expansion of scope of work. If approved, this budget will need to be expanded again to include the additional scope items.

- **Funding Amount and Source**
  Adequate funds exist within the Capital Project Fund, expanded by $7,000,000 in the 2018 Budget.

Should you have any questions, do not hesitate to contact me at x5387.
1a. Description of request:

Whatcom County entered into an agreement with design2LAST to assess the current jail facilities and design the necessary renovations to the existing jail facility.

1b. Primary customers:

Sheriff's Office Personnel, Jail inmates and service providers.

2. Problem to be solved:

design2LAST was retained by Whatcom County to perform building assessments on the existing Jail, (Public Safety Building) and the existing Work Center. The assessments, completed as Phase 1A in December of 2016 were to address two issues; the physical condition of each building, and the operational condition of each facility. The objective of the assessment was to identify building systems, materials, and procedures that can be improved to increase building safety and reform processes which would allow the facilities to remain in operation until such time as a new Public Safety Building can be procured, constructed, and occupied. The result of that study included a long list of deficiencies and potential repairs and tasks at both facilities, and included a rough order of magnitude costs.

Whatcom County then selected the ten most urgent tasks for further study for the Main Jail building only. Phase 1B which anticipates the renovations needed to keep the jail as safe and secure as possible until a new jail can be built, is currently under development. The objective of this phase is to complete a more detailed, yet non-invasive, study of each of the tasks for the Main Jail only, and propose corrective actions (scope options) as well as total estimated costs. Extensive maintenance and renewal work is projected to cost more than $32M as outlined in the design2LAST report. According to that report due to the existing jail configuration and footprint this work will not provide any meaningful or permanent answers to space related issues such as medical, booking, classification and programs.

3a. Options / Advantages:

Repair and renovation are necessary to address the physical conditions and operations of the existing jail and work center. While extensive maintenance and renewal work is projected to cost more than $32M as outlined in the Design2Last report, according to that report the existing jail configuration and footprint work will not provide meaningful or permanent answers to space related issues such as medical, booking, classification and programs.

The other option is to construct a new facility where many of the deficiencies of the current jail can be adequately addressed such as medical, booking, classification, and programs. A new sales tax to support the construction of a new jail was not approved by the Whatcom County tax payers.
Supplemental Budget Request

Non-Departmental

Status: Pending

Supp ID # 2512
Fund 337 Cost Center 337100 Originator: T. Helms

3b. Cost savings:
There are no cost savings to this approach. The current Main Jail facility can not be made to fit the need for space or code issues. This work will extend the current use of the facility. However, it will not meet the space needs for programs, medical, booking, classifications or code issues.

4a. Outcomes:
Whatcom County has contracted with design2LAST for building assessment studies known as Phase 1. The contract for services has been amended to include the scope for Phase 2 and Phase 3. The expanded scope includes cost estimates for capital improvement and construction administration services at the jail. This budget supplemental provides budget authority for the expanded scope.

4b. Measures:
Outcomes include the following milestones:
Design Charrette
50% Over-the-Shoulder review
65% Design Development
100% Design Draft
100% Final Bid Documents
Consulting Services During Bidding and Negotiations
Construction Administration Services

5a. Other Departments/Agencies:
Facilities, Sheriff's Office, and Executive Office

5b. Name the person in charge of implementation and what they are responsible for:
Facilities, Rob Ney, Operations Manager
Sheriff's Office - Wendy Jones, Chief of Corrections
Executive Office - Tyler Schroeder, Deputy Executive

6. Funding Source:
General Fund
TITLE OF DOCUMENT: Ordinance. Increasing Treasurer petty cash fund.

ATTACHMENTS:

SEPA review required? ( ) Yes  ( x ) NO
SEPA review completed? ( ) Yes  ( x ) NO
Should Clerk schedule a hearing? ( ) Yes  ( x ) NO
Requested Date:

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

Due to changes in deposit activity and change requests in the Treasurer’s office an increase in the petty cash fund will allow the Treasurer to accommodate the needs of our customers and departments on a daily basis. This ordinance will increase the Treasurer petty cash fund from $4,795 to $5,795.

COMMITTEE ACTION:

COUNCIL ACTION:

1/16/2018: Introduced 6-0

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

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
ORDINANCE NO. ________

INCREASING TREASURER PETTY CASH FUND

WHEREAS, it is necessary for the Treasurer to maintain a petty cash fund in order to have change available when receipting payments from taxpayers and fulfilling change orders from county departments; and,

WHEREAS, changes in daily deposit activity has diminished the flow of incoming change; and,

WHEREAS, the current petty cash fund amount is insufficient to conduct essential daily transactions.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the petty cash fund for the Treasurer is hereby increased from $4,795 to $5,795.

BE IT FINALLY ORDAINED that the Whatcom County Treasurer shall follow current county policy to accomplish this increase.

ADOPTED this _____ day of __________, 20____.

ATTEST:

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:

Civil Deputy Prosecutor

Jack Louws, County Executive

( ) Approved  ( ) Denied

Date Signed: ____________________
Amendment to Subaward Agreement with The Nature Conservancy

This amendment adds the second year of NOAA grant funding to support the Deming Levee Improvement Project and the geomorphic assessment for the Floodplain Integrated Planning process to update the Lower Nooksack River Comprehensive Flood Hazard Management Plan.
TO: The Honorable Members of the Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director

FROM: Paula Harris, River & Flood Manager
        Gary Stoyka, Natural Resources Manager

RE: Amendment to Subaward Agreement for NOAA Grant Funding through The Nature Conservancy

DATE: January 11, 2018

Enclosed are two (2) originals of an amendment to the subaward agreement between The Nature Conservancy (TNC) and Whatcom County Flood Control Zone District (FCZD) for your review and signature.

- **Background and Purpose**
  The Nature Conservancy obtained a grant through the National Oceanic and Atmospheric Administration (NOAA) to support floodplain management and habitat restoration activities. Last year, the FCZD entered into a subaward agreement with TNC to provide funding for construction of the Deming Levee Improvement project and completion of a detailed geomorphic assessment of the Lower Nooksack River to support the integrated planning process to update the comprehensive flood hazard management plan. This amendment provides the second year of grant funding for these two projects.

- **Funding Amount and Source**
  The original subaward for the first year of the grant funding was for $250,000. NOAA wanted to review their grantee's progress in implementing the grant before they would allocate the second year of funding. Because we have demonstrated good progress, they are now allocating the second year of funding. This amendment provides an additional $150,000 for total amount of $400,000; $300,000 of the funding will support the Deming Levee Improvement Project and $100,000 is for the geomorphic assessment.

Please contact Paula at extension 6285, if you have any questions or concerns regarding the terms of this agreement.
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<thead>
<tr>
<th>Originating Department:</th>
<th>Public Works</th>
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<tbody>
<tr>
<td>Division/Program: (i.e. Dept. Division and Program)</td>
<td>River and Flood</td>
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<tr>
<td>Contract or Grant Administrator:</td>
<td>Paula Harris</td>
</tr>
<tr>
<td>Contractor's / Agency Name:</td>
<td>The Nature Conservancy (TNC)</td>
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<tr>
<td>Is this a New Contract?</td>
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</tr>
<tr>
<td>If not, is this an Amendment or Renewal to an Existing Contract?</td>
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<tr>
<td>If Amendment or Renewal, (per WCC 3.08.100 (a))</td>
<td>Original Contract #: 201703003</td>
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<tr>
<td>Does contract require Council Approval?</td>
<td>Yes ☒ No ☐</td>
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<tr>
<td>If No, include WCC: (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</td>
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<tr>
<td>Is this a grant agreement?</td>
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<td>If yes, grantor agency contract number(s):</td>
<td>WA-S-161130-011 CFDA#: 11.463</td>
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<td>Is this contract grant funded?</td>
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<td>If yes, Whatcom County grant contract number(s):</td>
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<td>Is this contract the result of a RFP or Bid process?</td>
<td>Contract</td>
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<td>If yes, RFP and Bid number(s):</td>
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<tr>
<td>Is this agreement excluded from E-Verify?</td>
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<td>If no, include Attachment D Contractor Declaration form.</td>
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<td>If YES, indicate exclusion(s) below:</td>
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<tr>
<td>☐ Professional services agreement for certified/licensed professional.</td>
<td>☐ Contract for Commercial off the shelf items (COTS).</td>
</tr>
<tr>
<td>☐ Contract work is for less than $100,000.</td>
<td>☐ Work related subcontract less than $25,000.</td>
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<tr>
<td>☐ Contract work is for less than 120 days.</td>
<td>☐ Public Works - Local Agency/Federally Funded FHWA.</td>
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<td>☐ Interlocal Agreement (between Governments via TNC).</td>
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<td>Contract Amount:(sum of original contract amount and any prior amendments):</td>
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<td>This Amendment Amount:</td>
<td>$ 150,000</td>
</tr>
<tr>
<td>Total Amended Amount:</td>
<td>$ 400,000</td>
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<tr>
<td>Summary of Scope: This amendment amends the existing sub-recipient agreement with TNC to allocate the second year of Federal funding for the Deming Levee Improvement Project and the Lower Nooksack River geomorphic assessment.</td>
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</tr>
<tr>
<td>Term of Contract:</td>
<td>Expiration Date: December 31, 2018</td>
</tr>
<tr>
<td>Contract Routing:</td>
<td>Date: 1-9-18</td>
</tr>
<tr>
<td>1. Prepared by: Paula Harris</td>
<td>Date: 01/11/18</td>
</tr>
<tr>
<td>2. Attorney signoff: Daniel L. Gibson</td>
<td>Date: 1/16/18</td>
</tr>
<tr>
<td>3. AS Finance reviewed: bbennett</td>
<td>Date:</td>
</tr>
<tr>
<td>4. IT reviewed (if IT related):</td>
<td>Date:</td>
</tr>
<tr>
<td>5. Contractor signed:</td>
<td>Date:</td>
</tr>
<tr>
<td>6. Submitted to Exec.:</td>
<td>Date:</td>
</tr>
<tr>
<td>7. Council approved (if necessary):</td>
<td>Date:</td>
</tr>
<tr>
<td>8. Executive signed:</td>
<td>Date:</td>
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<tr>
<td>9. Original to Council:</td>
<td>Date:</td>
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</table>

Last edited 10/31/16
Amendment to Subaward Agreement
(AMENDMENT #1)

This Amendment is dated and effective as of August 1, 2017, and is entered into by and between The Nature Conservancy, a District of Columbia nonprofit corporation ("TNC") and Whatcom County Flood Control Zone ("Awardee"), with respect to that certain Subaward Agreement, dated as of March 22, 2017, which was entered into by TNC and Awardee with respect to Deming Levee setback and Nooksack Geomorphic Assessment (the "Agreement"), which TNC and Awardee wish to amend. Each capitalized term used in this Amendment shall have the meaning ascribed to that term in the Agreement, unless otherwise explicitly defined herein.

In consideration of their respective covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, TNC and Awardee hereby agree as follows:

1. The not to exceed amount described in the first sentence of Paragraph 3(a) of the Agreement is revised to be $400,000.00.

2. The Awardee’s cash or in-kind contribution for the project described in Paragraph 3(c) is revised to be $950,000.

3. The respective obligations of the parties under the Agreement are revised to be as set out in Schedule 1 which is attached to this Amendment, which is incorporated herein by this reference, and which replaces in its entirety the original Attachment B which was attached to the Agreement.

4. The budget for the Agreement is revised to be as set out in Schedule 2 which is attached to this Amendment, which is incorporated herein by this reference, and which replaces in its entirety the original Attachment A which was attached to the Agreement.

5. The Financial Report for the agreement is revised to be as set out in Schedule 3 which is attached to this Amendment, which is incorporated herein by this reference, and which replaces in its entirety the original Attachment D which was attached to the Agreement.

6. The Reporting Due Dates chart in Paragraph 5 of the Agreement is modified to read in its entirety as follows:

<table>
<thead>
<tr>
<th>REPORTING DUE DATES</th>
<th>Due March 30 for the period September 1- February 28(9) and September 30 for the period March 1 – August 31, annually. E</th>
<th>Due March 30 for the period September 1- February 28(9) and September 30 for the period March 1 – August 31, annually. E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Semi-Annual Performance Reports</td>
<td>No later than 45 days after the Expiration Date of the Agreement</td>
<td>No later than 45 days after the Expiration Date of the Agreement</td>
</tr>
</tbody>
</table>

7. The term of the Agreement is extended, such that the Expiration Date will be December 31, 2018.

8. Except as modified by this Amendment, the Agreement and all of its terms, conditions, and stipulations remain in full force and effect and unmodified.
In witness whereof, the parties have executed this Amendment as of the date first above written.

The Nature Conservancy,  
A District of Columbia nonprofit corporation
By:  
[Signature]
Print Name:  
Melissa Garvey
Title:  
Deputy State Director, Washington

Whatcom County Flood Control Zone District
By:  
[Signature]
Print Name:  
[Signature]
Title:  
[Signature]
WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT:
Recommended for Approval:

[Signature] 2/17/17
Jon Hutchings, Public Works Director  Date

Approved as to form only:

[Signature] 01/18/18
Daniel Gibson, Chief Civil Deputy Prosecutor  Date

Approved:
Accepted for Whatcom County Flood Control Zone District

By:
Jack Louws, Whatcom County Executive, Date
acting for the Whatcom County
Flood Control Zone District Board of Supervisors

STATE OF WASHINGTON )
 ) ss
COUNTY OF WHATCOM )

On this _____ day of _________, 2018, before me personally appeared Jack Louws, to
me known to be the Executive of Whatcom County, who executed the above instrument
and who acknowledged to me the act of signing and sealing thereof.

________________________________________
NOTARY PUBLIC in and for the State of
Washington, residing at _________________.
My commission expires
_____________________________________.
Task 1 - Deming Levee Setback Construction

Background:
The Nooksack River is the fourth largest watershed in the Puget Sound. From its headwaters, the watershed drains an area of approximately 835 square miles before entering the marine waters of Bellingham Bay. The Nooksack River, its tributaries and adjacent independent coastal streams represent 1,437 miles of habitat which either bear, or could bear, salmonids. The Nooksack support ten salmonid species including ESA-listed populations of Chinook salmon, steelhead, and bull trout. All species use the mainstem Nooksack River to fulfill their life history needs. Whatcom County Flood Control Zone District is seeking construction funding for the Deming floodplain restoration project implementation in 2017.

The proposed project reconnects a tributary channel and historic channel area that were disconnected when the existing substandard berm was constructed, and enables reconnection of river floodplain and established riparian forest and improved side channel development over time, directly addressing Chinook and steelhead habitat needs. An alternatives analysis has been completed, construction-ready plans are in-hand, and permits are nearing final approval. The project will construct a short setback levee so that the current substandard berm can degrade over time allowing reconnection of five acres of historic Nooksack River floodplain and re-establishment of a riparian forest. An opening in the berm and a new channel will be created to connect a small tributary and associated wetland to the existing Nooksack River side channel, and large woody debris will be installed in the tributary. This will provide 625 linear feet of stream channel and 0.4 acres of wetland that will provide off-channel rearing and flood refugia for juvenile salmonids. Riparian areas disturbed during construction will be replanted with native conifers, improving riparian function and edge habitat.

The setback levee will be an improved structure that allows more floodwater conveyance in the mainstem of the Nooksack River and is less likely to overtop or breach into the town of Deming. Installation of a gate will also limit the current 4x4 and ORV activity on the site which is damaging riparian and wetland areas and impacting water quality.

Goal:
Restore floodplain function on five acres of historic Nooksack River floodplain and restore tributary connectivity and fish habitat while reducing flood risk to the community of Deming.

Objectives:
- Remove a portion of existing levee to restore fish passage and connectivity to 625 feet of Marshall Hill Creek and five acres of Nooksack River floodplain.
- Construct a setback levee to maintain or improve flood protection to key public and tribal infrastructure in Deming.
- Install multiple log structures to improve habitat diversity and complexity in creek and side-channel rearing habitats.
- Install gate to prevent ORV and 4x4 access that degrade water quality and riparian and wetland habitats.

Outcomes:
- Reconnect 5 acres of historic floodplain through levee removal and setback that restores critical floodplain habitat while reducing flood risks to the town of Deming
- Restore 625' of tributary habitat and 0.4 acres of wetland to provide off-channel salmon rearing and refugia

Scope of Work:
Whatcom County Public Works will develop a bid package including the final plans and specifications, advertise the request for bids and award the bid to the lowest responsible bidder. The Construction Contractor that is hired to construct this project will complete the work tasks listed by WSDOT (Washington State Department of Transportation) Standard Specification or Special Provisions number as shown below. In addition to expenses incurred by the construction contractor, additional costs
billed to this task may include costs by the BNSF Railroad to construct a new railroad crossing at the new levee alignment, materials testing, and construction support by the design engineer to ensure the project meets specifications.

**Site Preparation, Temporary Facilities**
1-05 CONTRACTOR SURVEYING
1-09 MOBILIZATION (5%)
1-10 PROJECT TEMPORARY TRAFFIC CONTROL
2-01 CLEARING AND GRUBBING
2-02SP DECOMMISSION OBSERVATION WELL

**Earthwork (Levee Construction)**
2-03SP GENERAL EXCAVATION INCL. HAUL (Levee Construction)
2-03SP REMOVAL OF GENERAL EXCAVATION INCL. HAUL
2-03SP ONSITE LEVEE SELECT FILL
2-03SP IMPORTED LEVEE SELECT FILL
2-03SP COMMON FILL
2-03SP GRAVEL BORROW
2-03SP DEWATERING
2-12SP CONSTRUCTION GEOSYNTHETIC
8-15SP HEAVY LOOSE RIPRAP
8-15 QUARRY SPALLS

**Stream Construction and Restoration**
2-03SP GENERAL EXCAVATION INCL. HAUL (Stream Construction)
3-05SP STREAMBED COBBLES
6-04SP LARGE WOODY DEBRIS
6-04SP BRUSH PILES
6-04SP SNAGS

**Temporary Erosion and Sediment Control**
8-01 EROSION AND WATER POLLUTION CONTROL
8-01 SPCC PLAN
8-01 STABILIZED CONSTRUCTION ENTRANCE
8-01 HIGH VISIBILITY SILT FENCE
8-01 ENVIRONMENTAL COMPLIANCE LEAD

**Miscellaneous**
9-16SP ACCESS CONTROL GATE

**Deliverables:**
- Record drawings will be completed noting as-built elevations, structure locations, and any changes from the original plan set.
  - Due January 31, 2018
- Final project memorandum signed by the Project Engineer and or Construction Consultant declaring that the project was constructed and completed in accordance with the construction plans and specifications. This memorandum will also include photos taken to document important phases of construction.
  - Due January 31, 2018

*Task 1 cost (NOAA portion, year 1): $200,000; match: $500,000*
*Task 1 cost (NOAA portion, year 2): $100,000; match: $450,000*
**Task 2 – Geomorphic Assessment**

**Background:**
While the upper Nooksack watershed is mostly in private, state, or federally managed forest, the lower portion of the watershed is largely rural, but more heavily developed than the upper reaches, with farms, rural residences, and small communities dominating the landscape. As such, there are multiple community interests and priorities along the Nooksack floodplain including salmon recovery, flood risk reduction, water quality, and agricultural operability and viability. In an effort to coordinate these community interests, a planning effort is underway to integrate multiple priorities and create a roadmap for achieving wins for all stakeholders. One of the data gaps is a comprehensive detailed geomorphic assessment. Geomorphic analysis has been completed on portions of the Lower Nooksack River. Additional work is needed to complete assessments on reaches lacking this analysis and to compile all the analyses into a single set of products.

Geomorphic analysis is a critical component in comprehensive river planning, providing a context within which the effects of existing hydro-modifications can be better understood and constraints to habitat can be identified. It also provides a context for evaluating potential flood hazard reduction strategies to ensure they can be effective in reducing flood risk and do not continue to degrade the system. The next phase of planning for the lower Nooksack River will be to update the comprehensive flood hazard management plan in a manner that integrates salmon habitat protection and restoration goals while also addressing the needs of the agricultural community, as most of the Nooksack River floodplain is currently used for agriculture.

**Goal:**
Fill a critical knowledge gap identified as a barrier to advancing salmon recovery and flood hazard management in the lower Nooksack watershed.

**Objectives:**
- Complete a geomorphic assessment of the lower Nooksack River to create an understanding of river processes, anthropogenic impacts, and geomorphic thresholds that may affect the ability to restore properly functioning habitat and reduce flood risk.
- Provide a final report, GIS files, and other products suitable to incorporate the geomorphic assessment into updated salmon recovery planning, flood hazard planning, and an integrated floodplain vision and 10-year plan

**Outcomes:**
- Advance multiple benefit project planning by filling a key knowledge gap that is currently a barrier to advancing floodplain project identification and design – a geomorphic assessment of the Nooksack River.

**Scope of Work:**
Whatcom County Public Works will oversee and manage the geomorphic assessment project, including hiring a consultant to complete the technical work described below. Tasks 2.1 through 2.4 will be completed in year one (by December 31, 2017). Completion of other tasks will be contingent on additional funds and time.
Task 2.1 – Project Kick-Off
Hold a project kick-off meeting and initial field review to clarify scoping elements, discuss supporting data sources, coordinate with other projects gathering similar data, refine the project schedule and gain overall site familiarity. This task includes a meeting with agencies and others holding data.
Completion date: February 1, 2017

Task 2.2 – Data Compilation
Compile and summarize existing data; identify gaps in historical imagery and other key data sets and fill the gaps as possible. Identify sources of potential supporting data and request data as appropriate.
Completion date: March 3, 2017

Task 2.3 – Geomorphic Analysis
Perform a baseline geomorphic evaluation of the project reach with a focus on remote analysis using aerial photos, lidar, and other mapping layers to document rates and patterns of geomorphic change. This task includes stakeholder meeting #1.
Completion date: July 1, 2017

Task 2.4 – Evaluate Additional Geomorphic Parameters to Support Habitat Assessment
Evaluate key geomorphic parameters (e.g. role of large wood in shaping channel, history of wood management, persistence of wood) that link the geomorphology to current habitat forming processes. Information will inform habitat assessment to be done separately and habitat protection and restoration priorities. This task will be included in stakeholder meeting #1.
Completion date: July 1, 2017

Task 2.5 – Technical Assistance
The County may call upon the Contractor to perform specific professional services to support the geomorphic assessment process as needed. Anticipated services will likely include:
- Additional analysis to respond to stakeholder input
- Attendance and participation in additional stakeholder meetings beyond those identified in this scope of work to present additional analysis.
Completion date: December 31, 2018

Task 2.6 – Integration of Results with Flood Control Strategies
Evaluate flood control strategies and how they influence geomorphic processes and salmon habitat parameters. Consider anticipated geomorphic trajectories at specific sites and for broader floodplain management. Provide recommendations to modify existing flood infrastructure to achieve ecological gain and to reduce maintenance requirements while retaining flood hazard management functions and achieving system resilience. This task includes stakeholder meeting #2.
Completion date: December 1, 2018

Task 2.7 – Reporting
Prepare and present a draft report at stakeholder meeting #3. Receive comments and make revisions as necessary. Prepare and present a final report and final GIS and other digital products at stakeholder meeting #4. This task may include up to two additional stakeholder meetings if necessary.
Completion date: December 31, 2018

Year 1 Deliverables:
- Technical memo documenting baseline geomorphic evaluation.
  - Due December 31, 2017
Year 2 Deliverables:

- Agency and stakeholder meeting summaries
  - Due December 31, 2018
- Copies of presentations to stakeholders.
  - Due December 31, 2018
- Final consultant report including habitat assessment
  - Due December 31, 2018

Task 2 cost (NOAA portion, year 1): $50,000; match: $0
Task 2 cost (NOAA portion, year 2): $50,000; match: $0

Anticipated project schedule:

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## Schedule 2
Budget

### Whatcom Co - Demming Levee Setback

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<th>Object Class Categories</th>
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### Whatcom Co - Nooksack Geomorphic Assessment

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<th>Year 1 Match</th>
<th>Year 2 Request</th>
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## Schedule 3
### Financial Report

**FORM A - CONSOLIDATED FINANCIAL REPORT**

**NAME OF ORGANIZATION:** Whatcom County Public Works  
**COUNTRY:** USA  
**PROJECT NAME:** Deming Lavee Setback  
**SITE:** WA  
**AWARD #:** WA-5161135-011

Prior period adjustments require a detailed explanation in the notes section provided below. Fill in the yellow shaded areas only.

### TNC-FUNDED EXPENSES

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<th>CATEGORIES</th>
<th>Budget (A)</th>
<th>Prior Period Expenses (B)</th>
<th>Prior Period Adjustments (C)</th>
<th>Current Period Expenses (D)</th>
<th>TOTAL LOP Expenses to Date (E=B+C+D)</th>
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**PERCENTAGE OF BUDGET SPENT:** 9%

### MATCH EXPENSES

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<th>Current Period Expenses (D)</th>
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<th>Balance (F= A-E)</th>
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<tr>
<td>G. CONSTRUCTION</td>
<td></td>
<td></td>
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<tr>
<td>H. OTHER</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>I. TOTAL DIRECT COSTS</td>
<td>900,000.00</td>
<td></td>
<td></td>
<td></td>
<td>900,000.00</td>
<td></td>
</tr>
<tr>
<td>J. INDIRECT COSTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. TOTALS</td>
<td>1,250,000.00</td>
<td></td>
<td></td>
<td></td>
<td>1,250,000.00</td>
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</tbody>
</table>

**PROJECT TOTALS**  
1,250,000.00

### OTHER SOURCES OF INCOME

<table>
<thead>
<tr>
<th></th>
<th>Prior Period LOP Income (A)</th>
<th>Current LOP Income (B)</th>
<th>TOTAL LOP Income (C=A+B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTEREST</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>TOTAL</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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</table>

Explanation of Prior Period Adjustments:

<table>
<thead>
<tr>
<th>NAME AND TITLE - PROJECT COORDINATOR</th>
<th>NAME AND TITLE - FINANCE DIRECTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIGNATURE - PROJECT COORDINATOR</td>
<td>SIGNATURE - FINANCE DIRECTOR</td>
</tr>
<tr>
<td>DATE OF SIGNATURE</td>
<td>DATE OF SIGNATURE</td>
</tr>
</tbody>
</table>

Note. LOP means Life of Project.

39
**FORM A - CONSOLIDATED FINANCIAL REPORT**

**NAME OF ORGANIZATION:** Whatcom County Public Works  
**COUNTRY:** USA  
**PROJECT NAME:** Northward Geometric  
**SITE:** WA  
**AWARD #:** WA-S-151130-011

Prior period adjustments require a detailed explanation in the notes section provided below. Fill in the yellow shaded areas only.

### TNC-FUNDED EXPENSES

<table>
<thead>
<tr>
<th>Categories</th>
<th>Budget (A)</th>
<th>Prior Period Expenses (B)</th>
<th>Prior Period Adjustments (C)</th>
<th>Current Period Expenses (D)</th>
<th>Total LOP Expenses to Date (E=B+C+D)</th>
<th>Balance (F=E+A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. PERSONNEL</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>B. FRINGE BENEFITS</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>C. TRAVEL</td>
<td>-</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>D. EQUIPMENT</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>E. SUPPLIES</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>F. CONTRACTUAL</td>
<td>100,000.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100,000.00</td>
<td>-</td>
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<tr>
<td>G. CONSTRUCTION</td>
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<tr>
<td>H. OTHER</td>
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</tr>
<tr>
<td>I. TOTAL DIRECT COSTS</td>
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<td>-</td>
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<td>100,000.00</td>
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<td>J. INDIRECT COSTS</td>
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<td>-</td>
<td>100,000.00</td>
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**PERCENTAGE OF BUDGET SPENT:** 9%

### MATCH EXPENSES - NOT REQUIRED

<table>
<thead>
<tr>
<th>Categories</th>
<th>Budget (A)</th>
<th>Prior Period Expenses (B)</th>
<th>Prior Period Adjustments (C)</th>
<th>Current Period Expenses (D)</th>
<th>Total LOP Expenses to Date (E=B+C+D)</th>
<th>Balance (F=E+A)</th>
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</thead>
<tbody>
<tr>
<td>A. PERSONNEL</td>
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<tr>
<td>B. FRINGE BENEFITS</td>
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<tr>
<td>C. TRAVEL</td>
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<tr>
<td>D. EQUIPMENT</td>
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<td>E. SUPPLIES</td>
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<tr>
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<td>G. CONSTRUCTION</td>
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<tr>
<td>H. OTHER</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>I. TOTAL DIRECT COSTS</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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<tr>
<td>J. INDIRECT COSTS</td>
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</tbody>
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**PROJECT TOTALS** 100,000.00 - - - - 100,000.00

### OTHER SOURCES OF INCOME

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<tr>
<th>Sources of Income</th>
<th>Prior Period LOP Income (A)</th>
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<tr>
<td>GROSS PROGRAM INCOME</td>
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<tr>
<td>INTEREST</td>
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<tr>
<td>TOTAL</td>
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<td>0.00</td>
<td>0.03</td>
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</table>

Explanation of Prior Period Adjustments:

**NAME AND TITLE - PROJECT COORDINATOR**

**SIGNATURE - PROJECT COORDINATOR**

**DATE OF SIGNATURE**

**NAME AND TITLE - FINANCE DIRECTOR**

**SIGNATURE - FINANCE DIRECTOR**

**DATE OF SIGNATURE**

Note: LOP means Life of Project.
## FORM B - SOURCE AND USE OF FUNDS

**NAME OF ORGANIZATION:** Whatcom County Public Works  
**COUNTRY:** USA  
**PROJECT NAME:** Deming Levee Setback and Nooksack Geomorphic Assessment  
**REPORT PERIOD:** 0  
**SITE:** WA  
**AWARD #:** WA-S-161130-011

### Fill in the yellow shaded areas only.

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit</th>
<th>Prior Period Expenses</th>
<th>Current Expenses</th>
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<tr>
<td>TNC SHARE OF EXPENSES</td>
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<tr>
<td>SUBAWARDEE SHARE OF EXPENSES (MATCH)</td>
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<td>-</td>
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</tr>
<tr>
<td>TOTAL TNC FUNDS RECEIVED TO DATE</td>
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<tr>
<td>REQUESTED TNC FUNDS (Line 2 - Line 4)</td>
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</tr>
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</table>

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**NAME AND TITLE - PROJECT COORDINATOR**  
**SIGNATURE - PROJECT COORDINATOR**  
**DATE OF SIGNATURE**

**NAME AND TITLE - FINANCE DIRECTOR**  
**SIGNATURE - FINANCE DIRECTOR**  
**DATE OF SIGNATURE**
WHATCOM COUNTY COUNCIL AGENDA BILL

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td>ED</td>
<td>1/9/18</td>
<td></td>
<td>1/30/18</td>
<td>Finance / Council</td>
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<tr>
<td>Division Head:</td>
<td>D</td>
<td>1/16/18</td>
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</tr>
<tr>
<td>Dept. Head:</td>
<td>H</td>
<td>1/14/18</td>
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<tr>
<td>Prosecutor:</td>
<td>BC</td>
<td>01/18/18</td>
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<tr>
<td>Purchasing/Budget:</td>
<td>Mdc</td>
<td>1/11/18</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td>TWS</td>
<td>1/22/18</td>
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</tbody>
</table>

TITLE OF DOCUMENT:
2018 Interlocal Agreement between WCFCZD and WCD for Pollution Identification and Correction (PIC) Program: Non-Dairy Agriculture Best Management Practices Outreach and Cost-Share

ATTACHMENTS:
Memo
Interlocal Agreement

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

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

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

This interlocal agreement will enhance and support elements of Whatcom County’s Pollution Identification and Correction (PIC) Program. This agreement will provide community outreach and financial assistance and incentives to landowners and operators with non-dairy agricultural operations in PIC areas.

COMMITTEE ACTION: __________________________

COUNCIL ACTION: __________________________

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

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

TO: The Honorable Jack Louws, County Executive, The Honorable Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director

FROM: Gary Stoyka, Natural Resources Manager

DATE: January 16, 2018

RE: Interlocal Agreement for PIC Program Non-Dairy Agricultural Best Management Practices Outreach and Cost-Share

Please find enclosed for your review and signature two (2) originals of an interlocal agreement between Whatcom County Flood Control Zone District and the Whatcom Conservation District in the amount of $55,000 to provide community outreach and cost-share to support the Pollution Identification and Correction (PIC) Program.

Requested Action
Public Works respectfully requests that the County Executive, acting for the Whatcom County Flood Control Zone District (FCZD) Board of Supervisors, execute the attached interlocal agreement.

Background and Purpose
This interlocal agreement will provide funding to the Whatcom Conservation District to implement community outreach activities and manage the financial assistance and incentives program for landowners and operators with non-dairy agricultural operations in Whatcom County PIC areas.

Funding Amount and Source
This interlocal agreement with the Whatcom Conservation District will provide $55,000 to support the non-dairy agriculture component of the Whatcom County PIC program through a partnership with the Whatcom Conservation District. This agreement will be funded through the 2018 FCZD budget for Public Works- Natural Resources programs.

Please contact Erika Douglas at extension 6294 or Gary Stoyka at extension 6218, if you have any questions or concerns regarding the terms of this agreement.

Encl.
<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division/Program: (i.e. Dept. Division and Program)</td>
<td>Natural Resources</td>
</tr>
<tr>
<td>Contract or Grant Administrator:</td>
<td>Erika Douglas</td>
</tr>
<tr>
<td>Contractor’s / Agency Name:</td>
<td>Whatcom Conservation District</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is this a New Contract?</th>
<th>Yes ☐ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>If not, is this an Amendment or Renewal to an Existing Contract?</td>
<td>Yes ☑ No ☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does contract require Council Approval?</th>
<th>Yes ☑ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>If No, include WCC:</td>
<td>(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</td>
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</table>

<table>
<thead>
<tr>
<th>Is this a grant agreement?</th>
<th>Yes ☐ No ☑</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, grantor agency contract number(s):</td>
<td>CFDA#:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Is this contract grant funded?</th>
<th>Yes ☑ No ☐</th>
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</thead>
<tbody>
<tr>
<td>If yes, Whatcom County grant contract number(s):</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Is this contract the result of a RFP or Bid process?</th>
<th>Yes ☑ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, RFP and Bid number(s):</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is this agreement excluded from E-Verify?</th>
<th>Yes ☑ No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>If no, include Attachment D Contractor Declaration form.</td>
<td></td>
</tr>
</tbody>
</table>

If YES, indicate exclusion(s) below:

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

<table>
<thead>
<tr>
<th>Contract Amount:(sum of original contract amount and any prior amendments):</th>
<th>$ 55,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Amendment Amount:</td>
<td>$</td>
</tr>
<tr>
<td>Total Amended Amount:</td>
<td>$ 55,000</td>
</tr>
</tbody>
</table>

| Summary of Scope: This interlocal agreement will enhance and support elements of Whatcom County’s Pollution Identification and Correction (PIC) Program. This agreement will provide community outreach and financial assistance and incentives to landowners and operators with non-dairy agricultural operations in PIC areas. |

<table>
<thead>
<tr>
<th>Term of Contract:</th>
<th>Expiration Date:</th>
<th>12/31/18</th>
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</thead>
<tbody>
<tr>
<td>Contract Routing:</td>
<td>Date:</td>
<td>1/9/18</td>
</tr>
<tr>
<td>1. Prepared by:</td>
<td>Date:</td>
<td>01/09/18</td>
</tr>
<tr>
<td>ED</td>
<td>Date:</td>
<td>1/11/18</td>
</tr>
<tr>
<td>2. Attorney signoff:</td>
<td>Date:</td>
<td>1/16/18</td>
</tr>
<tr>
<td>Daniel L. Gibson</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>3. AS Finance reviewed:</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>M Caldwell</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>4. IT reviewed (if IT related):</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>5. Contractor signed:</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>6. Submitted to Exec.:</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>7. Council approved (if necessary):</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>8. Executive signed:</td>
<td>Date:</td>
<td></td>
</tr>
<tr>
<td>9. Original to Council:</td>
<td>Date:</td>
<td></td>
</tr>
</tbody>
</table>
2018 INTERLOCAL AGREEMENT
WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT- WHATCOM CONSERVATION DISTRICT
Pollution Identification and Correction (PIC) Program
Non-Dairy Agricultural Best Management Practices Outreach and Cost-Share

WHEREAS, Whatcom County Flood Control Zone District, hereinafter referred to as the "County" and the Whatcom Conservation District, hereinafter referred to as the "WCD", desire to establish an arrangement wherein the County will provide funding to the WCD to provide community outreach and financial assistance programs for the non-dairy agriculture best management practices component of the Whatcom County Pollution Identification and Correction (PIC) program to the mutual advantage of each jurisdiction; and,

WHEREAS, the Drayton Harbor Shellfish Recovery Plan identified a coordinated water quality monitoring program to identify pollution sources and increased capacity for following up on monitoring findings as high priorities; and,

WHEREAS, the Portage Bay Shellfish Recovery Plan identified a Whatcom County PIC program as the highest priority recommendation; and,

WHEREAS, a PIC program is a data-driven program guiding pollution-tracking activities to areas with the greatest water quality problems, followed by technical and financial assistance offered to landowners to implement fixes to improve and protect water quality; and,

WHEREAS, agricultural activities have been identified as one priority source of bacteria in the Drayton Harbor and Portage Bay Shellfish Protection Districts; and,

WHEREAS, the WCD provides local expertise and technical assistance to landowners with livestock to support development and implementation of farm plans; and,

WHEREAS, the WCD also administers landowner incentive and cost-share programs including CREP and Washington State Conservation Commission (WSCC) Livestock Cost-share Program for Whatcom County; and

WHEREAS, a more flexible cost-share option is needed to provide financial assistance to landowners with small farms that do not meet the requirements of existing federal and state cost-share programs; and

WHEREAS, the most efficient use of resources is to have the WCD supplement its outreach and cost-share programs consistent with the specific needs of the Whatcom County PIC program as described in Exhibit A to help improve and protect water quality in the Drayton Harbor and Portage Bay Shellfish Protection Districts; and

WHEREAS, it is in the best interest of each party to enter into this Interlocal Agreement;

NOW THEREFORE, the WCD and County agree as follows:

I. Purpose: The purpose of this agreement is to set the terms whereby the County will make funds available to the WCD to implement an outreach and cost-share program for
landowners/operators with non-dairy agricultural operations in PIC program focus areas as described in Exhibit A attached hereto.

II. **Administration:** No new or separate legal or administrative entity is created to administer the provisions of this agreement.

III. **Whatcom Conservation District Responsibilities:** The WCD hereby agrees to implement the non-dairy agriculture outreach and cost-share program as described in Exhibit A attached hereto.

IV. **Whatcom County Responsibilities:** The County hereby agrees to reimburse the WCD, not to exceed the total budget amount allocated to the WCD as shown in Exhibit B attached hereto, for the costs of providing and performing the services stated.

V. **Payment:** Contractor shall submit itemized invoices in a format approved by the County. Each request for payment shall include invoices which detail work performed and supplies or materials purchased. Each request for reimbursement of payments to landowners will include copies of equipment, supply or vendor receipts and substantiation for equipment and labor hours paid. The County will compensate the WCD for services rendered within thirty (30) days following receipt of an approved invoice, provided all other terms and conditions of the contract have been met and are certified as such by the Contract Administrator.

VI. **Term:** This Agreement shall be effective for services performed from January 31, 2018 through December 31, 2018.

VII. **Responsible Persons:** The persons responsible for administration of this Agreement shall be the Whatcom County Public Works (WCPW) Department Director and the WCD Executive Director or their respective designees.

VIII. **Treatment of Assets and Property:** No fixed assets or personal or real property will be jointly or cooperatively acquired, held, used, or disposed of pursuant to this Agreement.

IX. **Indemnification:** Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the Parties by reason of entering into this Agreement except as expressly provided herein.

X. **Modifications:** This Agreement may be changed, modified, amended or waived only by written agreement executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

XI. **Applicable Law:** In the performance of this Agreement, it is mutually understood and agreed upon by the Parties hereto that this Agreement shall be governed by the laws and regulations of the State of Washington and the federal government, both as to interpretation and performance. The venue of any action arising herefrom shall be in the Superior Court of the State of Washington in and for Whatcom County.
XII. **Severability:** In the event any term or condition of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement that can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

XIII. **Entire Agreement:** This Agreement contains all the terms and conditions agreed upon by the Parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.

XIV. **Recordation:** Upon execution of this Agreement, and prior to its entry into force, Whatcom County shall file a copy of it with the office of its County Auditor or alternatively list it by subject on its web site or other electronically retrievable public source, pursuant to the requirements of RCW 39.34.040.
IN WITNESS WHEREOF, the parties have signed this Agreement this ____________ day of ________________, 2018.

WHATCOM CONSERVATION DISTRICT
By ____________________________
Larry Helm, WCD Chair

Approved as to form:
Office of the WCD Attorney

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT
By ____________________________
Jack Louws, County Executive

Approved as to form:
Whatcom County Prosecuting Attorney
Director of Public Works

STATE OF WASHINGTON )
COUNTY OF WHATCOM  ) ss.

On this __________ day of ________________, 2018, before me personally appeared Jack Louws, acting on behalf of the Whatcom County Flood Control Zone District Board of Supervisors, and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _______________.
My commission expires: _______________

STATE OF WASHINGTON )
COUNTY OF WHATCOM  ) ss.

On this 167th day of ________________, 2018, before me personally appeared Larry Helm, to me known to be the Chair of the Whatcom Conservation District and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _______________.
My commission expires: _______________
EXHIBIT A- SCOPE OF WORK
Pollution Identification and Correction (PIC) Program
Non-Dairy Agriculture Best Management Practices Outreach and Cost-Share

PROJECT DESCRIPTION
The purpose of this interlocal agreement is to identify the activities that will be conducted by the WCD to provide outreach and financial assistance to landowners/operators with non-dairy agriculture in support of and in coordination with the Whatcom County PIC Program.

Task 1: Community Outreach
WCD will develop and implement a community outreach program for landowners/operators with non-dairy agricultural operations in Whatcom County PIC focus areas. This will include organizing and hosting non-dairy agriculture workshops/trainings, developing and distributing educational materials, hosting displays or providing presentations at other community events, and developing and implementing other educational campaigns in coordination with WCPW to support the PIC.

Deliverables and Timelines:
- Activities will be tracked through progress reports.
  - Monthly reports will be submitted with invoices and include a list of events and materials.
  - Quarterly reports will include the type and location of outreach events, number of participants, and a description of educational materials and programs developed and coordinated.
- Electronic files of advertisements, educational materials, and workshop evaluations will be provided.

Task 2: Temporary Fixes and Technical Assistance Incentives ($1,000)
WCD will provide landowners in PIC areas with emergency temporary fixes for problems identified through site assessments and/or incentives for technical assistance programs.
- WCD will offer assistance and supplies for temporary fixes to problems identified through a site risk assessment that require immediate attention (e.g., animal access to creek, discharge or potential discharge of manure to creek or ditch). Permanent fixes for these problems will be addressed through development and implementation of a farm plan.
- WCD will offer incentives for technical assistance programs such as tarps for covering manure storage or soil tests. Other incentives may be jointly agreed upon by WCD and WCPW.

Deliverables and Timelines:
- Activities will be tracked through progress reports.
  - Monthly summaries of the location, type of pollution sources identified, and type and number of temporary BMPs installed and incentives provided.
  - Quarterly reports will summarize these statistics by watershed/drainage area.

Task 3: Non-Dairy Agricultural Operations Cost-Share ($21,000)
- WCD and WCPW staff will develop an agreed upon list of eligible cost-share projects. Guidance and application documents created for the 2014 non-dairy agriculture cost-share program will be reviewed and adapted for this program. WCD and WCPW staff will develop an agreed-upon phased approach for advertising, receiving applications, and selecting priority projects for funding.
• WCD will direct landowners/operators to the most appropriate sources of cost-share funding including funding provided by the County under this agreement, funding provided to the WCD from other sources, and other options through the Whatcom Clean Water program (WCWP).

• WCD staff will assist landowners/operators in completing cost-share applications and provide copies to WCPW for approval of cost-share funding prior to submission to the WCD Director. WCD Director will approve cost-share applications awarded funding by WCPW. No reimbursement will be made where the implementation of BMPs has begun before WCPW and WCD approval. WCD will assist landowners with BMP installation and recordkeeping according to the cost-share program requirements. WCD will receive notification of project completion from landowner/operator and schedule a site visit to verify that BMPs have been installed according to plan specifications. Following the site visit, WCD will approve or deny reimbursement of funds. If reimbursement is denied, the WCD will provide the landowner with information on what is required to improve the BMP to meet specifications needed to sign off as complete and to be approved for reimbursement. The County will reimburse WCD for eligible cost-share expenses as specified in Exhibit B of this Agreement and landowner/operator cost-share agreement contract.

**Deliverables:**

• Progress will be tracked through quarterly reports summarizing the location, type of pollution sources identified, and type and number of BMPs installed. These statistics will be summarized on a quarterly basis by PIC focus area.

• Final cost-share report including approved applications, installed BMPs, date and findings of site visit, and cost-share reimbursement (with background invoices) by December 31, 2018. Requests from the WCD to the County for reimbursement for cost-share on qualified projects must be submitted with all necessary documentation no later than December 17, 2018.
EXHIBIT B- BUDGET
Pollution Identification and Correction (PIC) Program
Non-Dairy Agriculture Best Management Practices Outreach and Cost-Share

As consideration for the services provided pursuant to the Scope of Work, the total budget is not to exceed $55,000 with additional details provided below. Requests for payment and reimbursement by the County will coincide and be based on the successful completion of services described in Exhibit A.

Requests for reimbursement of expenses must be accompanied by copies of paid invoices itemizing costs incurred. The County does not reimburse the cost of alcoholic beverages. Any work performed prior to the effective date of this contract or continuing after the completion date of the same unless otherwise agreed upon in writing, will be at the contractor’s expense.

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<td>Mgmt/Admin/Engineer</td>
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**Overhead (25% of salaries/benefits)**

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<td>Temporary BMPs (e.g. electrical fencing, hog fuel, etc.)</td>
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<td>Technical assistance incentives (e.g. tarps, soil tests, t-shirts)</td>
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<td>Printing/Mailing/Supplies</td>
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<td>Room Rental</td>
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<td><em><em>Cost-Share (see rates below)</em> application must be approved by WCPW prior to implementation</em>*</td>
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**Totals**

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<tr>
<td><strong>Total</strong></td>
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**Non-Dairy Livestock Cost-Share Reimbursement Description:**
Eligible landowners with applications that are approved by the WCD and WCPW will receive the designated percentage cost-share towards a maximum project cost of $4,000 (maximum $3,000 reimbursement). Approved BMPs will be reimbursed through the cost-share program utilizing actual costs and the established rate table. Landowners have the option to do labor themselves. The
reimbursable rate for owner/operator services are based upon the established rate sheet (Exhibit C). Whatcom Conservation District will submit invoices to the County which for each project shall include the landowner cost-share approval form, field inspection sign off, maintenance agreement, landowner reimbursement form (including landowner timesheet), and copies of all receipts.
EXHIBIT C- RATE SHEET
Pollution Identification and Correction (PIC) Program
Non-Dairy Agriculture Best Management Practices Outreach and Cost-Share

Reimbursement Rates for Producer Labor and Producer Owned Machinery/Equipment

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<td>Individual labor/operator labor</td>
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Equipment Only, without operator

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<td>Small tractor (20Hp – 59Hp)</td>
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<td>Medium Tractor (60Hp – 99Hp)</td>
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<td>Large Tractor (100+Hp)</td>
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<td>Tractor Bucket, front end loading—add to tractor rate</td>
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<tr>
<td>Excavator, Light</td>
<td>$50.00/hr</td>
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<td>Excavator, Med</td>
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<td>Excavator, heavy</td>
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<td>Chain saw</td>
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<td>4 Strand Barb wire fence (includes labor &amp; materials)</td>
<td>$3.00/ft(cc1)</td>
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Landowners eligible for cost-share assistance through the PIC Non-Dairy Livestock BMP cost-share program can utilize this rate sheet if they choose to do their own labor. Rates will be reimbursed at 75%. Landowner pays 25% of the project costs (labor and materials). An invoice with hours, description of work, and rate must be submitted with cost-share.
## WHATCOM COUNTY COUNCIL AGENDA BILL

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<th>Agenda Date</th>
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**TITLE OF DOCUMENT:**

**PETITION FOR REFUNDS PAID REPORT**

**ATTACHMENTS:**

1. Cover Letter
2. Resolution
3. List of Property Tax Refunds

**SEPA review required?**

<table>
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<th>( ) Yes</th>
<th>( X ) NO</th>
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**SEPA review completed?**

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**Should Clerk schedule a hearing?**

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<th>( X ) NO</th>
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**REQUESTED DATE:**

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

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

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

TO: Jack Louws, Whatcom County Executive
FROM: Steven N. Oliver, Whatcom County Treasurer
DATE: January 16, 2018
RE: Resolution property tax refunds

We are presenting this resolution, consistent with RCW 84.69.020 for the annual list of property tax refunds. No action is required; however, a formal motion to approve the list would be appropriate.

Please consider this resolution at your January 30, 2018 council meeting.
RESOLUTION NO. _______

A RESOLUTION ACCEPTING THE TREASURER’S
LIST OF PETITIONS FOR PROPERTY TAX REFUNDS

WHEREAS, RCW 84.69.020 requires that the County Treasurer present a list of
all petitions for property tax refunds made during the previous year to the County
Council, and;

WHEREAS, a list of the Whatcom County Treasurer’s Property Tax Refunds for
2016 is attached to this resolution, and;

WHEREAS, the Whatcom County Council has received and reviewed the
Treasurer’s list of property tax refunds consisting of the names of the persons receiving
the refunds, the amounts of the refunds, and reasons for the refunds for the year 2016
in accordance with RCW 84.69.020.

NOW, THEREFORE BE IT RESOLVED, that the Whatcom County Council
accepts the property tax refund list for 2017, hereto attached as “Exhibit A”.

APPROVED this ______ day of __________________, 2018.

ATTEST:

Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor
PETITION FOR REFUNDS
PAID REPORT

JANUARY 1, 2017

THROUGH

DECEMBER 31, 2017
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### Grouped refund types

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<th>Description</th>
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<td>BEOR/BECE/BOARD ORDERED CHANGES</td>
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**BEOR** = Board of Equalization Ordered Change (Hearing order)
**BECE** = Board of Equalization Corrective Evaluation (Assessor Stipulation)
**BTA Stipulation** = Assessor's Stipulation to Value with State Board of Tax Appeals
**DPA & DPD** = Destroyed/Abated Property = Value removed from tax rolls due to Destroyed/Abated Property Claim filed with Assessor's Office
**MSQ** = Measurement Correction
**OC** = Overpayment Credit
**MTD** = Taxable to Exempt per DOR Determination/Order
**MTR** = Taxable to Exempt per Transfer for Road Right-of-Way
**MTX** = Taxable to Exempt for other than MTD or MTR (gov't. purchase, etc.)
**SL & SN & ST & SB & SC** = Senior/Disabled = Changes to existing senior/disabled exemptions (qualifying for greater exemption) or new qualifying application processed
Guardrail Safety Program: CRP No. 918002
Local Agency Agreement and Project Prospectus

ATTACHMENTS:
1. Memo to County Executive and Council
2. Contract Information Sheet
3. Local Agency Agreement & Project Prospectus
4. Vicinity Map & Typical Cross Section
5. Guardrail Site Location List

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

This Local Agency Agreement and Project Prospectus are required to obligate federal funds for preliminary engineering and environmental permitting for the above referenced project. This project is listed as Item No. 12 on the 2018 Annual Construction Program.
Memorandum

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

Through: Jon Hutchings, Director

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

Date: January 17, 2018

Re: Guardrail Safety Program; CRP No. 918002
Local Agency Agreement and Project Prospectus

Enclosed for your review and signature are two (2) originals of the Local Agency Agreement and Project Prospectus between Whatcom County and the Washington State Department of Transportation (WSDOT).

Requested Action
Public Works respectfully requests that the County Executive sign the attached Local Agency Agreement and Project Prospectus. Please return both originals of the Local Agency Agreement and Project Prospectus for further processing. We will return a fully executed original of Local Agency Agreement and Project Prospectus to you once they are signed by WSDOT.

Background and Purpose
This Local Agency Agreement and Project Prospectus are required to obligate federal funds for preliminary engineering and environmental permitting for the above referenced project. This project is listed as Item No. 12 on the 2018 Annual Construction Program.

Funding Amount and Source
Whatcom County has been awarded $94,500 in federal Highway Safety Improvement Program (HSIP) funds for preliminary engineering and $805,000 in federal HSIP funds for construction. Total estimated project costs of $915,000 will be covered by $899,500 in federal HSIP funds and $15,500 of Local Funds. Disbursement of the preliminary engineering funds to Whatcom County requires a 10% local match. No local match is required on the construction funds.

This Local Agency Agreement obligates $110,000 in preliminary engineering funds ($94,500 HSIP, $15,500 Local).

Please contact Andrew Tischleder at extension 6224 if you have any questions or concerns regarding the terms of this agreement.
WHATCOM COUNTY CONTRACT INFORMATION SHEET

Originating Department: Public Works
Division/Program: Design & Construction (i.e. Dept. Division and Program)
Contract or Grant Administrator: James P. Karcher, P.E.
Contractor's / Agency Name: Washington State Dept. of Transportation

Is this a New Contract? Yes ☒ No ☐ If not, is this an Amendment or Renewal to an Existing Contract? Yes ☐ No ☒
Yes ☒ No ☐ If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: ___________________________

Does contract require Council Approval? Yes ☒ No ☐ If No, include WCC: ___________________________
(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement? Yes ☒ No ☐ If yes, grantor agency contract number(s): N/A CFDA#: 20.205

Is this contract grant funded? Yes ☒ No ☐ If yes, Whatcom County grant contract number(s): TBD

Is this contract the result of a RFP or Bid process?
Yes ☒ No ☐ If yes, RFP and Bid number(s): Contract Cost Center: 918002

Is this agreement excluded from E-Verify? Yes ☒ No ☐ If no, include Attachment D Contractor Declaration form.

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

Contract Amount:(sum of original contract amount and any prior amendments):
$ 110,000 (HSIP $94,500; Local $15,500)
This Amendment Amount: $ ___________________________
Total Amended Amount: $ ___________________________

Council approval required for; all property leases, contracts or bid awards exceeding $40,000, and professional service contract amendments that have an increase greater than $10,000 or 10% of contract amount, whichever is greater, except when:
1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies or equipment included approved in the budget.
4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

Summary of Scope: This Local Agency Agreement and Project Prospectus are required to obligate federal funds to perform preliminary engineering and environmental permitting for the Guardrail Safety Program, CRP No. 918002.

Term of Contract: Completion of Project Expiration Date: N/A
Contract Routing: 1. Prepared by: Andrew Tischleder ☐
2. Attorney signoff: Daniel L. Gibson ☐
3. AS Finance reviewed: bbennett ☐
4. IT reviewed (if IT related): ☐
5. Contractor signed: ☐
6. Submitted to Exec.: ☐
7. Council approved (if necessary): ☐
8. Executive signed: ☐
9. Original to Council: ☐

In 01/18/18 Date: 1-10-2018 Date: 01/12/18 Date: 1/12/18 Date: Date: Date: Date: Date: Date: Date:

Last edited 10/31/16

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

**Project Description**

Name: Guardrail Safety Program; CRP No. 918002  
Termini: N/A  
Description of Work: Install guardrail at various sites countywide.

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<thead>
<tr>
<th>Project Agreement End Date</th>
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**Agency Official**

By:  
Title: Whatcom County Executive

**Washington State Department of Transportation**

By:  
Director, Local Programs

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

DOT Form 140-039  
Revised 05/2015
Construction Method of Financing (Check Method Selected)

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

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

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

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

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

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

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

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

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

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

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

VI. Payment and Partial Reimbursement

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

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

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

1. Project Construction Costs

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

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

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

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

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

VII. Audit of Federal Consultant Contracts

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

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

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

VIII. Single Audit Act

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

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

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

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

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

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

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

XI. Indemnity

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

XII. Nondiscrimination Provision

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

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3701 et seq.).

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

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

The Agency also agrees:

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

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

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

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

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

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

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

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

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

XIV. Termination for Public Convenience

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

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

XV. Venue for Claims and/or Causes of Action

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

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

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

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

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

XVII. Assurances

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

Additional Provisions
### Description of Existing Facility (Existing Design and Present Condition)

The existing sections of roadway have no guardrail safety features.

### Description of Proposed Work

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

Install guardrail at various locations countywide.

### Local Agency Contact Person

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>James P. Karcher, P.E.</td>
<td>Engineering Manager</td>
<td>360-778-6271</td>
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</table>

### Mailing Address

322 N. Commercial St, Ste. 301  
Bellingham, WA 98225

### Project Prospectus

By [Signature]  
Title County Engineer  
Date 1/16/18
### Type of Proposed Work

<table>
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<th>Project Type (Check all that Apply)</th>
<th>Roadway Width</th>
<th>Number of Lanes</th>
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<tr>
<td>New Construction</td>
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<td>Path / Trail</td>
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<td>Reconstruction</td>
<td>2-R</td>
<td>2</td>
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<td>Pedestrian / Facilities</td>
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<tr>
<td>Railroad</td>
<td>Other</td>
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<td>Parking</td>
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<td>Bridge</td>
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### Geometric Design Data

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<tr>
<td>Urban</td>
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<td>Rural</td>
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<td>NHS</td>
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<td>Collector</td>
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<td>Major Collector</td>
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<td>Flat Roll Mountain</td>
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<td>Posted Speed</td>
<td>Varies</td>
<td>Varies</td>
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<td>Design Speed</td>
<td>Varies</td>
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<td>Existing ADT</td>
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<td>Varies</td>
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<td>Design Year</td>
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<td>Design Hourly Volume (DHV)</td>
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### Performance of Work

Preliminary Engineering Will Be Performed By Others %
Construction Will Be Performed By Contract %
Agency %

### Environmental Classification

- Class I - Environmental Impact Statement (EIS)
  - Project Involves NEPA/SEPA Section 404 Interagency Agreement

- Class II - Categorically Excluded (CE)
  - Projects Requiring Documentation (Documented CE)

- Class III - Environmental Assessment (EA)
  - Project Involves NEPA/SEPA Section 404 Interagency Agreements

Environmental Considerations
Right of Way

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<th>☑ No Right of Way Needed</th>
<th>☐ Right of Way Needed</th>
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<tr>
<td>* All construction required by the contract can be accomplished within the exiting right of way.</td>
<td>☐ No Relocation</td>
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Utilities

<table>
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<th>☐ No utility work required</th>
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Railroad

<table>
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<th>☑ No railroad work required</th>
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<tbody>
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</table>

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

FAA Involvement

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

Remarks

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

Agency
By

Date

Mayor/Chairperson

Approved as to form:

Daniel L. Gibson 01/12/12

Chief Civil Deputy Prosecutor

DOT Form 140-101
Revised 7/2/2015

Previous Editions Obsolete

Page 3
### Exhibit B

**2017 County Safety Program Application**

Whatcom County - Proposed Guardrail Site Locations List

#### 2017 HSIP- GUARDRAIL SAFETY PROGRAM

**PRIMARY ROAD LIST**

<table>
<thead>
<tr>
<th>Sites</th>
<th>Road Log No.</th>
<th>Road Name</th>
<th>Mile Post</th>
<th>Side</th>
<th>Length @ Site Fitting Criteria</th>
<th>ADT</th>
<th>Beam Guardrail Type 31 Length</th>
<th>Terminal Lengths</th>
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<td>2984</td>
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#### 2017 HSIP- GUARDRAIL SAFETY PROGRAM

**ALTERNATIVE ROAD LIST**

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<th>Sites</th>
<th>Road Log No.</th>
<th>Road Name</th>
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* The alternative list will only be used for a replacement option if any site included in the primary list is unconstructible due to unforeseen subsurface conditions. The alternatives will not be included in the cost estimate. However, this list will be included in the funding and permitting process.
**WHATCOM COUNTY COUNCIL AGENDA BILL**

**NO. 2018-047**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
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<td>Finance/Council</td>
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<td>DG</td>
<td>1/18/18</td>
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<td>1/18/18</td>
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<td>Executive:</td>
<td>JG</td>
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**TITLE OF DOCUMENT:** Amendment No. 2 to 2016 Interlocal Agreement Whatcom County & Whatcom Conservation District Lake Whatcom Homeowner Incentive Program Assistance

**ATTACHMENTS:** Contract Information Sheet, Attorney Review, Memorandum, Interlocal Agreement Amendment

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

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

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

**Requested Date:**

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

The Lake Whatcom Homeowner Incentive Program (HIP) is a non-regulatory program that provides technical assistance and cost share incentives for homeowners who voluntarily elect to install stormwater best management practices (BMPs) that reduce phosphorus runoff into Lake Whatcom for the purpose of meeting Total Maximum Daily Load (TMDL) requirements. The Whatcom Conservation District is providing technical assistance to homeowners installing HIP-approved BMPs on priority parcels in basins 1 and 2 of the Lake Whatcom watershed through this interlocal agreement. This amendment modifies the scope of work to provide additional assistance to support homeowners participating in the HIP Do-It-Yourself (DIY) native landscaping program in 2018.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

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

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

THROUGH: Jon Hutchings, Public Works Director

FROM: Cathy Craver, Senior Planner
        Ingrid Enschede, Program Specialist

DATE: January 9, 2018

RE: Amendment to Interlocal Agreement between Whatcom County and the Whatcom Conservation District for Lake Whatcom Homeowner Incentive Program Assistance

Enclosed are two (2) originals of an interlocal agreement amendment (contract #201610015) between Whatcom County and the Whatcom Conservation District (District) for your review and signature. This agreement is for additional technical assistance to support the Lake Whatcom Homeowner Incentive Program (HIP).

- **Background and Purpose**
  HIP is a joint City of Bellingham and Whatcom County non-regulatory program that provides technical assistance and financial incentives to homeowners who voluntarily install stormwater best management practices (BMP) that reduce phosphorus loading from their property to Lake Whatcom. The District is currently providing technical assistance to owners of priority parcels where HIP improvements will have the most phosphorus reducing potential and additional support as needed for critical areas, database management, and other program-specific tasks. This is the second amendment to this interlocal agreement, providing additional assistance for the HIP Do-It-Yourself (DIY) Native Landscaping program.

- **Funding Amount and Source**
  This agreement is funded through cost center 123211. The agreement is currently for $271,794. This second amendment adds an additional $33,698 from the 2018 budget for a new total of $305,492. The City of Bellingham will reimburse Whatcom County for HIP expenditures in excess of the approved $100,000 annual HIP budget according to the 2017-2019 Interlocal Agreement between the City of Bellingham and Whatcom County for the Lake Whatcom Homeowner Incentive Program (contact # 201611031).

- **Differences from Previous Contract**
  This amendment adds a third task to the scope of work to provide assistance with the HIP Do-It Yourself (DIY) Native Landscaping program on parcels with lower phosphorus producing potential. It also includes amended language for the term allowing this agreement to be administratively renewed by mutual written consent for a period of one year with 2019 budget authority.

Please contact Ingrid Enschede at extension 6229 with any questions about this agreement.

Enclosures
### WHATCOM COUNTY CONTRACT INFORMATION SHEET

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Public Works</th>
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<tbody>
<tr>
<td>Division/Program:</td>
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<tr>
<td>Contract or Grant Administrator:</td>
<td>Ingrid Enschede, Program Specialist</td>
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<tr>
<td>Contractor's / Agency Name:</td>
<td>Whatcom Conservation District</td>
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</tbody>
</table>

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

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

**If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:** 201610015

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

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

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

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

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

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

**Is this contract the result of a RFP or Bid process?**

- Yes ☐ No ☑

**If yes, RFP and Bid number(s):** Contract: __________

**Cost Center:** 123211

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

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

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

### Contract Amount:

<table>
<thead>
<tr>
<th>Original contract amount and any prior amendments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 271,794.00</td>
</tr>
</tbody>
</table>

**This Amendment Amount:**

| $ 33,698.00 |

**Total Amended Amount:**

| $ 305,492.00 |

Council approval required for: all property leases, contracts or bid awards **exceeding $40,000**, and professional service contract amendments that have an increase greater than $10,000 or 10% of contract amount, whichever is greater, **except when:**

1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies or equipment included approved in the budget.
4. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

**Summary of Scope:** The Lake Whatcom Homeowner Incentive Program (HIP) is a non-regulatory program that provides technical assistance and cost share incentives for homeowners who voluntarily elect to install stormwater best management practices (BMPs) that reduce phosphorus runoff into Lake Whatcom for the purpose of meeting TMDL requirements. The Whatcom Conservation District will provide technical assistance to homeowners implementing HIP projects on priority residential properties in the Lake Whatcom watershed through this agreement. This amendment adds another year to the original agreement.

**Term of Contract:** Two years

**Expiration Date:** 12/31/2018

**Contract Routing:**

1. Prepared by: Ingrid Enschede
2. Attorney signoff: Daniel L. Gibson
3. AS Finance reviewed: M Caldwell
4. IT reviewed (if IT related): 
5. Contractor signed: 
6. Submitted to Exec.: 
7. Council approved (if necessary): 
8. Executive signed: 
9. Original to Council: 

**Date:** 12/19/2017

**Date:** 12/19/17

**Date:** 12/29/17

**Date:** 1/16/18
WHEREAS, an Interlocal Agreement (Whatcom County Contract No. 201610015) was entered into between Whatcom County (County) and the Whatcom Conservation District (District) on November 10, 2016 for the purpose of providing assistance for the Lake Whatcom Homeowner Incentive Program (HIP); and,

WHEREAS, the District hired a HIP Coordinator to work with homeowners to plan and install HIP approved phosphorus reducing best management practices on parcels offering the greatest potential for phosphorus reduction according to the terms of this agreement; and,

WHEREAS, this agreement was amended on June 28, 2017 (Amendment No. 1) to provide additional budget authority to complete the original scope of work through the end of the 2018 and allow the District to provide additional technical assistance for HIP projects involving critical areas at the request of the County; and,

WHEREAS, the District has agreed to provide additional technical assistance for HIP Do-It-Yourself (DIY) Native Landscaping projects beginning in 2018 on parcels that have a lower potential for phosphorus reduction; and,

WHEREAS, the County and the City of Bellingham (City) entered into an interlocal agreement in January 2017 (Whatcom County Contract No. 201611031) defining each jurisdiction’s responsibilities in the funding and implementation of a joint HIP through, at minimum, 2019; and,

WHEREAS, the County and District intend to continue this agreement through 2019, the term of the County and City interlocal agreement for the funding and implementation of HIP, subject to 2019 budget authority and a contract renewal for 2019; and,

WHEREAS, the City will reimburse the County for expenses related to the management and administration of the HIP above the County’s annual contribution according to the terms of the interlocal agreement; and,

NOW BE IT THEREFORE AGREED, that the revised clause VI, scope of work, budget, and proof of insurance coverage in this amendment adding $33,698 be adopted to replace the original clause VI and Exhibits A, B and C.

VI. Term (Amended): This AGREEMENT shall be effective for services performed from the date of signature through December 31, 2018. The duration of this AGREEMENT may be administratively renewed by mutual written consent of the parties, for a period of up to one year.

SCOPE OF WORK:
The Whatcom Conservation District shall perform the work described in Exhibit A-2, Revised Scope of Work, attached hereto. Exhibit A-2 will replace Exhibit A-1 from amendment number 1 to the original contract.

COMPENSATION SCHEDULE:
As consideration for the services provided by the District, the County agrees to compensate the Contractor for services rendered at an amended sum not to exceed $305,492 at the rates set forth in Exhibit B-2, Amended Budget, attached hereto. Exhibit B-2 will replace Exhibit B-1 from amendment number 1 to the original contract. This figure includes all costs incidental to and necessary for carrying out the scopes of work as presented in Exhibits A-2. The sum shall be paid for expenses accrued as invoiced monthly by the
District. Payment is contingent and based on successful progress in performance of the scope of work as
determined by the County.

INSURANCE:
Exhibit C-1, showing current Evidence of Coverage, will replace Exhibit C.

This Amendment shall be made part of the original agreement by and between the County and the District. 
Unless specifically stated herein, all other terms and conditions of the original agreement shall remain in full
force and effect.

IN WITNESS WHEREOF, the parties have signed this Agreement this __________ day of
____________________, 2018.

WHATCOM CONSERVATION DISTRICT

By  [Signature]
Larry Helm, Chairman

01/16/18
Date

Approved as to form:

[Signature]
George J. Boggs,
Whatcom Conservation District Attorney

STATE OF WASHINGTON )
COUNTY OF WHATCOM ) ss

On this 16 day of January, 2018, before me personally appeared LARRY HELM to me known to 
be the Chairman of the Whatcom Conservation District and who executed the above instrument and who
acknowledged to me the act of signing and sealing thereof.

[Signature]
NOTARY PUBLIC in and for the State of Washington,
residing at: Lynden

My commission expires 05/08/2024
WHATCOM COUNTY

By: Jack Louws, Whatcom County Executive, Date

Recommended for Approval: Approved as to form:

Jon Hutchings Date Daniel L. Gibson Date
Public Works Director

STATE OF WASHINGTON )
COUNTY OF WHATCOM ) ss

On this __ day of ____________, 2018, before me personally appeared JACK LOUWS to me known to
be the County Executive of Whatcom County and who executed the above instrument and who
acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington,
residing at: ______________________________ My commission expires ________________
EXHIBIT A-2 – REVISED SCOPE OF WORK
Lake Whatcom Homeowner Incentive Program Assistance

Project Description
The Lake Whatcom Homeowner Incentive Program (HIP) is a joint City of Bellingham (City) and Whatcom County (County) non-regulatory program that provides technical assistance and financial incentives for homeowners who voluntarily elect to install stormwater best management practices (BMPs) that reduce phosphorus runoff into Lake Whatcom. The first iteration of HIP was developed under a Washington State Department of Ecology grant from 2011 to 2015. At the end of that pilot period, the City conducted an extensive program evaluation. Findings from this evaluation informed program improvements. A new and improved version of HIP was rolled out in spring of 2017. The new HIP area includes residential parcels draining to Lake Whatcom basins 1 and 2 in both the City of Bellingham and Whatcom County. One major improvement is to focus efforts on parcels offering the greatest potential for phosphorus reductions. These are shoreline parcels, parcels draining to streams, and parcels with large lawns (high priority parcels). Other homeowners in the program area are offered lesser incentives through the HIP Do-It-Yourself (DIY) Native Landscaping Program (low priority parcels).

On behalf of the City and County, the County requested assistance from the Whatcom Conservation District (District) to implement the HIP for both priority parcels and DIY native landscaping parcels by providing staff support. Assistance to priority parcels will be primarily provided through a HIP Project Coordinator to work with homeowners in both jurisdictions with additional assistance provided by other District staff as needed. Assistance to DIY native landscaping parcels will be provided by a Resource Specialist with additional assistance provided by other District staff as needed.

Task 1. Program Administration
The District will provide program administration and coordinate with City/County staff. Program administration tasks will support both task 2 and 3 including:

- Invoicing
- Attending regular coordination meetings, providing communication of program activities, and contacting City/County staff with questions and/or problems in a timely manner
- Ensuring accurate documentation of projects, maintenance agreements, and data required to calculate phosphorus reduction
- Providing input to City/County staff on program improvement, adaptive management, improving outreach, and revised eligibility criteria
- Assisting with program promotion and providing information about HIP
- Other administrative support as needed

Deliverables and Timelines:
- Submit invoices with a progress report summarizing landowner contacts, BMPs installed, and work performed during the invoice period every month
- Attend coordination meetings with City and County staff monthly or as needed
- Participate in program evaluation annually or as needed
- Develop and maintain a HIP project database with monthly and annual reporting capability

Task 2. Homeowner Assistance for High Priority Parcels
The District will provide a HIP Project Coordinator who will serve as the primary point of contact for homeowners voluntarily participating in HIP and who qualify for assistance through the target program for high priority parcels. Additional support will be provided as needed by other District staff. Homeowner assistance responsibilities include:
2a. HIP Project Coordinator Training

The HIP Project Coordinator will work with City and County staff, other District staff, and attend professional development trainings to receive training as needed. Training activities may include but are not limited to:

- Attending meetings with City and County staff
- Site visits of past HIP projects
- Shadowing City and County staff on new HIP site visits
- Attending professional development trainings
- Working with DISTRICT technical experts
- Other applicable training activities

2b. Program Implementation

Engaging homeowners

- Providing assistance with landowner recruitment
- Responding to homeowner inquiries; answering questions via email, phone, and in person
- Clearly explaining program purpose, opportunities, and limitations; eligible and ineligible improvements; and instilling realistic expectations in the landowners
- Conducting site visits to answer questions, promote the program, verify parcel eligibility, and identify opportunities for phosphorus reduction improvements on the parcel
- Conveying important messages regarding water quality and landowner stewardship
- Facilitating the Homeowner Acknowledgement process and securing landowner signatures
- Other homeowner engagement activities as needed

Completing Pre-Design Reports

- Identifying site constraints and working with homeowners to develop conceptual project designs
- Providing technical assistance to complete a critical areas checklist and identify and map critical areas as needed
- Working with Whatcom County and City of Bellingham staff to troubleshoot designing around critical areas or other special site-specific considerations as needed
- Completing a Pre-Design Report with site-specific information, design constraints, and conceptual project plan
- Other Pre-Design activities as needed

Working with private contractors that provide design and construction services for HIP

- Responding to questions from designers and contractors regarding HIP
- Facilitating the completion of soil investigations and BMP designs
- Answering questions from suppliers about material specifications
- Other coordination with private designers and construction professionals as needed
Facilitating homeowner projects from start to finish

- Once a participant agrees to move forward, the HIP Project Coordinator becomes the liaison between homeowner, professionals, and jurisdiction to provide one consistent point of contact.
- Connects homeowner to designers and contractors by providing a list of HIP certified professionals
- Advocates for projects maximizing phosphorus reduction
- Connects homeowners to approved materials as needed by providing lists and criteria
- Facilitates signing of the maintenance agreement/easement between the homeowner and City/County
- Provides assistance filling out required forms and documents
- Reviews submittals or completeness and forwards to City or County staff for review and permitting
- Reviews and approves design plan amendments and facilitates any necessary additional permit review
- Oversees pre-construction (erosion control), facility installation, and permanent stabilization
- Completes final close out inspection and documentation
- Reviews and approves reimbursement requests and forwards for payment
- Other HIP project facilitation activities as needed

Deliverables and Timelines:

- Complete Pre-Design Reports and provide to homeowners
- Submit HIP project application forms to City/County staff for review and approval
- Submit records of completed HIP projects to City/County staff including generic as-built information, signed maintenance agreements, inspection records, database entries, and other records as determined by the HIP staff team

Task 3. Homeowner Assistance for Do-It-Yourself Native Landscaping Parcels
The District will provide staff to serve as the primary point of contact for homeowners participating in HIP’s DIY Native Landscaping program for smaller residential properties that have less potential to export phosphorus to Lake Whatcom. Additional support will be provided as needed by other District staff. Homeowner assistance responsibilities include but not limited to:

Training & Coordination

- Learn HIP requirements & processes to be able to explain program requirements to homeowners
- Learn about Lake Whatcom specific water quality challenges and benefits of native landscaping to reduce phosphorus in runoff to be able to answer homeowner questions
- Attending meetings with City and County staff
- Site visits of past HIP projects
- Shadowing City and County staff on new HIP site visits
- Attending professional development trainings
- Working with District technical experts
- Other applicable training activities
- Share information on DIY site visits with City and County staff through a shared database
Workshop Assistance
- Co-teach DIY Native Landscaping workshop with city & county staff with the option to take over more teaching responsibility over time
- Provide assistance with workshop registration
- Help revise and improve workshop materials developed in 2017

Site Visits: on-site assistance to workshop attendees
- Answer questions about how the program works
- Provide assistance developing site plans including identifying and measuring planting areas
- Provide assistance with plant selection and planting plans
- Provide assistance with HIP DIY Native Landscaping project applications

Project Close Out
- Conduct final project inspection
- Provide assistance completing maintenance agreement
- Provide assistance with reimbursement process

Deliverables and Timelines:
- Co-teach DIY Native Landscaping workshops
- Maintain DIY project site visit records in a shared database with monthly and annual reporting capability
- Submit completed final project inspection forms
EXHIBIT B-2 – AMENDED BUDGET
Lake Whatcom Homeowner Incentive Program Assistance

As consideration for services provided in Exhibit A-2, Revised Scope of Work, the County agrees to compensate the contractor according to the hourly rates provided in the amended project budget (Exhibit B-2). The total budget is not to exceed $305,492, which includes the original $50,000 and first amended amount of $221,794. Other reasonable expenses incurred in the course of performing the duties herein shall be reimbursed including mileage at the current IRS rate. Lodging and per diem shall not exceed the GSA rate for the location where services are provided. Other expenditures such as printing, postage, and supply charges shall be reimbursed at actual cost. Expense reimbursement requests must be accompanied by copies of paid invoices. Any work performed prior to the effective date or continuing after the completion date of the contract, unless otherwise agreed upon in writing, will be at the contractor’s expense.

<table>
<thead>
<tr>
<th>Item</th>
<th>Original*</th>
<th>Amended*</th>
<th>Original Budget</th>
<th>Amend. 1 Additional Budget</th>
<th>Amend. 1 New Total</th>
<th>Amend. 2 Additional Budget</th>
<th>New Total</th>
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<td>Personnel</td>
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<td>Overhead (25% of salaries/benefits)</td>
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<td><strong>$271,794</strong></td>
<td><strong>$33,698</strong></td>
<td><strong>$305,492</strong></td>
<td></td>
</tr>
</tbody>
</table>

* Maximum composite rate. Wages will be paid at actual cost not to exceed the maximum composite rate.
EXHIBIT C-1 – AMENDED INSURANCE
Lake Whatcom Homeowner Incentive Program Assistance

Enduris
EVIDENCE OF COVERAGE

<table>
<thead>
<tr>
<th>INSURED/PARTICIPANT:</th>
<th>Memorandum # 2018-00-271</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whatcom Conservation District</td>
<td></td>
</tr>
<tr>
<td>6975 Hannegan Rd</td>
<td></td>
</tr>
<tr>
<td>Lynden, WA 98264</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CERTIFICATE HOLDER:</th>
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</thead>
<tbody>
<tr>
<td>Whatcom County</td>
</tr>
<tr>
<td>322 N Commercial St #120</td>
</tr>
<tr>
<td>Bellingham, WA 98225</td>
</tr>
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</table>

This is to certify that the Memorandum of Coverage has been issued to the Member named above for the period indicated.

EFFECTIVE: September 1, 2017 to September 1, 2018

<table>
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<tr>
<th>COVERAGE:</th>
<th>LIMIT</th>
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<td>Comprehensive General Liability</td>
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<tr>
<td>General Liability</td>
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<tr>
<td>Professional Liability</td>
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<td>Personal Liability</td>
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<tr>
<td>Auto Liability</td>
<td>$1,000,000</td>
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<tr>
<td>Combined Single Limit</td>
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</tr>
<tr>
<td>Hired and Non-Owned Auto Coverage</td>
<td>$1,000,000</td>
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<tr>
<td>Temporary Substitute Auto Coverage</td>
<td>$1,000,000</td>
</tr>
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</table>

Whatcom County is additional covered party in respects to the 2016 Interlocal Agreement for the Lake Whatcom Homeowner Incentive Program Assistance. Coverage is primary and non-contributory to the liability insurance maintained by the certificate holder.

The Evidence of Coverage does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Authorized Representative
9/1/2017

enduris
WASHINGTON

1610 S Technology Blvd, Suite 100 - Spokane Washington - 99224
Tel. (509) 838-0910 - Toll Free (800) 462-9418 - Fax (509) 747-3875
Title of Document:
Interlocal Agreement between Whatcom County and Whatcom County Fire Protection Districts 1, 4, 5, 7, 8, 11, 14, 16, 17, 18, 19, 21 and Bellingham Fire Department, Lyden Fire Department and South Whatcom Fire Authority.

Attachments:
Memo and Interlocal Agreement

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 County Executive requests Council approval to enter into the five year Basic Life Support and First Response service agreement.

Committee Action:

Council Action:

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

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

To: Whatcom County Council Members
   Jack Louws, County Executive

From: Tyler Schroeder, Deputy Executive

Subject: Basic Life Support (BLS) First Responder Agreement

Date: January 4, 2018

Enclosed is an Interlocal Agreement with the BLS Providers and Whatcom County for continued BLS services through December 31, 2022.

Background and Purpose
The original agreement, initiated in 1984, has become outdated and the parties wish to replace the original agreement with a new agreement that more accurately reflects their respective roles and responsibilities.

The County has worked with the BLS providers to develop current professional service agreements that are timed with the 6-year levy and includes the countywide Electronic Patient Care Reporting (EPCR) system. All Parties have agreed to the terms of the Agreement as outlined through the EMS Funding Work Group Recommendations.

Funding Amount and Source:
The funding source is the EMS Levy Tax Collection.

Action:
The County Executive requests Council review and approval of this Interlocal Agreement with the BLS providers for continued BLS services in Whatcom County.
WHATCOM COUNTY CONTRACT INFORMATION SHEET

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Executive Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division/Program: (i.e. Dept. Division and Program)</td>
<td>Non - Departmental</td>
</tr>
<tr>
<td>Contractor or Grant Administrator:</td>
<td>T. Helms/T. Schroeder</td>
</tr>
<tr>
<td>Contractor's / Agency Name:</td>
<td>Multiple BLS – First Responder Agencies</td>
</tr>
</tbody>
</table>

| Is this a New Contract? | Yes ☑ No ☐ |
| Does contract require Council Approval? | Yes ☑ No ☐ |

If No, include WCC: (see Whatcom County Codes 3.08.010, 3.08.090 and 3.08.100)

| Is this a grant agreement? | Yes ☑ No ☐ |
| Is this contract grant funded? | Yes ☑ No ☐ |

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

| Contract amount: (sum of original contract amount and any prior amendments): | $ variable |
| This Amendment Amount: | $ |
| Total Amended Amount: | $ |

| Summary of Scope: | A five year agreement between multiple Basic Life Support (BLS) agencies for first responder services. |

| Term of Contract: | Date: 01/01/18 |
| Expiration Date: | 12/31/2022 |

Contract Routing:

1. Prepared by: twh Date: 01/18/18
2. Attorney signoff: Daniel Gibson Date: 01/18/18
3. AS Finance reviewed: Date: 01/18/18
4. IT reviewed (if IT related): Date: 01/18/18
5. Contractor signed: Date: 01/18/18
6. Submitted to Exec.: Date: 01/19/18
7. Council approved (if necessary): Date: 01/19/18
8. Executive signed: Date: 01/19/18
9. Original to Council: Date: 01/19/18

Council approval required for: all property leases, contracts or bid awards exceeding $40,000, and professional service contract amendments that have an increase greater than $10,000 or 10% of contract amount, whichever is greater, except when:

1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, professional services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies or equipment included approved in the budget.
4. Contract is for manufacturer’s technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

Last edited 10/31/16

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THIS INTERLOCAL AGREEMENT (the “Agreement”) by and between WHATCOM COUNTY (the “County”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 1, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 4, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 5, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 7, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 8, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 11, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 14, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 16, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 17, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 18, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 19, a Washington municipal
corporation (the “Agency”) and
WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 21, a Washington municipal
corporation (the “Agency”) and
CITY OF BELLINGHAM, a Washington municipal corporation (the “Agency”) and
CITY OF LYNDEN, a Washington municipal corporation (the “Agency”) and
SOUTH WHATCOM FIRE AUTHORITY, a Washington municipal corporation (the “Agency”) is
for the provision of first response emergency medical services. Together, the County and the
Agencies are the only parties to this Agreement and may be referred to collectively

RECITALS

This Agreement is based on the following relevant facts and circumstances:

A. The parties are signatories to an Emergency Medical Services Agreement signed
   in 1984 (the “Original Agreement”).

B. It is deemed to be in the best interests of the citizens of Whatcom County to have
   available fast and efficient emergency medical services; and

C. Within areas serviced by Whatcom County fire agencies, it is often most efficient
   for the first response of such services to be provided by the local fire agency; and

D. The Original Agreement has become outdated, and the parties wish to replace
the Original Agreement with a new agreement that more accurately reflects their respective roles and responsibilities.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. **Services.** The Agencies agree to provide First Response Emergency Medical Services (the “Services”) within the boundaries of the Agency on behalf of Whatcom County, as dispatched through the Prospect Fire Dispatch Center (the “Dispatch Center”). The term “First Response Emergency Medical Services” means such medical treatment and care which may be rendered to persons injured, sick or incapacitated in order to reduce the risk of loss of life or aggravation of illness or injury, prior to the arrival of Advanced Life Support (“ALS”). The term Services expressly include Basic Life Support (“BLS”) transports, as needed for patient care. The Agencies agree to use the designated County-wide records management system (“RMS”) for the collection of County-wide EMS data and the transmittal of patient care reports to the hospital.

2. **Consideration.** During the term of this Agreement, and as consideration for the Services provided by the Agencies, the County shall provide the Agencies with the following:

   2.1 The County will assume and make payment, using EMS levy revenue, for the cost of all of the EMS calls transmitted from the Dispatch Center during their normal quarterly billing process. The Dispatch Center will bill the County directly for this payment. For the cities of Lynden and Bellingham, which were not covered by the Original Agreement, the County shall make a retroactive payment to cover such costs incurred by such cities starting January 1, 2017.

   2.2 As agreed to in the Original Agreement, the County will continue to make payment, using County revenue other than the EMS levy revenue, for the cost of the Fire dispatch calls transmitted from the dispatch Center during their normal quarterly billing process, except for the cities of Lynden and Bellingham, which were not covered by the Original Agreement.

   2.3 If at such time during the term of this agreement, the Whatcom County EMS Executive Oversight Board and the Whatcom County Council, agree to pay for all of the Fire dispatch calls transmitted from the Dispatch Center, using EMS levy revenue, such payment will include the cost of all of the Fire dispatch calls, including the parties of the Original Agreement and the cities of Lynden and Bellingham.

   2.4 The County will provide, at its sole expense by use of EMS levy funds, a County-wide RMS for the collection of County-wide Fire/EMS data and the transmittal of patient care reports to the hospital. The RMS software shall be from a vendor that is jointly agreed upon by the Whatcom County Fire Chief’s Association, the EMS Technical Advisory Board, and the County. The designated RMS shall be made available for use by the Agencies as determined in the RMS vendor agreement.

3. **Term of Agreement.** Notwithstanding the date of signatures, the term of this Agreement shall commence on January 1, 2018 and shall continue through December 31, 2022. The Parties covenant to meet no later than June 1, 2022 to discuss and negotiate in good faith toward a renewal of this Agreement or a successor agreement that provides for the services and funding for services contemplated by this Agreement.
3.1 The Parties may mutually agree to re-open the contract for renegotiation of any of its terms based on changed circumstances.

3.2 Concurrently with the commencement of the term of this Agreement, the Original Agreement shall be terminated; provided, however, that the County's obligation to pay for dispatch calls prior to such termination shall survive the termination of the Original Agreement.

4. **Assignment/Subcontracting.** The Agencies shall not assign or subcontract any portion of the Services without obtaining the prior written approval of the County. Notwithstanding the foregoing, the County recognizes that fire districts throughout the state are actively engaging in regionalization efforts in order to improve efficiencies while reducing duplication and associated expenses in order to better serve their citizens. In recognition of this fact, the following regionalization efforts shall not be deemed an “assignment” or “subcontract” requiring prior approval by the County: (i) the Agency enters into an interlocal agreement with another Whatcom County fire district to provide EMS services to it or (ii) an Agency merges or creates a Regional Fire Protection Service Authority with another Whatcom County fire protection district.

5. **Relationship of the Parties.** The Agencies are not now, nor have ever been, an agent of the County. The parties do not intend to have an agency relationship arise from this Agreement. Rather, the parties intend that an independent contractor/county relationship will be created by this Agreement. The County is interested only in the results to be achieved. The implementation of, and control of, the Services shall lie solely with the Agencies. No agent, employee or representative of the district shall be deemed to be an agent, employee, or representative of the County. No agent, employee or representative of the Agencies shall be paid by the County or receive any of the employment benefits normally given to County employees by the County.

6. **Indemnification.** To the extent permitted by law, each party agrees to defend, indemnify and hold harmless the other party, its officers, officials, employees and volunteers from any and all claims, costs, including reasonable attorneys’ and expert witness fees, losses and judgments arising out of the negligent and intentional acts or omissions of such party's officers, officials, employees and volunteers in connection with the performance of the Agreement. The provisions of this section shall survive the expiration or termination of the Agreement and the Restated ILA.

7. **Insurance.** The Agencies shall carry professional liability insurance for the duration of this Agreement in an amount not less than $1,000,000.00. Each Agency shall also carry a Commercial General Liability Insurance Policy in an amount not less than $1,000,000.00. Each Agency shall name the County as an additional insured on its CGL Policy, and each Agency's CGL policy shall be deemed primary and non-contributory. The County's insurance shall not serve as a source of contribution, except as excess to the coverage provided by the Agencies. An agency may maintain a program of self-insurance and excess coverage with and to the same effect as the commercial coverage described hereinabove as a means of meeting the requirements of this paragraph. None of the foregoing policies or programs shall be cancelled or amended on less than thirty (30) days’ notice to the County.

8. **Compliance with RCW 39.34.030.** This Agreement does not create a separate legal or administrative entity and does not require a joint board. No real or personal property will be jointly acquired pursuant to this Agreement.
9. **HIPAA Compliance.** The parties of this agreement believe they qualify as a Covered Entity and Business Associate as defined within the Health Insurance Portability and Accountability Act and its accompanying regulations ("HIPAA"). In order to comply with the applicable provisions of HIPAA, the parties agree to the provisions of the HIPAA Business Associate Addendum attached hereto and incorporated herein as Exhibit A.

10. **Recording/Posting.** Pursuant to RCW 39.34.040, this Agreement shall be either recorded with the Whatcom County Auditor immediately after execution by all Jurisdictions hereto or posted on either party’s website.

11. **No Third Party Beneficiaries.** This Agreement shall not be construed to benefit any third party or otherwise limit the application or protection of the "Public Duty Doctrine" to the Agencies or the County.

12. **Survivability.** All covenants, promises and performance which are not fully performed as of the date of termination shall survive termination as binding obligations.

13. **Notices.** All notices, demands, requests, consents and approvals which may, or are required to be given by any party to any other party hereunder, shall be in writing and shall be deemed to have been duly given if delivered personally, sent by facsimile, sent by a nationally recognized overnight delivery service, or if deposited in the United States mail and sent by registered or certified mail, return receipt requested, postage prepaid to:

**County:**

Whatcom County
Attn: Jack Louws, County Executive
311 Grand Avenue, Suite 108
Bellingham, Washington 98225

**Agencies:**

Whatcom County Fire Protection District No. 1
Attn: Fire Chief
101 E. Main Street – P.O. Box 454
Everson, Washington 98247

Whatcom County Fire Protection District No. 4
Attn: Fire Chief
4142 Britton Loop Road
Bellingham, WA 98226

Whatcom County Fire Protection District No. 5
Attn: Fire Chief
2030 Benson Road
Point Roberts, Washington 98281

Whatcom County Fire Protection District No. 7
Attn: Fire Chief
2020 Washington Street – P.O. Box 1599
Ferndale, Washington 98248
Whatcom County Fire Protection District No. 8  
Attn: Fire Chief  
1800 Broadway  
Bellingham, Washington 98225

Whatcom County Fire Protection District No. 11  
Attn: Fire Chief  
3809 Legoe Bay Road – P.O. Box 130  
Lummi Island, Washington 98262

Whatcom County Fire Protection District No. 14  
Attn: Fire Chief  
143 Columbia Street – P.O. Box 482  
Sumas, Washington 98295

Whatcom County Fire Protection District No. 16  
Attn: Fire Chief  
2036 Valley Highway – P.O. Box 37  
Acme, Washington 98220

Whatcom County Fire Protection District No. 17  
Attn: Fire Chief  
4332 Sucia Drive  
Ferndale, Washington 98248

Whatcom County Fire Protection District No. 18  
Attn: Fire Chief  
431 Cain Road  
Sedro-Woolley, Washington 98284

Whatcom County Fire Protection District No. 19  
Attn: Fire Chief  
9953 Mt. Baker Hwy. – P.O. Box 5029  
Glacier, Washington 98244

Whatcom County Fire Protection District No. 21  
Attn: Fire Chief  
4142 Britton Loop Road  
Bellingham, Washington 98226

Bellingham Fire Department  
Attn: Fire Chief  
1800 Broadway  
Bellingham, WA 98225

South Whatcom Fire Authority  
Attn: Fire Chief  
2050 Lake Whatcom Blvd.  
Bellingham, Washington 98229
or to such other address as the foregoing parties hereto may from time-to-time designate in writing and deliver in a like manner. All notices shall be deemed complete upon actual receipt or refusal to accept delivery. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission shall be the same as delivery of an original document.

13. **Further Cooperation.** The parties shall cooperate in good faith and execute such documents as necessary and take such further actions as reasonably necessary to effectuate the purposes and intent of this Agreement.

14. **Disputes.** Venue for any disputes concerning this Agreement shall lie exclusively in Skagit County Superior Court. Each party expressly waives the right to a jury trial.

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

16. **Captions.** The captions of this Agreement are for convenience and reference only and in no way define, limit, or describe the scope or intent of this Agreement.

17. **Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

18. **Neutral Authorship.** Each of the provisions of this Agreement has been reviewed and negotiated, and represents the combined work product of all parties hereto. No presumption or other rules of construction which would interpret the provisions of this Agreement in favor of or against the party preparing the same shall be applicable in connection with the construction or interpretation of any of the provisions of this Agreement.

19. **Governing Law.** This Agreement, and the right of the parties hereto, shall be governed by and construed in accordance with the laws of the State of Washington, and the parties agree that in any such action, venue shall lie exclusively in Skagit County, Washington.

20. **Entire Agreement.** The entire agreement between the parties hereto is contained in this Agreement, and this Agreement supersedes all of their previous understandings and
agreements, written and oral, with respect to this transaction. This Agreement may be amended only by written instrument executed by the parties subsequent to the date hereof.

DATED this ____ day of __________, 2018.

WHATCOM COUNTY

Approved as to form:

Daniel L. Fairman 01/18/18
Prosecuting Attorney Date

Approved:
Accepted for Whatcom County:

By: __________________________
Jack Louws, Whatcom County Executive

STATE OF WASHINGTON )
) ss
COUNTY OF WHATCOM )

On this _____ day of __________, 2018, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _____________. My commission expires ________________.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 1

ATTEST:

By: ________________________

APPROVED:

By: ________________________
  Chief

By: ________________________
  Commissioner

By: ________________________
  Commissioner

By: ________________________
  Commissioner

DATED this ____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 4

ATTEST:

By: ______________________

APPROVED:

By: ______________________
Chief

By: ______________________
Commissioner

By: ______________________
Commissioner

By: ______________________
Commissioner

DATED this _____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 5

ATTEST:

By: __________________________

APPROVED:

By: __________________________
Chief

By: __________________________
Commissioner

By: __________________________
Commissioner

By: __________________________
Commissioner

DATED this _____ day of __________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 7

ATTEST:

By: __________________________

APPROVED:

By: __________________________
   Chief

By: __________________________
   Commissioner

By: __________________________
   Commissioner

By: __________________________
   Commissioner

DATED this _____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 8

ATTEST:

By: __________________________

APPROVED:

By: __________________________
Chief

By: __________________________
Commissioner

By: __________________________
Commissioner

By: __________________________
Commissioner

By: __________________________
Commissioner

DATED this _____ day of __________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 11

ATTEST:

By: __________________________

APPROVED:

By: __________________________
Chief

By: __________________________
Commissioner

By: __________________________
Commissioner

By: __________________________
Commissioner

DATED this _____ day of _________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 14

ATTEST:

By: ____________________________

APPROVED:

By: ____________________________
Chief

By: ____________________________
Commissioner

By: ____________________________
Commissioner

By: ____________________________
Commissioner

DATED this _____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 16

ATTEST:

By: ______________________

APPROVED:

By: ______________________
Chief

By: ______________________
Commissioner

By: ______________________
Commissioner

By: ______________________
Commissioner

DATED this _____ day of __________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 17

ATTEST:
By: ___________________________

APPROVED:
By: __________________________
Chief
By: __________________________
Commissioner
By: __________________________
Commissioner
By: __________________________
Commissioner

DATED this ______ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 18

ATTEST:

By:  ____________________________

APPROVED:

By:  ____________________________
    Chief

By:  ____________________________
    Commissioner

By:  ____________________________
    Commissioner

By:  ____________________________
    Commissioner

DATED this _____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 19

ATTEST:

By: ______________________

APPROVED:

By: ______________________
Chief

By: ______________________
Commissioner

By: ______________________
Commissioner

By: ______________________
Commissioner

DATED this _____ day of ____________, 2018.
WHATCOM COUNTY FIRE PROTECTION
DISTRICT NO. 21

ATTEST:

By: __________________________

APPROVED:

By: __________________________
Chief

By: __________________________
Commissioner

By: __________________________
Commissioner

By: __________________________
Commissioner

DATED this _____ day of ____________ , 2018.
CITY OF BELLINGHAM

____________________________
Mayor

Attest: ______________________
Departmental Approval: ________

____________________________
Finance Director

Approved as to form: ________________

____________________________
Office of the City Attorney

DATED this _____ day of ____________, 2018.
LYNDEN FIRE DEPARTMENT

APPROVED AS TO FORM:

By: ______________________
    City Attorney

APPROVED:

By: ______________________
    Chief

By: ______________________
    Mayor

DATED this _____ day of ____________, 2018.
SOUTH WHATCOM FIRE AUTHORITY

ATTEST:

By: ______________________

APPROVED:

By: ______________________
   Chief

By: ______________________
   Commissioner

By: ______________________
   Commissioner

By: ______________________
   Commissioner

DATED this _____ day of ____________, 2018.
Exhibit A
BUSINESS ASSOCIATE AGREEMENT

This Business Associate Agreement ("Agreement") is made and entered into in duplicate originals this day by and between WHATCOM COUNTY (the "County") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 1, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 4, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 5, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 7, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 8, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 11, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 14, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 16, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 17, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 18, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 19, a Washington municipal corporation (the "Agency") and

WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 21, a Washington municipal corporation (the "Agency") and

CITY OF BELLINGHAM, a Washington municipal corporation (the "Agency") and

CITY OF LYNDEN, a Washington municipal corporation (the "Agency") and

SOUTH WHATCOM FIRE AUTHORITY, a Washington municipal corporation (the "Agency")
1. Definitions

1.1 HIPAA Terminology:

The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Rules: Breach, Data Aggregation, Designated Record Set, Disclosure, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Protected Health Information, Required By Law, Secretary, Security Incident, Subcontractor, Unsecured Protected Health Information, and Use.

1.2 Specific definitions:

(a) Business Associate. "Business Associate" shall generally have the same meaning as the term "business associate" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean the County.

(b) Covered Entity. "Covered Entity" shall generally have the same meaning as the term "covered entity" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean the Agency.


2. Obligations and Activities of Business Associate

Business Associate agrees to:

(a) Not use or disclose protected health information other than as permitted or required by the Agreement or as required by law;

(b) Use appropriate safeguards, and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information, to prevent use or disclosure of protected health information other than as provided for by the Agreement;

(c) Report to Covered Entity any use or disclosure of protected health information not provided for by the Agreement of which it becomes aware, including breaches of unsecured protected health information as required at 45 CFR 164.410, and any security incident of which it becomes aware;

(d) In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of the Business Associate agree to the same restrictions, conditions, and requirements that apply to the Business Associate with respect to such information;

(e) Make available protected health information in a designated record set to the Covered Entity as necessary to satisfy Covered Entity’s obligations under 45 CFR 164.524;
(f) Make any amendment(s) to protected health information in a designated record set as directed or agreed to by the Covered Entity pursuant to 45 CFR 164.526, or take other measures as necessary to satisfy Covered Entity's obligations under 45 CFR 164.528;

(g) Maintain and make available the information required to provide an accounting of disclosures to the Covered Entity as necessary to satisfy Covered Entity's obligations under 45 CFR 164.528;

(h) To the extent the Business Associate is to carry out one or more of Covered Entity's obligation(s) under Subpart E of 45 CFR Part 164, comply with the requirements of Subpart E that apply to the Covered Entity in the performance of such obligation(s); and

(i) Make its internal practices, books, and records available to the Secretary for purposes of determining compliance with the HIPAA Rules.

3. Permitted Uses and Disclosures by Business Associate

(a) Business Associate may only use or disclose protected health information as necessary to perform its obligations under the Interlocal Agreement for EMS Administrative Services.

(b) Business Associate is authorized to use protected health information to de-identify the information in accordance with 45 CFR 164.514(a)-(c).

(c) Business Associate may use or disclose protected health information as required by law.

(d) Business Associate agrees to make uses and disclosures and requests for protected health information consistent with Covered Entity's minimum necessary policies and procedures.

(e) Business Associate may not use or disclose protected health information in a manner that would violate Subpart E of 45 CFR Part 164 if done by Covered Entity except for the specific uses and disclosures set forth below.

(f) Business Associate may disclose protected health information for the proper management and administration of Business Associate or to carry out the legal responsibilities of the Business Associate, provided the disclosures are required by law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that the information will remain confidential and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, and the person notifies Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

(g) Business Associate may provide data aggregation services relating to the health care operations of the Covered Entity.

4. Termination

(a) Term. The Term of this Agreement shall be effective as of the effective date of the Interlocal Agreement For Ems Administrative Services to which this Agreement is attached and shall
terminate on the termination date of the Interlocal Agreement For Ems Administrative Services or on the date Covered Entity terminates for cause as authorized in paragraph (b) of this Section, whichever is sooner.

(b) Termination for Cause. Business Associate authorizes termination of this Agreement by Covered Entity, if Covered Entity determines Business Associate has violated a material term of the Agreement and Business Associate has not cured the breach or ended the violation within the time specified by Covered Entity; provided, however, that termination of this Agreement shall not affect the Interlocal Agreement For Ems Administrative Services except that the Parties shall meet and establish a new business associate agreement with appropriate provisions to correct the violation.

(c) Obligations of Business Associate Upon Termination.

Upon termination of this Agreement for any reason, Business Associate, with respect to protected health information received from Covered Entity, or created, maintained, or received by business associate on behalf of Covered Entity, shall:

Retain only that protected health information which is necessary for Business Associate to continue its proper management and administration or to carry out its legal responsibilities;

Return to Covered Entity or, if agreed to by Covered Entity, destroy the remaining protected health information that the Business Associate still maintains in any form;

Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information to prevent use or disclosure of the protected health information, other than as provided for in this Section, for as long as Business Associate retains the protected health information;

Not use or disclose the protected health information retained by Business Associate other than for the purposes for which such protected health information was retained and subject to the same conditions set out in Section 3 above which applied prior to termination; and

Return to Covered Entity or, if agreed to by Covered Entity, destroy the protected health information retained by Business Associate when it is no longer needed by Business Associate for its proper management and administration or to carry out its legal responsibilities.

(d) Survival. The obligations of Business Associate under this Section 4 shall survive the termination of this Agreement.
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
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<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
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**TITLE OF DOCUMENT:** Contract between Washington Department of Health and Whatcom County

**ATTACHMENTS:**
1. Memo
2. Info Sheet
3. 2 copies of Contract

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

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

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

This contract is a major funding source for public health programs provided by the health department. All funding provided by the Washington State Department of Health is included in this contract.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

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

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

TO: Jack Louws, County Executive
FROM: Regina A. Delahunt, Director
DATE: January 9, 2018

Enclosed are two (2) originals of a grant agreement between the Washington Department of Health and Whatcom County for your review and signature.

- **Background and Purpose**
  The Consolidated Contract is a major funding source for public health programs provided by the health department including Emergency Preparedness & Response, Infectious Disease Prevention, WIC, and others. All funding provided by the Washington State Department of Health is included in this contract.

- **Funding Amount and Source**
  This contract is funded by state and federal revenue sources and is included in our current budget. This is a new contract and requires Council Approval.

- **Differences from Previous Contract**
  This is a new contract which replaces the previous contract which expires on 12/31/2020.

Please contact Regina Delahunt at extension 6005, if you have any questions regarding this agreement.

Encl.
WHATCOM COUNTY CONTRACT
INFORMATION SHEET

Originating Department: Health
Contract or Grant Administrator: Regina Delahunt
Contractor's / Agency Name: Washington Department of Health

Is this a New Contract? Yes No

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

If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract # ______

Does contract require Council Approval? Yes No

If No, include WCC ______

Is this a grant agreement?

Yes No

If yes, grantor agency contract number(s) CLH18267 CFDA # various

Is this contract grant funded?

Yes No

If yes, associated Whatcom County grant contract number(s) ________________________

Is this contract the result of a RFP or Bid process?

Yes No

If yes, RFP and Bid number(s) ________ Cost Center: various

Is this agreement excluded from E-Verify? No

Yes If no, include Attachment D Contractor Declaration form.

If yes, indicate exclusion(s) below:
☐ Professional services agreement for certified/licensed professional
☐ Contract less than $100,000.
☐ Contract for Commercial off the shelf items (COTS)
☐ Contract work is all performed outside U.S.
☐ Work related subcontract less than $25,000.
☒ Interlocal Agreement (between Gov't's)
☐ Public Works - Local Agency/Federally Funded FHWA

Contract Amount: (sum of original contract amount and any prior amendments)
$1,294,039

This Amendment Amount: $ ________

Total Amended Amount: $ ________

Contracts that require Council Approval (incl. agenda bill & memo)
- Professional Services Agreement above $20,000.
- Bid is more than $50,000.
- Amendments that have either an increase greater than 10% or provide a $10,000 increase in amount (whichever is greater)

RENEWALS: Council approval is not required when exercising an option to renew that is provided in the original contract.

Summary of Scope:

This revenue contract from Department of Health is used to fund many Whatcom County Health Department programs.

Term of Contract: 3 years
Expiration Date: 12/31/2020

Contract Routing Steps & Signoff: [sign or initial] [indicate date transmitted]
1. Prepared by: pp Date 1/5/2018
2. Attorney reviewed: Date 1/19/18
3. AS Finance reviewed: Date 1/19/18
4. IT reviewed if IT related: Date
5. Attorney signoff: Date
6. Contractor signed: Date 1/19/18
7. Submitted to Exec Office: Date
8. Council approved (if necessary): Date
9. Executive signed: Date
10. Original to Council ________

127
2018 - 2020

WASHINGTON STATE
DEPARTMENT OF HEALTH

CONSOLIDATED CONTRACT
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CONSOLIDATED CONTRACT
between
STATE OF WASHINGTON
DEPARTMENT OF HEALTH
(Referred to as “DOH”)
and
WHATCOM COUNTY HEALTH DEPARTMENT
(Referred to as “LHJ”)
for
THE DELIVERY OF PUBLIC HEALTH SERVICES
FOR THE PERIOD OF
January 1, 2018 through December 31, 2020

1. Purpose
This Contract is entered into in accordance with RCW 43.70.520, RCW 43.70.580, the general statutory powers of the Secretary of the Department of Health (DOH), including at RCW 43.70.040, the general statutory powers of local health jurisdictions (LHJs), including at RCW 70.05.060, RCW 70.08.020, and RCW 70.46.060, and the authority for joint or cooperative action provided for under chapter 39.34 RCW. The purpose of this Contract is to define the parties’ joint and cooperative relationship. The contract and all statements of work adopted under its provisions are intended to implement applicable objectives under the Public Health Improvement Plan and to facilitate the delivery of public health services to the people in Washington State. This Contract is the result of cooperative planning efforts between the LHJ and DOH.

2. Statements of Work
The individual program activities, requirements, and outcomes/deliverables to be achieved by the parties under this Contract are described in Exhibit A, Statements of Work. Each statement of work shall comply with the performance-based criteria under RCW 43.70.580(2)(b).

The LHJ shall furnish the necessary personnel, equipment, material and/or services and otherwise do all things necessary for or incidental to the performance of the work as set forth in Exhibit A, Statements of Work.

3. Exhibits
This Contract incorporates by reference the following Exhibits:
- Exhibit A - Statements of Work
- Exhibit B - Allocations
- Exhibit C - Schedule of Federal Awards

4. Definitions
As used throughout this Contract and unless amended for a particular Statement of Work, the following terms shall have the meanings set forth below:

“Budget, Accounting, and Reporting System (BARS)”: The system designed by the State Auditor's office for collecting, consolidating, and reporting financial budgeting and accounting information from all local governmental units.

“Client”: An agency, firm, organization, individual or other entity applying for or receiving services provided by the LHJ under this Contract.

“Catalog of Federal Domestic Assistance (CFDA)”: The unique identifying code assigned to a federal assistance program which identifies the awarding agency.

“Confidential Information”: Information protected from disclosure under federal or state law.
“Contract Coordinator”: Each party’s designated contact for all notices required or permitted under this Contract.

“Contracting Officer”: The DOH Contracts and Procurement Office Director and his/her delegates within that office authorized to execute this agreement on behalf of DOH.

“Contractor”: An entity that provides goods or services to DOH and others. A contractor normally operates its business in a competitive environment, provides its goods and/or services to many different purchasers during normal business hours, and is not subject to the compliance requirements of the federal program.

“Equipment”: When used in this Contract is defined as an article of non-expendable, tangible property other than land, buildings, or fixtures which is used in operations and having a useful life of more than one year and an acquisition cost of $5,000 or more or as otherwise provided in the Exhibit A, Statements of Work.

“Federal Assistance”: Assistance provided by a federal agency in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, interest subsidies, insurance, or direct appropriations, but does not include direct federal cash assistance to individuals.

“Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act)”: A federal act to make information available online so the public can see how federal funds are spent.

“Fixed Assets”: Fixed assets are property and/or equipment obtained through donation, gift, purchase, capital lease, or construction with a service life of more than one year.

“Program Contact”: Each party’s designated contact for those purposes identified in the Exhibit A, Statements of Work.

“Subcontractor”: Any individual or group contracted with the LHJ to perform all or part of the services included in this Contract. This term will also apply to situations where an LHJ’s subcontractor contracts with another individual or group to perform all or part of the services included in its agreement with the LHJ.

“Subrecipient” or “Subgrantee”: A non-federal entity that receives a subaward of federal grant money or goods directly or indirectly from DOH and makes decisions regarding who can receive what federal assistance; has its performance measured against the objectives contained in the DOH agreement with the federal government; makes decisions on how to operate the program to accomplish the program goals; has the obligation to comply with federal subrecipient requirements; and/or use federal funds to carry out a program for the public purpose specified in the authorizing statute.

5. Funding and Billing
A. DOH shall pay the LHJ for services as set forth in the Exhibit A, Statements of Work, not to exceed funding amounts as detailed in the Contract Allocations, Exhibit B, for those services provided herein.

The LHJ will advise the Program Contact identified in the applicable Statement of Work in writing 90 calendar days prior to the end of the funded period, or as soon as practicable thereafter, if the LHJ anticipates not using all Contract funding.

B. If the Exhibit A, Statement of Work, is supported by federal funds that require compliance with FFATA (the Transparency Act), the corresponding checkbox on the statement of work will be checked.

C. Total consideration for this Contract is $1,294,039, or as amended.

The LHJ will submit accurate and timely billings which, for clarity and consistency, will be prepared using the form provided and following the instructions located on the DOH website, www.doh.wa.gov.
DOH will authorize payment only upon satisfactory completion and acceptance of deliverables and for allowable costs as outlined in the statement of work and/or budget.
D. The LHJ will submit a BARS A financial report by April 15 for the prior calendar year.

6. **Contract Management**

Unless otherwise specified in the Contract, the following individuals are the contacts ("Contract Coordinators") for all notices required or permitted under this Contract:

<table>
<thead>
<tr>
<th>LHJ Contract Coordinator:</th>
<th>DOH Contract Coordinator:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name:</strong> Jessie Thomson</td>
<td><strong>Name:</strong> Brenda Henrikson</td>
</tr>
<tr>
<td><strong>Title:</strong></td>
<td><strong>Title:</strong> Contracts Specialist</td>
</tr>
<tr>
<td><strong>Mailing Address:</strong></td>
<td><strong>Mailing Address:</strong></td>
</tr>
<tr>
<td>509 Girard Street, Bellingham WA 98225-4005</td>
<td>PO Box 47905, Olympia WA 98504-7905</td>
</tr>
<tr>
<td><strong>Physical Address:</strong></td>
<td><strong>Physical Address:</strong></td>
</tr>
<tr>
<td>Same as above</td>
<td>101 Israel Rd. SE, Tumwater WA 98501-5570</td>
</tr>
<tr>
<td><strong>Phone:</strong> 360-778-6020</td>
<td><strong>Phone:</strong> 360-236-3933</td>
</tr>
<tr>
<td><strong>Fax:</strong></td>
<td><strong>Fax:</strong> 360-236-2401</td>
</tr>
<tr>
<td><strong>Email Address:</strong></td>
<td><strong>Email Address:</strong></td>
</tr>
<tr>
<td><a href="mailto:jthomson@co.whatcom.wa.us">jthomson@co.whatcom.wa.us</a></td>
<td><a href="mailto:brenda.henrikson@doh.wa.gov">brenda.henrikson@doh.wa.gov</a></td>
</tr>
</tbody>
</table>

A party may change its Contract Coordinator or its Program Contact by providing written notice to the other party. DOH Program Contacts can be found in the Exhibit A, Statements of Work, and on the DOH website at www.doh.wa.gov.

7. **Access to Records**

To the extent authorized by applicable federal and state law, the parties shall provide access to records relevant to this Contract to each other, the Joint Legislative Audit and Review Committee, the State Auditor, and authorized federal officials, at no additional cost. Inspections shall occur at reasonable times and upon reasonable notice.

8. **All Writings Contained Herein**

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto. The individuals signing this Contract certify by their signatures that they are authorized to sign this Contract on behalf of their respective entity.

9. **Assignment**

Except for subcontracting as authorized in this Contract, the LHJ shall not assign or delegate, in whole or in part, this Contract or any of its rights, duties, obligations, or responsibilities, without the prior written consent of DOH's Contracting Officer, which consent shall not be unreasonably withheld.

10. **Assurances**

The parties agree that all activity pursuant to this Contract shall be in accordance with all applicable current federal, state and local laws, rules, and regulations.

The LHJ acknowledges its agreement to comply with federal certifications and assurances by signing and returning the following:

1. Standard Federal Certifications and Assurances
2. Federal Assurances for Non-Construction Programs
11. Confidential Information

The parties agree to comply with all state and federal statutes and regulations relating to Confidential Information. DOH and LHJ will limit access to the Confidential Information to the fewest number of people necessary to complete the work. Everyone having access to Confidential Information covered by this Contract must agree to protect the confidentiality of the information.

Either party to this Contract may designate certain Confidential Information as “Confidential Information/Notice Requested.” The designation shall be made by clearly stamping, watermarking, or otherwise marking each page of the Confidential Information. If a third party requestor seeks information that has been marked “Confidential Information/Notice Requested,” notice shall be given to the marking party prior to release of the information. Such notice shall be provided to the program contact no less than five (5) business days prior to the date of disclosure, to allow the party objecting to disclosure to seek a protective order from the proper tribunal.

DOH and LHJ agree to establish, document and maintain security practices and safeguards consistent with state and federal laws, regulations, standards, and guidelines to prevent unauthorized access, use, or disclosure of Confidential Information in any form. In accordance with federal and state contracting requirements, DOH may monitor, audit, or investigate LHJ management of Confidential Information relating to this Contract. Working together, the LHJ and DOH may use any and all tools available to track Contract related Confidential Information.

If one of the parties becomes aware of an actual or suspected breach of confidentiality, that party will promptly notify the Contract Coordinator for the other party of the facts. The parties will work within their respective organizations to take any steps necessary to determine the scope of the breach and to restore reasonable security to the Confidential Information. Both parties agree to mitigate any known harmful effects of a breach in confidentiality, including notifying affected individuals to the extent required by law. The parties will also reasonably cooperate with law enforcement as appropriate.

12. Ethics

Both parties and their officers shall comply with all ethics laws applicable to their activities under this Contract, including Chapters 42.23 and 42.52 RCW. If a violation occurs and is not cured within a reasonable time after notice, the other party shall have the right to terminate this Contract. This section is expressly subject to the Disputes section of this Contract.

13. Debarment Certification

The LHJ, by signing this Contract, certifies that the LHJ is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Contract by any federal department or agency. The LHJ also agrees to include the above requirement in all subcontracts into which it enters. The LHJ will notify DOH of any such events that may occur during the term of the Contract.

14. Disputes

Except as otherwise provided in this contract, when a dispute arises between the parties and it cannot be resolved by direct negotiation, the parties agree to participate in good faith in non-binding mediation. The mediator shall be chosen by agreement of the parties. If the parties cannot agree on a mediator, the parties shall use a mediation service located in Washington State that selects a qualified mediator for the parties. Each party shall bear its own costs for mediation and each party shall contribute equally to the mediator’s fee, if any. The parties agree that mediation shall precede any action in a judicial tribunal.

Nothing in this contract shall be construed to limit the parties’ choice of a mutually acceptable alternate dispute resolution method in addition to the dispute resolution procedure outlined above.

15. Equipment Purchases

Equipment purchased by the LHJ for use by the LHJ or its subcontractors during the term of this Contract using federal funds, in whole or in part, shall be the property of the LHJ. The use, management and disposal of the equipment must comply with federal requirements. These requirements are found in the Office of Management and
Budget's (OMB's) Uniform Guidance, Title 2 Code of Federal Regulations Part 200 (2 CFR 200) - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, or are included in the federal funding agency's regulations.

16. Governing Law and Venue
The laws of the state of Washington govern this Contract. In the event of a lawsuit by the LHJ against DOH arising under this Contract, venue shall be proper only in Thurston County, Washington. In the event of a lawsuit by DOH against the LHJ arising under this Contract, venue shall be proper only in the county in which the LHJ is located or in either of the two nearest judicial districts within the meaning of RCW 36.01.050.

17. Independent Capacity
The employees or agents of each party who are engaged in the performance of this Contract shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

18. Insurance
The LHJ certifies that it is self-insured, is a member of a risk pool, or maintains insurance coverage as required by this Contract. Each party shall pay for losses for which it is found liable. The LHJ agrees to require all subcontractors to maintain insurance in types and with limits as may be determined by the LHJ and/or its risk manager, unless the LHJ and DOH agree otherwise.

19. Licensing, Accreditation and Registration
The LHJ shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements and standards, necessary for the performance of this Contract.

20. Maintenance of Records
Each party to this Contract shall maintain books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs expended by it. All books, records, documents, and other material relevant to this Contract will be retained for six (6) years after expiration. If any litigation, claim or audit is started before the expiration of the six-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Each party will use reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties. Both parties agree to continue protecting records until such time as the information is destroyed in accordance with applicable state and federal records retention laws.

21. Modifications and Waivers
This Contract, or any term or condition, may be modified only by a written amendment signed by the DOH Contracting Officer and the authorized representative for the LHJ. Either party may propose an amendment.

Failure or delay on the part of either party to exercise any right, power, privilege or remedy provided under this Contract shall not constitute a waiver. No provision of this Contract may be waived by either party except in a writing signed by the DOH Contracting Officer or the authorized representative of the LHJ.

22. No Third-Party Rights Created
This Contract, or any program hereunder, is entered into solely for the benefit of the two parties thereto and shall not be construed as giving rise to any right, remedy or expectancy of any kind or nature on the part of any third party.

23. Nondiscrimination
During the performance of this Contract, the LHJ and DOH shall comply with all federal and state nondiscrimination laws, regulations and policies. In the event of the LHJ's noncompliance or refusal to comply with any nondiscrimination law, regulation or policy, this Contract may be rescinded, canceled or terminated in whole or in part, and the LHJ may be
declared ineligible for further contracts with DOH. The LHJ shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the “Disputes” procedure set forth herein.

24. Order of Precedence
In the event of an inconsistency in the terms of this Contract, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable state and federal statutes, and local laws, rules and regulations.
- Terms and conditions of this Contract.
- Statements of Work.
- Any other provisions of this Contract, including other materials incorporated by reference.

25. Ownership of Material/Rights in Data
Records and other documents relevant to this Contract, in any medium, furnished by one party to this Contract to the other party, will remain the property of the furnishing party, unless otherwise agreed. Data which is delivered under the Contract shall be transferred to DOH with a nonexclusive, royalty-free, perpetual, irrevocable license to publish, translate, reproduce, modify, deliver, perform, dispose of, and to authorize others to do so; provided that such license shall be limited to the extent which the LHJ has a right to grant such a license. The LHJ shall exert all reasonable effort to advise DOH, at the time of delivery of data furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. DOH shall receive prompt written notice of each notice or claim or copyright infringement received by the LHJ with respect to any data delivered under this Contract. DOH shall have the right to modify or remove any restrictive markings placed upon the data by the LHJ, provided that if DOH modifies or removes such markings without the LHJ’s approval, it assumes all liability for doing so.

26. Publications
Any program reports, articles, and publications that result from information gathered through use of state and federal funds must acknowledge receiving support from DOH and/or the appropriate federal agencies. Correspondingly, such documents resulting from information gathered through use of local funds must acknowledge receipt of such local support.

27. Responsibility for Actions
Each party to this Contract shall be solely responsible for the acts and omissions of its own officers, employees, and agents in the performance of this Contract. Neither party to this Contract will be responsible for the acts and omissions of entities or individuals not party to this Contract. DOH and the LHJ shall cooperate in the defense of tort lawsuits, when possible.

28. Loss or Reduction of Funding
In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this contract and prior to normal completion, DOH may elect to suspend or terminate the contract, in whole or in part, under the "Termination for Convenience" clause with a ten (10) business day notice to LHJ, to the extent possible, subject to renegotiation at DOH’s discretion under those new funding limitations and conditions.

29. Severability
If any term or condition of this Contract is held invalid, such invalidity shall not affect the validity of the other terms or conditions of this Contract, provided, however, that the remaining terms and conditions can still fairly be given effect.

30. Subcontracts
The LHJ may subcontract any or all of the services or other obligations specified in this Contract. The LHJ will require the subcontractor to comply with all the applicable terms and conditions of this Contract, including all terms, conditions, certifications and assurances. The LHJ agrees it is responsible for assuring adequate performance on the part of the subcontractor.
The parties agree that all subcontractors must be responsible for any liabilities created by their actions or omissions. In the event DOH, LHJ, and subcontractor are found by a jury or trier of fact to be jointly and severally liable for personal injury damages arising from any act or omission, then each entity shall be responsible for its proportionate share.

31. Subrecipient
For those activities designated as “subrecipient” on Exhibit A, Statements of Work, the LHJ must comply with applicable federal requirements, including but not limited to OMB’s Uniform Guidance at 2 CFR 200, Subparts D (Administrative Requirements), E (Cost Principles) and F (Audit Requirements), and program specific federal regulations. If the LHJ expends $500,000 or more in federal awards from all sources, it is responsible for obtaining appropriate audits. If the LHJ expends $750,000 or more in federal grants or awards from all sources, it is responsible for obtaining the required single audit.

32. Survivability
The terms and conditions contained in this Contract, which by their sense and context are intended to survive the expiration of the Contract, shall survive. Surviving terms include, but are not limited to: Access to Records, Confidential Information, Disputes, Responsibility for Actions, Maintenance of Records, Ownership of Material/Rights in Data, Subcontracts, Termination for Convenience, Termination for Default, and Termination Procedure.

33. Term
This Contract will be in effect following execution by the parties from January 1, 2018 through December 31, 2020, unless terminated earlier as provided herein.

34. Termination for Convenience
Except as otherwise provided in this Contract, either party may terminate or suspend this Contract, or any program hereunder, for convenience by providing at least thirty (30) days’ advance written notice to the other party.

If DOH elects to suspend the Contract, in whole or in part, LHJ shall stop work as of the effective date of DOH’s written notice of suspension. During suspension, each Party will reasonably notify the other of any conditions that may affect resumption of performance. Upon DOH’s written notice to resume performance, LHJ shall resume work unless the LHJ provides notice to DOH that services cannot be resumed. If LHJ cannot resume performance, the Contract or affected Exhibit A, Statement of Work, will be deemed terminated upon the date the LHJ received notice to suspend performance.

35. Termination for Default
(a) In the event of a default by either party under this Contract, the nondefaulting party may give written notice to the defaulting party that it intends to terminate this Contract, or any program hereunder, if the default is not cured within thirty (30) days of the date of the notice, or such longer period of time as may be reasonable under the circumstances. If the default is not cured within that time, the nondefaulting party may then notify the defaulting party in writing that this Contract is terminated. In the event of such termination, the nondefaulting party shall have all rights and remedies available to it under general law.

(b) A disputed termination for default is expressly subject to the Disputes section of this Contract.

36. Termination Procedure
Upon termination DOH may require the LHJ to deliver to DOH any non-LHJ-owned equipment, data, or other property specifically produced or acquired for the performance of such part of this Contract as has been terminated.

DOH shall pay to the LHJ the agreed upon price, if separately stated, for completed work and services accepted by DOH. In addition DOH shall pay the amount determined by DOH’s Contracting Officer for (a) completed work and services for which no separate price is stated, (b) partially completed work and services, (c) other property or services
which are accepted by DOH, and (d) the protection and preservation of the property. Disagreement by the LHJ with the determination of DOH’s Contracting Officer that relates to the obligations or amounts due to the LHJ shall be considered a dispute within the meaning of the “Disputes” clause of this Contract. DOH may withhold from any amounts due the LHJ for such completed work or services such sum as DOH’s Contracting Officer reasonably determines to be necessary to protect DOH against potential loss or liability. The rights and remedies of DOH provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Contract.

After receipt of a written notice of termination, the LHJ shall:

- Stop work under the Contract on the date and to the extent specified in the notice;
- Place no further orders or subcontracts for materials, services, or facilities, except as necessary to complete such portion of the work not terminated;
- Assign to DOH, to the extent reasonably directed by DOH’s Contracting Officer and to the extent that the LHJ has the legal right to do so, all of the right, title, and interest of the LHJ under the orders and subcontracts in which case DOH has the right, at its reasonable discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts.
- Settle all outstanding liabilities and all claims arising out of orders or subcontracts, with the approval or ratification of DOH’s Contracting Officer to the extent he/she may reasonably require, which approval or ratification shall be final for all the purposes of this clause;
- Transfer title to DOH and deliver, as reasonably directed by DOH’s Contracting Officer, any property which, if the Contract had been completed, would have been required to be furnished to DOH;
- Complete performance of such part of the work not terminated by DOH’s Contracting Officer; and,
- Take such action as may be necessary, or as DOH’s Contracting Officer may reasonably direct, for the protection and preservation of the property related to this Contract which is in the possession of the LHJ, or its subcontractors, and in which DOH has or may acquire an interest.

IN WITNESS WHEREOF, the parties have executed this Contract.

WHATCOM COUNTY HEALTH DEPARTMENT

\[Signature\]

Title: Regina A. Delahunt, Director

Print Name: [Signature]

Date: \(1/10/18\)

STATE OF WASHINGTON

DEPARTMENT OF HEALTH

[Signature]

Title: 

Print Name: 

Date: 

2018-2020 Consolidated Contract
WHATCOM COUNTY

____________________
JACK LOUWS
County Executive

STATE OF WASHINGTON )
COUNTY OF WHATCOM )

On this ______ day of____________________, 2018, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

____________________
NOTARY PUBLIC in and for
the State of Washington,
residing at Bellingham.

My Commission expires:____________________

APPROVED AS TO FORM

____________________
Royce Buckingham, Civil Deputy Attorney

/ 18.18 /
Date
Standard Federal Certifications and Assurances

Following are the Assurances, Certifications, and Special Conditions that apply to all federally-funded (in whole or in part) agreements administered by the Washington State Department of Health.

CERTIFICATIONS

1. **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**
   The undersigned (authorized official signing for the contracting organization) certifies to the best of his or her knowledge and belief, that the contractor, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

   A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

   Have not within a 3-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

   B. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

   C. Have not within a 3-year period preceding this contract had one or more public transactions (Federal, State, or local) terminated for cause or default.

   Should the contractor not be able to provide this certification, an explanation as to why should be placed after the assurances page in the contract.

   The contractor agrees by signing this contract that it will include, without modification, the clause titled Certification Regarding Debarment, Suspension, In eligibility, and Voluntary Exclusion--Lower Tier Covered Transactions in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

2. **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**
   The undersigned (authorized official signing for the contracting organization) certifies that the contractor will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

   A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violation of such prohibition;

   B. Establishing an ongoing drug-free awareness program to inform employees about:

   1) The Dangers of drug abuse in the workplace;

   2) The contractor’s policy of maintaining a drug-free workplace;

   3) Any available drug counseling, rehabilitation, and employee assistance programs; and

   4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

   C. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph 1) above;
D. Notifying the employee in the statement required by paragraph 1), above, that, as a condition of employment under the contract, the employee will:

1) Abide by the terms of the statement; and

2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

E. Notifying the agency in writing within ten calendar days after receiving notice under paragraph D. 2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every contract officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

F. Taking one of the following actions, within 30 calendar days of receiving notice under paragraph D. 2) with respect to any employee who is so convicted:

1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), (E), and (F).

For purposes of paragraph (E) regarding agency notification of criminal drug convictions, DOH has designated the following central point for receipt of such notices:

Compliance and Internal Control Officer
Office of Grants Management
WA State Department of Health
PO Box 47905
Olympia, WA 98504-7905

3. CERTIFICATION REGARDING LOBBYING

Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (nonappropriated) funds. These requirements apply to grants and cooperative agreements EXCEEDING $100,000 in total costs (45 CFR Part 93).

The undersigned (authorized official signing for the contracting organization) certifies, to the best of his or her knowledge and belief, that:

A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, 2018-2020 Consolidated Contract Page 12 of 17
"Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)

C. The undersigned shall require that the language of this certification be included in the award documents for all subcontracts at all tiers (including subcontracts, subcontracts, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

4. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)
The undersigned (authorized official signing for the contracting organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the contracting organization will comply with the Public Health Service terms and conditions of award if a contract is awarded.

5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE
Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children’s services that are provided in indoor facilities that are constructed, operated, or maintained with such Federal funds. The law does not apply to children’s services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the contracting organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The contracting organization agrees that it will require that the language of this certification be included in any subcontracts which contain provisions for children’s services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

6. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - INSTRUCTIONS FOR CERTIFICATION
By signing and submitting this proposal, the prospective contractor is providing the certification set out below.

A. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective contractor shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency’s determination whether to enter into this transaction. However, failure of the prospective contractor to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
B. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective contractor knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

C. The prospective contractor shall provide immediate written notice to the department or agency to whom this contract is submitted if at any time the prospective contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the person to whom this contract is submitted for assistance in obtaining a copy of those regulations.

E. The prospective contractor agrees by submitting this contract that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by DOH.

F. The prospective contractor further agrees by submitting this contract that it will include the clause titled Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction, provided by HHS, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (of excluded parties).

H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

I. Except for transactions authorized under paragraph 6. of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, DOH may terminate this transaction for cause or default.

7. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

A. The prospective contractor certifies to the best of its knowledge and belief, that it and its principals:

1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

2) Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 1. B. of this certification; and
4) Have not within a three-year period preceding this contract had one or more public transactions (Federal, State or local) terminated for cause or default.

B. Where the prospective contractor is unable to certify to any of the statements in this certification, such prospective contractor shall attach an explanation to this contract.

<table>
<thead>
<tr>
<th>AUTHORIZED SIGNATURE REQUIRED</th>
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<tbody>
<tr>
<td>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</td>
</tr>
<tr>
<td>[Signature]</td>
</tr>
<tr>
<td>PLEASE PRINT OR TYPE NAME:</td>
</tr>
<tr>
<td>Regina A. Delbert, Director</td>
</tr>
<tr>
<td>ORGANIZATION NAME: (if applicable)</td>
</tr>
<tr>
<td>Whatcom County Health Department</td>
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</table>
Federal Assurances – Non-Construction Programs

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the contractor, I certify that the contractor:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM’s Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.


10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1970, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.


14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Uniform Guidance at 2 CFR 200, Subpart F.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

AUTHORIZED SIGNATURE REQUIRED

<table>
<thead>
<tr>
<th>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regina A. Delahunt, Director</td>
<td></td>
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</tbody>
</table>

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<tr>
<th>PLEASE PRINT OR TYPE NAME</th>
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<tr>
<td>Whatcom County Health Department</td>
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<table>
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<th>DATE</th>
</tr>
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<tbody>
<tr>
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</tbody>
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**DOH Program Name or Title:** Infectious Disease Prevention Section (IDPS) - 
**Effective January 1, 2018**

**SOW Type:** Original  
**Revision # (for this SOW):**

**Period of Performance:** January 1, 2018 through December 31, 2018

**Statement of Work Purpose:** The purpose of this statement of work is to provide infectious disease (HIV, STD, and Adult Viral Hepatitis) prevention services.

**Revision Purpose:** N/A

<table>
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<tr>
<th>Chart of Accounts Program Name or Title</th>
<th>CFDA #</th>
<th>BARS Revenue Code</th>
<th>Master Index Code</th>
<th>Funding Period (LHJ Use Only)</th>
<th>Current Consideration</th>
<th>Change Increase (+)</th>
<th>Total Consideration</th>
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</table>

**Task Number** | **Task/Activity/Description** | ***May Support PHAB Standards/Measures** | **Deliverables/Outcomes** | **Due Date/Time Frame** | **Payment Information and/or Amount**

See contract tasks and deliverables below.
**Task:** SSP-1  
**Syringe Service Programs (SSP): People Who Use Drugs (PWUD)**

**Service Definition:** To provide comprehensive Syringe Service Program (SSP) to people who use drugs (PWUD). This plan of action is directed to distribute syringes to communities that use drugs to prevent transmission of infectious disease. SSP programs will provide clean works/harm reduction supplies with syringes to prevent transmission of disease. SSP will provide referrals to address social determinants of health.

**Strategies:**
- Provide fixed site and/or outreach to engage communities that use drugs.
- Distribution of syringes will be on participant needs and/or one for one based on program policy
- SSPs will provide referrals to address social determinants of health and provide follow-up within program capacity.
- SSP programs will distribute needles, cottons, cookers, and wound care items while providing risk reduction counseling around human immunodeficiency virus (HIV) and hepatitis C virus (HCV) transmission.
- When possible, SSPs will refer and provide testing for participants based on the programs supports.

**Targeted Population:** People who use drugs

**Deliverables/Measures:**
- Number of PWUD served: 650 duplicated
- Number of Syringes Distributed: 150,000
- Number of Referrals to address social determinants of health: 25
- Number of Clean Works/Harm Reduction supplies distributed: 37,500
- Number of Participants referred to testing/care: HIV/HCV/STD: 25
- Number of Condoms Distributed: 200

**Reporting:** By the 15th of the month, enter previous month's deliverable data into Statewide HIV Activity Reporting and Evaluation (SHARE) system.

<table>
<thead>
<tr>
<th>Budget</th>
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<tbody>
<tr>
<td>A</td>
<td>Salaries: $19,723</td>
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<tr>
<td>B</td>
<td>Benefits: $7,777</td>
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<tr>
<td>C</td>
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<td>E</td>
<td>Supplies/Goods</td>
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<tr>
<td>G</td>
<td>Travel</td>
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<tr>
<td>J</td>
<td>Equipment</td>
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<td>Sub-Contracts</td>
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<tr>
<td>O</td>
<td>Other</td>
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<tr>
<td><strong>IDC</strong></td>
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<tr>
<td><strong>Total:</strong></td>
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</table>

**$27,500 – State HIV**  
($13,750 for 01/01/18-06/30/18 and $13,750 for 07/01/18-12/31/18)
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at:

**Program Specific Requirements/Narrative**

**Fiscal Guidance**

i) **Funding** – Funds provided in the Budget are for services provided during the period January 1, 2018 – December 31, 2018. The LHJ shall submit all claims for payment for costs due and payable under this statement of work by January 31, 2019. DOH will pay belated claims at its discretion, contingent upon the availability of funds.

ii) The LHJ agrees to reimburse DOH for expenditures billed to the DOH for costs that are later determined through audit or monitoring to be disallowed under the requirements of 2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

iii) **Submission of Invoice Vouchers** – On a monthly basis, the LHJ shall submit correct A19-1A invoice vouchers amounts billable to DOH under this statement of work. **All A19-1A invoice vouchers must be submitted by the 25th of the following month.**

<table>
<thead>
<tr>
<th>Month of A19-1A Invoice</th>
<th>A19-1A Invoice Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1-31, 2018</td>
<td>February 25, 2018</td>
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<tr>
<td>February 1-29, 2018</td>
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<td>December 25, 2018</td>
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<tr>
<td>December 1-31, 2018</td>
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</tr>
</tbody>
</table>

The LHJ shall use and adhere to the DOH Infectious Disease Reimbursement Guidelines and Forms when submitting A19-1A invoice voucher payment requests to DOH.

**DOH Program Contact, SSP**
Tim Candela
DOH, Infectious Disease Prevention
PO Box 47841, Olympia, WA 98504-7841
360-236-3456/Fax: 360-64-2216
Tim.Candela@doh.wa.gov

**DOH Fiscal Contact**
Abby Gilliland
DOH, Infectious Disease Operations Unit
PO Box 47840, Olympia, WA 98504-7841
360-236-3351/Fax: 360-64-2216
Abby.Gilliland@doh.wa.gov
DOH Program Name or Title: Marijuana Prevention & Education Program - Effective January 1, 2018

Local Health Jurisdiction Name: Whatcom County Health Department

Contract Number: CLH18267

SOW Type: Original Revision # (for this SOW)

Period of Performance: January 1, 2018 through June 30, 2018

Statement of Work Purpose: The purpose of this statement of work is to fund the activities of a regional Youth Marijuana Prevention and Education Programs

Revision Purpose: N/A

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<th>Master Index Code</th>
<th>Funding Period (LHJ Use Only) Start Date</th>
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</tbody>
</table>

Task Number | Task/Activity/Description | *May Support PHAB Standards/Measures | Deliverables/Outcomes | Due Date/Time Frame | Payment Information and/or Amount
---|--------------------------|-------------------------------------|-----------------------|---------------------|-----------------------------------
LHJ is required to complete the following tasks and deliverables and adhere to all requirements contained in the attached Youth Marijuana Prevention and Education Guide.

YMPEPRegGuide.pdf

1. Groundwork – Build program and regional capacity to plan, coordinate, implement and evaluate regional Youth Marijuana Prevention and Education Program (YMPEP) activities:

   A. Hire YMPEP Regional Coordinator. Report progress and submit invoices monthly 06/30/18 Reimbursement for actual expenditures, not to exceed total funding consideration. A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.

   B. Create and maintain Regional Network and partnerships with people throughout the region. Report progress and submit invoices monthly 06/30/18

   C. Provide needed education and skill enhancement opportunities for Regional Network. Report progress and submit invoices monthly 06/30/18

   D. Identify organizational structure of the Regional Network Report progress and submit invoices monthly 06/30/18
<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>Form a subcommittee of the Regional Network; refer to them as the Planning Team</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
</tbody>
</table>

2. **Assessment – Conduct ongoing needs assessment data within the region to support planning activities**

<p>| | | | | | |</p>
<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Form or identify an Epidemiological Workgroup</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration.</td>
</tr>
<tr>
<td>B.</td>
<td>Conduct/update a needs assessment to assess regional needs, assets, gaps, and readiness.</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.</td>
</tr>
<tr>
<td>C.</td>
<td>Determine which of the most pressing needs prevention efforts can influence.</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
</tbody>
</table>

3. **Capacity – Recruit and convene a regional network and raise awareness of its mission and purpose**

<p>| | | | | | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>A.</td>
<td>Host regular meetings with Regional Network. (Planning team meets <strong>monthly</strong> during Strategic Planning Process; Full network meets <strong>quarterly at a minimum</strong>.)</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration.</td>
</tr>
<tr>
<td>B.</td>
<td>Use knowledge about the community’s level of readiness to publicize the issue and encourage participation on Regional Network</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.</td>
</tr>
<tr>
<td>C.</td>
<td>Expand the Regional Network to include sectors within the region and other members interested in preventing substance use disorder.</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td>Develop a plan for attending health equity trainings, recruiting and developing partnerships with a diverse representation of the community, etc.</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
</tbody>
</table>

4. **Planning – Coordinate development of a mission, logic model and strategic and sustainability plans for the region.**

<p>| | | | | | |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Convene the planning team.</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration.</td>
</tr>
<tr>
<td>B.</td>
<td>Train the planning team.</td>
<td></td>
<td>Report progress an submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>C.</td>
<td>Analyze risk and protective factors and local conditions</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
<td>Payment Information and/or Amount</td>
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</tr>
<tr>
<td>D.</td>
<td>Choose the factors on which the region will concentrate</td>
<td></td>
<td>Choose the factors on which the region will concentrate</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>Establish Mission of YMPEP region</td>
<td></td>
<td>Report progress an submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>F.</td>
<td>Develop logic model to guide effort</td>
<td></td>
<td>Report progress an submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>G.</td>
<td>Create regional strategic plan to include policies, programs and practices. Include a</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
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</tr>
<tr>
<td></td>
<td>minimum of 70 percent of time to Primary activities and up to 30 percent of time to</td>
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<tr>
<td></td>
<td>implement approved Innovative activities</td>
<td></td>
<td></td>
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<tr>
<td>H.</td>
<td>Choose policy, systems, and environmental (PSE) activities to address the risk and</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>protective factors the Regional Network prioritized.</td>
<td></td>
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</tr>
<tr>
<td>I.</td>
<td>Present the plan to the communities it will serve throughout the region and gather</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
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<tr>
<td></td>
<td>support</td>
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<td></td>
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<tr>
<td>J.</td>
<td>Create Sustainability Plan</td>
<td></td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
</tbody>
</table>

5. Implementation – Coordinate implementation of the strategic plan

<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Hire staff, subcontract and/or recruit volunteers to implement Regional Strategic Plan.</td>
<td>Report progress and submit invoices monthly.</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration.</td>
</tr>
<tr>
<td>B.</td>
<td>Follow the Regional Strategic Plan throughout the implementation process</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.</td>
</tr>
<tr>
<td>C.</td>
<td>Continue to track and monitor resources annually. Update and revise resource assessment</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
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<td></td>
<td>as needed</td>
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<tr>
<td>D.</td>
<td>Meet regularly with Regional Network</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>Keep regional partners informed using a newsletter, listserv, monthly meetings</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td></td>
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<tr>
<td>F.</td>
<td>Write grant applications (as appropriate) to increase funding opportunities and ensure</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
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<td></td>
<td>sustainability of YMPEP region</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
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<tr>
<td>6.</td>
<td>Evaluation – Plan and participate in state and regional evaluation efforts</td>
<td>Report progress and submit invoices monthly</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration. A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.</td>
</tr>
<tr>
<td>A.</td>
<td>Create Regional Evaluation Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Work Plan – L.H.J must prepare and submit a work plan and budget for the remainder of the biennium</td>
<td>Completed work plan and budget</td>
<td>06/30/18</td>
<td>Reimbursement for actual expenditures, not to exceed total funding consideration. A19 invoice voucher forms are due the 30th of the month following the month in which costs were incurred.</td>
</tr>
<tr>
<td>A.</td>
<td>Prepare and submit a work plan and budget for January 2018-June 2019</td>
<td></td>
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</tr>
</tbody>
</table>

*For Information Only:
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf

**Program Specific Requirements/Narrative**

**Local Health Jurisdiction (L.H.J) will:**

1. Fulfill program administration roles and responsibilities:
   a) Ensure at least 1.0 FTE (divided among no more than three (3) people) is dedicated to coordination of regional network activities.
   b) Participate in required conference calls, trainings, webinars, and in-person meetings for YMPEP contractors hosted by DOH.
   c) Submit accurate and complete progress reports, budgets, and A19 invoices, using the required guidance, reporting tool or system, and deadlines (see Section IV below) provided by DOH.
   d) Act as the fiduciary agent if subcontracting. Notify the DOH when entering into a subcontract. DOH does not need to approve subcontractors. Subcontractor performance is the responsibility of each L.H.J.
   e) Meet requirements outlined in the YMPEP Regional Implementation guide provided by MPEP, which include (but not limited to) conducting a regional assessment of needs, coordinating and maintaining a regional network, preparing, annually updating and managing the implementation of the region’s strategic plan.

2. Meet evaluation requirements:
   a) Perform annual close out procedures if directed by the DOH.
   b) Participate in performance measure data collection activities in collaboration with DOH.
   c) Participate in project evaluation activities developed and coordinated by DOH.
3. Written Policies and Procedures/Documents
   a) Written policies and procedures, consistent with federal and state regulations, as applicable, shall be kept on file in the office of the LHJ and be available for review at the request of DOH staff. Such policies and procedures shall include, but not be limited to, as appropriate:
      i. Position Descriptions
      ii. Confidentiality Policy
      iii. Regional Needs Assessment
      iv. 5-Year Regional Strategic Plan (includes biennial work plan)
      v. Background Checks for those staff, subcontractors or volunteers working directly with youth (ages 0-17).
      vi. Latest Agency Audit
      vii. Subcontractor Agreements

   DOH will support LHJ by providing:
   1. Timely communications regarding funding amounts and/or funding reductions.
   2. An annual calendar of key events, required and optional trainings and other key dates.
   3. Contract oversight and point of contact for overall project coordination, technical assistance, and facilitation of project communication.
   4. Templates for 5-year regional strategic plan, annual work plan, needs assessment, project deliverables with reporting requirements.
   5. Technical assistance on meeting project goals, objectives, and activities related to:
      a) Updating regional needs assessment by providing a template and supporting materials.
      b) Adapting required and innovative activities to ensure they are culturally and linguistically appropriate evidence-based or evidence-informed, or promising programs.
      c) Developing and adapting project materials so they are culturally and linguistically appropriate using Cultural and Linguistically Appropriate Services (CLAS) standards [link to CLAS standards]
      d) Providing relevant resources and training.
      e) Meeting performance measure, evaluation, and data collection requirements.
      f) Developing 5-year regional strategic plans, annual work plans and logic models.
      g) Interpreting DOH guidelines, requirements, and expectations and seeking approval from DOH staff, as needed, on grant-related activities and products.

Program Administration
1. The LHJ shall perform the requirements and activities defined in this agreement and the YMPEP Regional Implementation Guide. At a minimum, program and fiscal performance will be monitored and evaluated monthly by the assigned DOH staff based on each LHJ’s Monthly Progress Report, and Monthly Expenditure Worksheet and A19 invoice. DOH staff will also monitor and evaluate regional program performance during on-site visits (minimum 1 per year).
2. The LHJ shall ensure the DOH has the most current contact information of the local program administrator that is responsible for the performance of this statement of work.
3. The LHJ shall provide DOH with the program administrator’s name, address, telephone number, and any subsequent changes. This contract information will be kept in an internal DOH database, along with the same information of all staff supported in part/full with YMPEP funds. Failure of the LHJ to perform activities (including those subcontracted to other agencies or organizations) as described in the DOH-approved SOW included herein and subsequent amendments, and in accordance with DOH administrative and Contract Performance Policies, and with any applicable local, state, or federal law or regulation, may result in the reduction of funds, suspension of services, or the termination of this statement of work.
4. DOH reserves the right to determine the amount of any reduction, based on LHJ’s performance, and to unilaterally amend the contract to effect any reduction. Any reduction shall be based on a review of the LHJ’s expenditure patterns and actual performance.

Subcontractor Requirements: None

Required Reports
Exhibit A, Statements of Work
The LHJ shall submit required reports by the date due using required forms according to procedures issued by DOH. These reports and their due dates shall include, but not be limited to:

<table>
<thead>
<tr>
<th>Report</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Expenditure Worksheet and A19</td>
<td>The 30th of the month following the month in which costs were incurred, except during closeout at the end of each state fiscal year (see below).</td>
</tr>
<tr>
<td>2. Final Expenditure Report and Request for Reimbursement (FY Closeout)</td>
<td>The year-end/final Expenditure Worksheet and A19 are due as follows: FY18: August 30, 2018 (See Special Instructions below) FY19: August 30, 2019 (See Special Instructions below)</td>
</tr>
<tr>
<td>4. Contractor Monthly Progress Report</td>
<td>The 15th of the month following the month in which activities were performed, including the final monthly progress report.</td>
</tr>
</tbody>
</table>

The LHJ shall be obligated to submit required reports after the close of the contract period, during the transfer of obligations to another contractor, or upon termination of the contract for any reason.

1. **Payment**
   a) All expenditures incurred and reimbursements made for performance under this statement of work shall be based on actual allowable costs. Billings for services on a monthly fraction of the budget will not be accepted or approved. Costs can include direct labor, direct material, and other direct costs specific to the performance of activities or achievement of deliverables under this statement of work.
   b) DOH shall pay the LHJ all allowable costs incurred as evidenced by a proper invoice (A19) submitted to DOH on a timely basis, insofar as those allowable and allocable costs do not exceed that amount appropriated or otherwise available for such purposes as stated herein, or in subsequent amendments.
   c) DOH shall pay for costs under this statement of work up to a total not exceeding the total funding consideration amount. Costs allowable under this statement of work are based on DOH-approved budget for periods of performance: Year 3: July 1, 2017 to June 30, 2018 and Year 4: July 1, 2018- June 30, 2019.
   d) The LHJ’s proposed regional budget, using the Budget Workbook template provided by DOH, is incorporated herein.
   e) Authorized and allowable program expenditures shall be reimbursed upon receipt and approval of the A19 submitted to DOH Grants Management. Approval shall be granted given that the LHJ has submitted its Monthly Progress Report, and Monthly Expenditure Worksheet and A19 to MPEP within 30 days following the month in which costs were incurred.
   f) If DOH does not receive the Monthly Expenditure Worksheet and A19 by the 30th of the month, DOH may withhold approval and payment, at its discretion, until the 30th of the month following submittal.
   g) Back-up documentation can include, but is not limited to; receipts, invoices, billing records, work orders, positive time and attendance records (timesheets), travel vouchers and accounting expense reports. Backup documentation shall be kept on file by the fiscal agent and made available upon request by DOH.
   h) Submission of electronic reports, deliverables, and other invoice attachments are preferred; however hard copies are acceptable.

2. **Evaluation of LHJ’s Performance**
LHJ’s performance will be evaluated on the following:
   a) Annual submittal and MPEP approval of an up-to-date Regional Needs Assessment.
   c) Timely completion, submission and MPEP approval of proposed Annual Budget Tracking Tool (Budget Line Items, Summary Budget Projections, Budget Narrative) and work plans on the YMPEP SharePoint.
   d) Submission of Electronic A19 Invoice and Financial Back-up Document to DOH Grants Management and the YMPEP SharePoint by the due dates listed above.
   e) Submission of 24 monthly Progress Reports by the due dates listed above on the YMPEP SharePoint.

3. **Restrictions on Funds (what funds can be used for which activities, not direct payments, etc.):**
   a) Recipients may not use funds for research.
   b) Recipients may not use funds for clinical care.
   c) Recipients may only expend funds for reasonable program purposes, including personnel, travel, supplies, and services, such as contractual.
d) Recipients may not generally use funding for the purchase of furniture or equipment. However, if equipment purchase is integral to a selected strategy, it will be considered. Any such proposed spending must be identified in the budget and approved by DOH Contract Manager.

e) Recipients may not use funding for construction.

f) The contractor must comply with DOH MPEP guidance on food, incentives and use of DOH logo outlined in the YMPEP Regional Implementation Guide, and should not exceed federal per diem rates.

g) Reimbursement of pre-award costs is not allowed.

DOH - Primary Point of Contact:
Cristal Connelly, YMPEP Contract Manager
Office Phone: 360-236-3757
Email Address: cristal.connelly@doh.wa.gov
Mailing Address: PO Box 47855, Olympia, WA 98504-7855
DOH Program Name or Title: Maternal & Child Health Block Grant
Effective January 1, 2018

Local Health Jurisdiction Name: Whatcom County Health Department

Contract Number: CLH18267

SOW Type: Original
Revision # (for this SOW)

Period of Performance: January 1, 2018 through September 30, 2018

Statement of Work Purpose: The purpose of this statement of work is to support local interventions that impact the target population of the Maternal and Child Health Block Grant.

Revision Purpose: N/A

<table>
<thead>
<tr>
<th>Chart of Accounts Program Name or Title</th>
<th>CFDA #</th>
<th>BARS Revenue Code</th>
<th>Master Index Code</th>
<th>Funding Period (LHJ Use Only)</th>
<th>Current Consideration</th>
<th>Change Increase (+)</th>
<th>Total Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>FFY18 MCHBG LHJ CONTRACTS</td>
<td>93.994</td>
<td>333.93.99</td>
<td>78120281</td>
<td>01/01/18 09/30/18</td>
<td>0</td>
<td>106,632</td>
<td>106,632</td>
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<tr>
<td>TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>106,632</td>
<td>106,632</td>
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</tbody>
</table>

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<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>Participate in calls, at a minimum of every quarter, with DOH contract manager. Dates and time for calls are mutually agreed upon between DOH and LHJ</td>
<td></td>
<td>Designated LHJ staff will participate in contract management calls.</td>
<td>September 30, 2018</td>
<td>Reimbursement for actual costs, not to exceed total funding consideration. Action Plan and Progress Reports must only reflect activities paid for with funds provided in this statement of work for the specified funding period.</td>
</tr>
<tr>
<td>1b</td>
<td>Report actual expenditures for October 1, 2017 through March 31, 2018</td>
<td></td>
<td>Submit actual expenditures using the MCHBG Budget Workbook to DOH contract manager</td>
<td>May 26, 2018</td>
<td></td>
</tr>
<tr>
<td>1c</td>
<td>Develop 2018-2019 MCHBG Budget Workbook for October 1, 2018 through September 30, 2019 using DOH provided template.</td>
<td></td>
<td>Submit MCHBG Budget Workbook to DOH contract manager</td>
<td>September 5, 2018</td>
<td>See Program Specific Requirements and Special Billing</td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
<td>Payment Information and/or Amount</td>
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<tr>
<td></td>
<td>MCHBG Assessment and Evaluation</td>
<td></td>
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</tr>
<tr>
<td>2a</td>
<td>Participate in project evaluation activities developed and coordinated by DOH, as requested.</td>
<td>Documentation using report template provided by DOH</td>
<td>September 30, 2018</td>
<td>Reimbursement for actual costs, not to exceed total funding consideration.</td>
<td></td>
</tr>
<tr>
<td>2b</td>
<td>Report program level strategy measure data (CSHCN, UDS, ACEs).</td>
<td>Documentation using report template provided by DOH</td>
<td>January 15, 2018, April 15, 2018, July 15, 2018</td>
<td>See Program Specific Requirements and Special Billing Requirements.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MCHBG Implementation</td>
<td></td>
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</tr>
<tr>
<td>3a</td>
<td>Develop 2018-2019 MCHBG Action Plan for October 1, 2018 through September 30, 2019 using DOH-provided template.</td>
<td>Submit MCHBG Action Plan to DOH contract manager</td>
<td>Draft August 17, 2018, Final September 5, 2018</td>
<td>Reimbursement for actual costs, not to exceed total funding consideration. Action Plan and Progress Reports must only reflect activities paid for with funds provided in this statement of work for the specified funding period. See Program Specific Requirements and Special Billing Requirements.</td>
<td></td>
</tr>
<tr>
<td>3b</td>
<td>Report activities and outcomes of 2017-2018 MCHBG Action Plan using DOH-provided template.</td>
<td>Submit Action Plan monthly reports to DOH contract manager</td>
<td>Monthly, on or before the 15th of the following month</td>
<td></td>
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<tr>
<td></td>
<td>Children with Special Health Care Needs (CSHCN)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4a</td>
<td>Complete Child Health Intake Form (CHIF) using the CHIF Automated System on all infants and children served by the CSHCN Program as referenced in CSHCN Program Manual.</td>
<td>Submit CHIF data into Secure File Transport (SFT) website: <a href="https://sft.wa.gov">https://sft.wa.gov</a></td>
<td>January 15, 2018, April 15, 2018, July 15, 2018</td>
<td>Reimbursement for actual costs, not to exceed total funding consideration. Action Plan and Progress</td>
<td></td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
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</tr>
<tr>
<td>4b</td>
<td>Administer requested DOH Diagnostic and Treatment funds for infants and children per CSHCN Program Manual when funds are used.</td>
<td></td>
<td>Submit completed Health Services Authorization forms and Central Treatment Fund requests directly to the CSHCN Program as needed.</td>
<td>30 days after forms are completed.</td>
<td>See Program Specific Requirements and Special Billing Requirements.</td>
</tr>
<tr>
<td>4c</td>
<td>Participate in the CSHCN Regional System and quarterly meetings as described in the CSHCN Program Manual.</td>
<td></td>
<td>Submit Action Plan monthly reports including number of regional meetings attended to the DOH contract manager.</td>
<td>Monthly, on or before the 15th of the following month</td>
<td></td>
</tr>
</tbody>
</table>

*For Information Only:*
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: [http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf](http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf)

**Program Specific Requirements/Narrative**

**Special Requirements**

**Federal Funding Accountability and Transparency Act (FFATA)**

This statement of work is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how the federal funds are spent.

To comply with this act and be eligible to perform the activities in this statement of work, the LHJ must have a Data Universal Numbering System (DUNS®) number.

Information about the LHJ and this statement of work will be made available on [USASpending.gov](http://www.usaspending.gov) by DOH as required by P.L. 109-282.

**Program Manual, Handbook, Policy References**


Health Services Authorization (HSA) Form
[http://www.doh.wa.gov/Portals/1/Documents/Pubs/910-002-ApprovedHSA.docx](http://www.doh.wa.gov/Portals/1/Documents/Pubs/910-002-ApprovedHSA.docx)

**Restrictions on Funds (what funds can be used for which activities, not direct payments, etc)**

1. At least 30% of federal Title V funds must be used for preventive and primary care services for children and at least 30% must be used services for children with special health care needs. [Social Security Law, Sec. 505(a)(3)].
2. Funds may not be used for:
   a. Inpatient services, other than inpatient services for children with special health care needs or high risk pregnant women and infants, and other patient services approved by Health Resources and Services Administration (HRSA).
   b. Cash payments to intended recipients of health services.
   c. The purchase or improvement of land, the purchase, construction, or permanent improvement of any building or other facility, or the purchase of major medical equipment.
   d. Meeting other federal matching funds requirements.
   e. Providing funds for research or training to any entity other than a public or nonprofit private entity.
   f. Payment for any services furnished by a provider or entity who has been excluded under Title XVIII (Medicare), Title XIX (Medicaid), or Title XX (social services block grant).[Social Security Law, Sec 504(b)].

3. If any charges are imposed for the provision of health services using Title V (MCH Block Grant) funds, such charges will be pursuant to a public schedule of charges; will not be imposed with respect to services provided to low income mothers or children; and will be adjusted to reflect the income, resources, and family size of the individual provided the services. [Social Security Law, Sec. 505 (1)(D)].

**Monitoring Visits (frequency, type)**
Telephone calls with contract manager at least one every quarter, and annual site visit.

**Special Billing Requirements**
Payment is contingent upon DOH receipt and approval of all deliverables and an acceptable A19-1A invoice voucher. Payment to completely expend the “Total Consideration” for a specific funding period will not be processed until all deliverables are accepted and approved by DOH. Invoices must be submitted monthly by the 30th of each month following the month in which the expenditures were incurred and must be based on actual allowable program costs. Billing for services on a monthly fraction of the “Total Consideration” will not be accepted or approved.

**DOH Program Contact**
Kara Seaman
Community Consultant
Office of Family and Community Health Improvement
Washington State Department of Health
Street Address: 310 Israel Rd SE, Tumwater, WA 98501
Mailing Address: PO Box 47848, Olympia, WA 98504
Telephone: 360-236-3963/ Fax: 360-236-3646
Email: kara.seaman@doh.wa.gov
DOH Program Name or Title: Office of Drinking Water Group A Program - Effective January 1, 2018

SOW Type: Original Revision # (for this SOW)

Period of Performance: January 1, 2018 through December 31, 2020

Statement of Work Purpose: The purpose of this statement of work is to provide funding to the LHJ for conducting sanitary surveys and providing technical assistance to small community and non-community Group A water systems.

Revision Purpose: N/A

<table>
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<tr>
<th>Chart of Accounts Program Name or Title</th>
<th>CFDA #</th>
<th>BARS Revenue Code</th>
<th>Master Index Code</th>
<th>Funding Period (LHJ Use Only)</th>
<th>Current Consideration</th>
<th>Change Increase (+)</th>
<th>Total Consideration</th>
</tr>
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<tbody>
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<td>01/01/18 12/31/20</td>
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<td>10,200</td>
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</tbody>
</table>

Task Number | Task/Activity/Description | *May Support PHAB Standards/Measures | Deliverables/Outcomes | Due Date/Time Frame | Payment Information and/or Amount |
---|---------------------------|--------------------------------------|-----------------------|---------------------|-----------------------------------|
1 | Trained LHJ staff will conduct sanitary surveys of small community and non-community Group A water systems identified by the DOH Office of Drinking Water (ODW) Regional Office. See Special Instructions for task activity. | Provide Final* Sanitary Survey Reports to ODW Regional Office. Complete Sanitary Survey Reports shall include: 1. Cover letter identifying significant deficiencies, significant findings, observations, recommendations, and referrals for further ODW follow-up. 2. Completed Small Water System checklist. 3. Updated Water Facilities | Final Sanitary Survey Reports must be received by the ODW Regional Office within 30 calendar days of conducting the sanitary survey. | Upon ODW acceptance of the Final Sanitary Survey Report, the LHJ shall be paid $400 for each sanitary survey of a non-community system with three or fewer connections. Upon ODW acceptance of the Final Sanitary Survey Report, the LHJ shall be paid $800 for each sanitary survey of a non-community system with four or more connections and each community system. Payment is inclusive of all associated costs such as travel, lodging, per diem. |
<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DOH will provide a tablet and GPS unit for the LHJ to gather source data during a routine sanitary survey. DOH expects the LHJ to commit to using the tablet and GPS for a five-year period.</td>
<td>Inventory (WFI).  4. Photos of water system with text identifying features  5. Any other supporting documents.  *Final Reports reviewed and accepted by the ODW Regional Office.  The LHJ surveyor will record at least two (2) GPS data points, for each source, into the preloaded Excel template on the tablet and submit that data file with the associated sanitary survey.</td>
<td></td>
<td></td>
<td>Payment is authorized upon receipt and acceptance of the Final Sanitary Survey Report within the 30-day deadline. Late or incomplete reports may not be accepted for payment.</td>
</tr>
<tr>
<td>2</td>
<td>Trained LHJ staff will conduct Special Purpose Investigations (SPI) of small community and non-community Group A water systems identified by the ODW Regional Office.  See Special Instructions for task activity.</td>
<td>Provide completed SPI Report and any supporting documents and photos to ODW Regional Office.</td>
<td>Completed SPI Reports must be received by the ODW Regional Office within 2 <strong>working days</strong> of the service request.</td>
<td></td>
<td>Upon acceptance of the completed SPI Report, the LHJ shall be paid <strong>$800</strong> for each SPI.  Payment is inclusive of all associated costs such as travel, lodging, per diem.  Payment is authorized upon receipt and acceptance of completed SPI Report within the 2 working day deadline. Late or incomplete reports may not be accepted for payment.</td>
</tr>
<tr>
<td>3</td>
<td>Trained LHJ staff will provide direct technical assistance (TA) to small community and non-community Group A water systems identified by the ODW Regional Office.  See Special Instructions for task activity.</td>
<td>Provide completed TA Report and any supporting documents and photos to ODW Regional Office.</td>
<td>Completed TA Report must be received by the ODW Regional Office within 30 <strong>calendar days</strong> of providing technical assistance.</td>
<td></td>
<td>Upon acceptance of the completed TA Report, the LHJ shall be paid for each technical assistance activity as follows:  • Up to 3 hours of work: <strong>$250</strong>  • 3-6 hours of work: <strong>$500</strong>  • More than 6 hours of work: <strong>$750</strong>  Payment is inclusive of all associated costs such as consulting fee, travel, lodging, per diem.</td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
<td>Payment Information and/or Amount</td>
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<tr>
<td>4</td>
<td>LHJ staff performing the activities under tasks 1, 2 and 3 must have completed the mandatory Sanitary Survey Training. See Special Instructions for task activity.</td>
<td>Prior to attending the training, submit an “Authorization for Travel (Non-Employee)” DOH Form 710-013 to the ODW Program Contact below for approval (to ensure that enough funds are available).</td>
<td>Annually</td>
<td>LHJ shall be paid mileage, per diem, lodging, and registration costs as approved on the pre-authorization form in accordance with the current rates listed on the OFM Website <a href="http://www.ofm.wa.gov/resources/travel.asp">http://www.ofm.wa.gov/resources/travel.asp</a></td>
<td></td>
</tr>
</tbody>
</table>

*For Information Only:
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at:

Program Specific Requirements/Narrative

Special References (RCWs, WACs, etc)
Chapter 246-290 WAC is the set of rules that regulate Group A water systems. By this statement of work, ODW contracts with the LHJ to conduct sanitary surveys (and SPIs, and provide technical assistance) for small community and non-community water systems with groundwater sources. ODW retains responsibility for conducting sanitary surveys (and SPIs, and provide technical assistance) for small community and non-community water systems with surface water sources, large water systems, and systems with complex treatment.
LHJ staff assigned to perform activities under tasks 1, 2, and 3 must be trained and approved by ODW prior to performing work. See special instructions under Task 4, below.

Special Billing Requirements
The LHJ shall submit quarterly invoices within 30 days following the end of the quarter in which work was completed, noting on the invoice the quarter and year being billed for. Payment cannot exceed a maximum accumulative fee of **$20,400** for **Task 1**, and **$4,000** for **Task 2**, **Task 3 and Task 4 combined** during the contracting period, to be paid at the rates specified in the Payment Method/Amount section above. When invoicing for sanitary surveys, bill half to BARS Revenue Code 346.26.64 and half to BARS Revenue Code 346.26.65.

When invoicing for **Task 1**, submit the list of WS Name, ID #, Amount Billed, Survey Date and Letter Date that you are requesting payment.
When invoicing for **Task 2-3**, submit the list of WS Name, ID #, TA Date and description of TA work performed, and Amount Billed.
When invoicing for **Task 4**, submit receipts and the signed pre-authorization form for non-employee travel to the ODW Program Contact below and a signed A19-1A Invoice Voucher to the DOH Grants Management, billing to BARS Revenue Code 346.26.66 under Technical Assistance (TA).

Special Instructions
**Task 1**
Exhibit A, Statements of Work
Trained LHJ staff will evaluate the water system for physical and operational deficiencies and prepare a Final Sanitary Survey Report which has been accepted by ODW. Detailed guidance is provided in the Field Guide for Sanitary Surveys, Special Purpose Investigations and Technical Assistance (Field Guide). The sanitary survey will include an evaluation of the following eight elements: source; treatment; distribution system; finished water storage; pumps, pump facilities and controls; monitoring, reporting and data verification; system management and operation; and certified operator compliance. If a system is more complex than anticipated or other significant issues arise, the LHJ may request ODW assistance.

- No more than 5 surveys of non-community systems with three or fewer connections to be completed between January 1, 2018 and December 31, 2018.
  - No more than 23 surveys of non-community systems with four or more connections and all community systems to be completed between January 1, 2018 and December 31, 2018.

The process for assignment of surveys to the LHJ, notification of the water system, and ODW follow-up with unresponsive water systems; and other roles and responsibilities of the LHJ are described in the Field Guide.

**Task 2**

Trained LHJ staff will perform Special Purpose Investigations (SPIs) as assigned by ODW. SPIs are inspections to determine the cause of positive coliform samples or the cause of other emergency conditions. SPIs may also include sanitary surveys of newly discovered Group A water systems. Additional detail about conducting SPIs is described in the Field Guide. The ODW Regional Office must authorize in advance any SPI conducted by LHJ staff.

**Task 3**

Trained LHJ staff will conduct Technical assistance as assigned by ODW. Technical Assistance includes assisting water system personnel in completing work or verifying work has been addressed as required, requested, or advised by the ODW to meet applicable drinking water regulations. Examples of technical assistance activities are described in the Field Guide. The ODW Regional Office must authorize in advance any technical assistance provided by the LHJ to a water system.

**Task 4**

LHJ staff assigned to perform activities under tasks 1, 2, and 3 must be trained and approved by ODW prior to performing work. LHJ staff performing the activities under tasks 1, 2 and 3 must have completed, with a passing score, the ODW Online Sanitary Survey Training and the ODW Sanitary Survey Field Training. LHJ staff performing activities under tasks 1, 2, and 3 must attend the Annual ODW Sanitary Survey Workshop, and are expected to attend the Regional ODW LHJ Drinking Water Meetings.

If required trainings, workshops or meetings are not available, not scheduled, or if the LHJ staff person is unable to attend these activities prior to conducting assigned tasks, the LHJ staff person may, with ODW approval, substitute other training activities to be determined by ODW. Such substitute activities may include one-on-one training with ODW staff, co-surveys with ODW staff, or other activities as arranged and pre-approved by ODW. LHJ staff may not perform the activities under tasks 1, 2, and 3 without completing the training that has been arranged and approved by ODW.

**Program Manual, Handbook, Policy References**

http://www.doh.wa.gov/Portals/1/Documents/Pubs/331-486.pdf

**DOH Program Contact**

Brian Boye  
DOH Office of Drinking Water  
20425 – 72nd Ave S, Suite 310  
Kent, WA 98032  
Brian.Boye@doh.wa.gov  
(253) 395-6778

**DOH Fiscal Contact**

Karena McGovern  
DOH Office of Drinking Water  
243 Israel Rd SE  
Tumwater, WA 98501  
Karena.McGovern@doh.wa.gov  
(360) 236-3094
DOH Program Name or Title: Office of Drinking Water Group B Program - Effective January 1, 2018

Local Health Jurisdiction Name: Whatcom County Health Department

Contract Number: CLH18267

SOW Type: Original Revision # (for this SOW)

Period of Performance: January 1, 2018 through June 30, 2018

Statement of Work Purpose: The purpose of this statement of work is to provide financial support to LHJs implementing local Group B water system programs.

Revision Purpose: N/A

<table>
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<th>Chart of Accounts Program Name or Title</th>
<th>CFDA #</th>
<th>BARS Revenue Code</th>
<th>Master Index Code</th>
<th>Funding Period (LIJ Use Only) Start Date</th>
<th>End Date</th>
<th>Current Consideration</th>
<th>Change Increase (+)</th>
<th>Total Consideration</th>
</tr>
</thead>
<tbody>
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<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Memorandum of Agreement Number</th>
<th>Payment Information and/or Amount</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Implement a full Group B water system program.</td>
<td>An executed joint plan of responsibility (JPR) with DOH identifying responsibilities of a full Group B.</td>
<td>Reference DOH JPR #N20503</td>
<td>Lump sum payment (See Special Billing Requirements)</td>
<td></td>
</tr>
</tbody>
</table>

*For Information Only:
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Program Specific Requirements/Narrative
Special Billing Requirements
The LHJ shall submit a $5,000 invoice before May 15, 2018.

DOH Program Contact
Robert James, P.E.
Northwest Regional Manager
Office of Drinking Water
20425 – 72nd Ave S, Suite 310
Kent, WA 98032
Robert.James@doh.wa.gov
(253) 395-6768

DOH Fiscal Contact
Karena McGovern
DOH Office of Drinking Water
243 Israel Rd SE
Tumwater, WA 98501
Karena.McGovern@doh.wa.gov
(360) 236-3094
DOH Program Name or Title: Office of Emergency Preparedness & Response - Effective January 1, 2018

SOW Type: Original  Revision # (for this SOW)

Period of Performance: January 1, 2018 through June 30, 2018

Statement of Work Purpose: The purpose of this statement of work is to establish the funding and tasks for the Public Health Emergency Preparedness and Response program for the 2017 grant period.

Revision Purpose: N/A

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<th>Chart of Accounts Program Name or Title</th>
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<th>Current Consideration</th>
<th>Change Increase (+)</th>
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<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Attend emergency preparedness events, (e.g. trainings, meetings, conference calls, and conferences) as necessary to advance LHJ preparedness or complete the deliverables in this statement of work.</td>
<td>Submit end of year progress report.</td>
<td>June 30, 2018</td>
<td>Reimbursement for actual costs not to exceed total funding consideration amount.</td>
</tr>
<tr>
<td>2</td>
<td>Complete reporting templates as requested by DOH to comply with program and federal grant requirements (e.g. performance measures, gap analysis, mid-year and end-of-year reporting templates, etc.)</td>
<td>Submit completed templates to DOH.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Use established procedures to activate a public health emergency response plan within the jurisdiction. Test the following: • How the command structure is utilized to manage emergency response • The relationship between the LHJ and the county Emergency Operations Center (EOC) during a response. • An EOC location from which public health emergency response can be activated.</td>
<td>Submit end of year progress report. Submit the most recent Public Health Emergency Response Plan. Submit documentation of the use of the Public Health Emergency Response Plan during an incident and/or exercise. Documents</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
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</tr>
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</tr>
<tr>
<td>3.1) Provide training for appropriate staff who serve in the EOC and the Emergency Support Function #8 (ESF#8) role on the Incident Command System, recent Public Health Emergency Response plans and policies</td>
<td>health will coordinate the Public Health Emergency Response Plan  • The process for notifying and mobilizing staff during an incident.</td>
<td>should include an Incident Action Plan (IAP), After Action Report (AAR), Situation Reports (SitRep), Corrective Action Plans (CAP).</td>
<td>Submit agenda and sign in sheets of trainings, including attendee signatures and contact information, conducted on Public Health Emergency Response Plan</td>
<td>June 30, 2018</td>
</tr>
<tr>
<td>3.2) Train appropriate public health emergency response staff on Web EOC or applicable information management system utilized by local emergency management in the county.</td>
<td></td>
<td></td>
<td>Agenda and sign in sheets of trainings conducted, with attendee signatures and contact information, or registrations if training is not conducted by the LHI</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Use established decision making protocol to support the Local Health Officer (LHO) and the Public Health Administrator in making policy level decisions during an emergency.</td>
<td></td>
<td>Submit end of year progress report. Submit documented use of the decision making protocol used during an emergency to DOH Public Health, Medical and Mortuary Response documentation showing inclusion in city and county plans.</td>
<td>June 30, 2018</td>
</tr>
<tr>
<td>5</td>
<td>Maintain Washington Secure Electronic Communication, Urgent Response and Exchange System (WASECURES) program as the primary emergency notification system within the LHI and include all critical LHI positions as registered users.</td>
<td></td>
<td>Submit end of year progress report. A list of registered users to include their title and role in the emergency response plan. Results of notification drill.</td>
<td>June 30, 2018</td>
</tr>
</tbody>
</table>

Notes: Registered users must log in quarterly at a minimum. DOH will provide on-site technical assistance to LHJs, as needed, on utilizing WASECURES. LHJs may choose to utilize other notification systems in addition to WASECURES to alert staff during incidents.
<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>Deliverables/Outcomes</th>
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</tr>
</thead>
</table>
| 6           | Use established procedures for your LHJ to request assistance from the local EOC, neighboring LHJs, and DOH during disasters.  
- Identify how resources are coordinated with the local EOC.  
- Identify how to coordinate the logistical issues to receive resources from DOH and other partners. (If LHJs rely on local Emergency Management (EM) or other partners to coordinate logistical issues for receiving resources, and the local EM plan documents this fact, that documentation will suffice.) | Submit end of year progress report.  
Submit AARs and IAPs that includes documentation of the elements listed.                                                                                                                                                                                                                     | June 30, 2018      |                               |
| 7           | Use established procedures and plans to inform the public of threats to health and safety by various means. Include a list of the various mechanisms used by your LHJ for releasing information to the public during drills, exercises or incident response.  
7.1) Create and maintain templates for news releases for categories of public health hazards.                                                                                                                                                                                                                                          | Submit end of year progress report.  
Submit AARs and messaging used to inform the public during drills, exercise or incident response. Include a summary of how communication tools were used.  
Submit sample templates.                                                                                                                      | June 30, 2018      |                               |
| 8           | Participate in evaluation of response capabilities based on a standard evaluation tool created by DOH.                                                                                                                                                                                                                                                                                                                                                                      | Submit end of year progress report.                                                                                                                                                                                                                                                                                                                   | June 30, 2018      |                               |
| 9           | Use established procedures to gain and maintain situational awareness during an incident.  
Use forms and processes for collecting key data elements during disasters including:  
- The functionality of critical public health operations  
- The functionality of critical healthcare facilities and the services they provide  
- The functionality of critical infrastructure serving public health and healthcare facilities (roads, water, sewer, power, communications)  
- Number of disease cases  
- Number of fatalities attributed to an incident  
- If key elements are collected by others, such as local EM or Health Care Coalition (HCC), describe how the LHJ gains access to that information.                                                                                         | Submit end of year progress report.  
Submit an AAR which includes how these plans and forms were used to maintain situational awareness during all drills, exercises and real world incidents  
Submit SitReps that include the data elements listed and a summary of how it was disseminated.  
Data collection form templates.                                                                                                                      | June 30, 2018      |                               |
<table>
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<tr>
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<tr>
<td>9.1)</td>
<td>Create an ESF#8 situation report form based on an established planning cycle to include, at a minimum, the data elements listed above.</td>
<td></td>
<td>Submit ESF#8 SitReps used during drills, exercises or real world incidents.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.2)</td>
<td>Demonstrate disseminating situation reports to ESF#8 response partners</td>
<td></td>
<td>Submit agenda and sign in sheets, including attendee signatures and contact information, for trainings conducted on situational awareness.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.3)</td>
<td>Train staff on all procedures established to maintain situational awareness during an incident.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>10</td>
<td>Participate in one or more exercises or real world incidents testing each of the following: • The process for requesting and receiving mutual aid resources • The process for gaining and maintaining situational awareness • Development of an ESF#8 situation report, or compilation of situational awareness information to be included in a County situation report • EOC or Incident Command System (ICS) activation • The Continuity of Operations Plan (COOP) plan for the LHJ</td>
<td>Submit the end of year progress report.</td>
<td>Submit AAR and Improvement Plan for each drill/exercise/incident.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Update or develop procedures to request, receive and dispense medical countermeasures.</td>
<td></td>
<td>Submit the end of year progress report.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Use established procedures and plans to manage spontaneous health and medical volunteers during disaster response, including roles non-vetted volunteers can perform.</td>
<td></td>
<td>Submit the end of year progress report.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Implement the COOP for the local health jurisdiction. Demonstrate the following: • Identification of essential services to sustain LHJ mission and operations • Implementation of the Line of succession and written delegation of authority for select critical positions in the LHJ, including LHO • Reassigning staff (scalable workforce)</td>
<td></td>
<td>Submit the most current COOP and AAR documenting COOP implementation demonstrating the elements listed.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
<td>Due Date/Time Frame</td>
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<tr>
<td>14</td>
<td>Provide notification to DOH for all instances involving a public health response by the L.HJ to an emergency utilizing emergency response plans and structures.</td>
<td></td>
<td>Submit end of year progress report. Submit Incident Action Plans, Situation Reports and After Action Reports.</td>
<td>June 30, 2018</td>
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</tr>
<tr>
<td>15</td>
<td>Provide L.HJ situation reports to DOH during all incidents involving an emergency response by the L.HJ.</td>
<td></td>
<td>Submit end of year progress report. Provide Situation Reports.</td>
<td>June 30, 2018</td>
<td></td>
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<tr>
<td>16</td>
<td>Submit essential elements of information (EELs) during incident response upon request by DOH.</td>
<td></td>
<td>Submit end of year progress report. Provide information upon request.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Participate in the regional healthcare coalition and attend coalition meetings as necessary</td>
<td></td>
<td>Submit end of year progress report. Provide a summary of participation in coalition activities.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Provide notification to the DOH Duty Officer at 360-888-0838 or <a href="mailto:hanalert@doh.wa.gov">hanalert@doh.wa.gov</a> for all response.</td>
<td></td>
<td>Submit end of year progress report. Documentation that notification to DOH was provided; or statement that no incident response occurred.</td>
<td>June 30, 2018</td>
<td></td>
</tr>
</tbody>
</table>

*For Information Only:*
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: [http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf](http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf)

**Special Requirements**

**Federal Funding Accountability and Transparency Act (FFATA)**

This statement of work is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how the federal funds are spent.

To comply with this act and be eligible to perform the activities in this statement of work, the L.HJ must have a Data Universal Numbering System (DUNS®) number.

Information about the L.HJ and this statement of work will be made available on [USAspending.gov](http://www.usaspending.gov) by DOH as required by P.L. 109-282.

**DOH Program Contact:**
Jennifer Albertson, Contract and Finance Specialist
Department of Health
P O Box 47960, Olympia, WA 98504-7960
jennifer.albertson@doh.wa.gov / PHEP/HPP Deliverable Submission email address: concondeliverables@doh.wa.gov
DOH Program Name or Title: Office of Immunization & Child Profile - Effective January 1, 2018

SOW Type: Original  Revision # (for this SOW)

Period of Performance: January 1, 2018 through June 30, 2018

Statement of Work Purpose: The purpose of this statement of work is to define required immunization tasks, deliverables, and funding for the period January 1, 2018 through June 30, 2018.

Revision Purpose: N/A

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<th>Total Consideration</th>
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<tbody>
<tr>
<td>1</td>
<td>Facilitate annual renewal of the provider agreement for receipt of state supplied vaccine for all healthcare providers receiving state-supplied childhood vaccines</td>
<td>Provider Agreements for Receipt of State Supplied Vaccine received online via the Washington Immunization Information System.</td>
<td>Annually, per Annual VFC Provider Agreement Update Schedule</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*: FFY17 AFIX 74310272 *See Restrictions on...</td>
<td></td>
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</tr>
<tr>
<td>2</td>
<td>Enroll new providers. Conduct an enrollment site visit to all new providers, and gather information needed to complete Program enrollment</td>
<td>Provider Agreement for Receipt of State Supplied Vaccine with original signature – DOH 348-002 (NOTE: a photocopy will not be accepted)</td>
<td>Provider Agreement for Receipt of State Supplied Vaccine with original signature – DOH 348-002 (NOTE: a photocopy will not be accepted)</td>
<td>Within ten (10) days after the date of the provider enrollment visit</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*: FFY17 AFIX 74310272</td>
</tr>
<tr>
<td>3</td>
<td>Use and facilitate provider use of the Washington Immunization Information System to place and approve provider vaccine orders. Monitor provider orders for appropriateness (including: accuracy of shipping information, order frequency, timing, quantity and type) and approve vaccine order online after assuring the appropriateness of the order.</td>
<td>Electronic submission of provider vaccine orders via the Washington Immunization Information System</td>
<td>Electronic submission of provider vaccine orders via the Washington Immunization Information System</td>
<td>Based on provider order schedules</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*: FFY17 VFC Ops 74310271 FFY17 317 Ops 74310270</td>
</tr>
<tr>
<td>4</td>
<td>Monitor and assure electronic or paper submission of vaccine accountability reports for compliance with Provider Agreement related to vaccine management (ordering, inventory management, reconciliation, compliance with storage and handling, and reporting of all vaccine incidents and returns).</td>
<td>a) Monthly Vaccine Accountability Report (DOH 348-006)</td>
<td>a) Monthly Vaccine Accountability Report (DOH 348-006)</td>
<td>By the 25th of each month</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Report of Vaccine Storage Incidents (DOH 348-154) complete with reason and corrective action as needed.</td>
<td>b) Report of Vaccine Storage Incidents (DOH 348-154) complete with reason and corrective action as needed.</td>
<td></td>
<td></td>
</tr>
<tr>
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<tr>
<td>5</td>
<td>Provide communication, technical assistance, consultation, and education to providers about vaccine quality assurance, accountability, program participation and vaccine management.</td>
<td>c) Report all cases (or suspected cases) of vaccine fraud or abuse.</td>
<td>c) Within seven (7) days of the incident</td>
<td>FFY17 A/FIX 74310272</td>
<td>*See Restrictions on Funds below</td>
</tr>
<tr>
<td>6</td>
<td>Conduct a total of six (6) VFC Compliance Site Visits at the assigned provider site(s) within your jurisdiction. DOH will assign provider site(s) via the VFC Site Visit Selection Tool. Site visits should address all requirements outlined in the Provider Agreement, the CDC Vaccines for Children Operations Guide, and messages from the Childhood Vaccine Program. Conduct VFC Compliance Site Visit Follow-Up to assure providers resolve all follow-up actions identified during the initial visit. Follow-up actions may include another physical site visit or verification by email, fax, or mail that follow-up actions were completed. Documentation for each VFC Site Visit follow-up action must be uploaded into PEAR and/or properly notated in the Reviewer Notes section of PEAR.</td>
<td>a) Enter responses from the VFC Compliance Site Visit Reviewer Guide into the VFC Provider Education, Assessment, and Reporting (PEAR) online system for each Compliance Site Visit. Follow all corrective action and follow-up guidance provided by PEAR and the Childhood Vaccine Program for each incorrect response. b) Attach copy of signed Acknowledgement of Receipt form to the Site Visit in PEAR. c) Attach a copy of any documents and/or emails</td>
<td>a) At the time of the VFC Compliance Site Visit or within five (5) business days of the site visit. b) Within five (5) days of the site visit. c) Within five (5) days of receiving</td>
<td>FFY17 VFC Ops 74310271</td>
<td>FFY17 317 Ops 74310270 *See Restrictions on Funds below</td>
</tr>
</tbody>
</table>

Exhibit A, Statements of Work
<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>NOTE: During this period of performance, <strong>no new AFIX visits shall be conducted</strong>. This task will focus on follow-up of AFIX visits that were conducted during the previous contract year. Conduct AFIX follow-up visits with all provider sites that received an AFIX visit between April 1, 2017 and December 31, 2017. Follow-up visits can be conducted in-person, by telephone, or by webinar. All AFIX follow-up visits must be completed six (6) months after the feedback visit. Continue following up with provider sites until they fully implement their selected quality improvement activities.</td>
<td>submitted by the provider to resolve follow-up actions to the site visit in PEAR.</td>
<td>Enter the following data in the Exchange tab of the AFIX Online Tool for follow-up visits:  - Clinic progress on implementing quality improvement strategies.  - Follow-up coverage assessment results (from CoCASA reports).</td>
<td>Within five (5) days of visit.</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*: FFY17 AFIX 74310272</td>
</tr>
<tr>
<td>8</td>
<td>a) In coordination with hospitals, health care providers, and health plans (if applicable), conduct activities to prevent perinatal hepatitis B infection in accordance with the Perinatal Hepatitis B Prevention Program Guidelines, including the following:  1) identification of HBsAg-positive pregnant women, and pregnant women with unknown HBsAg status  2) reporting of HBsAg-positive women and their infants  3) Case management for infants born to HBsAg-positive women to ensure administration of HBIG and hepatitis B vaccine within 12 hours of birth, the completion of the 3-dose hepatitis B vaccine series, and post-vaccination serologic testing.  b) Provide technical assistance to birthing hospitals to encourage administration of the hepatitis B birth dose to all newborns within 12 hours of birth, in accordance with ACIP recommendations.</td>
<td>a) Enter information for each case identified into the Perinatal Hepatitis B module of the WA Immunization Information System b) Annual Perinatal Hepatitis B Outreach Summary (DOH 348-268)</td>
<td>a) By the last day of each month b) June 15, 2018</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount. Funds available for this task*: FFY17 317 Ops 74310270</td>
<td></td>
</tr>
</tbody>
</table>

*See Restrictions on Funds below
Task Number | Task/Activity/Description | *May Support PHAB Standards/Measures | Deliverables/Outcomes | Due Date/Time Frame | Payment Information and/or Amount
--- | --- | --- | --- | --- | ---
176 | c). Report all perinatal hepatitis B investigations, including HBsAg-positive infants, in the Perinatal Hepatitis B Module of the Washington State Immunization Information System. | | | |

*For Information Only:
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf

Program Specific Requirements/Narrative
- All LHI staff who conducts VFC Compliance Site Visits and AFIX visits must participate in an annual VFC and AFIX training, conducted by DOH Office of Immunization and Child Profile (OICP) staff or their designee.
- All new LHI site visit reviewers are required to have at least one (1) observational visit conducted by DOH OICP staff or their designee. DOH OICP staff (or designee) will periodically conduct observational VFC/AFIX site visits with all other LHI reviewers who conduct VFC Compliance Site Visits.
- LHI staff who conducts VFC Compliance Site Visits must participate in at least one (1) joint (observational) VFC compliance visit with DOH staff every other year. The observational visit will occur during a regularly scheduled site visit conducted by the LHI reviewer. DOH will determine the Observational visit.
- Tasks in this statement of work may not be subcontracted without prior written approval from DOH OICP.

Special Requirements
Federal Funding Accountability and Transparency Act (FFATA)
This statement of work is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how the federal funds are spent.

To comply with this act and be eligible to perform the activities in this statement of work, the LHI must have a Data Universal Numbering System (DUNS®) number. Information about the LHI and this statement of work will be made available on USAspending.gov by DOH as required by P.L. 109-282.

Office of Immunization and Child Profile References and Resources for vaccine management, VFC compliance site visits, AFIX visits, and Perinatal Hepatitis B activities can be found at this link to our website.

VFC Operations Guide - A copy will be provided by the Office of Immunization and Child Profile. (Note: All site visit reviewers are required to have access to the most current CDC VFC Operations Guide at every VFC compliance site visit).

Staffing Requirements
Provide notification via email to oicpcontracts@doh.wa.gov within fifteen (15) days of any changes to staffing for those who conduct work outlined in this statement of work.

Restrictions on Funds (what funds can be used for which activities, not direct payments, etc.)
Allowable expenses with 317 and VFC FA Operations Funds (dated September 16, 2016) document is posted on the DOH Consolidated Contract website at this link. In addition to the funding listed in the Payment Information and/or Amount column for each task, FFY18 317 Ops funding may be used for any activity in this statement of work conducted between January 1, 2018 and June 30, 2018, per funding availability and period of performance.
These federal funds may not be used for expenses related to travel or attendance at any CDC-sponsored conference, training, or event without prior written approval from the DOH Office of Immunization and Child Profile.

**DOH Program Contact**
Tawney Harper, MPA
Budget and Operations Manager
Office of Immunization and Child Profile
Department of Health
PO Box 47843, Olympia WA 98504-7843
tawney.harper@doh.wa.gov, 360-236-3525

Deliverables may be sent electronically via email at oicpcontracts@doh.wa.gov,
by fax to 360-236-3590, or by mail to PO Box 47843, Olympia WA 98504-7843

**DOH Fiscal Contact (if different from Program Contact)**
Vanessa Mojica, Special Projects Coordinator
Office of Immunization and Child Profile
PO Box 47843, Olympia WA 98504-7843
Vanessa.mojica@doh.wa.gov, 360-236-3802
DOH Program Name or Title: OICP-PPHF Enhanced Adolescent AFIX Project - Effective January 1, 2018

Local Health Jurisdiction Name: Whatcom County Health Department

Contract Number: CLH18267

SOW Type: Original

Revision # (for this SOW)

Period of Performance: January 1, 2018 through August 31, 2018

Statement of Work Purpose: The purpose of this statement of work is to contract with local public health to continue work started in February 2017 to conduct enhanced adolescent AFIX activities to improve human papillomavirus (HPV) immunization rates.

Revision Purpose: N/A

<table>
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<tr>
<td>1</td>
<td>a) Conduct a maximum of six (6) enhanced adolescent AFIX visits with high volume providers who have low HPV rates. (Please see notation in the “Other” section below for further clarification about this task, requirements, and funding.)</td>
<td>a) Submit AFIX visit in the AFIX online tool. Submit monthly data analysis tool.</td>
<td>Within five (5) business days of each visit and follow-up</td>
<td>Reimbursement for actual costs incurred, not to exceed total funding consideration amount</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) Conduct monthly follow-up with providers during 6-month quality improvement cycle via email, webinar, or in person.</td>
<td>b) Submit contact information in AFIX online tool or other evaluation form per DOH request.</td>
<td></td>
<td>Funds available for this task:</td>
<td></td>
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<tr>
<td></td>
<td>c) Conduct follow-up assessment with providers at 3- and 6-month intervals after feedback session via webinar or in-person. Share results with provider organization via report card.</td>
<td>c) Submit data analysis tool to DOH and enter data into AFIX online tool for 6-month assessment.</td>
<td></td>
<td>FFY16 PPHF Adolescent AFIX</td>
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Program Specific Requirements/Narrative

Special Requirements
Federal Funding Accountability and Transparency Act (FFATA)
This statement of work is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how the federal funds are spent.

To comply with this act and be eligible to perform the activities in this statement of work, the LHJ must have a Data Universal Numbering System (DUNS®) number.

Information about the LHJ and this statement of work will be made available on USA Spending.gov by DOH as required by P.L. 109-282.

Restrictions on Funds (what funds can be used for which activities, not direct payments, etc.)
Funds may be spent only for the activities and personnel costs that are directly related to the Enhanced Adolescent AFIx Project. Funding requests not directly related to this project are outside of this agreement and will not be funded.

These federal funds may not be used for the purchase of food.

These federal funds may not be used for expenses related to travel or attendance at any Centers for Disease Control and Prevention (CDC)-sponsored conference, training, or event without prior written approval from the DOH Office of Immunization and Child Profile (OICP).

Special Instructions
Deliverables may be sent electronically via email to oicpcontracts@doh.wa.gov, by fax to 360-236-3590, or by mail to PO Box 47843, Olympia WA 98504-7843

Other
Note: Required activities, deliverables, and funding is for the entire project period: February 1, 2017 through August 31, 2018. Unspent funds and tasks not completed by December 31, 2017 were reauthorized for work in this new statement of work for the consolidated contract term beginning January 1, 2018. It is the LHJ’s responsibility to assure that the unspent funding amount carried forward to this statement of work does not exceed the remaining available balance from the 2015-2017 contract. The number of enhanced adolescent AFIx visits required in task #2 encompasses the total amount of visits required for the entire project period.

DOH Program Contact
Tawney Harper, MPA
Budget and Operations Manager
Office of Immunization and Child Profile
Department of Health
PO Box 47843, Olympia WA 98504-7843
360-236-3525 / Tawney.Harper@doh.wa.gov

DOH Fiscal Contact
Vanessa Mojica
Special Projects Coordinator
Office of Immunization and Child Profile
Department of Health
PO Box 47843, Olympia WA 98504-7843
360-236-3802 / Vanessa.Mojica@doh.wa.gov
### Exhibit A
#### Statement of Work
Contract Term: 2018-2020

**DOH Program Name or Title:** Recreational Shellfish Activities - Effective January 1, 2018

**Local Health Jurisdiction Name:** Whatcom County Health Department

**Contract Number:** CLH18267

**SOW Type:** Original  **Revision # (for this SOW):**

**Period of Performance:** January 1, 2018 through June 30, 2019

**Statement of Work Purpose:** The purpose of this statement of work is to provide funds for shellfish harvesting safety.

**Revision Purpose:** N/A

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<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td><strong>Biotoxin Monitoring</strong></td>
<td></td>
<td>Submit report on DOH approved format of activities for the year, including</td>
<td>Email Report to DOH by: February 15, 2019</td>
<td>$16,700</td>
</tr>
<tr>
<td></td>
<td>• Collect samples on schedule according to Department of Health (DOH) Biotoxin Monitoring Plan, coordinate deviations from the schedule with DOH, notify DOH in advance if samples cannot be collected.</td>
<td></td>
<td>the number and names of beaches posted for classification.</td>
<td>(See Special Instructions below.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Post / remove recreational shellfish warning and/or classification signs on beaches and restock cages as needed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• This may also include recruiting, training, and coordination of volunteers, and fuel reimbursement funds for volunteer biotoxin monitoring.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td><strong>Outreach</strong></td>
<td></td>
<td>Submit report including the number of events staffed, and amount of educational materials distributed.</td>
<td>Email Report to DOH by: February 15, 2019</td>
<td>$300</td>
</tr>
<tr>
<td></td>
<td>• Staff educational booths at local events.</td>
<td></td>
<td></td>
<td>(See Special Instructions below.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Distribute safe shellfish harvesting information.</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

*For Information Only:

Exhibit A, Statements of Work
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf

Program Specific Requirements/Narrative

Department of Health’s Botoxin Monitoring Plan

Special References (RCWs, WACs, etc)
Chapter 246-280 WAC
http://www.doh.wa.gov/CommunityandEnvironment/Shellfish/RecreationalShellfish
http://www.doh.wa.gov/AboutUs/ProgramsandServices/EnvironmentalPublicHealth/EnvironmentalHealthandSafety/ShellfishProgram/Botoxins

Special Instructions
Report for work done the previous year must be submitted via email to Liz Maier by February 15, 2019.
The report format will be provided by DOH and may be modified throughout the period of performance via email announcement.

DOH Program Contact: Liz Maier, Office of Environmental Health and Safety, PO Box 47824, Olympia WA 98504-7824; 360.236.3308; liz.maier@doh.wa.gov

DOH Fiscal Contact: Kristy Warner, Environmental Public Health, PO Box 47820, Olympia WA 98504-7820; 360-236-3742; kristy.warner@doh.wa.gov
DOH Program Name or Title: WIC Nutrition Program - Effective January 1, 2018

Local Health Jurisdiction Name: Whatcom County Health Department

Contract Term: 2018-2020

SOW Type: Original

Revision # (for this SOW)

Period of Performance: January 1, 2018 through December 31, 2020

Statement of Work Purpose: The purpose is to provide Women, Infants, and Children (WIC) Nutrition Program services by following WIC federal regulations, WIC state office policies and procedures, WIC directives, and other rules. Refer to the Program Specific Requirements section of this document.

Revision Purpose: N/A

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<tr>
<th>Chart of Accounts Program Name or Title</th>
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<th>Master Index Code</th>
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<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
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<tr>
<td>1</td>
<td>WIC Nutrition Program</td>
<td></td>
<td></td>
<td></td>
<td>See “Special Billing Requirements” below.</td>
</tr>
<tr>
<td>1.1</td>
<td>Maintain authorized participating caseload at 100% based on quarterly average as determined from monthly caseload management reports generated at the state WIC office. The Department of Health (DOH) State WIC Nutrition Program has the option of reducing authorized participating caseload and corresponding funding when:</td>
<td>7.2</td>
<td>Outcomes based on monthly participation data from state WIC caseload management reports.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task Number</td>
<td>Task/Activity/Description</td>
<td>*May Support PHAB Standards/Measures</td>
<td>Deliverables/Outcomes</td>
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<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------------</td>
<td>-------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
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</table>
| 1.2         | Submit the annual Nutrition Services Plan for each year of the Contract.                 | 9.2                                 | Nutrition Services Plan                       | First year due 11/30/18  
Second year due 11/30/19  
Third year due 11/30/20         | Payment withheld if not received by due date.                                                  |
| 1.3         | Submit the annual Nutrition Services Expenditure Report for each year of the Contract.  | 11.2                                | Nutrition Services Expenditure Report         | First year due 11/30/18  
Second year due 11/30/19  
Third year due 11/30/20         | Payment withheld if not received by due date.                                                  |
| 1.4         | Tell clients about other health services in the agency. If needed, develop written agreements with other health care agencies and refer clients to these services. | 3.1                                 | Documentation must be available for review by WIC monitor staff. | Biennial WIC monitor                                                                  |
| 1.5         | Provide nutrition education services to clients and caregivers in accordance with federal and state requirements. | 3.1                                 | Documentation must be available for review by WIC monitor staff. | Biennial WIC monitor                                                                  |
| 1.6         | Issue WIC checks while assuring adequate check security and reconciliation.              | 11.2                                | Documentation must be available for review by WIC monitor staff. | Biennial WIC monitor                                                                  |
| 1.7         | Collect data, maintain records, and submit reports to effectively enforce the non-discrimination laws (Refer to Civil Rights Assurances below). | 7.1                                 | Documentation must be available for review by WIC monitor staff. | Biennial WIC monitor                                                                  |
| 1.8a        | Submit WIC and Breastfeeding Peer Counseling Budget Workbook for each year of the contract. | 11.2                                | Budget Workbooks                               | First year due 09/30/18  
Second year due 09/30/19  
Third year due 09/30/20         |                                                                                                 |
| 1.8b        | Revise and submit WIC Budget Workbook mid-year for each year of the contract.           | 11.2                                | Revised Budget Workbook                        | Mid-year revision due 04/30/18  
Mid-year revision due 04/30/19  
Mid-year revision due 04/30/20 |                                                                                                 |
<p>| 2           | Breastfeeding Promotion                                                                    |                                    |                                               |                                                                                      | See “Special Billing Requirements” below                                                         |</p>
<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task/Activity/Description</th>
<th>*May Support PHAB Standards/Measures</th>
<th>Deliverables/Outcomes</th>
<th>Due Date/Time Frame</th>
<th>Payment Information and/or Amount</th>
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<tbody>
<tr>
<td>2.1</td>
<td>Provide breastfeeding promotion and support activities in accordance with federal and state requirements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.1</td>
<td>Status report of chosen activities in Nutrition Services Plan.</td>
<td>First year due 11/30/18  Second year due 11/30/19  Third year due 11/30/20</td>
<td>Biennial WIC monitor</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Documentation must be available for review by WIC monitor staff.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>Work with community partners to improve practices that affect breastfeeding. Choose one or more of the following projects:</td>
<td>4.2</td>
<td>Status report of chosen activities in Nutrition Services Plan.</td>
<td>First year due 11/30/18  Second year due 11/30/19  Third year due 11/30/20</td>
<td>Biennial WIC monitor</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Documentation must be available for review by WIC monitor staff.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>3</td>
<td>Breastfeeding Peer Counseling Program</td>
<td></td>
<td></td>
<td>See “Special Billing Requirements” below</td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Provide breastfeeding peer counseling program activities in accordance with federal and state requirements. The WIC Breastfeeding Peer Counseling Program is meant to enhance, not replace, WIC Breastfeeding Promotion and support activities.</td>
<td>3.1</td>
<td>Breastfeeding Peer Counseling Annual Report and expenditures from the previous federal fiscal year.</td>
<td>First year due 12/31/18  Second year due 12/31/19  Third year due 12/31/20</td>
<td>Biennial WIC monitor</td>
</tr>
<tr>
<td>3.2</td>
<td>Track Breastfeeding Peer Counseling Program expenditures and bill separately from the WIC Grant.</td>
<td>3.1</td>
<td>Documentation must be available for review by WIC monitor staff.</td>
<td>Biennial WIC monitor</td>
<td></td>
</tr>
</tbody>
</table>

*For Information Only:
Exhibit A, Statements of Work
Funding is not tied to the revised Standards/Measures listed here. This information may be helpful in discussions of how program activities might contribute to meeting a Standard/Measure. More detail on these and/or other Public Health Accreditation Board (PHAB) Standards/Measures that may apply can be found at: http://www.phaboard.org/wp-content/uploads/PHAB-Standards-and-Measures-Version-1.0.pdf

**Program Specific Requirements/Narrative**

**Federal Funding Accountability and Transparency Act (FFATA)**
This statement of work is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act (FFATA or the Transparency Act). The purpose of the Transparency Act is to make information available online so the public can see how the federal funds are spent.

To comply with this act and be eligible to perform the activities in this statement of work, the LHJ must have a Data Universal Numbering System (DUNS®) number.

Information about the LHJ and this statement of work will be made available on USASpending.gov by DOH as required by P.L. 109-282.

**Program Manual, Handbook, Policy References:**
The LHJ shall be responsible for providing services according to rules, regulations and other information contained in the following:

- WIC Federal Regulations, USDA, FNS 7CFR Part 246, 3016, 3017 and 3018
- Other directives issued during the term of the Contract

**Staffing Requirements:**
The LHJ must:

- Use Competent Professional Authority staff, as defined by WIC policy, to determine client eligibility, prescribe an appropriate food package and offer nutrition education based on the clients' needs.
- Use a Registered Dietitian (RD) or other qualified nutritionist to provide nutrition services to high risk clients, to include development of a high risk care plan. The RD is also responsible for quality assurance of WIC nutrition services. See WIC Policy for qualifications for a Registered Dietitian and other qualified nutritionist.
- Assign a qualified person to be the Breastfeeding Coordinator to organize and direct local agency efforts to meet federal and state policies regarding breastfeeding promotion and support. The Breastfeeding Coordinator must be an International Board Certified Lactation Consultant or attend an intensive lactation management course, or other state approved training.

**Restrictions on Funds:**
The LHJ shall follow the instructions found in the Policy and Procedure Manual under WIC Allowable Costs.

**Monitoring Visits:**
Program and fiscal monitoring are done on a Biennial (every two years) basis, and are conducted onsite.

The LHJ must maintain on file and have available for review, audit and evaluation:
1) All criteria used for certification, including information on income, nutrition risk eligibility and referrals
2) Program requirements
3) Nutrition education
4) All financial records
Definitions:
What is the WIC program?
(1) The WIC program in the state of Washington is administered by DOH.
(2) The WIC program is a federally funded program established in 1972 by an amendment to the Child Nutrition Act of 1966. The purpose of the program is to provide nutrition and health assessment; nutrition education; nutritious food; breastfeeding counseling; and referral services to pregnant, breastfeeding, and postpartum women, infants, and young children in specific risk categories.
(3) Federal regulations governing the WIC program (7 CFR Part 246) require implementation of standards and procedures to guide the state's administration of the WIC program. These regulations define the rights, responsibilities, and legal procedures of WIC employees, clients, persons acting on behalf of a client, and retailers. They are designed to promote:
   (a) High quality nutrition services;
   (b) Consistent application of policies and procedures for eligibility determination;
   (c) Consistent application of policies and procedures for food benefit issuance and delivery; and
   (d) WIC program compliance.
(4) The WIC program implements policies and procedures stated in program manuals, handbooks, contracts, forms, and other program documents approved by the USDA Food and Nutrition Service.
(5) The WIC program may impose sanctions against WIC clients for not following WIC program rules stated on the WIC rights and responsibilities.
(6) The WIC program may impose monetary penalties against persons who misuse WIC checks or WIC food but who are not WIC clients.

Assurances/Certifications:
1. Computer Equipment Loaned by the DOH WIC Nutrition Program
In order to perform WIC program activities, DOH requires computers and printers to be in local WIC clinics or to be transported to mobile clinics. This equipment (“Loaned Equipment”) is owned by DOH, and loaned to the local agency (LHJ). The Loaned Equipment is supported by DOH. This equipment shall be used for WIC business only or according to WIC Policy and Procedures.

   An inventory of Loaned Equipment is kept by DOH. Each time Loaned Equipment is changed, the parties shall complete the Equipment Transfer Form and DOH updates the inventory. A copy of the Transfer Form will be provided to the LHJ. Copies of the updated inventory list may be requested at any time.

   The LHJ agrees to:
   a. Defend, protect and hold harmless DOH or any of its employees from any claims, suits or actions arising from the use of this Loaned Equipment.
   b. Assume responsibility for any loss or damage from abnormal wear or use, or from inappropriate storage or transportation.

   DOH may enforce this by:
   1) Requiring reimbursement from the LHJ of the value of the Loaned Equipment at the time of the loss or damage.
   2) Requiring the LHJ to replace the Loaned Equipment with equipment of the same type, manufacturer, and capabilities (as pre-approved by DOH), or
   3) Assertion of a lien against the LHJ’s property.
   c. Notify DOH immediately of any damage to Loaned Equipment.
   d. Notify DOH prior to moving or replacing any Loaned Equipment.

   The Department recommends LHJs carry insurance against possible loss or theft.

2. Civil Rights Assurance
The LHJ shall perform all services and duties necessary to comply with federal law in accordance with the following Civil Rights Assurance:
a. “The LHJ hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28 CFR 50.3 and 42; and FNS directives and guidelines, to the effect that, no person shall, on the ground of race, color, national origin, sex, age or handicap, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the LHJ receives Federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this Contract.

b. “By accepting this assurance, the LHJ agrees to compile data, maintain records and submit reports as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDA personnel during normal working hours to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, Food and Nutrition Service, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the LHJ, its successors, transferees, and assignees, as long as it receives assistance or retains possession of any assistance from DOH. The person or persons whose signatures appear on the contract are authorized to sign this assurance on behalf of the LHJ.”

3. 7CFR Parts 3016, 3017, 3018
The LHJ shall comply with all the fiscal and operations requirements prescribed by the state agency as directed by Federal WIC Regulations (7CFR part 246.6), 7CFR part 3016, the debarment and suspension requirements of 7CFR part 3017, if applicable, the lobbying restrictions of 7CFR part 3018, and FNS guidelines and instructions and shall provide on a timely basis to the state agency all required information regarding fiscal and program information.

Special Billing Requirements:
1. Definitions
   Contract Period: January 1, 2018 - December 31, 2020

   Contract Budget Period: The time period for which the funding is budgeted.
   - There are four federal budget periods
     January 1, 2018 through September 30, 2018;
     October 1, 2018 through September 30, 2019;
     October 1, 2019 through September 30, 2020;
     October 1, 2020 through December 31, 2020.

2. Billing Information
   a. Billings are submitted on an A19-1A form, which is coded and provided by DOH prior to each federal fiscal budget period. Submit summary level financial data to support each individual program billing.
   b. A19-1A forms are submitted monthly following the close of each calendar month or upon completion of services, before the end of the federal contract budget period.
   c. Funds are allocated by budget categories (refer to Chart of Accounts Program names) and by state and federal budget periods (refer to the allocation sheet).
   d. Expenses are incurred only during the budget period; no carry forward from previous time periods, or borrowing from future time periods is allowed. Advance payments are not allowed.
   e. Payments for a budget period are limited to the amounts allocated for the budget period for each budget category.
   f. Billings are based on actual costs, with back up documentation retained by the LHJ and available for inspection by DOH or other appropriate authorities.
   g. Payments will be made only for WIC approved expenditures. Refer to the Washington State WIC Nutrition Program Policy and Procedure Manual Volume 2, Chapter 4 – Allowable Costs and 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Special Instructions:
Exhibit A, Statements of Work

Page 42 of 43

Contract Number CLH18267
The LHJ shall:

1) Maintain complete, accurate, and current accounting of all local, state, and federal program funds received and expended.

2) Provide, as necessary, a single audit in accordance with the provisions of 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. This circular requires the LHJ to have a single audit performed should LHJ spend $750,000 or more of federal grants or awards from all sources. The LHJ is a subrecipient of federal funds.

3) Staff must use Breastfeeding Peer Counseling (BFPC) Program funds only to support the peer counseling program. Once the program is established and peer counselors are trained, the majority of the salary costs must be paid to peer counselors to provide direct services to WIC clients. For a list of allowable costs see Volume 2, Chapter 4 – Allowable Costs. The priority use of BFPC funds is to hire and train peer counselors to provide breastfeeding peer counseling services to WIC clients.

Special Requirements:

<table>
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<tr>
<th>Contract Funding Period</th>
<th>Time Period Special Requirement Funds Available</th>
<th>Amount</th>
<th>Description of Special Requirement</th>
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<td>January 2018 - September 2018</td>
<td>January 2018 - September 2018</td>
<td>$19,139</td>
<td>Added in the USDA/WIC Breastfeeding Peer Counseling category to complete the requirements of operating a USDA Loving Support Breastfeeding Peer Counseling program.</td>
</tr>
</tbody>
</table>

Other

Any program requirements that are not followed may be subject to corrective action, and may result in monetary fines, repayment of funds, or withholding of Contract payment.

**DOH Program Contact**

Kathi L.loyd, HSC3  
WIC Nutrition Program  
PO Box 47886, Olympia, WA 98504-7886  
Kathi.Lloyd@doh.wa.gov  
360-236-3965 or 1-800-841-1410 x 3965

**DOH Fiscal Contact**

Danielle VanDerhoof, Fiscal Analyst  
WIC Nutrition Program  
PO Box 47886, Olympia, WA 98504-7886  
Danielle.VanDerhoof@doh.wa.gov  
360-236-3676 or 1-800-841-1410 x 3676
### EXHIBIT B
**ALLOCATIONS**
Contract Term: 2018-2020

<table>
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<tr>
<th>Chart of Accounts Program Title</th>
<th>Federal Award Identification #</th>
<th>Amend #</th>
<th>CFDA*</th>
<th>BARS Revenue Code**</th>
<th>Statement of Work Funding Period Start Date</th>
<th>End Date</th>
<th>DOH Use Only Chart of Accounts Funding Period Start Date</th>
<th>End Date</th>
<th>Amount</th>
<th>Funding Period Sub Total</th>
<th>Chart of Accounts Total</th>
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<td>09/30/19</td>
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<td>09/30/18</td>
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<td>09/30/18</td>
<td>$19,139</td>
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<td>FFFY17 EPR PHEP BP1 LHJ Funding</td>
<td>NU90TP921889-01</td>
<td>N/A</td>
<td>93.069</td>
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<td>07/01/17</td>
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<tr>
<td>FFFY17 317 Ops</td>
<td>SNH23IP000762-05-00</td>
<td>N/A</td>
<td>93.268</td>
<td>333.93.26</td>
<td>01/01/18</td>
<td>06/30/18</td>
<td>04/01/17</td>
<td>06/30/18</td>
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<td>93.268</td>
<td>333.93.26</td>
<td>01/01/18</td>
<td>06/30/18</td>
<td>04/01/17</td>
<td>06/30/18</td>
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<td>$11,279</td>
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<tr>
<td>FFFY17 VFC Ops</td>
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<td>N/A</td>
<td>93.268</td>
<td>333.93.26</td>
<td>01/01/18</td>
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<td>04/01/17</td>
<td>06/30/18</td>
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<td>N/A</td>
<td>93.733</td>
<td>333.93.73</td>
<td>01/01/18</td>
<td>08/31/18</td>
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<td>FFFY18 MCHBG LHJ Contracts</td>
<td>NGA Not Received</td>
<td>N/A</td>
<td>93.994</td>
<td>333.93.99</td>
<td>01/01/18</td>
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<tr>
<td>GFS - Group B (FO-NW)</td>
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<td>N/A</td>
<td>334.04.90</td>
<td>01/01/18</td>
<td>06/30/18</td>
<td>07/01/17</td>
<td>06/30/19</td>
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<tr>
<td>State HIV Prevention</td>
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<td>N/A</td>
<td>334.04.91</td>
<td>07/01/18</td>
<td>12/31/18</td>
<td>07/01/17</td>
<td>06/30/19</td>
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<tr>
<td>State HIV Prevention</td>
<td>N/A</td>
<td>N/A</td>
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<td>N/A</td>
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<td>Rec Shellfish/Biotoxin</td>
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<td>N/A</td>
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<tr>
<td>YR 20 SRF - Local Asst (15%) (FS) SS</td>
<td>N/A</td>
<td>N/A</td>
<td>346.26.64</td>
<td>01/01/18</td>
<td>12/31/20</td>
<td>07/01/15</td>
<td>12/31/20</td>
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<td>Sanitary Survey Fees (FO-NW) SS-State</td>
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<td>N/A</td>
<td>346.26.65</td>
<td>01/01/18</td>
<td>12/31/20</td>
<td>07/01/17</td>
<td>12/31/20</td>
<td>$10,200</td>
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<tr>
<td>YR 20 SRF - Local Asst (15%) (FS) TA</td>
<td>N/A</td>
<td>N/A</td>
<td>346.26.66</td>
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<td>07/01/15</td>
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<td><strong>TOTAL</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td>$1,294,039</td>
<td>$1,294,039</td>
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</tr>
</tbody>
</table>

Total consideration: $1,294,039

GRAND TOTAL: $1,294,039

*Catalog of Federal Domestic Assistance
**Federal revenue codes begin with "333". State revenue codes begin with "334".
## Exhibit C Schedule of Federal Awards

**Date:** October 16, 2017

<table>
<thead>
<tr>
<th>BARS</th>
<th>Program Title</th>
<th>DOH Federal Award Date</th>
<th>Total Amt Federal Award</th>
<th>Allocation Period Start Date</th>
<th>Allocation Period End Date</th>
<th>Contract Amt</th>
<th>CFDA Number</th>
<th>CFDA Program Title</th>
<th>Federal Agency Name</th>
<th>Federal Award Identification Number</th>
<th>Federal Grant Award Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>333.10.55</td>
<td>FY21 CSS USDA WIC PROGRAM MGMT</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
<td>10/1/20</td>
<td>12/31/20</td>
<td>$69,165</td>
<td>10.55</td>
<td>Special Supplemental Nutrition Program for Women, Infants, and Children</td>
<td>Department of Agriculture Food and Nutrition Service</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
</tr>
<tr>
<td>333.10.55</td>
<td>FY20 CSS USDA WIC PROGRAM MGMT</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
<td>10/1/19</td>
<td>06/30/20</td>
<td>$276,660</td>
<td>10.55</td>
<td>Special Supplemental Nutrition Program for Women, Infants, and Children</td>
<td>Department of Agriculture Food and Nutrition Service</td>
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<td>NGA Not Received</td>
</tr>
<tr>
<td>333.10.55</td>
<td>FY19 CSS USDA WIC PROGRAM MGMT</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
<td>10/1/18</td>
<td>09/30/19</td>
<td>$276,660</td>
<td>10.55</td>
<td>Special Supplemental Nutrition Program for Women, Infants, and Children</td>
<td>Department of Agriculture Food and Nutrition Service</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
</tr>
<tr>
<td>333.10.55</td>
<td>FY18 CSS USDA WIC PROGRAM MGMT</td>
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<td>NGA Not Received</td>
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<td>09/30/18</td>
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<td>Department of Agriculture Food and Nutrition Service</td>
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<td>NGA Not Received</td>
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<tr>
<td>333.10.55</td>
<td>FY18 CSS USDA SF PEER COUNSELING</td>
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<td>NGA Not Received</td>
<td>01/1/18</td>
<td>09/30/18</td>
<td>$19,139</td>
<td>10.55</td>
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<td>Department of Agriculture Food and Nutrition Service</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
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<tr>
<td>333.05.06</td>
<td>FY17 EPHEP BP1 LHJ FUNDING</td>
<td>07/18/17</td>
<td>$11,062,782</td>
<td>01/1/18</td>
<td>06/30/18</td>
<td>$63,025</td>
<td>93.066</td>
<td>Public Health Emergency Preparedness</td>
<td>Department of Health and Human Services Centers for Disease Control and Prevention</td>
<td>NU907TP921889-01</td>
<td>HPP AND EPHEP COOPERATIVE AGREEMENT</td>
</tr>
<tr>
<td>333.03.26</td>
<td>FY17 VFC OPS</td>
<td>03/03/17</td>
<td>$1,201,605</td>
<td>01/1/18</td>
<td>06/30/18</td>
<td>$5,569</td>
<td>93.266</td>
<td>Immunization Cooperative Agreements</td>
<td>Department of Health and Human Services Centers for Disease Control and Prevention</td>
<td>5NH23P000762-05-00</td>
<td>IMMUNIZATION GRANT AND VACCINES FOR CHILDREN'S PROGRAM</td>
</tr>
<tr>
<td>333.03.26</td>
<td>FY17 AFIX</td>
<td>03/03/17</td>
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<td>01/1/18</td>
<td>06/30/18</td>
<td>$11,279</td>
<td>93.266</td>
<td>Immunization Cooperative Agreements</td>
<td>Department of Health and Human Services Centers for Disease Control and Prevention</td>
<td>5NH23P000762-05-00</td>
<td>IMMUNIZATION GRANT AND VACCINES FOR CHILDREN'S PROGRAM</td>
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<td>333.03.26</td>
<td>FY17 317 OPS</td>
<td>03/03/17</td>
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<td>01/1/18</td>
<td>06/30/18</td>
<td>$3,121</td>
<td>93.266</td>
<td>Immunization Cooperative Agreements</td>
<td>Department of Health and Human Services Centers for Disease Control and Prevention</td>
<td>5NH23P000762-05-00</td>
<td>IMMUNIZATION GRANT AND VACCINES FOR CHILDREN'S PROGRAM</td>
</tr>
<tr>
<td>333.03.73</td>
<td>FY16 PPHF ADOLESCENT AFIX</td>
<td>08/29/16</td>
<td>$500,000</td>
<td>01/1/18</td>
<td>06/30/18</td>
<td>$1,600</td>
<td>93.733</td>
<td>Capacity Building Assistance to Strengthen Public Health Immunization Infrastructure &amp; Performance - Funded in part</td>
<td>Department of Health and Human Services Centers for Disease Control and Prevention</td>
<td>1NH23P922562-01-00</td>
<td>PPHEF 2016 INCREASING HPV VACCINE COVERAGE BY STRENGTHENING ADOLESCENT AFIX ACTIVITIES, FUNDED IN PART BY 2016</td>
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<tr>
<td>333.03.99</td>
<td>FY16 MCHSG LHJ CONTRACTS</td>
<td>NGA Not Received</td>
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<td>01/1/18</td>
<td>06/30/18</td>
<td>$106,632</td>
<td>93.994</td>
<td>Maternal and Child Health Services Block Grant to the States</td>
<td>Department of Health and Human Services Health Resources and Services Administration</td>
<td>NGA Not Received</td>
<td>NGA Not Received</td>
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</tbody>
</table>

**TOTAL** $1,040,346
Federal Funding Accountability and Transparency Act Data Collection Form

This contract is supported by federal funds that require compliance with the Federal Funding Accountability and Transparency Act. The purpose of the Transparency Act is to make information available online so the public can see how federal funds are spent. To comply with the act and be eligible to enter into this contract, your organization must have a Data Universal Numbering System (DUNS®) number. If you do not already have one, you may receive a DUNS® number free of charge by contacting Dun and Bradstreet at www.dnb.com. The Department of Health (DOH) also encourages registration with the System for Award Management (SAM) to reduce data entry by both DOH and your organization. You may register with SAM free of charge at federalcontractorregistry.com. Information about your organization and this contract will be reported by DOH to the federal government as required by P.L. 109-282. This information will then be made available to the public by the federal government on USASpending.gov.

SUBRECIPIENT

<table>
<thead>
<tr>
<th>1. Legal Name</th>
<th>2. DUNS Number</th>
</tr>
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<tbody>
<tr>
<td>Whatcom County</td>
<td>006-004-4641</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Principle Place of Performance</th>
<th>3a. City</th>
<th>3b. State</th>
</tr>
</thead>
<tbody>
<tr>
<td>509 Girard St.</td>
<td>Bellingham</td>
<td>Washington</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>3c. Zip+4</th>
<th>3d. Country</th>
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<tbody>
<tr>
<td>98225-9088</td>
<td>United States</td>
</tr>
</tbody>
</table>

4. Are you registered in SAM? □ YES (skip to signature block. Sign, date and return) □ NO

5. In the preceding fiscal year did your organization:
   a. Receive 80% or more of annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; and
   b. $25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; and
   c. The public does not have access to this information about the compensation of the senior executives of your organization through periodic reports filed under section 13(a) or 15(d) of the Securities and Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d) or section 6104 of the Internal Revenue Code of 1986).

□ NO (skip to signature block. Sign, date and return)
□ YES (You must report the names and total compensation of the top 5 highly compensated officials of your organization).

<table>
<thead>
<tr>
<th>Name Of Official</th>
<th>Total Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
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<tr>
<td>3.</td>
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</tr>
<tr>
<td>4.</td>
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</tr>
<tr>
<td>5.</td>
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</tr>
</tbody>
</table>

Note: “Total compensation” for purposes of this requirement generally means the cash and non-cash value earned by the executive during the past fiscal year and includes salary and bonus; awards of stock, stock options and stock appreciation rights; and other compensation such as severance and termination payments, and value of life insurance paid on behalf of the employee, and as otherwise provided by FFATA and applicable OMB guidance.

By signing this document, the Authorized Representative attests to the information.

<table>
<thead>
<tr>
<th>Signature of Authorized Representative</th>
<th>Print Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signature]</td>
<td>Regina DeLahun</td>
<td>1/12/2018</td>
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</tbody>
</table>

The Department of Health will not endorse your sub-award until this form is completed and returned.
### FOR DEPARTMENT OF HEALTH USE ONLY

<table>
<thead>
<tr>
<th>DOH Contract Number</th>
</tr>
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<tbody>
<tr>
<td>CLH18267</td>
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</tbody>
</table>

Sub-award Project Description (see instructions and example below)

---

**Instructions for Sub-award Project Description:**
In the first line of the description provide a title for the sub-award that captures the main purpose of the subrecipients work. Then, indicate the name of the subrecipient and provide a brief description that captures the overall purpose of the sub-award, how the funds will be used, and what will be accomplished.

**Example of a Sub-award Project Description:**
Increase Healthy Behaviors: Educational Services District XYZ will provide training and technical assistance to chemical dependency centers to assist the centers to integrate tobacco use into their existing addiction treatment programs. Funds will also be used to assist centers in creating tobacco free treatment environments.
TITLE OF DOCUMENT: Approval to Purchase Auto Accident Management Services (auto body repair services)

ATTACHMENTS: Memos from Finance and Public Works

SEPA review required ( ) Yes (x) NO
SEPA review completed? (x) Yes (x) NO
Should Clerk schedule a hearing? ( ) Yes (x) NO
Requested Date:

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

Public Works is requesting approval to purchase auto body repair services using the Washington State Contract #05015 (expires 10/01/2019). Services are handled through The CEI Group, and the authorized local vendor is Gitt's Autobody located in Ferndale. Purchases are based on actual need, and annual expenditures will not exceed $70,000.00. This is a regularly budgeted expenditure.

COMMITTEE ACTION:

COUNCIL ACTION:

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

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
DATE: January 19, 2018
TO: Jack Louws, County Executive
FROM: Brad Bennett, Administrative Services Finance Manager
SUBJECT: Approval to Purchase Vehicle Body Repair Services

- Background & Purpose

Public Works Equipment Services is requesting approval to use the Washington State Contract #05015 (Expires 10/01/2019) to purchase auto body repair services. The state contract is awarded to The CEI Group, and the local authorized vendor is Gitt’s Autobody, located in Ferndale.

Repair services are purchased on an as-needed basis. Annual expenditures will not exceed $70,000.00.

- Funding

This is a regularly budgeted expenditure and funds exist in the current budget. I concur with this recommendation.

[Signature]
AS Finance Manager

Approved as recommended:

__________________________________________
County Executive

Date of Council Action________________________
MEMORANDUM

To: Brad Bennett, AS Finance Manager

Through: Jon Hutchings, Public Works Director / ^

From: Eric L. Schlehuber, PW Equipment Services Manager

Date: January 3, 2018

Re: Washington State Contract #05015 (Vehicle Accident Management Services)

- Requested Action
I am requesting Executive and Council approval to purchase auto body work as needed from the Washington State Bid Procurement List through October 1, 2019. The current state contract term is for the period of 03/10/2016 through 10/01/2019.

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>STATE CONTRACT</th>
<th>EXPIRATION DATE</th>
<th>ANNUAL EXPENDITURES NOT TO EXCEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>The CEI Group</td>
<td>05015</td>
<td>October 1, 2019</td>
<td>$70,000</td>
</tr>
</tbody>
</table>

This state contract has been awarded to the CEI Group. Gitt’s AutoBody in Ferndale, Washington is the local authorized vendor.

- Background and Purpose
The Equipment Services Division of the Public Works Department uses the above local vendor for all body repairs on county vehicles and equipment.

- Funding Amount and Source
These are regularly budgeted expenditures for auto body repairs, which is used on an annual basis as needed and has been budgeted during the 2017 - 2018 Budget process. Annual expenditures were $21,603 for 2015, $42,395 for 2016, and $30,787 for 2017.

- Recommended Action
Please approve this purchase and forward to the Executive and the Whatcom County Council for approval at the January 30, 2018 Whatcom County Council Meeting.

Please contact Eric L. Schlehuber at extension 6405 if you have any questions or concerns.
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
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<tbody>
<tr>
<td>Originator:</td>
<td>SW</td>
<td>01/19/18</td>
<td></td>
<td>1/30/18</td>
<td>Finance/Council</td>
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<tr>
<td>Division Head:</td>
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<td>Dept. Head:</td>
<td></td>
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<tr>
<td>Prosecutor:</td>
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<td>Purchasing/Budget:</td>
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<td>Executive:</td>
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<td>1/22/18</td>
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**TITLE OF DOCUMENT:** Approval to Purchase Replacement Tasers

**ATTACHMENTS:** Memo from Finance

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

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

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

The Sheriff’s Office requests approval to use the Washington State Contract 02315 (Expires 06/02/2019) to purchase 25 replacement Tasers, and related accessories. The total cost of this purchase is $40,490.21. Funding for this purchase was approved in the Drug Fund, ASR #2017-5556.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
DATE: January 19, 2018
TO: Jack Louws, County Executive
FROM: Brad Bennett, AS Finance Manager
SUBJECT: Approval to Purchase Replacement Tasers

BACKGROUND
The Sheriff’s Office is requesting approval to purchase 25 replacement Tasers, miscellaneous accessories, and a 4-year extended warranty, using funds provided in the Drug Fund.

The vendor is Proforce Law Enforcement, of Prescott, Arizona, an authorized distributor for Axon Enterprise, Inc. Axon Enterprise, Inc., has been awarded Washington State Contract #02315 (expires 06/02/2019). The total cost for this purchase is $40,490.21, including all accessories, the extended warranty, freight, and sales tax.

FUNDING
Funding for this purchase was approved in the Drug Fund on ASR #2017-5556. I recommend approval.

Approved as recommended:

__________________________
County Executive

Date of Council Action________________________
# REQUISITION

**WHATCOM COUNTY**  
**Administrative Services**  
(360) 778-5320  

**VENDOR NUMBER**  
1835456  

**COST CENTER NAME**  
Drug Fund  

**SHIP TO**  
Public Safety Bldg  
311 Grand Ave  
Bellingham WA 98225  

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**SALES TAX 6.7%**  
3240.71  
**GRAND TOTAL**  
40490.21  

**WRITTEN BY**  
T. Bakken  

**DATE**  
1-11-18  

**APPROVED BY**  
Kathy Walker  

**DATE**  
11/17/18  

Note: Attach copies of all quotes to this requisition.
### Whatcom County Sheriff's Office
**Purchase Authorization**

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<tr>
<td>Address</td>
<td>3009 North Highway 99</td>
<td>Prescott AZ 86301</td>
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<tr>
<td>Phone</td>
<td>800-978-2737</td>
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#### PURCHASING LIMITS
- $500 Purchase Approval Required
- $2,500 PO Required
- $5,000 Quotes Required
- $10,000 Proposals Required - Architects & Engineers
- $25,000 Proposals Required - Other Services
- $25,000 Bids Required - Goods (State Contract Exempt)

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**Requested By / Date**: B. Oswalt / 01/10/18

**Approved By / Date**: [Signature] / 01/10/18

**Comments**: Funded for replacement Tasers included in 2018 Budget.

---

### 3 Quotes Required for Purchases Over $5,000

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<tr>
<th>Quote #1</th>
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<tr>
<td>Details</td>
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## WHATCOM COUNTY COUNCIL AGENDA BILL

### CLEARANCES

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### TITLE OF DOCUMENT: Mail Ballot Verifier, Process and Services Agreement

### ATTACHMENTS:
1. Agreement

### SEPA review required? ( ) Yes (x) NO

### SEPA review completed? ( ) Yes ( ) NO

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

Requested Date: 1/30/2018

### 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.)

Acquisition, installation, training, and first year maintenance of ES&S Mail Ballot Verifier equipment.

### COMMITTEE ACTION:

### COUNCIL ACTION:

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

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

### Originating Department: 

### Auditor: 
Diana Bradrick

### Contractor's / Agency Name:  
Election Systems & Software LLC

### Is this a New Contract? 
Yes [X] No [ ]

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

### Is this a grant agreement? 
Yes [ ] No [X]

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

### CFDA#: 

### Is this contract grant funded? 
Yes [ ] No [X]

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

### Is this contract the result of a RFP or Bid process? 
Yes [ ] No [X]

### If yes, RFP and Bid number(s): 

### Contract 

### Cost Center: 10904 Elections

### Is this agreement excluded from E-Verify? 
Yes [X] No [ ]

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

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

- [ ] Professional services agreement for certified/licensed professional.
- [X] Contract work is for less than $100,000.
- [ ] Contract work is for less than 120 days.
- [ ] Interlocal Agreement (between Governments).

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

- $ 89,095

### This Amendment Amount:

### Total Amended Amount:

### Summary of Scope: Acquisition, installation, training, and first year maintenance of ES&S Mail Ballot Verifier equipment.

### Term of Contract: 1 year

### Expiration Date: Automatically renew until terminated

### Contract Routing: 

1. Prepared by: Diana Bradrick
2. Attorney signoff:
3. AS Finance reviewed:
4. IT reviewed (if IT related):
5. Contractor signed:
6. Submitted to Exec.:  
7. Council approved (if necessary):
8. Executive signed:
9. Original to Council:

### Date: 01/18/18

### Date: 11/13/2018

### Date: 1-22-18

### Last Edited: 060414
ELECTION SYSTEMS & SOFTWARE, LLC
MAIL BALLOT VERIFIER, PROCESSING AND SERVICES AGREEMENT

This Agreement is made as of the date it is executed by the last of the parties named below on the signature page (the "Effective Date"),

BETWEEN: ELECTION SYSTEMS & SOFTWARE, LLC, a Delaware Limited Liability Company ("ES&S")
AND: WHATCOM COUNTY, WASHINGTON ("Customer").

RECITALS:

A. ES&S is the owner of certain mail ballot verifier equipment and software as set forth herein and Customer has agreed to purchase and license the mail ballot verifier equipment and related software and services from ES&S for use in Whatcom County, Washington (the "Jurisdiction"). The terms and conditions under which such equipment, software and services shall be provided are set forth in the GENERAL TERMS attached hereto and incorporated herein by reference.

B. The following Exhibits are incorporated into, and constitute an integral part of, this Agreement (check all that apply):

   ___ X ___ Exhibit A (Pricing Summary)
   ___ X ___ Exhibit B (ES&S Equipment, ES&S Software, Third Party Items Description, Pricing and Fees)
   ___ X ___ Exhibit C (ES&S Support Services)

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, each of the parties hereto:

• Agrees to the GENERAL TERMS and the terms and conditions set forth in each Exhibit attached hereto and incorporated herein.

• Agrees that at all times, this Agreement shall be governed by and construed in accordance with the laws of the State of Washington without regard to conflicts of law principles that would require the application of the laws of any other state.

• Represents and warrants to the other party that as of its signature below it has full power and authority to enter into and perform this Agreement, and that the person signing below on its behalf has been properly authorized to execute this Agreement.

• Acknowledges that it has read this Agreement, understands it and intends to be bound by it.

ELECTION SYSTEMS & SOFTWARE, LLC
11208 John Galt Boulevard
Omaha, NE 68137
Fax No.: (402) 970-1291

________________________________________
Signature

________________________________________
Name (Printed or Typed)

________________________________________
Title

________________________________________
Date
WHATCOM COUNTY:
Recommended for Approval:
Debbie Adelstein, Whatcom County Auditor  Date

Approved as to form:
Prosecuting Attorney  Date

Approved:
Accepted for Whatcom County:

By: ________________________________
Jack Louws, Whatcom County Executive

STATE OF WASHINGTON  )
) ss
COUNTY OF WHATCOM  )

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

NOTARY PUBLIC in and for the State of Washington, residing at _______________. My commission expires ______________.
GENERAL TERMS
ARTICLE 1
DEFINITIONS

All capitalized terms used, but not otherwise defined, in these General Terms or in an Exhibit shall have the following meanings:

a. “Documentation” means the operating instructions, user manuals or training materials for the ES&S Equipment and ES&S Software.

b. "ES&S Equipment" means ES&S’ hardware or other ES&S proprietary equipment.

c. "ES&S Software" means ES&S' proprietary mail ballot verifier software and all Updates delivered to Customer under this Agreement, unless licensed pursuant to a separate written agreement.

ARTICLE 2
SALE OF ES&S EQUIPMENT AND LICENSE OF ES&S SOFTWARE AND PAYMENT OF FEES

2.1 Purchase Terms; Use. Subject to the terms and conditions of this Agreement, ES&S agrees to sell, and Customer agrees to purchase, the ES&S Equipment described on Exhibit B. The payment terms for the ES&S Equipment are set forth on Exhibit A. Title to the Equipment shall pass to Customer when Customer has paid ES&S the total amount set forth on Exhibit A for the ES&S Equipment.

2.2 a. Grant of Licenses. Subject to the terms and conditions of this Agreement, ES&S hereby grants to Customer nonexclusive, nontransferable licenses to use the ES&S Software described on Exhibit B and related Documentation supplied by ES&S. The licenses allow Customer to use (but not copy) the ES&S Software and the Documentation in the course of operating the ES&S Equipment and solely for the purposes of managing the printing of ballots in the Jurisdiction. The licenses granted in this Section 2.2 do not permit Customer to use the source code for the ES&S Software.

b. Prohibited Uses. Customer shall not take any of the following actions with respect to the ES&S Software or the Documentation:

i. Reverse engineer, decompile, disassemble, re-engineer or otherwise create, attempt to create, or permit, allow or assist others to create, the source code or the structural framework for part or all of the ES&S Software;

ii. Cause or permit any use, display, loan, publication, transfer of possession, sublicensing or other dissemination of the ES&S Software or Documentation, in whole or in part, to or by any third party, including, but not limited to, any transfer of possession to, or use of the ES&S Software or Documentation by any third party to perform any services for Customer (including, but not limited to, any ballot printing, coding, programming or ballot layout services) without ES&S’s prior written consent; or

iii. Cause or permit any change to be made to the ES&S Software without ES&S’ prior written consent; or

iv. Allow a third party to cause or permit any copying, reproduction or printing of any output generated by the Software in which ES&S owns or claims any proprietary intellectual property rights (e.g., copyright, trademark, patent pending or patent), including, but not limited to, any ballot shells or ballot code stock.
2.3 **Term of Licenses.** The licenses granted in Section 2.2 shall commence upon the delivery of the ES&S Software described in Section 2.2 and shall continue for the Initial Term of the Agreement (the "Initial License Term"). Upon expiration of the Initial License Term, the licenses shall automatically renew for an unlimited number of successive one-year periods (each a "License Renewal Term") upon the payment by Customer of the annual software license and software maintenance and support fee as set forth on Exhibit A. ES&S may terminate the license if Customer fails to pay the consideration due for, or breaches Sections 2.2, 2.5, or 3.6 with respect to, such license. Upon the termination of either of the licenses granted in Section 2.2 for ES&S Software or upon Customer's discontinuance of the use of any ES&S Software, Customer shall immediately return such ES&S Software and the related Documentation (including any and all copies thereof) to ES&S, or (if requested by ES&S) destroy such ES&S Software and Documentation and certify in writing to ES&S that such destruction has occurred.

2.4 **Updates.** During the Initial License Term or any License Renewal Term, ES&S may provide new releases, upgrades or maintenance patches to the ES&S Software, together with appropriate Documentation ("Updates"), on a schedule defined by ES&S. Customer is responsible for obtaining any upgrades or purchases of Third Party Items required to operate the Updates. All Updates shall be deemed to be ES&S Software for purposes of this Agreement upon delivery. Customer may install the Updates in accordance with ES&S’ recommended instructions or may request that ES&S install the Updates. ES&S may charge Customer at its then-current rates to (i) deliver the Updates to the Customer, (ii) train Customer on Updates, if such training is requested by Customer; (iii) install the Updates or (iv) provide maintenance and support on the ES&S Software that is required as a result of Customer’s failure to timely or properly install an Update. Customer shall be responsible for any claim, damage, loss, judgment, penalty, cost, amount paid in settlement or fee which is caused by Customer’s failure to install and use the most recent Update provided to it by ES&S. If Customer proposes changes in the ES&S Software to ES&S, such proposals will become ES&S’ property. ES&S may, in its sole discretion, elect to make or not to make such changes without reference or compensation to Customer or any third party. ES&S represents to Customer that the Updates will comply with all applicable state law requirements at the time of delivery. Customer shall be responsible to ensure that it has installed and is using only certified versions of ES&S Software in accordance with applicable law. Customer shall pay ES&S for any Update which is required due to a change in state or local law.

2.5 **Fees**

a. **Equipment Sale and License Fees.** The fees for the purchase of ES&S’ Equipment and License of ES&S Software during Term of the Agreement are set forth on Exhibit A.

b. **Processing Fee.** In addition to the payment of the fees set forth above and in partial consideration for the use of the ES&S Equipment and ES&S Software in order to scan, sort and process ballots in the Jurisdiction, Customer shall pay ES&S the Processing Fees set forth on Exhibit A.

c. **Pricing Changes.** ES&S reserves the right to adjust the processing fee annually during the Term of the Agreement. ES&S shall notify Customer, in writing, of such price increase by providing Customer with ninety (90) days advanced written notice.

**ARTICLE 3**
**MISCELLANEOUS**

3.1 **Delivery; Risk of Loss; Insurance.** ES&S anticipates shipping the ES&S Equipment and ES&S Software identified on Exhibit B to Customer on or before the "Estimated Delivery Dates" listed on Exhibit A. The Estimated Delivery Dates are merely estimates and may be revised by ES&S because of delays in executing this Agreement, changes requested by Customer, and other events outside of ES&S’s control. ES&S will notify Customer of revisions to the Estimated Delivery Dates as soon as ES&S
becomes aware of such revisions. Risk of loss for the ES&S Equipment and ES&S Software shall pass to Customer when such items are delivered to Customer’s designated location. Upon transfer of risk of loss to Customer, Customer shall be responsible for obtaining and maintaining sufficient casualty insurance on the ES&S Equipment and ES&S Software and shall name ES&S as an additional insured thereunder until all amounts payable to ES&S under this Agreement for ES&S Equipment and Software have been paid by Customer.

3.2 Installation of ES&S Equipment and ES&S Software. Customer acknowledges and agrees that the ES&S Equipment and ES&S Software provided by ES&S hereunder shall only be used by the Customer to perform the services contemplated under this Agreement and not for any other purpose. Customer will provide, at its own expense, a site adequate in space and design for installation, operation and storage of the ES&S Equipment, ES&S Software and consumable items. Customer shall be responsible for providing a site that is temperature and humidity controlled, has all necessary electric current outlets, circuits, and wiring for the ES&S Equipment. ES&S may, but shall not be required to, inspect the site and advise on its acceptability before any ES&S Equipment or ES&S Software is installed. ES&S shall have no liability for actual site preparation or for any costs, damages or claims arising out of the installation of any ES&S Equipment or ES&S Software at a site not meeting ES&S’ specifications.

3.3 Maintenance: Support

a. ES&S Equipment and ES&S Software. ES&S agrees that during the Term of the Agreement, ES&S shall maintain the ES&S Equipment and ES&S Software in good working condition in order allow the Customer to use the ES&S Equipment and ES&S Software in accordance with its Documentation, wear and tear excepted (“Normal Working Condition”). If a defect or malfunction occurs in any ES&S Equipment and/or ES&S Software while it is in normal use and service, Customer shall promptly notify ES&S, and ES&S shall use reasonable efforts to restore the item to Normal Working Condition as soon as practicable. ES&S shall repair or replace any item of ES&S Equipment and ES&S Software at ES&S’ or the Customer’s designated location as determined by ES&S in its sole discretion. If a defect or malfunction occurs in any ES&S Equipment and ES&S Software as a result of (1) repairs, changes, modifications or alterations not authorized or approved by ES&S, (2) accident, theft, vandalism, neglect, abuse or use that is not in accordance with instructions or specifications furnished by ES&S or (3) causes beyond the reasonable control of ES&S or Customer, including acts of God, fire, riots, acts of war, terrorism or insurrection, labor disputes, transportation delays, governmental regulations, rodent infestation, and utility or communication interruptions, Customer shall pay ES&S for any maintenance services at ES&S’ then-current rates, as well as for the cost of all parts used in connection with the performance of such maintenance services.

b. Technical Support. In addition to providing those services set forth in Section 3.3 (a), ES&S shall provide the Customer with technical help desk support.

3.4 Disclaimer of Warranties. EXCEPT AS OTHERWISE SET FORTH HEREIN, ES&S EXPRESSLY DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS OR IMPLIED, WHICH ARE NOT SPECIFICALLY SET FORTH IN THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

3.5 Limitation Of Liability. Neither party shall be liable for any indirect, incidental, punitive, exemplary, special or consequential damages of any kind whatsoever arising out of or relating to this Agreement. Neither party shall be liable for the other party’s negligent or willful misconduct. ES&S’ total liability to Customer arising out of or relating to this Agreement shall not exceed the aggregate amount to be paid to ES&S hereunder. Any action by Customer against ES&S must be commenced within one (1) year after the cause of action has accrued. By entering into this Agreement, Customer agrees to accept responsibility for (a) the selection of the ES&S Equipment and ES&S Software to achieve Customer’s intended results; (b) the use of the ES&S Equipment and ES&S Software; (c) the results obtained from the use of the ES&S Equipment and ES&S Software; (d) the selection of, use of and results obtained

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from any equipment, software or services not provided by ES&S and used with the ES&S Equipment or ES&S Software; (e) errors that arise from mechanical or electronic component failures that are not covered under warranty or not subject to maintenance efforts or cure under this Agreement; or (f) user errors, voter errors or problems encountered by any individual in voting that are not otherwise a result of the failure of ES&S to perform its obligations under this Agreement.

3.6 **Taxes; Interest.** Customer shall provide ES&S with proof of its tax-exempt status. If Customer does not provide such proof, it shall pay, or shall reimburse ES&S for, all sales and use, excise or other similar taxes imposed on the transactions contemplated by this Agreement; provided, however, Customer shall in no event be liable for taxes imposed on or measured by ES&S' income. If Customer disputes the applicability of any tax to be paid pursuant to this Section 3.6, it shall pay the tax and may thereafter seek a refund. Any disputed or undisputed payment not paid by Customer to ES&S when due shall bear interest from the due date at a rate equal to the lesser of one and one-half percent (1.5%) per month or the maximum amount permitted by applicable law for each month or portion thereof during which it remains unpaid.

3.7 **Proprietary Rights.** Customer acknowledges and agrees as follows:

a. ES&S owns the ES&S Software, all Documentation and training materials provided by ES&S, the design and configuration of the ES&S Equipment and the format, layout, measurements, design and all other technical information associated with the ballots to be used with the ES&S Equipment. Customer has the right to use the aforementioned items to the extent specified in this Agreement. ES&S also owns all patents, trademarks, copyrights, trade names and other proprietary or intellectual property in, or used in connection with, the aforementioned items. The aforementioned items also contain confidential and proprietary trade secrets of ES&S that are protected by law and are of substantial value to ES&S.

b. Customer shall not cause or permit the adaptation, conversion, reverse engineering, disassembly or decompilation of any of the ES&S Equipment or ES&S Software.

c. Customer shall keep the ES&S Software and related Documentation free and clear of all claims, liens and encumbrances and shall maintain all copyright, trademark, patent or other intellectual or proprietary rights notices that are set forth on the ES&S Equipment, the ES&S Software, the Documentation, training materials and ballots that are provided, and all permitted copies of the foregoing.

3.8 **Intentionally Omitted.**

3.9 **Excusable Nonperformance.** Except for obligations to make payments hereunder, if either party is delayed or prevented from performing its obligations under this Agreement as a result of any cause beyond its reasonable control, including acts of God, fire, riots, acts of war, terrorism or insurrection, labor disputes, transportation delays, governmental regulations and utility or communication interruptions, the delay shall be excused during the continuance of, and to the extent of, such cause, and the period of performance shall be extended to the extent necessary to allow performance after the cause of delay has been removed. ES&S agrees to work with Customer, at Customer's request, to develop mutually agreeable alternatives in order to minimize the negative impact of any such delay.

3.10 **Term; Termination.** This Agreement shall be effective beginning on the March 1, 2018 through February 28, 2019 (the "Initial Term"). The Initial Term shall automatically renew for an unlimited number of successive one year period unless otherwise agreed to, in writing, by the parties (each a "Renewal Period"). The Initial Term and all Renewal Periods shall be collectively referred to herein as the "Term". The Term shall continue until this Agreement is terminated by the first to occur of (i) either party's election to terminate it upon the expiration of the Initial Term or any Renewal Period thereof, written notice of such election shall be given to the other party at least sixty (60) calendar days prior to the expiration of the Initial Term or any Renewal Period; (ii) the date that is thirty (30) days after either party notifies the other that the other has materially breached this Agreement, and the breaching party fails to
cure such breach within such thirty (30) day period, (except a breach as provided in (iii) below which will require no notice); or (iii) Customer’s failure to make any payment due hereunder within thirty (30) days after it is due. In the event of early termination by ES&S due to (a) a breach of this Agreement by Customer, (b) Customer’s failure to pay any amounts owed under this Agreement or (c) the failure of Customer to appropriate funds to make the payments due under this Agreement, Customer shall pay ES&S for all services performed and all processing fees earned up through the date of termination. Upon termination of this Agreement, Customer shall immediately return all ES&S Software and Documentation (including any and all copies thereof) to ES&S, or (if requested by ES&S) destroy such ES&S Software and Documentation and certify in writing to ES&S that such destruction has occurred. In addition, Customer shall return all unused and unopened consumable items, including ballot paper, to ES&S within thirty (30) days following the termination of the Agreement. Customer shall provide ES&S with a written certification from an authorized representative of Customer stating that Customer has returned all items, in its possession, associated with this Agreement. Such written certification shall be included with the return of the aforementioned items.

3.11 Non-Appropriation of Funds. Customer represents, warrants, and covenants that it has appropriated, and will have appropriated, funds available necessary to pay the amounts due herein through the end of the Customer’s current fiscal year, and that Customer shall use its best efforts to obtain and appropriate funds in order to pay all payments which shall be due in each year of this Agreement. In the event that funds are not appropriated or otherwise made available to support the continuation of performance by Customer hereunder in any subsequent fiscal period, this Agreement may be terminated by either party; provided, however, that this Section 3.11 shall not be construed so as to permit Customer to terminate this Agreement in order to acquire a ballot on demand system and/or related services from a third party. Either party may notify the other of the termination, which may occur no later than the beginning of the subsequent fiscal period. Upon termination, Customer shall pay ES&S for all services performed pursuant to this Agreement up to the date of termination and reasonable exit costs incurred by ES&S. The amount of such payment may be paid from any appropriations available for such purposes, and Customer’s highest-ranking officer or official shall use his/her best efforts to timely and sufficiently request the appropriation necessary to pay such amount.

3.12 Assignment. Except in the case of a sale, transfer or assignment of all or substantially all of the assets of ES&S to a successor who has asserted its intent to continue the business of ES&S, neither party may assign or transfer this Agreement or assign, subcontract or delegate any of its rights, duties or obligations hereunder without the prior written consent of the other party hereto, such consent not to be unreasonably withheld or conditioned, nor unduly delayed. ES&S may assign its right to receive payments under this Agreement to such third party(ies) as ES&S may desire without the prior consent of Customer, provided that ES&S provides written notice (including evidence of such assignment) to Customer thirty (30) days in advance of any payment(s) so assigned.

3.13 Notice. Any notice or other communication required or permitted hereunder shall be in writing, and will be deemed given when (a) delivered personally, (b) sent by confirmed email, (c) sent by confirmed fax, (d) sent by commercial overnight courier (with written verification of receipt) or (e) sent by registered or certified mail, return receipt requested, postage prepaid, when the return receipt is received. All communications shall be sent to the attention of the persons listed on the signature page to this Agreement and at the addresses, email address or fax numbers set forth on such signature page unless other names, addresses or fax numbers are provided by either or both parties in accordance herewith.

3.14 Disputes.

a. Payment of Undisputed Amounts. In the event of a dispute between the parties regarding (1) a product or service for which payment has not yet been made to ES&S, (2) the amount due ES&S for any product or service, or (3) the due date of any payment, Customer shall nevertheless pay to ES&S when due all undisputed amounts. Such payment shall not constitute a waiver by Customer or ES&S of any of its rights and remedies against the other party.
b. **Remedies for Past Due Undisputed Payments.** If any undisputed payment to ES&S is past due more than thirty (30) days, ES&S may suspend performance under this Agreement until such amount is paid. If Customer's payment is past due for more than sixty (60) days and is undisputed, ES&S may declare the total amount remaining due under this Agreement to be immediately due and payable, enter the premises during normal business hours where the ES&S Equipment and third party items are located and remove them.

3.15 **Entire Agreement.** This Agreement, including all exhibits hereto, shall be binding upon and inure to the benefit of the parties and their respective representatives, successors and assigns. This Agreement, including all Exhibits hereto, contains the entire agreement of the parties with respect to the subject matter hereof and shall supersede and replace any and all other prior or contemporaneous discussions, negotiations, agreements or understandings between the parties, whether written or oral, regarding the subject matter hereof. Any provision of any purchase order, form or other agreement which conflicts with or is in addition to the provisions of this Agreement shall be of no force or effect. In the event of any conflict between a provision contained in an Exhibit to this Agreement and these General Terms, the provision contained in the Exhibit shall control. No waiver, amendment or modification of any provision of this Agreement shall be effective unless in writing and signed by the party against whom such waiver, amendment or modification is sought to be enforced. No consent by either party to, or waiver of, a breach by either party shall constitute a consent to or waiver of any other different or subsequent breach by either party. ES&S is providing Equipment, Software and services to Customer as an independent contractor, and shall not be deemed to be a "state actor" for purposes of 42 U.S.C. § 1983. ES&S may engage subcontractors to provide certain of the Equipment, Software or services, but shall remain fully responsible for such performance. The provisions of Article 2 and Sections 3.5-3.15 of these General Terms shall survive the termination of this Agreement, to the extent applicable.

[END OF GENERAL TERMS]
## Sale Summary:

<table>
<thead>
<tr>
<th>Description</th>
<th>Refer to</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ES&amp;S Equipment and Software</td>
<td>Exhibit B</td>
<td>$79,095.00</td>
</tr>
<tr>
<td>Support Services</td>
<td>Exhibit C</td>
<td>Included</td>
</tr>
<tr>
<td>Software and Hardware Maintenance (Initial Term)</td>
<td></td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Shipping and Handling</td>
<td>Included</td>
<td></td>
</tr>
</tbody>
</table>

**Total Sales before Discount:** $94,095.00

**Less: Customer Discount** ($5,000.00)

**Total Net Sale:** $89,095.00

Processing Fees are not included in Total Net Sale. Please see Note 2 below for payment terms and Exhibit B for Processing Fees and payment terms.

### Terms & Conditions:

**Note 1:** Any applicable state and local taxes are not included, and are the responsibility of Customer. See Section 3.6. Premium or rush transportation services incurred in connection with deliverables included in the Total Net Sale are additive and will be billed as incurred.

**Note 2:** **Invoicing and Payment Terms are as Follows:**

**ES&S Equipment Purchase and ES&S Software License Fees**

$89,095.00 due Thirty (30) Calendar Days after the later of (a) Delivery of the Mail Ballot Verifier System, or (b) Receipt of Corresponding ES&S Invoice.

**Note 3:** Services in excess of those set forth in Exhibit C shall be charged at the rate of $1,650.00 per day, including expenses.

**Note 4:** ES&S anticipates delivering the Equipment and Software in accordance with Section 3.1 as follows:

<table>
<thead>
<tr>
<th>Equipment/Software</th>
<th>Estimated Delivery Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail Ballot Verifier System</td>
<td>January 2018</td>
</tr>
</tbody>
</table>

### Ongoing Services:

<table>
<thead>
<tr>
<th>Services</th>
<th>Renewal Period Annual Fee</th>
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</thead>
<tbody>
<tr>
<td>ES&amp;S Equipment Maintenance and Support and Software License, Maintenance and Support Services for ES&amp;S Equipment and Mail Ballot Verifier Software</td>
<td>Rate not to exceed more than 5% of the then expiring fee</td>
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</table>
EXHIBIT B
EQUIPMENT, SOFTWARE, THIRD PARTY ITEMS DESCRIPTION, PRICING AND FEES

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>DESCRIPTION</th>
<th>TOTAL PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail Ballot Verifier System Includes the Following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>MBV 1000 Chassis with Feeder, Transport, MBV Computer, Single Divert, and Output Tray</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>Thickness Detector</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>Dymo Label Printer</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>MBV Cart</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>Starter Package</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>Cover</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>VR Integration</td>
<td>Included</td>
</tr>
<tr>
<td>1</td>
<td>MBV Image Capture SW</td>
<td>Included</td>
</tr>
<tr>
<td>2</td>
<td>Support Days</td>
<td>Included</td>
</tr>
<tr>
<td>X</td>
<td>Shipping and Handling</td>
<td>Included</td>
</tr>
<tr>
<td></td>
<td>TOTAL EQUIPMENT, SOFTWARE LICENSE, AND THIRD PARTY ITEMS FOR THE INITIAL TERM:</td>
<td>$79,095.00</td>
</tr>
</tbody>
</table>

ENVELOPE PROCESSING FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>Initial Term</th>
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</thead>
<tbody>
<tr>
<td>Base Fee</td>
<td>Included</td>
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<tr>
<td>Base Processing Volume per year</td>
<td></td>
</tr>
<tr>
<td>100,000+</td>
<td>$0.10</td>
</tr>
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</table>

*Subject to annual increase after Initial Term

The Base Processing Fee is due within 30 days of receipt of vendor invoice, and will be billed at the start of the Initial Term and each Renewal Period. Processing Volumes in excess of the Base Processing Volume will be calculated and invoiced following the applicable election.
EXHIBIT C  
SUPPORT SERVICES

The support services to be provided by ES&S during the Initial Term, a description of such services and total fees are described below. Customer acknowledges that ES&S’s fees for support services are based on the descriptions listed in the table below, and that a change in the descriptions may require ES&S to change the fees charged to Customer. For purposes of ES&S’s provision of Support Services under this Agreement, a “Service Day” shall mean the performance of any agreed upon Support Services on or off of Customer’s facilities, as applicable, by one (1) ES&S employee, contractor or agent on any one (1) calendar day or four hour portion thereof. By way of example, “ten Service Days” could be used by Customer through the provision of Support Services by one (1) ES&S employee, contractor or agent on each of ten (10) different calendar days, two (2) ES&S employees, contractors or agents on each of five (5) different calendar days, or ten (10) ES&S employees, contractors or agents on one (1) calendar day.

<table>
<thead>
<tr>
<th>Role/Function</th>
<th>Area of Work or Description</th>
<th>Primary Responsibility</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training</td>
<td>Training will be provided on a pre-scheduled basis. Number and length of training sessions will be mutually agreed upon in advanced. Customer agrees to provide a facility to hold training sessions. Levels of training include: 1st level (operator) training - Provides sufficient skills to operate the system, replace consumables, clear jams. 2nd level (lead) training - Involves more in depth troubleshooting knowledge including aligning feeder, understanding communication issues with VR systems, and production of reports. Technical training to IT or operations staff - Involves a complete understanding of system architecture and operations. Refresher training can be provided in advance of each election on a mutually agreeable timeframe at the then current rate per day (currently $1,650.00 per day).</td>
<td>ES&amp;S</td>
<td>Included</td>
</tr>
<tr>
<td>Hardware and Software Maintenance</td>
<td>Software Maintenance - Technical software support hotline - Installation of any new Updates - Testing and validation of all Updates</td>
<td>ES&amp;S</td>
<td>Included</td>
</tr>
<tr>
<td>Hardware Maintenance</td>
<td>- Technical support and repair of all hardware components - Break/Fix maintenance on the Mail Ballot Verifier system - All labor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Support Service Fees</td>
<td></td>
<td></td>
<td>Included</td>
</tr>
<tr>
<td>Role/Function</td>
<td>Area of Work or Description</td>
<td>Primary Responsibility</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>Installation – Mail Ballot Verifier System</td>
<td>ES&amp;S will inspect and install the Mail Ballot Verifier System at Customer’s designated location to ensure it is operating properly and within specifications.</td>
<td>ES&amp;S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Installation Fees: Included</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
% WHATCOM COUNTY COUNCIL AGENDA BILL %

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
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<td>1/12/2018</td>
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</tr>
<tr>
<td>Prosecutor:</td>
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<tr>
<td>Purchasing/Budget:</td>
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<tr>
<td>Executive:</td>
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<td></td>
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</table>

**TITLE OF DOCUMENT:**
North Sound Behavioral Health Organization Mental Health Block Grant amendment 1

**ATTACHMENTS:**
1. Info sheet
2. Executive memo
3. 2 copies of contract

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

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

**Requested Date:**

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

This contract provides funding to promote recovery and resilience to homeless individuals thru the provision of housing case management, shelter operations services and a community outreach team.

The amendment adds a paragraph to clarify the terms and conditions of cost reimbursement. All other terms and requirements remain the same with no change to the total contract amount

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Health</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract or Grant Administrator:</td>
<td>Anne Deacon</td>
</tr>
<tr>
<td>Contractor's / Agency Name:</td>
<td>North Sound Behavioral Health Organization</td>
</tr>
</tbody>
</table>

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

Does contract require Council Approval? Yes ☒ No ☐
If No, include WCC:
(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement? Yes ☒ No ☐
If yes, grantor agency contract number(s):
NSMHA-
WHATCOM

MHBG-17-18 CFDA#: 93.958

Is this contract grant funded? Yes ☒ No ☐
If yes, Whatcom County grant contract number(s):

Is this contract the result of a RFP or Bid process?
Yes ☐ No ☒ If yes, RFP and Bid number(s):
Contract Cost Center: 671100

Is this agreement excluded from E-Verify? No ☐ Yes ☒
If no, include Attachment D Contractor Declaration form.

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

Contract Amount:(sum of original contract amount and any prior amendments):
$ 168,339

This Amendment Amount:

$ 0

Total Amended Amount:
$ 168,339

Summary of Scope: This contract provides funding to promote recovery and resilience to homeless individuals thru the provision of housing case management, shelter operations services and a community outreach team. The amendment adds a paragraph to clarify the terms and conditions of cost reimbursement. All other terms and requirements remain the same with no change to the total contract amount.

Term of Contract: One year
Expiration Date: 06/30/2018

Contract Routing:
1. Prepared by: pp Date: 1/11/2018
2. Attorney signoff: Date: 1/18/18
3. AS Finance reviewed: Date: 1/23/18
4. IT reviewed (if IT related):
5. Contractor signed:
6. Submitted to Exec.:
7. Council approved (if necessary):
8. Executive signed:
9. Original to Council:
MEMORANDUM

TO: Jack Louws, County Executive
FROM: Regina A. Delahunt, Director
RE: North Sound Behavioral Health Organization, Mental Health Block Grant
DATE: January 16, 2018

Enclosed are two (2) originals of a contract amendment between Whatcom County and the North Sound Behavioral Health Organization for your review and signature.

- **Background and Purpose**
  This contract provides funding to promote recovery and resilience to homeless individuals thru the provision of housing case management, shelter operations services and a community outreach team.

- **Funding Amount and Source**
  The original contract approved in October 2017 is funded with federal Mental Health Block Grant dollars via the North Sound Behavioral Health Organization in the amount of $168,339. The contract term is July 1, 2017 to June 30, 2018. Council approval is required per RCW 39.34.020(2) for agreements between public agencies.

- **Differences from Previous Contract**
  There is no change to the total contract amount. The amendment adds a paragraph to clarify the terms and conditions of cost reimbursement. All other terms and requirements remain the same.

Please contact Anne Deacon at extension 6054, if you have any questions or concerns regarding the terms of this agreement,

Encl.
NORTH SOUND BEHAVIORAL HEALTH ORGANIZATION, LLC (NORTH SOUND BHO)

CONTRACT AMENDMENT

CONTRACT #NORTH SOUND BHO-WHATCOM CO-MHBG-17-18 AMD 1

Amendment 1

Based on the Agreement of the parties the above-referenced Contract between the NORTH SOUND BEHAVIORAL HEALTH ORGANIZATION, LLC (North Sound BHO) and WHATCOM COUNTY HUMAN SERVICES (Contractor) dated October 11, 2017, is hereby amended as follows:

The purpose of this amendment is to add a maximum consideration amount of $168,339 to be paid to Whatcom County Human Services for services under this contract and to clarify the terms and conditions of cost reimbursement.

By mutual agreement of the parties, the following language is added to Exhibit A – Statement of Work:

Consideration
The consideration to be paid by North Sound BHO for the work to be provided by Contractor pursuant to this Contract shall not exceed $168,339. Payment for services will be based on cost reimbursement of actual expenditures plus an additional 15 percent of actual costs for indirect overhead based on actual costs while performing services under this contract. Actual expenditures will include operating income not to exceed the approved budget amount. Operating income will be part of the actual expenditures. Any MHBG funds obligated under this contract which are not expended by June 30, 2018, may not be used or carried forward to any other Contract and lapse June 30, 2018. Final billing under this contract must be submitted by August 1, 2018.

ALL TERMS AND CONDITIONS OF CONTRACT SHALL REMAIN IN FULL FORCE AND EFFECT.

THIS AMENDMENT IS EXECUTED BY THE PERSONS SIGNING BELOW, WHO WARRANT THAT THEY HAVE THE AUTHORITY TO EXECUTE THIS AMENDMENT.

THIS AMENDMENT SHALL BECOME EFFECTIVE ON THE DATE OF FINAL SIGNATURE BY THE PARTIES.

NORTH SOUND BEHAVIORAL HEALTH ORGANIZATION, LLC

[Signature]
Joe Valentine
Executive Director

Date

WHATCOM COUNTY HUMAN SERVICES

[Signature]
Regina Delahunt
Director

Date

County Authorities Executive Committee Approved 6/8/17, Motion #17-49

Page 1 of 1
WHATCOM COUNTY

JACK LOUWS
County Executive

STATE OF WASHINGTON )
COUNTY OF WHATCOM )

On this _______ day of _____________________, 2016, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at Bellingham.

My Commission expires: _____________________

APPROVED AS TO FORM

Royce Buckingham, Deputy Prosecuting Attorney

Date 1/12/18
### WHATCOM COUNTY COUNCIL AGENDA BILL

**NO.** AB2018-057

<table>
<thead>
<tr>
<th>CLEARANCES</th>
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<td>2/13/2018</td>
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<td>Sam Ryan</td>
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<tr>
<td>Jack Louws</td>
<td></td>
<td>1-21-19</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### RECEIVED

**JAN 24 2018**

WHATCOM COUNTY COUNCIL

### TITLE OF DOCUMENT:

An emergency interim ordinance repealing Ordinance No. 2017-057 and adopting amendments to the Whatcom County Comprehensive Plan and the Whatcom County Code Title 15 Buildings and Construction, Title 20 Zoning, Title 21 Land Division Regulations, and Title 24 Health Code, relating to water resources and implementing ESSB 6091.

### ATTACHMENTS:

- Memorandum
- Draft Ordinance
- ESSB 6091

### SEPA review required? (x) Yes ( ) NO

### SEPA review completed? (x) Yes ( ) NO

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

Requested Date: 2/13/2018

### 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.)

An emergency interim ordinance repealing Ordinance No. 2017-057 and adopting amendments to the Whatcom County Comprehensive Plan and the Whatcom County Code Title 15 Buildings and Construction, Title 20 Zoning, Title 21 Land Division Regulations, and Title 24 Health Code, relating to water resources and implementing ESSB 6091.

### COMMITTEE ACTION:

### COUNCIL ACTION:

<table>
<thead>
<tr>
<th>Related County Contract #:</th>
<th>Related File Numbers:</th>
<th>Ordinance or Resolution Number:</th>
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<tr>
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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](http://www.co.whatcom.wa.us/council).
Memorandum

TO: The Honorable Jack Louws, Whatcom County Executive
    The Honorable Whatcom County Council
FROM: Mark Personius, Assistant Director
DATE: January 23, 2018
SUBJECT: Emergency 60-Day Ordinance – Water Resources

In response to the state legislature approving ESSB 6091, providing a long-term solution to the Hirst decision, staff has prepared an emergency ordinance relating to the use of permit exempt water withdrawals for development purposes. This has been prepared as an emergency ordinance so that the County can immediately comply with state law and process development permit applications dependent upon permit exempt wells consistent with the new law. Staff recommends that you adopt it on January 30, 2018 and schedule it for a public hearing on February 13, 2018. Staff would then prepare a final, permanent ordinance similar to this one to take through our standard public review and approval process within the next 60 days, prior to final GMA compliance proceedings before the Growth Management Hearings Board (GMHB Case No. 12-2-0013).

This ordinance differs from the previous interim water resources ordinances in that, pursuant to ESSB 6091, hydrogeologic instream flow impairment analyses and mitigation are no longer required for new groundwater withdrawal applications. An applicant in WRIA 1 may now obtain approval for a groundwater withdrawal (a well) exempt from permitting under RCW 90.44.050 for domestic use only, with a maximum annual average withdrawal of three thousand gallons per day per connection. They must also pay a fee of $500 dollars ($350 of which the County must forward to the Department of Ecology), and must record any relevant restrictions or limitations associated with water supply with the property title.

ESSB 6091 also contains provisions that immediately add to the County’s watershed management work plan. The most noteworthy is that it directs the Department of Ecology to work with the initiating governments and the planning units described in chapter 90.82 RCW to update the WRIA 1 Watershed Management Plan by February 1, 2019 to identify the potential impacts of exempt well use, identify evidence-based conservation measures, and identify projects to improve watershed health. The Watershed Management Plan Update must include recommendations for projects and actions that will measure, protect, and enhance instream resources and improve watershed functions that support the recovery of threatened and endangered salmonids.

Attachments: Draft Ordinance, Proposed Amendments
ORDINANCE NO. 2018-00

AN EMERGENCY INTERIM ORDINANCE REPEALING ORDINANCE NO. 2017-057 AND ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION REGULATIONS, AND TITLE 24 HEALTH CODE, RELATING TO WATER RESOURCES

WHEREAS, RCW 36.70A.070(1), requires that the land use element of a county comprehensive plan “shall provide for protection of the quality and quantity of groundwater used for public water supplies”; and,

WHEREAS, RCW 36.70A.070(5)(c)(iv) requires that the rural element of a county comprehensive plan “shall include measures that apply to rural development and protect the rural character of the area, as established by the County, by: ... protecting critical areas...and surface water and groundwater resources”; and,

WHEREAS, RCW 19.27.097(1) requires that applicants for building permits of buildings necessitating potable water provide evidence of an adequate water supply for the intended use of the building; and,

WHEREAS, RCW 58.17.110(2) requires that “A proposed subdivision and dedication shall not be approved unless the... county legislative body makes written findings that... appropriate provisions are made for... potable water supplies...”; and,

WHEREAS, Whatcom County Code (WCC) Chapter 15.04 specifies information required for a complete building permit application; and,

WHEREAS, WCC Chapter 20.97 provides definitions of terms used in the code; and

WHEREAS, WCC Chapters 21.04 and 21.05 contain requirements for water supply in short subdivisions and long subdivisions, respectively; and,

WHEREAS, WCC Chapter 24.11 contains requirements for potable water; and,

WHEREAS, Whatcom County adopted Ordinance 2012-032, amending its Comprehensive Plan to adopt by reference existing development regulations regulating groundwater withdrawals, adding Policy 2DD-2.C.3.6, which adopts by reference WCC 21.04.090 and 21.05.080, and Policy 2DD-2.C.3.7, which adopts by reference WCC 24.11.050 and 24.11.060; and,

WHEREAS, because Comprehensive Plan Policy 2DD-2.C.3.6 adopts by reference WCC 21.04.090 and 21.05.080, and Policy 2DD-2.C.3.7 adopts by reference WCC 24.11.050 and 24.11.060, any amendments to these WCC provisions are also amendments to the Comprehensive Plan; and,
WHEREAS, the Growth Management Hearings Board (Board) found the amended Comprehensive Plan lacked the required measures to protect water resources (GMHB Case No. 12-2-0013); and,

WHEREAS, on October 6, 2016, the Washington State Supreme Court (Court), in reversing a Court of Appeals decision, upheld the Board's decision that the County's Comprehensive Plan does not satisfy the GMA requirements to protect water availability, and stated, "We hold that the Board properly concluded that the GMA requires counties to make determinations of water availability."

WHEREAS, the Court stated, "...the GMA places the burden on counties to protect groundwater resources, and requires counties to assure that water is both factually and legally available before issuing building permits."; and,

WHEREAS, the Court stated, "...The county's policies incorporate WCC provisions that do not allow water to be withdrawn from 'an area where [the Department of Ecology] has determined by rule that water for development does not exist.' ...these ordinances further provide that an application for a permit-exempt appropriation will be approved without any analysis of that withdrawal's impact on instream flows. The Board found that these provisions result in water withdrawals from closed basins and senior instream flows—flows that the record indicated drop below the minimum levels 100 days out of the year. The Board properly held that this conflicts with the requirement placed on counties to protect water availability under the GMA..."; and,

WHEREAS, Chapter 173-501 WAC Instream Resources Protection Program – Nooksack Water Resource Inventory Area (WRIA) 1 identifies waterbodies in Whatcom County that are closed or partially closed to further appropriation, by listing their status as "closure," "partial year closure," "low flow," or "minimum flow;" and,

WHEREAS, on October 25, 2016 Whatcom County adopted Ordinance 2016-048, an emergency moratorium on the filing, acceptance, and processing of new applications for project permits for uses that rely on permit-exempt groundwater withdrawals within a closed or partially closed basin, to allow the County time to review its Comprehensive Plan and development regulations in light of the Supreme Court ruling, and to draft and enact the necessary amendments as soon as feasible; and,

WHEREAS, RCW 36.70.790 and RCW 36.70.795 allow for adoption of interim official controls as long as a public hearing is held within 60 days of adoption; and,

WHEREAS, on December 6, 2016 the County Council adopted Ordinance 2016-066, an interim ordinance adopting amendments to the Whatcom County Comprehensive Plan and WCC Title 15, Title 20, Title 21, and Title 24 relating to water resources, which is effective until March 18, 2017, and the County has applied the provisions of the ordinance to project permit applications relying on new permit-exempt groundwater withdrawals; and,

WHEREAS, on March 7, 2017 the County Council adopted Ordinance 2017-008, a second interim ordinance; and,
WHEREAS, on April 18, 2017 the County Council adopted Ordinance 2017-008, a third interim ordinance; and,

WHEREAS, on October 10, 2017, the County Council adopted Ordinance 2017-057, a fourth interim ordinance, which is effective until March 30, 2018; and,

WHEREAS, on January 18, 2018, the Washington State Legislature adopted ESSB 6091, which requires the Department of Ecology to work with the initiating governments and the planning unit in WRIA I to review existing watershed plans to identify the potential impacts of exempt well use, identify evidence-based conservation measures, and identify projects to improve watershed health. Until rules are adopted that specify otherwise, Section 202(5), which effectively reverses the Court’s decision in Hirst, allows new domestic water uses in WRIA 1 that rely on groundwater withdrawals exempt from permitting under RCW 90.44.050, provided that applicants pay a fee of five hundred dollars to the permitting authority and limit their maximum annual average withdrawal of three thousand gallons per day, per connection, and record this limitation on the property title; and,

WHEREAS, the amendments proposed by this ordinance are consistent with the aforementioned requirements of ESSB 6091 and are therefore consistent with the GMA, as specifically addressed in Section 102 of ESSB 6091; and,

WHEREAS, ESSB 6091 was signed by Governor Inslee on January 19, 2018, and, pursuant to the emergency clause in Section 307, it became effective immediately as the Legislature declared that it was “necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing institutions...”; and,

WHEREAS, with the enactment of ESSB 6091, Ordinance No. 2017-057 is no longer necessary to ensure that Whatcom County is in compliance with state law; and,

WHEREAS, pursuant to Section 2.40 of the Whatcom County Charter, an emergency ordinance “necessary for the immediate preservation of the public peace, health, or safety or support of the County government and its existing institutions” may be passed by a two-thirds vote of the County Council and then take effect immediately upon the approval of the County Executive; and,

WHEREAS, an ordinance adopted pursuant to Section 2.40 of the County Charter shall expire as of the sixty-first day following the date on which the ordinance became law; and,

WHEREAS, it is necessary for this ordinance to take effect immediately in order for property owners to be allowed to proceed with their development plans forthwith and thus obtain relief from the impacts of Hirst; and,

WHEREAS, in accordance with RCW 36.70A.106, Whatcom County Planning and Development Services notified the Department of Commerce of the proposed emergency interim amendments contained herein; and,

WHEREAS, the County Council is scheduled to hold a public hearing on this ordinance on February 13, 2018;
NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council adopts the above "WHEREAS" recitals as findings of fact in support of its action as required by RCW 36.70A.390.

BE IT FURTHER ORDAINED that Ordinance No. 2017-057 is hereby repealed in its entirety upon the effective date of this ordinance.

BE IT FURTHER ORDAINED that the Whatcom County Council finds that a public emergency exists due to the impact the Hirst decision has had on many rural property owners and their ability to develop their land; therefore, this ordinance shall take effect immediately and shall expire as of the sixty-first (61st) day following the date on which this ordinance becomes law, unless previously repealed or extended.

BE IT FURTHER ORDAINED that if a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance, and if the provisions of this ordinance are found to be inconsistent with other provisions of the Whatcom County Code, this ordinance shall control.

BE IT FURTHER ORDAINED by the Whatcom County Council that the Whatcom County Comprehensive Plan and the Whatcom County Code are hereby amended, on an interim basis, as shown in Exhibit A.

ADOPTED this ________ day of ______________, 2018.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

______________________________

Dana Brown-Davis, Council Clerk

______________________________

Rud Brown, Chairperson

APPROVED as to form:

______________________________

Civil Deputy Prosecutor

______________________________

Jack Louws, Executive

( ) Approved    ( ) Denied

Date: _______________________

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EXHIBIT A
Whatcom County Code
AMENDMENTS

TITLE 15 BUILDINGS AND CONSTRUCTION
CHAPTER 15.04 BUILDING CODES

15.04.020 Amendments to the International Building Code.
A. The IBC is amended as follows:

5. Section 105.3, Application for Permit, is amended to include the following:
To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished by the Department of Building Safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 107.

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant’s authorized agent.

7. Include signature by the applicant or the applicant’s authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.

8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued septic system permit shall be specific to the project application.

9. For buildings requiring potable water, provide evidence of an adequate water supply (as defined in WCC 20.97.451) for the intended use of the building(s).
10. Provide additional data and information in the designated sequence, as required by the Building Official.

15.04.030 Amendments to the International Residential Code.

D. Section R105.3, Application for permit, is amended to include the following:

To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished by the Department of Building Safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 107.

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant’s authorized agent.

7. Include signature by the applicant or the applicant’s authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.

8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued system permit shall be specific to the project application.

9. **For buildings requiring potable water provide evidence of an adequate water supply (as defined in WCC 20.97.451) for the intended use of the building(s).**

10. Provide additional data and information in the designated sequence, as required by the Building Official.
TITLE 20 ZONING

CHAPTER 20.84 VARIANCES, CONDITIONAL USES, ADMINISTRATIVE APPROVAL USES AND APPEALS

20.84.200 Conditional uses.

20.84.220 Criteria.
Before approving an application for a conditional use permit, the hearing examiner shall ensure that any specific standards of the use district defining the conditional use are fulfilled, and shall find adequate evidence showing that the proposed conditional use at the proposed location:

(5) Will be serviced adequately by necessary public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, adequate water supply (as defined in WCC 20.97.451), and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

CHAPTER 20.97 DEFINITIONS

20.97.451 Water Supply, Adequate
"Adequate water supply" means a supply of potable water adequate to serve a land use associated with a project permit in terms of quality, quantity, and legal availability, as documented by a water availability notification signed by the director of the Whatcom County Health Department, per WCC 24.11.060.

TITLE 21 LAND DIVISION REGULATIONS

CHAPTER 21.04 SHORT SUBDIVISIONS

21.04.090 Water supply.
(1) Water from a public water system(s) shall be provided to serve each lot in a short plat, except as specified in subsection (2) of this section.
(2) For a residential short subdivision, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of the short subdivision shall not exceed one dwelling per five acres; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional groundwater contamination that exceeds state standards and that has been identified by the director of the Whatcom County Health Department and confirmed by the Health Board; and

(c) The water source is groundwater and not surface water; and

(d) The applicant demonstrates that an adequate water supply (as defined in WCC 20.97.451) exists to serve the short subdivision; and

(e) The short subdivision is not located within the designated water service area of a public water purveyor, as shown on the coordinated water system plan map, or within one-half mile of an existing water purveyor’s water line; or

(f) If the short subdivision is located within the designated water service area of a public water purveyor, that as is shown on the coordinated water system plan map, or within one-half mile of an existing water purveyor’s water lines and:

(i) The purveyor cannot provide water service to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the Hearing Examiner or County Council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.


CHAPTER 21.05 PRELIMINARY LONG SUBDIVISIONS

21.05.080 Water supply.
(1) Water from a public water system(s) shall be provided to serve each lot in a subdivision, except as specified in subsection (2) of this section.

(2) For a residential subdivision with six or fewer residences, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of
the subdivision shall not exceed one dwelling per five acres and the number of clustered lots shall not exceed four; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional ground water contamination that exceeds state standards and that has been identified by the director of the Whatcom County Health Department and confirmed by the Health Board; and

(c) The water source is groundwater and not surface water; and

(d) The short subdivision is not located within the designated water service area of a public water purveyor, as shown on the coordinated water system plan map, or within one-half mile of an existing water purveyor’s water line; or

(e) The subdivision is located within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor’s water lines and:

(i) The purveyor water cannot be provided water service to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the hearing examiner or county council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) The applicant shall demonstrate that adequate water supply (as defined in WCC 20.97.451) exists to serve the subdivision, except when water withdrawal is exempt from obtaining a water right permit under RCW 90.44.050.

(4) If a Group B public water system is created to serve the subdivision, the number of wells shall be limited to the minimum needed to serve the water needs of the subdivision as determined by the Whatcom County Health Department.

(5) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.

TITLE 24 HEALTH CODE
CHAPTER 24.11 DRINKING WATER

24.11.050 General requirements.
A. Applicants must submit all required forms, letters, and documents to the director.
B. The director will consider applications for water availability proposing to use groundwater, spring water, surface water, sea water or rainwater.

C. The director shall evaluate the availability of a public water system prior to approving the use of a private water system. If it is determined that a public water system is available and willing to provide water, the applicant must connect to that public water system when:

1. The applicant proposes to use surface water, spring water, rainwater, or contaminated groundwater; or
2. The applicant proposes to build on a lot located in a short subdivision or long subdivision that Whatcom County approved based on the availability of public water; or
3. The existing public water system has water lines adjacent to the property line of the applicant and connection is consistent with RCW 36.70A.110(4); or
4. The existing public water system has defined a “service area boundary” in accordance with the Whatcom County Coordinated Water System Plan which includes the property of the applicant.

D. The director will only approve a private or Non Group B 2 party well for proposed short subdivisions or long subdivisions when analytical results of untreated water samples for primary inorganic or organic contaminants do not exceed a maximum contaminate level (MCL) adopted by Washington State Department of Health.

E. Surveyors of public water systems and private water system applicants must comply with Washington State Department of Ecology water right requirements and must demonstrate that they have an adequate water supply for their proposed service per WCC 24.11.060. Compliance will include at a minimum, possession of a water right permit or certificate for:

1. All surface water sources excluding seawater.
2. All groundwater sources using more than 5,000 gallons per day.
3. Irrigating more than one-half acre of lawn or noncommercial garden.

24.11.060 Water availability required.

Prior to issuance of a building permit or other project permits, the applicant must provide Whatcom County Planning and Development Services evidence of adequate water supply as documented by a water availability notification signed by the director, to Whatcom County planning and development services (PDS) except when: The water availability notification shall document a supply of potable water adequate to serve a land use associated with a project permit in terms of quality, quantity, and legal availability.

A. The applicant must provide evidence of legal availability in the form of:

1. A water right permit from the Department of Ecology, or
2. A letter from an approved public water purveyor with sufficient water rights, stating the ability to provide water, or
3. Documentation that water can be supplied by a rainwater catchment system approved by the Whatcom County Health Department, per Department of Ecology Policy 1017.

4. Documentation that water will be supplied by a new withdrawal exempt from permitting under RCW 90.44.050 and the well site is located in WRIA 3 (Lower Skagit-Samish) or in Point Roberts, Eliza Island, or Lummi island, as shown in Figure 24.11.060.

B. For new permit-exempt groundwater withdrawals per RCW 90.44.050, within WRIA 1 (Nooksack), but not in Point Roberts, Eliza Island, or Lummi Island, the applicant:

1. May obtain approval for a withdrawal exempt from permitting under RCW 90.44.050 for domestic use only, with a maximum annual average withdrawal of three thousand gallons per day per connection.

2. Shall record any relevant restrictions or limitations associated with water supply with the property title; and

3. Shall pay to the permitting authority any applicable fees for each project permit.

C. A water availability notification is not required for:

1. A building: A project permit that does not require potable water.

2. A project permit relying on a permit-exempt groundwater withdrawal per RCW 90.44.050 for (a) a remodel of an existing building or (b) replacement of a demolished or removed building, but not proposing a change of use; however, such permits shall require documentation of current water quality and quantity, as approved by the director. A residential remodeling does not add additional bedrooms or result in an increase of floor space of more than 50 percent.

3. A project permit relying on surface water withdrawal for potable water for (a) a remodel of an existing building or (b) replacement of a demolished or removed building, either of which would increase the floor area by no more than 50 percent over that of the existing building; however, such permits shall require documentation of current water quality and quantity, as approved by the director. PDS determines that the building will replace a demolished or removed building and the building will not have more bedrooms or more than 50 percent greater floor space than the previous building.
24.11.070 Determining adequacy of water supply for building permit applications proposing to use an existing public water system.
A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to obtain water from an existing public water system the applicant must:
   1. Submit to the director, an Availability Notification for Public Water form (as amended) signed by an authorized representative of the water system proposing to serve water to the building. The authorized representative:
      a. Must indicate on the form that the water system will provide water to the proposed building.
      b. Must sign a statement that they have reviewed the system records and ensures that the water system complies with Chapters 246-290 and 246-291 WAC and department requirements.
B. The director will review the completed Availability Notification for Public Water (form) for approval. The director will approve the completed form if:
   1. The applicant and the authorized representative met all the criteria listed on the form.
   2. The purveyor of the water system has the approval from Department of Health or the department to provide water to the building.
   3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060.

24.11.080 Determining adequacy of water supply for building permit applications proposing to create a new public water system.
Prior to director approval of evidence of an adequate water supply, an applicant proposing to create a new public water system must comply with:
A. Provisions of the Whatcom County Coordinated Water System Plan.
B. Chapters 246-290 and 246-291 WAC, and all other applicable local and state regulations for public water supplies.
C. The applicable sections of this chapter pertaining to public water supplies and water availability.

24.11.090 Determining adequacy of water supply for building permit applications proposing to use a well to serve one single-family dwelling or one single-family living unit.
A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a private well, the applicant must:
   1. Notify the director of the intent to use a well.
   2. Request that the director conduct a site inspection and approve the proposed well site.
B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.
C. If the director approves the well location the applicant shall submit a completed Water Availability Notification Private – 1 Home Well form (as amended) and all required documents to the director for approval.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a private well, the applicant must submit a completed Water Availability Notification Private—1 Home Well form (as amended) and all required documents to the director for approval.

BD. The director will review the completed form and required documents submitted by the applicant for approval. The director will approve the form if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.

24.11.100 Determining adequacy of water supply for building permit applications proposing to use a well to serve two single-family dwellings or two single-family living units.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a well to serve two single-family dwellings or two single-family living units, the applicant must:

1. Notify the director of the intent to use a well or wells.
2. Request that the director conduct a site inspection and approve the proposed well sites.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

C. If the director approves the well locations the applicant shall submit a completed Water Availability Notification Non-Group B – 2 Home Well form (as amended) and all required documents for each well to the director for approval.

D. The director will review the completed form and required documents submitted by the applicant for approval. The director will approve the form if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.
24.11.110 Determining adequacy of water supply for building permit applications proposing to use a spring to serve one single-family dwelling unit or one single-family living unit.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a spring source, the applicant must:

1. Notify the director of the intent to use a spring.

2. Provide information to the director showing that they cannot drill an adequate well on their property.

3. Request that the director conduct a site inspection and approve the proposed location of the spring.

B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director does not approve the location the director will deny the application and give the reason for denial.

C. If the director approves the location of the spring the applicant must submit a completed Water Availability Notification Private – 1 Home Spring form (as amended) and all required documents for approval by the director.

D. The director will review the completed form and required documents for approval. The director will approve the application if:

1. The applicant met all the criteria listed on the form.

2. The applicant submitted all of the required documents.

3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The spring site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.

24.11.120 Determining adequacy of water supply for building permit applications proposing to use a spring to serve two single-family dwelling units or two single-family living units.

A. Prior to director approval of evidence of an adequate water supply where the applicant proposes to use a spring source, the applicant must:

1. Notify the director of the intent to use a spring.

2. Provide information to the director showing that an adequate well cannot be drilled on their property.

3. Request that the director conduct a site inspection and approve the proposed location of the spring.
B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director does not approve the location, the director will deny the application and give the reasons for denial.

C. If the director approves the location of the spring the applicant must submit a completed Water Availability Notification – 2 Home Spring form (as amended) and all required documents for approval by the director.

D. The director will review the completed form and required documents for approval. The director will approve the application if:

1. The applicant met all the criteria listed on the form.
2. The applicant submitted all of the required documents.
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The spring or spring sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.

24.11.130 Determining adequacy of water supply for building permit applications proposing to use surface water, sea water, or rainwater for one or two single-family dwelling units or two single-family living units.

A. The director shall not approve use of surface water, sea water, or rainwater as evidence of an adequate water source unless the applicant:

1. Cannot obtain water from an existing public water supply.
2. Cannot use an approved source of groundwater from a well.
3. Could only use contaminated groundwater.

B. Prior to director approval of evidence of adequate water supply the applicant must:

1. Meet all applicable requirements for surface water, sea water or rainwater treatment design, maintenance and operation contained in Whatcom County health and human services Water Availability for a Private Surface Water Source (as amended) Notification as determined by the director.
2. Provide evidence of legal availability of water for the proposed project per WCC 24.11.060. The surface water site proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.
3. Meet all other state and local regulations.
4. Sign and have recorded with the Whatcom County auditor’s office the following documents:
   a. A document stating which contaminate the untreated source water exceeded.
b. A document stating that the applicant has had a water treatment system designed that meets Whatcom County health and human services Water Availability Approval for a Surface Water Source (as amended), and secures a potable water supply for the building.

c. A document stating that the applicant has installed a treatment system according to the design reviewed by the director and treated water sample results that verify system performance.

d. A document stating that the applicant agrees to adhere to the operation, maintenance, and monitoring plan for the designed treatment system.

e. A document stating that the applicant understands that the obligation to comply with treatment system design, installation, operation and monitoring lies with the applicant and not Whatcom County.

f. When the public system is available, any person obtaining water from contaminated source must provide current test results showing water treatment is adequately maintaining water quality below maximum contaminant levels (MCL). If the quality does not meet the MCL, the applicant is required to hook up to a public system.

24.11.140 Determining adequacy of water supply for short subdivisions, long subdivisions or binding site plans proposing to use an existing public water system.

A. Prior to director approval of availability of an adequate water supply where the applicant proposes to obtain water from an existing public water supply to service lots of a short subdivision, long subdivision, or a binding site plan the applicant must:

1. Provide to the director an Availability Notification for Public Water (as amended) form or a letter signed by an authorized representative of the water system proposing to serve water to each lot. The authorized representative of the public water system:

   a. Must indicate that the water system will provide water to each proposed lot.

   b. Must sign a statement that they have reviewed the system records and ensures that the water system is in compliance with Chapters 246-290 and 246-291 WAC and department requirements.

B. The director will review the completed form or letter to determine the availability of adequate water. The director will make a determination of adequate water when:

1. The applicant and the authorized representative meet all the criteria listed on the form.

2. The purveyor of the water system has the approval from Department of Health or the department to provide water to the short subdivision, long subdivision, or binding site plan, except for Group A water systems the following conditions also apply:

   a. DOH has issued a green operating permit to the purveyor; or

   b. DOH has determined that the purveyor significantly complies with Chapter 246-290 WAC
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060.

24.11.150 Determining adequacy of water supply for short subdivisions, long subdivisions or binding site plans proposing to use a new public water system.
Prior to director approval of availability of an adequate water supply where the applicant proposes to create a new public water supply to service lots of a short subdivision, long subdivision, or a binding site plan the applicant must comply with:
A. Provisions of the Whatcom County Coordinated Water System Plan.
B. Chapters 246-290 and 246-291 WAC, and all other applicable local and state regulations for public water supplies.
C. The applicable sections of this chapter pertaining to public water supplies and water availability.

24.11.160 Determining adequacy of water supply for short subdivisions or long subdivisions proposing to use a private well or private wells to serve one single-family dwelling or one single-family living unit.
A. Prior to director approval of availability of an adequate water supply where the applicant proposes to use a private well or private wells to service lots of a short subdivision or long subdivision the applicant must:
   1. Notify the director of the intent to use a private well or wells.
   2. Request that the director conduct a site inspection and approve the proposed well sites.
B. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.
C. If the director approves the well locations the applicant shall submit a completed Subdivision Water Availability form (as amended) and all required documents for each well to the director for approval.
D. The director will review each completed form and required documents for approval. The director will approve the availability of adequate water when:
   1. The applicant met all the criteria listed on the form.
   2. The applicant submitted all of the required documents.
3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site or well sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.
24.11.170 Determining adequacy of water supply for short subdivisions or long subdivisions proposing to use a well to serve two single-family dwellings or two single-family living units.
A. The applicant shall create a Group B Public water supply as defined in Chapter 246-291 WAC when WCC Title 21 requires the applicant to provide public water service to each lot. This includes a water system where one well services two lots.

B. Prior to director approval of availability of an adequate water supply where the applicant proposes to use one well to service two lots of a short subdivision or long subdivision when public water is not required the applicant must:
   1. Notify the director of the intent to use a well or wells.
   2. Request that the director conduct a site inspection and approve the proposed well sites.

C. Upon request from the applicant, the director will conduct a site inspection for the purpose of approving the location. If the director cannot approve a well location the director will deny the application and give the reasons for denial.

D. If the director approves the well locations the applicant shall submit a completed Subdivision Water Availability form (as amended) and all required documents for each well to the director for approval.

E. The director will review each completed form and required documents for approval. The director will approve the availability of adequate water when:
   1. The applicant met all the criteria listed on each of the forms.
   2. The applicant submitted all of the required documents.
   3. The applicant has provided evidence of legal availability of water for the proposed project per WCC 24.11.060. The well site or well sites proposed by the applicant does not fall within the boundaries of an area where DOE has determined by rule that water for development does not exist.
Strike everything after the enacting clause and insert the following:

"PART 1

Sec. 101. RCW 19.27.097 and 2015 c 225 s 17 are each amended to read as follows:

(1)(a) Each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. ((In addition to other authorities, the county or city may impose conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency.)) An application for a water right shall not be sufficient proof of an adequate water supply.

(b) In a water resource inventory area with rules adopted by the department of ecology pursuant to section 202 or 203 of this act and the following water resource inventory areas with instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW that explicitly regulate permit-exempt groundwater withdrawals, evidence of an adequate water supply must be consistent with the specific applicable rule requirements: 5 (Stillaguamish); 17 (Quilcene-Snow); 18 (Elwha-Dungeness); 27 (Lewis); 28 (Salmon-Washougal); 32 (Walla Walla); 45 (Wenatchee); 46 (Entiat); 48 (Methow); and 57 (Middle Spokane).

(c) In the following water resource inventory areas with instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW that do not explicitly regulate permit-exempt
groundwater withdrawals, evidence of an adequate water supply must be consistent with section 202 of this act, unless the applicant provides other evidence of an adequate water supply that complies with chapters 90.03 and 90.44 RCW: 1 (Nooksack); 11 (Nisqually); 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville).

(d) In the following water resource inventory areas with instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW that do not explicitly regulate permit-exempt groundwater withdrawals, evidence of an adequate water supply must be consistent with section 203 of this act, unless the applicant provides other evidence of an adequate water supply that complies with chapters 90.03 and 90.44 RCW: 7 (Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-Goldsborough); and 15 (Kitsap).

(e) In water resource inventory areas 37 (Lower Yakima), 38 (Naches), and 39 (Upper Yakima), the department of ecology may impose requirements to satisfy adjudicated water rights.

(f) Additional requirements apply in areas within water resource inventory area 3 (Lower Skagit-Samish) and 4 (Upper Skagit) regulated by chapter 173-503 WAC, as a result of Swinomish Indian Tribal Community v. Department of Ecology, 178 Wn.2d 571, 311 P.3d 6 (2013).

(g) In other areas of the state, physical and legal evidence of an adequate water supply may be demonstrated by the submission of a water well report consistent with the requirements of chapter 18.104 RCW.

(h) For the purposes of this subsection (1), "water resource inventory areas" means those areas described in chapter 173-500 WAC as of the effective date of this section.

(2) In addition to other authorities, the county or city may impose additional requirements, including conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency.

(3) Within counties not required or not choosing to plan pursuant to RCW 36.70A.040, the county and the state may mutually determine those areas in the county in which the requirements of subsection (1) of this section shall not apply. The departments of health and ecology shall coordinate on the implementation of this section.
Should the county and the state fail to mutually determine those areas to be designated pursuant to this subsection, the county may petition the department of enterprise services to mediate or, if necessary, make the determination.

((43)) (4) Buildings that do not need potable water facilities are exempt from the provisions of this section. The department of ecology, after consultation with local governments, may adopt rules to implement this section, which may recognize differences between high-growth and low-growth counties.

(5) Any permit-exempt groundwater withdrawal authorized under RCW 90.44.050 associated with a water well constructed in accordance with the provisions of chapter 18.104 RCW before the effective date of this section is deemed to be evidence of adequate water supply under this section.

NEW SECTION. Sec. 102. A new section is added to chapter 36.70A RCW to read as follows:

For the purposes of complying with the requirements of this chapter relating to surface and groundwater resources, a county or city may rely on or refer to applicable minimum instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW. Development regulations must ensure that proposed water uses are consistent with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW when making decisions under RCW 19.27.097 and 58.17.110.

NEW SECTION. Sec. 103. A new section is added to chapter 36.70 RCW to read as follows:

For the purposes of complying with the requirements of this chapter, county development regulations must ensure that proposed water uses are consistent with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW when making decisions under RCW 19.27.097 and 58.17.110.

Sec. 104. RCW 58.17.110 and 1995 c 32 s 3 are each amended to read as follows:

(1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine:

(a) If appropriate provisions are made for, but not limited to, the
public health, safety, and general welfare, for open spaces, drainage
ways, streets or roads, alleys, other public ways, transit stops,
portable water supplies, sanitary wastes, parks and recreation,
playgrounds, schools and schoolgrounds, and shall consider all other
relevant facts, including sidewalks and other planning features that
assure safe walking conditions for students who only walk to and from
school; and (b) whether the public interest will be served by the
subdivision and dedication.

(2) A proposed subdivision and dedication shall not be approved
unless the city, town, or county legislative body makes written
findings that: (a) Appropriate provisions are made for the public
health, safety, and general welfare and for such open spaces,
and/or drainage ways, streets or roads, alleys, other public ways, transit
stops, potable water supplies, sanitary wastes, parks and recreation,
playgrounds, schools and schoolgrounds and all other relevant facts,
including sidewalks and other planning features that assure safe
walking conditions for students who only walk to and from school; and
(b) the public use and interest will be served by the platting of
such subdivision and dedication. If it finds that the proposed
subdivision and dedication make such appropriate provisions and that
the public use and interest will be served, then the legislative body
shall approve the proposed subdivision and dedication. Dedication of
land to any public body, provision of public improvements to serve
the subdivision, and/or impact fees imposed under RCW 82.02.050
through 82.02.090 may be required as a condition of subdivision
approval. Dedications shall be clearly shown on the final plat. No
dedication, provision of public improvements, or impact fees imposed
under RCW 82.02.050 through 82.02.090 shall be allowed that
constitutes an unconstitutional taking of private property. The
legislative body shall not as a condition to the approval of any
subdivision require a release from damages to be procured from other
property owners.

(3) If the preliminary plat includes a dedication of a public
park with an area of less than two acres and the donor has designated
that the park be named in honor of a deceased individual of good
character, the city, town, or county legislative body must adopt the
designated name.

(4) If water supply is to be provided by a groundwater withdrawal
exempt from permitting under RCW 90.44.050, the applicant's
compliance with RCW 90.44.050 and with applicable rules adopted
pursuant to chapters 90.22 and 90.54 RCW is sufficient in determining
appropriate provisions for water supply for a subdivision,
dedication, or short subdivision under this chapter.

PART 2

NEW SECTION. Sec. 201. The definitions in this section apply
throughout this chapter unless the context clearly requires
otherwise.
(1) "Department" means the department of ecology.
(2) "Lead agency" has the same meaning as defined in RCW
90.82.060.
(3) "Water resource inventory area" or "WRIA" means a water
resource inventory area established in chapter 173-500 WAC as it
existed on the effective date of this section.

NEW SECTION. Sec. 202. (1) Unless requirements are otherwise
specified in the applicable rules adopted under this chapter or under
chapter 90.22 or 90.54 RCW, potential impacts on a closed water body
and potential impairment to an instream flow are authorized for new
domestic groundwater withdrawals exempt from permitting under RCW
90.44.050 through compliance with the requirements established in
this section.
(2) In the following water resource inventory areas with instream
flow rules adopted by the department under chapters 90.22 and 90.54
RCW that do not explicitly regulate permit-exempt groundwater
withdrawals and that have completed a watershed plan adopted under
chapter 90.82 RCW, the department shall work with the initiating
governments and the planning units described in chapter 90.82 RCW to
review existing watershed plans to identify the potential impacts of
exempt well use, identify evidence-based conservation measures, and
identify projects to improve watershed health: 1 (Nooksack); 11
(Nisqually); 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan);
55 (Little Spokane); and 59 (Colville).
(3) In the water resource inventory areas listed in subsection
(2) of this section, the lead agency shall invite a representative
from each federally recognized Indian tribe that has a usual and
accustomed harvest area within the water resource inventory area to
participate as part of the planning unit.
(4)(a) In collaboration with the planning unit, the initiating
governments must update the watershed plan to include recommendations
for projects and actions that will measure, protect, and enhance
instream resources and improve watershed functions that support the
recovery of threatened and endangered salmonids. Watershed plan
recommendations may include, but are not limited to, acquiring senior
water rights, water conservation, water reuse, stream gaging,
groundwater monitoring, and developing natural and constructed
infrastructure, which includes, but is not limited to, such projects
as floodplain restoration, off-channel storage, and aquifer recharge.
Qualifying projects must be specifically designed to enhance
streamflows and not result in negative impacts to ecological
functions or critical habitat.

(b) At a minimum, the watershed plan must include those actions
that the planning units determine to be necessary to offset potential
impacts to instream flows associated with permit-exempt domestic
water use. The highest priority recommendations must include
replacing the quantity of consumptive water use during the same time
as the impact and in the same basin or tributary. Lower priority
projects include projects not in the same basin or tributary and
projects that replace consumptive water supply impacts only during
critical flow periods. The watershed plan may include projects that
protect or improve instream resources without replacing the
consumptive quantity of water where such projects are in addition to
those actions that the planning unit determines to be necessary to
offset potential consumptive impacts to instream flows associated
with permit-exempt domestic water use.

(c) Prior to adoption of the updated watershed plan, the
department must determine that actions identified in the watershed
plan, after accounting for new projected uses of water over the
subsequent twenty years, will result in a net ecological benefit to
instream resources within the water resource inventory area.

(d) The watershed plan may include:

(i) Recommendations for modification to fees established under
this subsection;

(ii) Standards for water use quantities that are less than
authorized under RCW 90.44.050 or more or less than authorized under
subsection (5) of this section for withdrawals exempt from
permitting;
(iii) Specific conservation requirements for new water users to be adopted by local or state permitting authorities; or
(iv) Other approaches to manage water resources for a water resource inventory area or a portion thereof.
(e) Any modification to fees collected under subsection (5) of this section or standards for water use quantities that are less than authorized under RCW 90.44.050 or more or less than authorized under subsection (5) of this section for withdrawals exempt from permitting may not be applied unless authorized by rules adopted under this chapter or under chapter 90.54 RCW.
(5) Until an updated watershed plan is approved and rules are adopted under this chapter or chapter 90.54 RCW, a city or county issuing a building permit under RCW 19.27.097(1)(c), or approving a subdivision under chapter 58.17 RCW in a watershed listed in subsection (2) of this section must:
(a) Record relevant restrictions or limitations associated with water supply with the property title;
(b) Collect applicable fees, as described under this section;
(c) Record the number of building permits issued under chapter 19.27 RCW or subdivision approvals issued under chapter 58.17 RCW subject to the provisions of this section;
(d) Annually transmit to the department three hundred fifty dollars of each fee collected under this subsection;
(e) Annually transmit an accounting of building permits and subdivision approvals subject to the provisions of this section to the department;
(f) Until rules have been adopted that specify otherwise, require the following measures for each new domestic use that relies on a withdrawal exempt from permitting under RCW 90.44.050:
(i) An applicant shall pay a fee of five hundred dollars to the permitting authority;
(ii) An applicant may obtain approval for a withdrawal exempt from permitting under RCW 90.44.050 for domestic use only, with a maximum annual average withdrawal of three thousand gallons per day per connection.
(6) Rules adopted under this chapter or under chapter 90.54 RCW may:
(a) Rely on watershed plan recommendations and procedures established in this section to authorize new withdrawals exempt from
permitting under RCW 90.44.050 that would potentially impact a closed
waterbody or a minimum flow or level;
(b) Rely on projects identified in the watershed plan to offset
consumptive water use; and
(c) Include updates to fees based on the planning unit's
determination of the costs for offsetting consumptive water use.
(7)(a) If a watershed plan that meets the requirements of this
section is not adopted in water resource inventory area 1 (Nooksack)
by February 1, 2019, the department must adopt rules for that water
resource inventory area that meet the requirements of this section by
August 1, 2020.
(b) If a watershed plan that meets the requirements of this
section is not adopted in water resource inventory area 11
(Nisqually) by February 1, 2019, the department must adopt rules for
that water resource inventory area that meet the requirements of this
section by August 1, 2020.
(c) The department must adopt rules that meet the requirements of
this section for any of the following water resource inventory areas
that do not adopt a watershed plan that meets the requirements of
this section by February 1, 2021: 22 (Lower Chehalis); 23 (Upper
Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville).
(8) This section only applies to new domestic groundwater
withdrawals exempt from permitting under RCW 90.44.050 in the
following water resource inventory areas with instream flow rules
adopted under chapters 90.22 and 90.54 RCW that do not explicitly
regulate permit-exempt groundwater withdrawals: 1 (Nooksack); 11
(Nisqually); 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan);
55 (Little Spokane); and 59 (Colville) and does not restrict the
withdrawal of groundwater for other uses that are exempt from
permitting under RCW 90.44.050.

NEW SECTION. Sec. 203. (1) Unless requirements are otherwise
specified in the applicable rules adopted under this chapter or
chapter 90.22 or 90.54 RCW, potential impacts on a closed water body
and potential impairment to an instream flow are authorized for new
domestic groundwater withdrawals exempt from permitting under RCW
90.44.050 through compliance with the requirements established in
this section.
(2)(a) In the following water resource inventory areas with
instream flow rules adopted by the department under chapters 90.22
and 90.54 RCW that do not explicitly regulate permit-exempt
groundwater withdrawals and that have either not adopted a watershed
plan, or adopted a partial watershed plan, under chapter 90.82 RCW,
the department shall establish watershed restoration and enhancement
committees in the following water resource inventory areas: 7
(Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-
White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-
Goldsborough); and 15 (Kitsap).

(b) The department shall chair the watershed restoration and
enhancement committee and invite the following entities to
participate:

(i) A representative from each federally recognized Indian tribe
that has reservation land within the water resource inventory area;
(ii) A representative from each federally recognized Indian tribe
that has a usual and accustomed harvest area within the water
resource inventory area;
(iii) A representative from the department of fish and wildlife,
appointed by the director of the department of fish and wildlife;
(iv) A representative designated by each county within the water
resource inventory area;
(v) A representative designated by each city within the water
resource inventory area;
(vi) A representative designated by the largest irrigation
district within the water resource inventory area;
(vii) A representative designated by the largest publicly owned
water purveyor providing water within the water resource inventory
area that is not a municipality;
(viii) A representative designated by a local organization
representing the residential construction industry within the water
resource inventory area;
(ix) A representative designated by a local organization
representing environmental interests within the water resource
inventory area; and
(x) A representative designated by a local organization
representing agricultural interests within the water resource
inventory area.

(3) By June 30, 2021, the department shall prepare and adopt a
watershed restoration and enhancement plan for each watershed listed
under subsection (2)(a) of this section, in collaboration with the
watershed restoration and enhancement committee. Except as described
in (h) of this subsection, all members of a watershed restoration and
enhancement committee must approve the plan prior to adoption.

(a) The watershed restoration and enhancement plan should include
recommendations for projects and actions that will measure, protect,
and enhance instream resources and improve watershed functions that
support the recovery of threatened and endangered salmonids. Plan
recommendations may include, but are not limited to, acquiring senior
water rights, water conservation, water reuse, stream gaging,
groundwater monitoring, and developing natural and constructed
infrastructure, which includes but is not limited to such projects as
floodplain restoration, off-channel storage, and aquifer recharge.
Qualifying projects must be specifically designed to enhance stream
flows and not result in negative impacts to ecological functions or
critical habitat.

(b) At a minimum, the plan must include those actions that the
committee determines to be necessary to offset potential impacts to
instream flows associated with permit-exempt domestic water use. The
highest priority recommendations must include replacing the quantity
of consumptive water use during the same time as the impact and in
the same basin or tributary. Lower priority projects include projects
not in the same basin or tributary and projects that replace
consumptive water supply impacts only during critical flow periods.
The plan may include projects that protect or improve instream
resources without replacing the consumptive quantity of water where
such projects are in addition to those actions that the committee
determines to be necessary to offset potential consumptive impacts to
instream flows associated with permit-exempt domestic water use.

(c) Prior to adoption of the watershed restoration and
enhancement plan, the department must determine that actions
identified in the plan, after accounting for new projected uses of
water over the subsequent twenty years, will result in a net
ecological benefit to instream resources within the water resource
inventory area.

(d) The watershed restoration and enhancement plan must include
an evaluation or estimation of the cost of offsetting new domestic
water uses over the subsequent twenty years, including withdrawals
exempt from permitting under RCW 90.44.050.

(e) The watershed restoration and enhancement plan must include
estimates of the cumulative consumptive water use impacts over the
subsequent twenty years, including withdrawals exempt from permitting under RCW 90.44.050.

(f) The watershed restoration and enhancement plan may include:
   (i) Recommendations for modification to fees established under this subsection;
   (ii) Standards for water use quantities that are less than authorized under RCW 90.44.050 or more or less than authorized under subsection (4) of this section for withdrawals exempt from permitting;
   (iii) Specific conservation requirements for new water users to be adopted by local or state permitting authorities; or
   (iv) Other approaches to manage water resources for a water resource inventory area or a portion thereof.

(g) After adoption of a watershed restoration and enhancement plan, the department shall evaluate the plan recommendations and initiate rule making, if necessary, to incorporate recommendations into rules adopted under this chapter or under chapter 90.22 or 90.54 RCW. Any modification to fees collected under subsection (4) of this section or standards for water use quantities that are less than authorized under RCW 90.44.050 or more or less than authorized under subsection (4) of this section for withdrawals exempt from permitting may not be applied unless authorized by rules adopted under this chapter or under chapter 90.54 RCW.

(h) If the watershed restoration and enhancement committee fails to approve a plan by June 30, 2021, the director of the department shall submit the final draft plan to the salmon recovery funding board established under RCW 77.85.110 and request that the salmon recovery funding board provide a technical review and provide recommendations to the director to amend the final draft plan, if necessary, so that actions identified in the plan, after accounting for new projected uses of water over the subsequent twenty years, will result in a net ecological benefit to instream resources within the water resource inventory area. The director of the department shall consider the recommendations and may amend the plan without committee approval prior to adoption. After plan adoption, the director of the department shall initiate rule making within six months to incorporate recommendations into rules adopted under this chapter or under chapter 90.22 or 90.54 RCW, and shall adopt amended rules within two years of initiation of rule making.
(4)(a) Until a watershed restoration and enhancement plan is approved and rules are adopted under subsection (3) of this section, a city or county issuing a building permit under RCW 19.27.097(1)(d), or approving a subdivision under chapter 58.17 RCW in a watershed listed in subsection (2)(a) of this section must:

(i) Record relevant restrictions or limitations associated with water supply with the property title;
(ii) Collect applicable fees, as described under this section;
(iii) Record the number of building permits issued under chapter 19.27 RCW or subdivision approvals issued under chapter 58.17 RCW subject to the provisions of this section;
(iv) Annually transmit to the department three hundred fifty dollars of each fee collected under this subsection;
(v) Annually transmit an accounting of building permits and subdivision approvals subject to the provisions of this section to the department;
(vi) Until rules have been adopted that specify otherwise, require the following measures for each new domestic use that relies on a withdrawal exempt from permitting under RCW 90.44.050:

(A) An applicant shall pay a fee of five hundred dollars to the permitting authority;
(B) Except as provided in (b) of this subsection, an applicant may obtain approval for a withdrawal exempt from permitting under RCW 90.44.050 for domestic use only, with a maximum annual average withdrawal of nine hundred fifty gallons per day per connection; and
(C) An applicant shall manage stormwater runoff on-site to the extent practicable by maximizing infiltration, including using low-impact development techniques, or pursuant to stormwater management requirements adopted by the local permitting authority, if locally adopted requirements are more stringent.

(b) Upon the issuance of a drought emergency order under RCW 43.83B.405, the department may curtail withdrawal of groundwater exempt from permitting under RCW 90.44.050 and approved under this subsection (4) to no more than three hundred fifty gallons per day per connection for indoor use only. Notwithstanding the limitation to no more than three hundred fifty gallons per day per connection for indoor use only, an applicant may use groundwater exempt from permitting to maintain a fire control buffer during a drought emergency order.

(5) Rules adopted under this chapter or chapter 90.54 RCW may:
(a) Rely on watershed restoration and enhancement plan recommendations and procedures established in this section to authorize new withdrawals exempt from permitting under RCW 90.44.050 that would potentially impact a closed waterbody or a minimum flow or level;

(b) Rely on projects identified in the watershed restoration and enhancement plan to offset consumptive water use; and

(c) Include updates to fees based on the watershed restoration and enhancement committee's determination of the costs for offsetting consumptive water use.

(6) This section only applies to new domestic groundwater withdrawals exempt from permitting under RCW 90.44.050 in the following water resource inventory areas with instream flow rules adopted under chapters 90.22 and 90.54 RCW that do not explicitly regulate permit-exempt groundwater withdrawals: 7 (Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-Goldsborough); and 15 (Kitsap) and does not restrict the withdrawal of groundwater for other uses that are exempt from permitting under RCW 90.44.050.

NEW SECTION. Sec. 204. (1) The department shall initiate two pilot projects to measure water use from all new groundwater withdrawals for domestic purposes exempt from permitting under RCW 90.44.050 in the areas described in this section. The pilot projects must be conducted to determine the overall feasibility of measuring water use for all new groundwater withdrawals. The department must purchase and provide meters to be used in the pilot projects. The pilot projects must be conducted in the area under the Dungeness water rule, chapter 173-518 WAC, within water resource inventory area 18 and the area in which the Kittitas county water bank program operates within water resource inventory area 39.

(2) At a minimum, the pilot project must address the following:

(a) Initial and on-going costs, including costs to local government and the department;

(b) Technical, practical, and legal considerations that must be addressed;

(c) The costs and benefits of a water use measurement program relying on individual meters versus a water management program that estimates permit-exempt groundwater withdrawals; and
(d) Measures to protect the privacy of individual property owners and ensure accurate data collection.

(3) The department shall report on the pilot project results in the report to the legislature submitted under section 205 of this act. The department shall include recommendations to the legislature, including estimated program costs for expanding the pilot projects to other basins.

NEW SECTION. Sec. 205. The department shall submit a report to the legislature by December 31, 2020, and December 31, 2027, in compliance with RCW 43.01.036, that includes the following elements:

(1) Progress in completing and adopting watershed plans under section 202 of this act and watershed restoration and enhancement plans under section 203 of this act;

(2) A description of program projects and expenditures;

(3) An assessment of the streamflow restoration and enhancement benefits from program projects;

(4) A listing of other efforts or actions taken associated with streamflow restoration and enhancement, projects to benefit instream resources, and other directly related watershed improvements conducted in coordination with the restoration and enhancement planning process;

(5) The total number of new withdrawals exempt from permitting under RCW 90.44.050 authorized in each water resource inventory area under provisions of sections 202 and 203 of this act, and estimates of consumptive water use impacts associated with the new withdrawals; and

(6) A description of potential or planned projects, including projected costs and anticipated streamflow, water supply, and watershed health benefits.

NEW SECTION. Sec. 206. (1) The watershed restoration and enhancement account is created in the custody of the state treasurer. All receipts from fees paid pursuant to sections 202 and 203 of this act must be deposited into the account. The account may also receive those moneys as may be appropriated by the legislature for the purpose of funding restoration and enhancement projects as identified in sections 202 and 203 of this act. Expenditures from the account may be used only for the costs of administering this act, including implementing watershed planning projects under section 202 of this act.
act and watershed restoration and enhancement projects under section 203 of this act, and collecting data and completing studies necessary to develop, implement, and evaluate watershed restoration and enhancement projects under this act. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Fee revenues collected under sections 202 and 203 of this act must be used exclusively within the water resource inventory area in which the fee originated. The restriction in this subsection does not apply to moneys in the watershed restoration and enhancement account that do not originate from fees collected under sections 202 and 203 of this act.

NEW SECTION. Sec. 207. (1) The watershed restoration and enhancement taxable bond account is created in the custody of the state treasurer. All receipts from direct appropriations from the legislature or moneys directed to the account from any other source must be deposited in the account. The account is intended to fund projects using taxable bonds. Expenditures from the account may be used only as provided for in this section. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Expenditures from the watershed restoration and enhancement taxable bond account may be used to assess, plan, and develop projects that include acquiring senior water rights, water conservation, water reuse, stream gaging, groundwater monitoring, and developing natural and constructed infrastructure, which includes, but is not limited to, projects such as floodplain restoration, off-channel storage, and aquifer recharge, or other actions designed to provide access to new water supplies with priority given to projects in watersheds developing plans as directed by sections 202 and 203 of this act and watersheds participating in the pilot project in section 204 of this act.

NEW SECTION. Sec. 208. (1) The watershed restoration and enhancement bond account is created in the custody of the state treasurer. All receipts from direct appropriations from the legislature or moneys directed to the account from any other source
must be deposited in the account. The account is intended to fund projects using tax exempt bonds. Expenditures from the account may be used only as provided for in this section. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Expenditures from the watershed restoration and enhancement bond account may be used to assess, plan, and develop projects that include acquiring senior water rights, water conservation, water reuse, stream gaging, groundwater monitoring, and developing natural and constructed infrastructure, which includes, but is not limited to, projects such as floodplain restoration, off-channel storage, and aquifer recharge, or other actions designed to provide access to new water supplies with priority given to projects in watersheds developing plans as directed by sections 202 and 203 of this act and watersheds participating in the pilot project in section 204 of this act.

PART 3

NEW SECTION. Sec. 301. (1) A joint legislative task force on water resource mitigation is established to review the treatment of surface water and groundwater appropriations as they relate to instream flows and fish habitat, to develop and recommend a mitigation sequencing process and scoring system to address such appropriations, and to review the Washington supreme court decision in Foster v. Department of Ecology, 184 Wn.2d 465, 362 P.3d 959 (2015).

(2) The task force must consist of the following members:
(a) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate;
(b) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;
(c) A representative from the department, appointed by the director of the department;
(d) A representative from the department of fish and wildlife, appointed by the director of the department of fish and wildlife;
(e) A representative from the department of agriculture, appointed by the director of the department of agriculture;
(f) One representative from each of the following groups,
appointed by the consensus of the cochairs of the task force:

(i) An organization representing the farming industry in
    Washington;

(ii) An organization representing Washington cities;

(iii) Two representatives from an environmental advocacy
    organization or organizations;

(iv) An organization representing municipal water purveyors;

(v) An organization representing business interests;

(vi) Representatives of two federally recognized Indian tribes,
    one invited by recommendation of the Northwest Indian fisheries
    commission, and one invited by recommendation of the Columbia river
    intertribal fish commission.

(3) One cochair of the task force must be a member of the
    majority caucus of one chamber of the legislature, and one cochair
    must be a member of the minority caucus of the other chamber of the
    legislature, as those caucuses existed as of the effective date of
    this section.

(4) The first meeting of the task force must occur by June 30,
    2018.

(5) Staff support for the task force must be provided by the
    office of program research and senate committee services. The
    department and the department of fish and wildlife shall cooperate
    with the task force and provide information as the cochairs
    reasonably request.

(6) Within existing appropriations, the expenses of the
    operations of the task force, including the expenses associated with
    the task force's meetings, must be paid jointly and in equal amounts
    by the senate and the house of representatives. Task force
    expenditures are subject to approval by the house executive rules
    committee and the senate facility and operations committee.
    Legislative members of the task force are reimbursed for travel
    expenses in accordance with RCW 44.04.120. Nonlegislative members are
    not entitled to be reimbursed for travel expenses if they are elected
    officials or are participating on behalf of an employer, governmental
    entity, or other organization. Any reimbursement for other
    nonlegislative members is subject to chapter 43.03 RCW.

(7)(a) By November 15, 2019, the joint legislative task force
    must make recommendations to the legislature in compliance with RCW
    43.01.036.

Code Rev/ML:akl

17

S-4056.3/18 3rd draft
(b) Recommendations of the joint legislative task force must be made by a sixty percent majority of the members of the task force. The representatives of the departments of fish and wildlife, ecology, and agriculture are not eligible to vote on the recommendations. Minority recommendations that achieve the support of at least five of the named voting members of the task force may also be submitted to the legislature.

(8) The department shall issue permit decisions for up to five water resource mitigation pilot projects. It is the intent of the legislature to use the pilot projects to inform the legislative task force process while also enabling the processing of water right applications that address water supply needs. The department is authorized to issue permits in reliance upon water resource mitigation of impacts to instream flows and closed surface water bodies under the following mitigation sequence:

(a) Avoiding impacts by: (i) Complying with mitigation required by adopted rules that set forth minimum flows, levels, or closures; or (ii) making the water diversion or withdrawal subject to the applicable minimum flows or levels; or

(b) Where avoidance of impacts is not reasonably attainable, minimizing impacts by providing permanent new or existing trust water rights or through other types of replacement water supply resulting in no net annual increase in the quantity of water diverted or withdrawn from the stream or surface water body and no net detrimental impacts to fish and related aquatic resources; or

(c) Where avoidance and minimization are not reasonably attainable, compensating for impacts by providing net ecological benefits to fish and related aquatic resources in the water resource inventory area through in-kind or out-of-kind mitigation or a combination thereof, that improves the function and productivity of affected fish populations and related aquatic habitat. Out-of-kind mitigation may include instream or out-of-stream measures that improve or enhance existing water quality, riparian habitat, or other instream functions and values for which minimum instream flows or closures were established in that watershed.

(9) The department must monitor the implementation of the pilot projects, including all mitigation associated with each pilot project, approved under this section at least annually through December 31, 2028.
(10) The pilot projects eligible for processing under this section, based on criteria as of the effective date of this section, include:

(a) A city operating a group A water system in Kitsap county and water resource inventory area 15, with a population between 13,000 and 14,000;

(b) A city operating a group A water system in Pierce county and water resource inventory area 10, with a population between 9,500 and 10,500;

(c) A city operating a group A water system in Thurston county and water resource inventory area 11, with a population between 8,500 and 9,500;

(d) A nonprofit mutual water system operating a group A water system in Pierce county and water resource inventory area 12, with between 10,500 and 11,500 service connections; and

(e) An irrigation district located in Whatcom county and water resource inventory area 1, solely for the purpose of processing changes of water rights from surface water to groundwater, and implementing flow augmentation to benefit instream flows.

(11) Water right applicants eligible to be processed under this pilot project authority must elect to be included in the pilot project review by notifying the department by July 1, 2018. Once an applicant notifies the department of its intent to be processed under this pilot project authority, subsection (8) of this section applies to final decisions issued by the department, even if such a final decision is issued after the expiration of this section.

(12) By November 15, 2018, the department must furnish the task force with information on conceptual mitigation plans for each water resource mitigation pilot project application.

(13) To ensure that the processing of pilot project applications can inform the task force process in a timely manner, the department must expedite processing of applications for water resource mitigation pilot projects. The applicant for each pilot project must reimburse the department for the department's costs of processing the applicant's application.

(14) The water resource mitigation pilot project authority granted to the department does not affect or modify any other procedural requirements of chapter 90.03, 90.44, or 90.54 RCW that apply to the processing of such applications.

This section expires January 1, 2029.

Sec. 302. RCW 90.03.247 and 2003 c 39 s 48 are each amended to read as follows:

(1) Whenever an application for a permit to make beneficial use of public waters is approved relating to a stream or other water body for which minimum flows or levels have been adopted and are in effect at the time of approval, the permit shall be conditioned to: (a) Protect the levels or flows; or (b) require water resource mitigation of impacts to instream flows and closed surface water bodies for water resource mitigation pilot projects authorized under section 301 of this act.

(2) No agency may establish minimum flows and levels or similar water flow or level restrictions for any stream or lake of the state other than the department of ecology whose authority to establish is exclusive, as provided in chapter 90.03 RCW and RCW 90.22.010 and 90.54.040. The provisions of other statutes, including but not limited to ((RCW 77.55.100 and) chapter 43.21C RCW, may not be interpreted in a manner that is inconsistent with this section. In establishing such minimum flows, levels, or similar restrictions, the department shall, during all stages of development by the department of ecology of minimum flow proposals, consult with, and carefully consider the recommendations of, the department of fish and wildlife, the department of ((community, trade, and economic development)) commerce, the department of agriculture, and representatives of the affected Indian tribes. Nothing herein shall preclude the department of fish and wildlife, the department of ((community, trade, and economic development)) commerce, or the department of agriculture from presenting its views on minimum flow needs at any public hearing or to any person or agency, and the department of fish and wildlife, the department of ((community, trade, and economic development)) commerce, and the department of agriculture are each empowered to participate in proceedings of the federal energy regulatory commission and other agencies to present its views on minimum flow needs.

Sec. 303. RCW 90.03.290 and 2001 c 239 s 1 are each amended to read as follows:

(1) When an application complying with the provisions of this chapter and with the rules of the department has been filed, the same
shall be placed on record with the department, and it shall be its
duty to investigate the application, and determine what water, if
any, is available for appropriation, and find and determine to what
beneficial use or uses it can be applied. If it is proposed to
appropriate water for irrigation purposes, the department shall
investigate, determine and find what lands are capable of irrigation
by means of water found available for appropriation. If it is
proposed to appropriate water for the purpose of power development,
the department shall investigate, determine and find whether the
proposed development is likely to prove detrimental to the public
interest, having in mind the highest feasible use of the waters
belonging to the public.

(2)(a) If the application does not contain, and the applicant
does not promptly furnish sufficient information on which to base
such findings, the department may issue a preliminary permit, for a
period of not to exceed three years, requiring the applicant to make
such surveys, investigations, studies, and progress reports, as in
the opinion of the department may be necessary. If the applicant
fails to comply with the conditions of the preliminary permit, it and
the application or applications on which it is based shall be
automatically canceled and the applicant so notified. If the holder
of a preliminary permit shall, before its expiration, file with the
department a verified report of expenditures made and work done under
the preliminary permit, which, in the opinion of the department,
establishes the good faith, intent, and ability of the applicant to
carry on the proposed development, the preliminary permit may, with
the approval of the governor, be extended, but not to exceed a
maximum period of five years from the date of the issuance of the
preliminary permit.

(b) For any application for which a preliminary permit was issued
and for which the availability of water was directly affected by a
moratorium on further diversions from the Columbia river during the
years from 1990 to 1998, the preliminary permit is extended through
June 30, 2002. If such an application and preliminary permit were
canceled during the moratorium, the application and preliminary
permit shall be reinstated until June 30, 2002, if the application
and permit: (i) Are for providing regional water supplies in more
than one urban growth area designated under chapter 36.70A RCW and in
one or more areas near such urban growth areas, or the application
and permit are modified for providing such supplies, and (ii) provide
or are modified to provide such regional supplies through the use of
existing intake or diversion structures. The authority to modify such
a canceled application and permit to accomplish the objectives of
(b)(i) and (ii) of this subsection is hereby granted.

(3) The department shall make and file as part of the record in
the matter, written findings of fact concerning all things
investigated, and if it shall find that there is water available for
appropriation for a beneficial use, and the appropriation thereof as
proposed in the application will not impair existing rights or be
detrimental to the public welfare, it shall issue a permit stating
the amount of water to which the applicant shall be entitled and the
beneficial use or uses to which it may be applied: PROVIDED, That
where the water applied for is to be used for irrigation purposes, it
shall become appurtenant only to such land as may be reclaimed
thereby to the full extent of the soil for agricultural purposes. But
where there is no unappropriated water in the proposed source of
supply, or where the proposed use conflicts with existing rights, or
threatens to prove detrimental to the public interest, having due
regard to the highest feasible development of the use of the waters
belonging to the public, it shall be duty of the department to reject
such application and to refuse to issue the permit asked for.

(4) If the permit is refused because of conflict with existing
rights and such applicant shall acquire same by purchase or
condemnation under RCW 90.03.040, the department may thereupon grant
such permit. Any application may be approved for a less amount of
water than that applied for, if there exists substantial reason
therefor, and in any event shall not be approved for more water than
can be applied to beneficial use for the purposes named in the
application. In determining whether or not a permit shall issue upon
any application, it shall be the duty of the department to
investigate all facts relevant and material to the application. After
the department approves said application in whole or in part and
before any permit shall be issued thereon to the applicant, such
applicant shall pay the fee provided in RCW 90.03.470: PROVIDED
FURTHER, That in the event a permit is issued by the department upon
any application, it shall be its duty to notify the director of fish
and wildlife of such issuance.

(5) The requirements of subsections (1) and (3) of this section
do not apply to water resource mitigation pilot projects for which
permits are issued in reliance upon water resource mitigation of
impacts to instream flows and closed surface water bodies under section 301 of this act.

NEW SECTION. Sec. 304. The legislature intends to appropriate three hundred million dollars for projects to achieve the goals of this act until June 30, 2033. The department of ecology is directed to implement a program to restore and enhance stream flows by fulfilling obligations under this act to develop and implement plans to restore stream flows to levels necessary to support robust, healthy, and sustainable salmon populations.

NEW SECTION. Sec. 305. Sections 201 through 208 and 301 of this act constitute a new chapter in Title 90 RCW.

NEW SECTION. Sec. 306. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 307. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

SSB 6091 – S AMD 347
By Senator Van De Wege

On page 1, beginning on line 2 of the title, after "development;" strike the remainder of the title and insert "amending RCW 19.27.097, 58.17.110, 90.03.247, and 90.03.290; adding a new section to chapter 36.70A RCW; adding a new section to chapter 36.70 RCW; adding a new chapter to Title 90 RCW; creating a new section; providing an expiration date; and declaring an emergency."

--- END ---
• Amends the building permit – evidence of adequate water supply statute:
  o to include both the WRIAs that have instream flow rules that do not explicitly regulate permit-exempt groundwater withdrawals and have completed a watershed plan - 1 (Nooksack); 11 (Nisqually); 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville); and those WRIAs that have instream flow rules that do not explicitly regulate permit-exempt groundwater withdrawals and either do not have a watershed plan adopted or have a partial watershed plan - 7 (Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-Goldsborough); and 15 (Kitsap).
  o Provides that in WRIAs 37 (Lower Yakima), 38 (Naches), and 39 (Upper Yakima, Ecology may requirements to satisfy adjudicated water rights.
  o Removes the provision allowing Ecology to impose requirements to satisfy the federal adjudication of Chamokane Creek.
  o Amends to provide that additional requirements apply in WRIAs 3 (Lower Skagit-Samish) and 4 (Upper Skagit) as a result of Swinomish.
  o Provides that any permit-exempt groundwater withdrawal associated with a water well constructed before the effective date of this bill is deemed to be evidence of adequate water supply under this section.

• Removes changes to the intent section in chapter 90.54 RCW.
• Adds a Part 2, which will become a new chapter in Title 90, that does the following:
  • In 1 (Nooksack); 11 (Nisqually); 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville) –
    o The lead agency must invite a representative from each federally recognized Indian tribe that has a usual and accustomed harvest area within the WRIA to participate as part of the planning unit.
    o Ecology must work with initiating governments and planning units to update the watershed plan to include recommendations for projects and actions that will measure, protect, and enhance instream resources and improve watershed functions that support the recovery of threatened and endangered salmonids. The updated watershed plan must include actions deemed necessary to offset potential impacts to instream flows associated with permit-exempt domestic water use. The term “surface water impoundment” is removed and makes the list of projects non-exhaustive.
    o Ecology must determine that actions identified in the watershed plan, after accounting for new projected uses of water over the subsequent twenty years, will result in a net ecological benefit to instream resources within the WRIA.
    o The updated watershed plan may include modification to fees, standards for water quantities, and specific conservation requirements.
    o Building permit or subdivision applications – applicant may obtain approval for domestic permit-exempt groundwater withdrawal of 3000 per day per connection and pay a fee of $500 ($350 to Ecology).
    o If an updated watershed plan is not adopted in WRIA 1 (Nooksack) by February 1, 2019, Ecology must adopt rules for that water resource inventory area that meet the requirements of this section no later August 1, 2020.
    o If an update watershed plan WRIA 11 (Nisqually) by February 1, 2019, Ecology must adopt rules for that water resource inventory area that meet the requirements of this section no later August 1, 2020.
o Ecology must adopt rules that meet the requirements above for any WRIA - 22 (Lower Chehalis); 23 (Upper Chehalis); 49 (Okanogan); 55 (Little Spokane); and 59 (Colville) - that does not adopt an updated watershed plan by February 1, 2021.

- In 7 (Snohomish); 8 (Cedar-Sammamish); 9 (Duwamish-Green); 10 (Puyallup-White); 12 (Chambers-Clover); 13 (Deschutes); 14 (Kennedy-Goldsborough); and 15 (Kitsap) –
  o Establishes WRE Committee and adopts WRE Plans.
  o Adds representatives from a local environmental organization and a local agricultural organization within the WRIA to the WRE Committee.
  o Clarifies that the plan may include projects that protect instream resources without replacing the consumptive quantity of water where projects are in addition to actions necessary to offset potential consumptive impacts to instream flows associated with permit-exempt domestic water use. The term “surface water impoundment” is removed and makes the list of projects non-exhaustive.
  o Provides that, notwithstanding the limitation to no more than three hundred fifty gallons per day per connection for indoor use only, an applicant may use groundwater exempt from permitting to maintain a fire control buffer during a drought emergency order.

- Ecology must initiate two pilot projects to measure water use from groundwater withdrawals for domestic purposes – the area of the Dungeness water rule (chapter 173-518 WAC) within WRIA 18 and the area in which the Kittitas County water bank program operates within WRIA 39.

- Moves the reporting requirement to a separate section.
- Removes the cause of action section.
- The Watershed Restoration and Enhancement Account, the Watershed Restoration and Enhancement Taxable Account, and the Watershed Restoration and Enhancement Bond Account are non-appropriated accounts.
- Provides that money in the Watershed Restoration and Enhancement Account may be used for implementing watershed planning projects from WRIAs 1, 11, 22, 23, 49, 55, and 59 and WRE projects in WRIAs 7, 8, 9, 10, 12, 13, 14, and 15.
- Provides that, under the WRE Taxable Account and the WRE Bond Account, priority is given to projects in WRIAs 1, 11, 22, 23, 49, 55, and 59 and in WRIAs 7, 8, 9, 10, 12, 13, 14, and 15 and the watersheds participating in the water measuring pilot project (WRIA 18 and WRIA 39).
- For Pilot Projects under the Task Force – Ecology must monitor the implementation of the pilot projects, including all mitigation associated with each pilot project, approved under this section at least annually through December 31, 2028. (puts this section in the new chapter in Title 90)
**TITLE OF DOCUMENT:**
Proposal of Expanded Scope for Design2Last for the Whatcom County Jail Improvements

**ATTACHMENTS:**
Proposal and outline of expanded scope items

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

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

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

Please review attached Design2Last proposal and outlined expanded scope for the Whatcom County Jail Improvements Contract #201607005.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**
AB2017-047
AB2017-316

**Related File Numbers:**

**Ordinance or Resolution Number:**

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

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

Through: Tyler Schroeder, Deputy Executive

FROM: Rob Ney, Project and Operations Manager

RE: Design2Last

DATE: January 17, 2018

On November 28, 2017, a design charrette was held with the stakeholders participating in the jail improvement project. These stakeholders included Facility Management staff, Sherriff Office staff, the Executive and Deputy Executive as well as the design team assembled by Design2Last. This project was originally created to identify and implement short term improvements to the jail facility, in anticipation for a new jail being built in the near future. There was substantial discussion of how the failed jail levy should/could affect the mid-range plan for the existing jail facility. It was determined that an expanded scope of work should be presented to the County Council for consideration. If approved, this work would be included in our initial construction phase for improvements to the jail.

The consultant’s work is broken into two types of work: 1) Items that would be immediately added to the scope of work for the current design project (currently under contract), and 2) Evaluation and Analysis Study items that would give clear information for future projects and possible improvements.
**Requested Action**

Please review the attached proposal, and outline of expanded scope items, for the Design2Last contract. Advise staff to move forward with all, or part, of the scope of work items defined in Design2Last’s January 17th proposal. Staff respectfully requests direction on the proposal for Tasks 1-20 as soon as possible. Direction on this portion of the proposal would allow the current project, already under contract, to continue to progress. Should the Council want additional time to considerer the “Evaluation and Analysis” items, these items could be discussed further at committee, if necessary.

**Background and Purpose**

On November 8, 2017 the County Council approved the amended contract for Design2Last for Scoping, Design, and Project Management for improvements to the existing Jail. Based on the Design Charrette held on November 28, 2017, and in consideration that the Jail bond did not pass and the useful life of the existing Jail facility will need to be extended, Design2Last and Facilities Management are presenting this proposal to expand the current scope of work.

**Funding Amount and Source**

Adequate funds exist within the Capital Project Fund, expanded by $7,000,000 in the 2018 Budget.

Should you have any questions, do not hesitate to contact me at x5387.
17 January 2018

Garrett Maupin, Construction Coordinator, Whatcom County Facilities Management
316 Lottie Street,
Bellingham, WA 98225

RE: Whatcom County Jail Improvements:
Contract # 201607005 – Phase 2 and 3 Additional Services
Bellingham, WA

Dear Mr. Maupin,

Project Description

design2 LAST was retained by Whatcom County to perform building assessments on the existing Jail, (Public Safety Building) and the existing Work Center – formally known as Phase 1A. Whatcom County then selected ten tasks to further refine in Phase 1B with more detailed scope and costing. Whatcom County, following the recommendation of the team, then decided to proceed with design (Phase 2) and construction (Phase 3) of the scope options recommended in Phase 1B (see Schedule ‘B’). A contract for Phase 2 and 3 design and CA services was executed on November 15, 2017.

On November 28, 2017, the design2 LAST team conducted a design charrette in accordance with our contract. During that day-long meeting, we presented and discussed each of the scope options (see Schedule ‘B’) being developed per our contract for design and construction. During that meeting we also had a conversation about the fact that the voters on November 8, 2017, for the second time rejected a bond to build a new Whatcom County Jail. The stakeholders (see meeting notes from the design charrette dated November 30, 2017 for attendees) wanted to discuss if, and how, that would affect the design2 LAST renovation work on the existing Jail. The existing Jail would now need to function over a longer period of time than the 5-7 year life-cycle identified at the start of design2 LAST’s contract. Many existing system deficiencies, that were understood to be short term challenges, are now potentially bigger problems that will need to be addressed with equipment repair or replacement. The county’s previous decisions to put off making major repairs to ongoing equipment break downs were revisited. Each of the issues identified during that meeting was documented in a list (see attached Schedule ‘A’). They were further refined in a meeting with Whatcom Facilities staff on December 7, 2017, and organized into categories at that time. Since then, those items have been further refined and detailed by our team and are presented in the attached Excel Workbook. This workbook defines each task, the anticipated deliverable, any exclusions, and is the basis for the enclosed fee proposal.

In summary, our fees are presented thus:
Items 1-20 were identified by Whatcom County as tasks that should be considered by County Council to add to our existing contract. (Items 2 and 20 were eliminated.) Thus, our fees are divided into the same tasks we presented for our current contract and can be added by addendum, with one exception: the schedule to add these new tasks will change to remove the electronic 50% over-the-shoulder review by the County, and replace it with a standard 35% design review. We believe the added scope warrants an earlier and full review of the entire scope with the County.

<table>
<thead>
<tr>
<th>Additional Services for Phase 2 and 3 – ITEMS 1-20*</th>
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<tbody>
<tr>
<td><strong>Phase 2</strong></td>
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<tr>
<td>Milestones**</td>
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<td>Scope Definition</td>
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<td>35% Concept Design</td>
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<td>65% Design Development</td>
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<td>Consulting Services During Bidding and Negotiations</td>
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<td><strong>Phase 3</strong></td>
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<td>Construction Administration Services</td>
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*Refer to Schedule A for SCOPE OF SERVICES
TRAVEL EXPENSES are included in the proposal
**Refer to Schedule 'C' for milestone deliverables

$310,322

Items 21-25 are concept designs and each is presented as a separate fee. Concept design will include information gathering, feasibility discussions with stakeholders, 1-3 design options, opinions of probable cost, and recommendations for proceeding. The County may select any one or a combination of the concept designs; to begin any time over the course of 2018. We will honor these fees through January 2019.

<table>
<thead>
<tr>
<th>CONCEPT DESIGNS – ITEMS 21-25*</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 Provide a code-compliant smoke evacuation system.</td>
</tr>
<tr>
<td>22 Reconfigure the medical office area and add space from the commissary storage room per Phase 1A description.</td>
</tr>
<tr>
<td>23 Provide additional toilet areas for female inmates</td>
</tr>
<tr>
<td>24 Improve staff lockers and restrooms</td>
</tr>
<tr>
<td>25 Provide a design repurposing the existing basement for other correctional space or renovation / re-allocation of spaces that are currently in the jail, as if the Sheriff’s office was moved out of this facility. Space could also be provided for other programs not currently housed elsewhere.</td>
</tr>
</tbody>
</table>

*Refer to Schedule A for SCOPE OF SERVICES
Items 26-30 are evaluation and/or analysis studies. These are also each presented with their own fee. These do not include any design work, but may reveal non-compliant code issues that could lead to design of corrective work. Feasibility studies will include reports of findings and opinions of probable cost where they can be estimated. Similar to the concept designs, the county may select any one or a combination of these studies; to begin any time over the course of 2018. We will honor these fees through January 2019.

<table>
<thead>
<tr>
<th>EVALUATIONS AND ANALYSIS— ITEMS 26-30*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>26</td>
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<tr>
<td>27</td>
</tr>
<tr>
<td>28</td>
</tr>
<tr>
<td>29</td>
</tr>
<tr>
<td>30</td>
</tr>
</tbody>
</table>

*Refer to Schedule A for SCOPE OF SERVICES

It was agreed by all that the “Future Projects” and “Optional Procurement Method” (items 31-37) would not be included in the fee request at this time.

**Sub Consultants**

design2 LAST has included the team members listed below for Phases 2 and 3:

- Architects Rasmussen Triebelhorn (A-RT)..........................Criminal Justice Facility Design and Operations
- Sänzän Group .............................................................................Mechanical, Electrical, and Fire Protection Engineering
- Clevenger and Associates.................................................................Kitchen and Laundry Design
- ProDims.................................................................................................Cost Estimating
- SCBC Engineers .................................................................................Structural Engineering – QC
- WR Consulting ....................................................................................Civil Engineering

**Schedule**

design2 LAST is prepared to begin work and would like direction on items 1-20 as soon as possible so we can work this into our existing contract. We will complete a design and construction schedule upon receiving approval on this proposal.

**Fees**

The fees listed above are offered as a lump sum basis. Each task will be invoiced by design2 LAST monthly on a percentage complete basis, and/or upon completion of a task. Upon approval, this work can be added as amendment to our existing contract.

I thank you for this opportunity and look forward to continuing our work on this project.

Sincerely,

Lauri Strauss, AIA LEED AP BD&C, President and CEO
<table>
<thead>
<tr>
<th>Add Y/N</th>
<th>Item</th>
<th>Description</th>
<th>Related to 1B task?</th>
<th>Cost Est.</th>
<th>Deliverable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y 1</td>
<td></td>
<td>Revise Laundry room to restrict access to back side of laundry equipment by inmates.</td>
<td>Task 8</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>Not Used</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Y 3</td>
<td></td>
<td>Omit new Disposer at dishwashing station from the new equipment list on the current SOW.</td>
<td>Task 8</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 4</td>
<td></td>
<td>Design the inmate cell locking system such that all electronic locks may be opened simultaneously without having to upgrade the wiring system.</td>
<td>Task 10</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 5</td>
<td></td>
<td>Provide a central emergency lighting in lieu of “bug eye” emergency lighting to provide instant-on feature to illuminate facility during the time delay associated with generator start-up.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 6</td>
<td></td>
<td>Remove abandoned Generator.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 7</td>
<td></td>
<td>Add epoxy floor in Recreation Area</td>
<td>Task 17</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 8</td>
<td></td>
<td>Provide additional lighting in sally port and building exterior to comply with code and to provide safe operational light levels where light levels are determined to be inadequate.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 9</td>
<td></td>
<td>Upgrade emergency egress light levels throughout the facility to comply with code. Initial effort requires photometric calculations to determine egress light levels.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 10</td>
<td></td>
<td>Upgrade non-egress lighting for increased light levels beyond code required minimum levels for safe operation of the facility based on light level report dated 6/13/14.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 11</td>
<td></td>
<td>Upgrade interior and exterior lighting to LED to save energy and potentially reduce the load on the generator. Lighting replacement can be new or retrofit kit.</td>
<td>Task 12</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 12</td>
<td></td>
<td>Replace existing chiller with new air cooled chiller on upper roof, remove existing cooling tower (on roof) and re-use condenser water piping for chilled water piping between new chiller and mechanical room.</td>
<td>Task 4</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 13</td>
<td></td>
<td>Replace chilled water pumps, condenser water pumps, and heating water pumps and include redundant pumps for all three systems. Currently chilled and condenser water systems are single pump systems so the systems go down on loss of single pump due to failure or maintenance. Includes tying all pumping systems to existing Siemens DDC energy management system. If Item 12 is accepted, condenser water pumps will not be required.</td>
<td>Task 4</td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 14</td>
<td></td>
<td>Mitigate noise in the Booking Area by adding control measures.</td>
<td></td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 15</td>
<td></td>
<td>Provide ambient noise level alarms as an added security measure.</td>
<td></td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 16</td>
<td></td>
<td>Provide protection of natural gas line on exterior of the jail and at the courthouse.</td>
<td></td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 17</td>
<td></td>
<td>Design corrective action to prevent water pooling in Sally Port 1.</td>
<td></td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 18</td>
<td></td>
<td>Tuck-point (remove and replace aging existing grout) all CMU joints in and around cells. Specific locations and depth to be determined.</td>
<td></td>
<td>Y</td>
<td>Cost Estimate, Drawings and Specs</td>
</tr>
<tr>
<td>Y 19</td>
<td></td>
<td>Review generator demand load study to confirm loading of existing emergency power system</td>
<td>Task 12</td>
<td>N</td>
<td>Report</td>
</tr>
<tr>
<td>N 20</td>
<td></td>
<td>Paint walls of sally port for better contrast for security cameras</td>
<td></td>
<td>N</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Updated 1/17/2018
## SCHEDULE A

**Whatcom County**  
Contract No. 201607005

### Additive Design Scope Outline as Discussed at the 12/7/2017 Meeting

<table>
<thead>
<tr>
<th>Add Y/N</th>
<th>Item</th>
<th>Description</th>
<th>Related to 18 task?</th>
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<th>Deliverable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONCEPT DESIGNS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Y</td>
<td>21</td>
<td>Provide a code-compliant smoke evacuation system.</td>
<td>Task 7</td>
<td>Y</td>
<td>Concept Design/cost estimate</td>
</tr>
<tr>
<td>Y</td>
<td>22</td>
<td>Reconfigure the medical office area and add space from the commissary storage room per Phase 1A description.</td>
<td></td>
<td>Y</td>
<td>Concept Design/cost estimate</td>
</tr>
<tr>
<td>Y</td>
<td>23</td>
<td>Provide additional toilet areas for female inmates</td>
<td></td>
<td>Y</td>
<td>Concept Design/cost estimate</td>
</tr>
<tr>
<td>Y</td>
<td>24</td>
<td>Improve staff lockers and restrooms</td>
<td></td>
<td>Y</td>
<td>Concept Design/cost estimate</td>
</tr>
<tr>
<td>Y</td>
<td>25</td>
<td>Provide a design repurposing the existing basement for other correctional space or renovation / reallocation of spaces that are currently in the jail, as if the Sheriffs office was moved out of this facility. Space could also be provided for other programs not currently housed elsewhere.</td>
<td></td>
<td>Y</td>
<td>Concept Design/cost estimate</td>
</tr>
</tbody>
</table>

### EVALUATIONS/ANALYSIS

<table>
<thead>
<tr>
<th>Add Y/N</th>
<th>Item</th>
<th>Description</th>
<th>Related to 18 task?</th>
<th>Cost Est.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y</td>
<td>26</td>
<td>Feasibility study to refurbish existing air handling units in place. Remove rust from condensate drain pans and re-coat entire interior bases to prevent further corrosion, remove existing inlet guide vanes on supply fans, and rework condensate drains for proper condensate trap configurations (may require raising units).</td>
<td>Task 4</td>
<td>Y</td>
</tr>
<tr>
<td>Y</td>
<td>27</td>
<td>Confirm condition of Boilers - determine if replacement would provide an acceptable ROI and would be more energy efficient.</td>
<td></td>
<td>Y</td>
</tr>
</tbody>
</table>
| Y | 28 | Perform FEMA Seismic Screening (FEMA 154) - and one of the following to be determined:  
- ASCE 41 Tier 1 study  
- ASCE 41 Tier 2 study  
- ASCE 41 Tier 3 study | | N | Report/cost estimate |
| Y | 29 | Complete ADA evaluation | | N | Report/Cost Estimate |
| Y | 30 | Full Code analysis to determine what it would take to upgrade the facility to current building and correctional code compliance (not including other evaluations listed above) | | N | Report/cost estimate |

### POTENTIAL FUTURE PROJECTS

<table>
<thead>
<tr>
<th>Add Y/N</th>
<th>Item</th>
<th>Description</th>
<th>Related to 18 task?</th>
<th>Cost Est.</th>
</tr>
</thead>
</table>
| TBD | 31 | Make entire jail facility (including cells) ADA compliant.  
(Compliance design as determined by ADA evaluation Item 29) | TBD | Dependent on results of Evaluation |
| TBD | 32 | Seismic Upgrades.  
(Compliance design as determined by Seismic Screening Item 28) | TBD | Dependent on results of Evaluation |
| Fut | 33 | Add a secure exterior space/courtyard for employees. | Fut | Concept Design/cost estimate |
| Fut | 34 | Redesign Work Center Kitchen to full use to reduce number of meals prepared at the jail | Fut | N/A at this time |
| Fut | 35 | Consider Modifications to the juvenile area in the Courthouse since there seems to be more space than necessary | Fut | N/A at this time |
| Fut | 36 | Consider adding space for Mental health areas | Fut | N/A at this time |

### OPTIONAL PROCUREMENT METHOD

<table>
<thead>
<tr>
<th>Add Y/N</th>
<th>Item</th>
<th>Description</th>
<th>Related to 18 task?</th>
<th>Cost Est.</th>
</tr>
</thead>
</table>
| TBD | 37 | Consider GC/CM procurement method due to phasing complexity of project and work in occupied facility. Feasibility must be coordinated with Office of Financial Management. RCW 39.10.200, 220, 240  
Write GC/CM RFP. | TBD | Fee proposal to write RFP |

*Updated 1/17/2018*
SCHEDULE ‘B’ SCOPE OF SERVICES CURRENT CONTRACT

These scope options will be collectively referred to as the “Whatcom County Jail improvements” project for the Phase 2 and 3 efforts.

- 4-1 – Improvements to domestic water distribution piping system
- 4-2 – Improvements to condensate drain pans of the AHU cabinets
- 5-1 - Provide new wet pipe sprinkler protection in the second and third floor housing units
- 5-2 - Extend wet pipe and dry pipe sprinkler protection to unsprinklered non-housing areas
- 5-3 - Sprinkler system maintenance and repair
- 8-1 - Replace items that have exceeded their useful life
- 8-2 - Replace items that have an expected remaining life of less than five years
- 8-3 - Repair: Walk-In Cooler/Freezer, Disposer at Pot Wash
- 8-4 - Replace existing electrical panelboard serving kitchen equipment
- 9-1-9-11 - Replace/repair door hardware on commercial type doors.
- 10-1-10-12 - Replace all detention cell doors, including detention hardware. Replace specific hardware pieces identified on other detention doors listed.
- 12-18 - Provide UL924 listed “bugeye” emergency lighting units with integral batteries in critical jail spaces
- 12-2 - Provide UL924 listed “bugeye” emergency lighting units with integral batteries in elevator cabs
- 12-3 - Provide UL924 listed “bugeye” emergency lighting units with integral batteries in recreation area
- 12-4 - Re-circuit existing lighting in the dormitory spaces to provide additional emergency lighting beyond the current single lamp “night lights”.
- 17-1 - Modify the sanitary drain from the kitchen to minimize backups and prevent water from flowing toward the cleanout
- 17-2 – Modify shower drains in the cells that are beginning to fail
- 17-3 – Seal the floor of first floor restroom next to the shower room in the north east corner of the building
- 17-4 - Modify the drain pipe in the clothes washing machine drain room and provide ventilation to the space to remove moisture and odors

Scope includes the following:
1. Additional field investigation by relevant disciplines prior to design effort.
2. Design Charrette – 4-6 hour meeting to include in-person participation of all design team members, facilities personnel, and Jail staff.
3. Design work and construction documents required to address the SCOPE OPTIONS listed above and confirmed by the charrette.
4. Plans and specifications showing the affected spaces only.
5. Electronic delivery (via dropbox or A360 site) of the 22"x34" drawing set and 8-1/2" x 11" specification booklet in PDF format for the Charrette report, 50% over-the-shoulder review, 65% submittal, 100% draft, and 100% final (Bid) submittals.
6. Web-based review conference of 50% documents with virtual participation by the design team.
8. Project Manager Participation at the 100% review conference at facilities office in Bellingham. Engineers and consultants will all participate via phone or Web Conference.
9. Construction cost estimates for the Charrette, 50% over-the-shoulder review, 65% review, 100% draft, and 100% final (Bid) submittals to a level of detail comparable to the phase of design.
10. Four (4) Sets Hard Copies of the 22"x34" drawing set and 8-1/2" x 11" Specifications and Supplemental Information for the Charrette report, 65% review, 100% draft, and 100% final (Bid) submittals.
11. Coordination with the permitting agencies as required for the project scope.
12. Design team participation during the bidding and negotiating phase of the project: i.e. responding to bidder questions, issuing document clarifications, telephonic participation in a pre-bid conference, and consultation during contractor selection.

13. Design team participation in administration of the construction contract: i.e. responding to contractor questions, issuing document clarifications, review of contractor submittals, review of contractor schedule, review of contractor applications for payment, etc.

14. Project Manager will attend and lead the weekly construction meetings in Bellingham. Engineers and consultants will attend construction meetings when pertinent to their discipline, otherwise, their participation will be via phone or Web Conference.

15. Record drawings of work effort in affected spaces will be provided.

16. Participating in a pre-construction conference (Project manager in person, engineers and consultants via telephone).

17. Site observation visits and report of construction activities during the construction phase.

Exclusions
The following are not anticipated to be necessary for this contract and are not a part of the services described above. These services can be added to our contract at our standard hourly rates or on an “as needed” basis.

1. Detailed record drawings of the entire facility outside of the areas of work covered by this contract.

Rate Schedule
Additional effort not described in the scope above may be provided as requested on an hourly basis per the following rates:

- Principal Architect/Project manager $175.00
- Professional Engineer/Sr Architect $150.00
- Drafting/Revit/AutoCAD $125.00

SCHEDULE ‘C’ DELIVERABLES
Electronic Delivery in PDF format (Included with all options)
All scope options will be included as one project, one set of documents. Each deliverable package includes:

- 22"x34" drawing sheets
  o Existing conditions/Demolition plans, drawings for new construction including plans, elevations, details, as necessary to describe the work
- 8 ½” x 11” sets:
  o Specifications (65%, 100% submittals only)
  o Supplemental Information
    ▪ Design Analysis (35% submittal only)
    ▪ Cost Estimate
    ▪ Comments and responses from review meetings

Final Submittal will include electronically stamped documents.

Hard Copies

- Four (4) sets 22”x34”, black and white, drawings on bond:
- Four (4) sets 8 ½” x 11” bound, black and white, specifications:
- Four (4) sets 8 ½” x 11”, black and white, supplemental information, stapled

Additional sets can be added and will be charged at cost + 10%.
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 7:02 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

PUBLIC HEARINGS

1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF BELLINGHAM TO PURCHASE BALLISTIC VESTS FROM FUNDS PROVIDED BY THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, IN THE AMOUNT OF $13,113 (AB2017-280)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to approve the request.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

2. ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 17 FLOOD DAMAGE PREVENTION (AB2017-286)

Paula Harris, Public Works Department, described the substitute pages that fix scrivener’s errors.

Buchanan opened the public hearing, and hearing no one, closed the public hearing.
DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Donovan moved to adopt the ordinance.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

3. ORDINANCE ADOPTING INTERIM AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION REGULATIONS AND TITLE 24 HEALTH CODE, RELATING TO WATER RESOURCES (AB2016-309G)

Mark Personius, Planning and Development Services Department, referenced and read from a staff report in the Council packet. The State legislature has not moved forward on a fix for the Hirst Decision.

Buchanan opened the public hearing, and the following people spoke:

John Westerfield stated he is opposed to the moratorium. The average Nooksack River flow was drawn according to the median flow, not the average flow, which is inappropriate. Wells use little water, and most of it goes back into the ground.

Brett Espy stated the County must support the rural landowners caught in the mess. The State legislature won’t fix the problem. Explore the idea of fighting the Hirst Decision.

Anton Karuza described the impact of the Hirst Decision on his property. Look at real science, not political science.

Kathy Sabel stated she is opposed to the moratorium and they must all listen and compromise.

Roger Almskaar stated he represents landowners who are impacted by the Hirst Decision. He supports net-zero mitigation. Include language that allows them flexibility as science advances.

Karen Brown stated the water resources inventory area (WRIA) 1 Nooksack Basin has not been adjudicated, so senior water rights can’t be determined. She does not support the ordinance. Review the rule of instream flow, which is wrong. Do not use Economic Development Investment (EDI) funding for anything related to water.

Linda Twitchell, Building Industry Association, stated option 2 as described in the staff memo is the best option. Revisit the calculation for determining instream flow, which uses the median. Look at the minimum instream flow figure. Do not choose option 3. Have a public meeting in a rural area.

Wendy Harris stated property rights aren’t connected to water rights. There should be better disclosure about that when people buy property. The county is out of water and
cannot sustain infinite growth with finite resources. They must understand the strain on the water system and catalog what they have. Keep the ecosystem healthy.

Robin Dexter stated he supports the staff option to pursue a local settlement. Hire a lobbyist or work with Department of Ecology to rationalize the water rights database and achieve water rights banking. Find out what water they have and figure out how to measure water use. Get started on a comprehensive solution.

Max Perry stated the Council can begin adjudication activity. They have water, but they don’t know how much. Begin mitigating for the water.

Todd Bell described the impact of the Hirst Decision on his property and stated the cities shouldn’t be able to expand and grow if they’re out of water. The intent of the decision is to stop development, which is a government taking.

Jay Markarian stated he is in the process of calculating how much rain there is and how it’s used. Limiting growth this way will prevent other social services. Protect the citizens.

Stan Levinson described the impact of the critical areas ordinance on his property.

Mary Beth Teigrob stated she is opposed to government regulations on private property.

Hearing no one else, Buchanan closed the public hearing.

**Weimer moved** to adopt the ordinance.

The motion was seconded.

Councilmembers discussed the beneficial uses of wells; the City of Bellingham putting unused water into the bay; protecting the people in Whatcom County, especially if they have a vested permit; the County’s efforts to fight the lawsuit; the decision from the Supreme Court; solutions from mitigation and lobbying state legislators; the impact of adjudication making things worse; the need for compromise; abiding by the rule of law and honoring the councilmembers’ oaths of office; and setting aside politics during an election cycle to focus on people who are suffering due to the Hirst Decision.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** Brenner (1)

**OPEN SESSION**

The following people spoke:
- Gwen Hunter spoke about the critical areas ordinance update (AB2016-276L) and best available science.
- Kathryn Grant submitted a handout (on file) and spoke about incarceration and mental health.
Karen Brown spoke about her public records request of the State Supreme Court.

Joseph McDowell spoke about religious differences of Bellingham citizens.

Todd Bell spoke about the public hearing process being a one-sided discussion and about the Ordinance Adopting Interim Amendments to the Whatcom County Comprehensive Plan and the Whatcom County Code Title 15 Buildings and Construction, Title 20 Zoning, Title 21 Land Division Regulations and Title 24 Health Code, relating to water resources (AB2016-309G).

John Westerfield spoke about State legislators who don’t respond to the citizens and stalled legislation in Olympia regarding the Hirst Decision.

Carole Perry spoke about citizens working with the County and with State legislators on water issues.

John Campbell spoke about the critical areas ordinance update and the impact of the Growth Management Act.

Kathy Sabel spoke about identifying the facts before coming up with a solution to the Hirst Decision.

Wendy Harris spoke about the critical areas ordinance update (AB2016-276L) and best available science.

Stan Levinson spoke about how the critical areas ordinance requirements impact his property.

Councilmembers discussed contacting State legislators about State legislative solutions to the Hirst Decision.

CONSENT AGENDA

Browne reported for the Finance and Administrative Services Committee and moved to approve Consent Agenda items one through four.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

1. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #17-53 FOR THE REPLACEMENT OF ONE HYDROSTATICALLY DRIVEN CHIP SPREADER TO THE SOLE BIDDER, PACWEST MACHINERY, IN THE AMOUNT OF $290,449.91 (AB2017-290)

2. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #17-58 FOR THE REPLACEMENT OF ONE TRUCK-MOUNTED WATER TANK TO LOW BIDDER, RANDCO TANKS, IN THE AMOUNT OF $58,568.16 (AB2017-291)

3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND BROWN & CALDWELL ENVIRONMENTAL ENGINEERS & CONSULTANTS FOR LAKE WHATCOM TRIBUTARY MONITORING, WATER YEARS 2018-2020, IN THE AMOUNT OF $279,779 (AB2017-292)
4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON STATE DEPARTMENT OF ECOLOGY TO FUND ADMINISTRATIVE AND ACTION PROJECTS FOR THE WHATCOM COUNTY MARINE RESOURCES COMMITTEE THROUGH THE PERIOD OF OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, IN THE AMOUNT OF $74,000 (AB2017-293)

OTHER ITEMS

1. RESOLUTION ORDERING THE CANCELLATION OF UNCLAIMED CHECKS MORE THAN TWO YEARS OLD (AB2017-289)

Browne reported for the Finance and Administrative Services Committee and moved to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

2. APPOINTMENT OF TWO COUNCILMEMBERS TO SERVE ON THE RESERVE OFFICERS RETIREMENT BOARD OF TRUSTEES (AB2017-299)

Brenner moved to nominate and appoint herself.

The motion was seconded.

(Councilmember Brenner’s motion was not voted on.)

Buchanan moved to nominate and appoint Councilmembers Brenner and Sidhu.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. APPOINTMENT TO THE OPEN SPACE ADVISORY COMMITTEE, APPLICANT: PAUL STERMER (AB2017-277)

Mann moved to appoint Paul Stermer.

The motion was seconded.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

**INTRODUCTION ITEMS**

Buchanan described a scrivener’s error that will be changed in the final version of item two.

Donovan withdrew item eight.

Weimer withdrew item seven.

**Browne moved** to accept Introduction Items one through six.

The motion was seconded.

The motion to approve Introduction Items one through six carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

1. **RESOLUTION APPROVING THE SALE OF A PORTION OF SURPLUS REAL PROPERTY (AB2017-285)**

2. **RESOLUTION APPROVING THE WHATCOM COUNTY 2018 ANNUAL CONSTRUCTION PROGRAM (AB2017-294)**


4. **ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, TWELFTH REQUEST, IN THE AMOUNT OF $1,229,376 (AB2017-296)**

5. **ORDINANCE REPEALING ORDINANCE NO. 96-008, ACCIDENT PREVENTION PROGRAM (AB2017-297)**

6. **ORDINANCE AMENDING ORDINANCE NO. 2014-085 (ESTABLISHMENT OF THE INTEGRATED LAND RECORDS AND PERMIT MANAGEMENT SYSTEM FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR INTEGRATED LAND RECORDS AND PERMIT MANAGEMENT SYSTEM PROJECTS) TO APPROPRIATE FUNDING FOR A NEW PERMIT SYSTEM PROJECT (AB2017-298)**

7. **ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 10.04, SPEED LIMITS, TO ESTABLISH THE SPEED LIMIT FOR A PORTION OF NORTH SHORE ROAD (AB2017-196A)**

**Brenner** reported for the Public Works, Health, and Safety Committee and moved to accept version four.
The motion was seconded.

Councilmembers discussed the speed limits.

**Brenner moved** to approve version four of the ordinance, which includes a no passing zone, with an amendment to designate the following speed limits:
- 35 mph on North Shore Road from Y Road easterly to Lakeshore
- 30 mph on North Shore Road from Lakeshore Road easterly to the westerly side of Smith Creek

The motion was seconded.

The motion carried by the following vote:
**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
**Nays:** None (0)

8. **ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 16.16 (CRITICAL AREAS) AND WHATCOM COUNTY CODE CHAPTER 23.10 (SHORELINE MANAGEMENT PROGRAM – PURPOSE AND INTENT) PERTAINING TO THE PROTECTION AND REGULATION OF ENVIRONMENTALLY CRITICAL AREAS (AB2016-276L)**

**Browne moved** to refer to Committee of the Whole

The motion was seconded.

The motion carried by the following vote:
**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
**Nays:** None (0)

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

Councilmembers gave updates on recent activities and upcoming events.

**ADJOURN**

The meeting adjourned at 9:03 p.m.

The County Council approved these minutes on ______, 2018.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ___________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 2:25 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

COMMITTEE DISCUSSION

1. DISCUSSION REGARDING A PROPOSED ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 16.16 (CRITICAL AREAS) AND WHATCOM COUNTY CODE CHAPTER 23.10 (SHORELINE MANAGEMENT PROGRAM – PURPOSE AND INTENT) PERTAINING TO THE PROTECTION AND REGULATION OF ENVIRONMENTALLY CRITICAL AREAS (AB2016-276L)

Cliff Strong, Planning and Development Services Department, referenced and read from a staff report in the Council packet regarding the best available science (BAS) report. No action is necessary today. He answered questions.

Ryan Ericson, Planning and Development Services Department, answered questions.

Staff answered questions and the committee discussed allowing small hobby farms to be exempt from farm plan requirements, how they choose which studies to incorporate as best available science, hazardous areas and uses that do not require human habitation, how permit compliance is established on a case-by-case basis, giving the technical administrator the authority to make decisions, using existing naturalized ponds for fire suppression or stormwater management, and whether the Council can make policy decisions despite the best available science.

Browne moved to hold in committee for two weeks the discussion of ongoing agriculture.

The motion was seconded.

The motion carried by the following vote:

Ayes: Mann, Sidhu, Browne, and Buchanan (4)

Nays: Brenner, Weimer, and Donovan (3)
Strong continued the staff report and answered questions on the Conservation Program on Agriculture Lands (CPAL), including the appropriate animal unit-per-acre threshold to minimize impacts to water quality.

**Donovan moved** to delete subsection 16.16.814.

The motion was seconded.

Brenner moved to amend to one animal unit per grazable acre. The motion was not seconded.

**Browne moved** to hold the motion in committee for two weeks to get more feedback from the agricultural community.

**Donovan accepted the motion** as a friendly amendment.

The amended motion was seconded.

Dannon Traxler, agricultural community representative, stated she supports holding the motion for two weeks so the community can develop a recommendation for alternative language.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan and Donovan (6)

**Nays:** Weimer (1)

Councilmembers discussed exemptions for small orchards and other row crops and a citizen letter suggesting amendments to subsections lahar hazard areas.

Seth Woolson, attorney, referenced his October 9, 2017 letter to the committee about indemnification language and the impact of his suggested language.

Councilmembers discussed the processes for completing the critical areas ordinance update and for amending the shoreline plan.

Buchanan stated this item will be held in Committee for two weeks.

**COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

1. **RESOLUTION ESTABLISHING A HOMELESS STRATEGIES WORKGROUP**
   (AB2017-300)

   Councilmembers discussed collaborating with City of Bellingham officials to draft the resolution, making sure the group doesn’t automatically approve or endorse a City policy without assessing its merit, and creating a sunset date and timeframe for the work group.

   **Brenner moved** to amend the second Whereas statement, “end reduce homelessness.”
The motion was seconded

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)
**Nays:** None (0)
**Absent:** Mann (out of the room) (1)

*Buchanan moved* to amend to add a representative from the Bellingham/Whatcom Chamber of Commerce.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)
**Nays:** None (0)
**Absent:** Mann (out of the room) (1)

Councilmembers discussed whether this work involves the small cities.

*Donovan moved* to recommend approval as amended.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, Buchanan, Weimer and Donovan (6)
**Nays:** None (0)
**Absent:** Mann (out of the room) (1)

**OTHER BUSINESS**

There was no other business.

**ADJOURN**

The meeting adjourned at 4:00 p.m.

The Council approved these minutes on ______________, 2018.

**ATTEND:**

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

PUBLIC HEARINGS

1. RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR PROPERTY WITHIN THE BOUNDARIES OF WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 7 (EMERALD LAKE LIGHTING DISTRICT) AND REMANDING ROLL TO THE COUNTY TREASURER FOR COLLECTION (COUNCIL ACTING AS THE BOARD OF EQUALIZATION) (AB2017-262B)

Buchanan opened the public hearing, and the following people spoke:

Wendell Poole, Emerald Lake Property Owners Association Board, stated all current board members approve the slight increase in the assessment and a project to upgrade the lighting system.

John Suzanski described the background of the district and stated residents approve the upgrade as long as the wattage stays low.

Mike Webb described the history of the district and light system and stated he approves of the rate increase. He answered questions on plans for capital replacement of the light fixtures.

Hearing no one else, Buchanan closed the public hearing.

Randy Rydel, Public Works Department, gave a staff report and stated these lights are maintained by Puget Sound Energy (PSE). The bill covers electrical cost and light
fixture maintenance. He answered questions on the process for the Board of Equalization and staff to make changes.

*Mann moved* to approve the resolution.

The motion was seconded.

Councilmembers discussed how to determine whether the assessment is just and equitable and the reason this has to come to the Council, acting as the Board of Equalization, for approval.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** Brenner (1)

2. RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR PROPERTY WITHIN THE BOUNDARIES OF WHATCOM COUNTY ROAD IMPROVEMENT DISTRICT NO. 1 (BIRCH BAY LIGHTING DISTRICT) AND REMANDING ROLL TO THE COUNTY TREASURER FOR COLLECTION (COUNCIL ACTING AS THE BOARD OF EQUALIZATION) (AB2017-263B)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

*Mann moved* to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** Brenner (1)

3. RESOLUTION APPROVING THE SALE OF A PORTION OF SURPLUS REAL PROPERTY (AB2017-285)

Buchanan opened the public hearing, and the following person spoke:

Jim Cornelius stated he supports the resolution and described the property. They should attach a restriction to the property to limit tree removal.

Hearing no one else, Buchanan closed the public hearing.

*Brenner moved* to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)
4. RESOLUTION APPROVING THE WHATCOM COUNTY 2018 ANNUAL CONSTRUCTION PROGRAM (AB2017-294)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to approve the resolution.

The motion was seconded.

Browne withdrew project item three, Horton Road, to vote on separately.

The motion to approve the resolution, except project number three, carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Mann moved to approve project item three.

The motion was seconded.

The motion to approve project item three, carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Abstains: Browne (1)

5. RESOLUTION ADOPTING THE SIX-YEAR WATER RESOURCES IMPROVEMENT PROGRAM FOR 2018-2023 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-295)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Browne moved to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

6. ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 10.04, SPEED LIMITS, TO ESTABLISH THE SPEED LIMIT FOR A PORTION OF NORTH SHORE ROAD (AB2017-196A)

Buchanan opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved to approve the resolution.

The motion was seconded.
Councilmembers discussed whether keeping the speed limit would be more consistent.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)

**Nays:** Donovan (1)

**OPEN SESSION**

The following people spoke:

- Joseph McDowell spoke about religious people in Bellingham.
- Christopher Deile spoke about the Whatcom County Humane Society not responding to complaints about unrestrained dogs in a parked truck and the police falsely asserting he has mental problems.
- Leslie Honcoop, Whatcom County Farm Bureau, spoke about the critical areas ordinance update and exemptions from farm plans for youth groups.
- Pam Brady, BP Cherry Point Refinery, spoke about Consent Agenda item 3 regarding the contract amendment to Cascadia Law Group.

**CONSENT AGENDA**

Browne reported for the Finance and Administrative Services Committee and moved to approve Consent Agenda items one through three.

Brenner withdrew items two and three.

1. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND WASHINGTON STATE MILITARY DEPARTMENT TO SUSTAIN AND ENHANCE THE WHATCOM COUNTY SHERIFF’S OFFICE DIVISION OF EMERGENCY MANAGEMENT PROGRAM, IN THE AMOUNT OF $72,508 (AB2017-305)**

   Browne reported for the Finance and Administrative Services Committee and restated the motion to approve the request.

   The motion carried by the following vote:

   **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

   **Nays:** None (0)

2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND RESOURCES TO IMPLEMENT A COUNTYWIDE WASTE REDUCTION AND RECYCLING EDUCATION PROGRAM FOR YOUTH AT THE ELEMENTARY, MIDDLE, AND HIGH SCHOOL LEVELS, IN THE AMOUNT OF $50,000, FOR A TOTAL AMENDED CONTRACT AMOUNT OF $170,000 (AB2017-306)**

   Browne reported for the Finance and Administrative Services Committee and restated the motion to approve the request.
Councilmembers discussed whether it’s appropriate for the County to have a contract with this business, which has been politically outspoken on other issues.

The motion carried by the following vote:

Ayes: Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: Brenner (1)

3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND CASCADIA LAW GROUP PLLC TO CONDUCT THE STUDY AND MAKE RECOMMENDATIONS REQUIRED BY WHATCOM COUNTY COMPREHENSIVE PLAN POLICY 2CC-16, IN THE AMOUNT OF $25,000, FOR A TOTAL AMENDED CONTRACT AMOUNT OF $65,000 (AB2017-301)

Browne reported for the Finance and Administrative Services Committee and restated the motion to approve the substitute contract.

Councilmembers discussed whether it’s appropriate to allocate more money to this contractor, the difference between the budgeted and actual expenses, and the nature of the executive discussions to get legal advice.

The motion carried by the following vote:

Ayes: Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: Brenner (1)

OTHER ITEMS

1. ORDINANCE AMENDING THE 2017 WHATCOM COUNTY BUDGET, TWELFTH REQUEST, IN THE AMOUNT OF $1,229,376 (AB2017-296)

Browne reported for the Finance and Administrative Services Committee and moved to adopt the ordinance.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

2. ORDINANCE AMENDING ORDINANCE NO. 2014-085 (ESTABLISHMENT OF THE INTEGRATED LAND RECORDS AND PERMIT MANAGEMENT SYSTEM FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR INTEGRATED LAND RECORDS AND PERMIT MANAGEMENT SYSTEM PROJECTS) TO APPROPRIATE FUNDING FOR A NEW PERMIT SYSTEM PROJECT (AB2017-298)

Browne reported for the Finance and Administrative Services Committee and moved to adopt the ordinance.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

3. RESOLUTION ADOPTING A SALARY SCHEDULE AND POLICIES FOR UNREPRESENTED WHATCOM COUNTY EMPLOYEES, EFFECTIVE JANUARY 1, 2018, THROUGH DECEMBER 31, 2018 (AB2017-302)

Browne reported for the Finance and Administrative Services Committee and moved to approve the resolution.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

4. RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE MORE THAN THREE YEARS OLD (AB2017-303)

Browne reported for the Finance and Administrative Services Committee and moved to approve the resolution.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

5. RESOLUTION ORDERING THE CANCELLATION OF CHECKS (WARRANTS) MORE THAN A YEAR OLD (AB2017-304)

Browne reported for the Finance and Administrative Services Committee and moved to approve the resolution.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

6. ORDINANCE REPEALING ORDINANCE NO. 96-008, ACCIDENT PREVENTION PROGRAM (AB2017-297)

Browne reported for the Finance and Administrative Services Committee and moved to adopt the ordinance.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

7. RESOLUTION ESTABLISHING A HOMELESS STRATEGIES WORKGROUP (AB2017-300)

Buchanan reported for the Special Committee of the Whole and moved to approve the substitute resolution.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

(Discussion of this item continued under Committee Reports, Other Items, and Councilmember Updates.)

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE’S APPOINTMENT OF DAVID KINCHELOE TO THE WHATCOM COUNTY BEHAVIORAL HEALTH ADVISORY COMMITTEE (AB2017-307)

Mann moved to confirm the appointment.

The motion was seconded.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Browne (out of the room) (1)

INTRODUCTION ITEMS

1. RESOLUTION APPROVING THE SALE OF AN EASEMENT (AB2017-308)

Brenner moved to introduce the resolution.

The motion was seconded.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Donovan reported for the Natural Resources Committee.

Browne reported for the Finance and Administrative Services Committee.

DISCUSSION WITH SENIOR DEPUTY PROSECUTOR CHRISTOPHER QUINN REGARDING PENDING LITIGATION INVOLVING CLAIMS AGAINST ELECTED OFFICIALS ACTING WITHIN THEIR OFFICIAL DUTIES: PROSECUTING ATTORNEY, COUNTY EXECUTIVE, AND SHERIFF (WHATCOM COUNTY CAUSE NO. 17-2-01983-2) (AB2017-018)

Buchanan reported for the Committee of the Whole and stated the Council met earlier today in executive session concerning a civil lawsuit filed in Whatcom County Superior Court, case number 17-2-01983-2. Pursuant to WCC Chapter 2.56 and RCW...
4.96.041, the Council must find that the actions of each County official named in the suit meets the criteria set out in WCC 2.56.030 in order to authorize legal defense by the County for each named official. Therefore, the Council must vote on whether or not legal defense by the County will be provided based upon the criteria listed in WCC 2.56.030.

**Browne moved** to approve the findings as stated above.

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, Donovan and Weimer (5)

**Nays:** Mann and Buchanan (2)

Councilmembers gave updates on recent activities and upcoming events.

**RESOLUTION ESTABLISHING A HOMELESS STRATEGIES WORKGROUP (AB2017-300)**

Buchanan nominated himself and Councilmember Browne to be a member of the Homeless Strategy Group.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**ADJOURN**

The meeting adjourned at 8:02 p.m.

The County Council approved these minutes on _______, 2018.

**ATTEST:**

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ___________________________
Dana Brown-Davis, Council Clerk       Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
WHATCOM COUNTY COUNCIL
Special Committee of the Whole

November 8, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 2:49 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.
Absent: None.

COMMITTEE DISCUSSION

1. DISCUSSION REGARDING A PROPOSED ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 16.16 (CRITICAL AREAS) AND WHATCOM COUNTY CODE CHAPTER 23.10 (SHORELINE MANAGEMENT PROGRAM – PURPOSE AND INTENT) PERTAINING TO THE PROTECTION AND REGULATION OF ENVIRONMENTALLY CRITICAL AREAS (ORDINANCE MAY BE INTRODUCED THIS EVENING) (AB2016-276L)

Cliff Strong, Planning and Development Services Department, gave a staff report.

Brenner moved to approve the revised version of ongoing agriculture as shown in Dannon Traxler’s letter. “Ongoing Agriculture means all agricultural uses and practices, including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation operation; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facilities are no closer to the critical area than the original facilities; and maintaining agricultural lands under production or cultivation. An operation ceases to be ongoing when the area on which it was conducted has been converted to a non-agricultural use”

The motion was seconded.

Dannon Traxler, attorney, referenced her letter of November 6, 2017 to the Council and stated retain the revised definition to not punish farmers who may have to allow their land to lay fallow based on economic or other reasons. The Conservation Program on
Agriculture Lands (CPAL) is just as environmentally protective as the critical areas ordinance.

The following staff answered questions:
- Royce Buckingham, Prosecutor’s Office
- Ryan Ericson, Planning and Development Services Department

Councilmembers discussed the effects of the CPAL and the Conservation Reserve Enhancement Program (CREP), the risk of Growth Management Act (GMA) non-compliance, whether the CPAL is a compliant alternative to the critical areas ordinance (CAO), how to define what is a new area of farming, whether the intent is to allow new critical areas into agricultural use, the omission of the time limit, the Food Securities Act of 1985, whether CPAL protects habitat.

Brenner withdrew her motion to approve the definition of ongoing agriculture and moved to hold the definition in committee for two weeks so staff can work with Ms. Traxler to propose appropriate language.

The motion was seconded.

The motion failed by the following vote:
Ayes: Brenner, Sidhu, and Browne (3)
Nays: Buchanan, Donovan, Mann, and Weimer (4)

Donovan moved to approve the existing definition of ongoing agriculture.

The motion was seconded.

(Clerk’s Note: This motion was not voted on.)

Councilmembers discussed allowing staff time to develop a definition everyone can agree on.

Donovan moved to reconsider the previous motion to hold in committee.

The motion to reconsider was seconded.

The motion to reconsider carried by the following vote:
Ayes: Brenner, Sidhu, Donovan, Buchanan, and Browne (5)
Nays: Mann and Weimer (2)

Committee members discussed the deadlines for adopting the update.

The original motion to hold in committee for two weeks carried by the following vote:
Ayes: Brenner, Sidhu, Donovan, Buchanan, and Browne (5)
Nays: Mann and Weimer (2)

Donovan moved to remove the exemption section 16.16.814.

The motion was seconded.
Committee members discussed whether there was a problem to begin with, how it will be enforced, and revisiting the critical areas ordinance (CAO) at any time in the future.

Traxler reported on the agricultural community’s recommendation to remove the exemption language and replace it with language that would exempt anyone who can meet certain circumstances and requirements. That’s generally how things are done already.

The motion carried by the following vote:

Ayes: Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)
Nays: Brenner (1)

Strong gave a staff report on lahars. If in a critical area, they should look at site plans and develop the property so it avoids impacts.

Browne moved to amend 16.16.320(B) to add a sentence to the end, “...on a property. This section shall not apply to properties located wholly within a lahar hazard zone and the impact avoidance measures is for lahar hazards.”

The motion was seconded.

Mann moved to amend the motion to remove “wholly.”

The motion was seconded.

(Clerk’s Note: This motion was not voted on.)

Committee discussed how the County can suggest people move their project if their property is partially or wholly in a lahar hazard zone, and whether it would require someone to reduce the number, size, or scale of the buildings.

Seth Woolson, attorney, spoke about the language he recommends, which allows staff to suggest that a project be moved to a portion of the property not in a lahar hazard zone.

Browne withdrew his motion and moved to adopt Mr. Woolson’s suggested language to amend 16.16.320(B) with an amendment, “...will be permitted on a property. So long as an applicant complies with WCC 16.16.350(B), the County shall not be permitted to require lahar impact avoidance measures that reduce the number, size, or scale of buildings, driveways, and other features; require the owner to forego construction of accessory structures; or prevent uses otherwise allowed per the property’s zoning district based solely on the property’s location with a lahar hazard zone.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, and Donovan (6)
Nays: Weimer (1)
**Browne moved** to amend 16.16.350(B)2, “...the following uses may be are allowed....”

The motion carried by the following vote:
**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)
**Nays:** Donovan (1)

Councilmembers and staff discussed creating travel time projection maps.

**Donavan moved** to approve amendments:
- 16.16.320(B), “Impact avoidance measures shall...scale of buildings and appurtenant, driveways and other features; altering the configuration or layout of the proposed development; implementing special engineering methods for construction, drainage, runoff management etc.; foregoing construction of accessory structures; preserving native....”
- 16.16.345, “The following activities may be allowed...have been applied:
  A. Developments that will have no minimize the threat to the health or safety of people and will not increase the risks of alluvial fan hazards on or off the site and meet the reasonable use standards as set forth in WCC 16.16.270.
  B. ...
  C. ...
  D. Accessory structures not involving human occupancy shall be allowed as long as the structure will not increase the alluvial fan hazards on or off the site.”

The motion was seconded.

The motion carried by the following vote:
**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
**Nays:** None (0)

Councilmembers and staff discussed why habitation can’t occur if impacts can be mitigated or minimized.

**Brenner moved** to amend section 4.1 of the best available science review report to delete the fifth bullet point, “Uses that do not require human habitation when adverse impacts can be minimized or mitigated.”

The motion was seconded.

The motion failed by the following vote:
**Ayes:** Brenner and Sidhu (2)
**Nays:** Mann, Browne, Buchanan, Weimer and Donovan (5)

**Weimer moved** to reject all the rest of the proposals beginning on Council packet page 375: two through 13, 15, 16, and 18 through 35.

The motion was seconded.

The motion failed by the following vote:
**Ayes:** Weimer (1)
**Nays:** Brenner, Mann, Sidhu, Browne, Buchanan, and Donovan (6)

*Brenner moved* to hold in committee the remaining items two through 13, 15, 16, and 18 through 35 for two weeks.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, and Donovan (6)

**Nays:** None (0)

**Absent:** Weimer (out of the room) (1)

Buchanan stated the Committee of the Whole would hold a special work session in one week.

2. **DISCUSSION OF A PROPOSED ORDINANCE ADOPTING WHATCOM COUNTY ZONING CODE AMENDMENTS RELATING TO THE RESORT COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT CHAPTER, AND A NEW DENSITY CREDITS CHAPTER (ORDINANCE SCHEDULED FOR INTRODUCTION THIS EVENING) (AB2017-319)**

Matt Aamot, Planning and Development Services Department, submitted and read from a presentation *(on file)*. He answered questions about whether the information went to the fire districts; why the two committees suggested $4,000; the cost of development outside of cities; what is the market and whether there is interest; setting the price; creating a market-driven approach to get development out of valuable agriculture land and other areas and into established urban growth areas; establishing a fee schedule and setting a price; and that recreational facilities should include trails.

**OTHER BUSINESS**

There was no other business.

**ADJOURN**

The meeting adjourned at 4:33 p.m.

The Council approved these minutes on ______________, 2018.

**ATTEST:**

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

____________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair
WHATCOM COUNTY COUNCIL  
Committee Of The Whole  
November 8, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:32 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Rud Browne, Barry Buchanan, Ken Mann, Todd Donovan, Barbara Brenner, Satpal Sidhu, and Carl Weimer

Absent: None

COMMITTEE DISCUSSION

1. DISCUSSION WITH PUBLIC WORKS STAFF REGARDING A POTENTIAL PROPERTY ACQUISITION (AB2017-018)

Attorney Present:

Buchanan stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(b). Executive session will conclude no later than 1:45 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Browne moved to go into executive session until no later than 1:50 p.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

The motion carried by the following vote:

Ayes: Browne, Buchanan, Mann, Donovan and Weimer (5)
Nays: None (0)
Absent: Brenner and Sidhu (out of the room) (2)

At 1:50 p.m., Buchanan announced the executive session would be extended to no later than 2:00 p.m.

OTHER BUSINESS

ADJOURN

The meeting adjourned at 1:58 p.m.

The Council approved these minutes on ______ 2018.

ATTEST: WHATCOM COUNTY COUNCIL
CALL TO ORDER
Council Chair Barry Buchanan called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL
Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.
Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

OTHER ITEMS
3. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE’S APPOINTMENT OF STARCK FOLLIS FOR PUBLIC DEFENDER, EFFECTIVE JANUARY 1, 2018, PURSUANT TO WHATCOM COUNTY CODE SECTION 2.09.100 (AB2017-317)

Jack Louws, County Executive, introduced Mr. Follis and the appointment.

Starck Follis, Public Defender’s Office, described the history of the office and the importance of maintaining continuity in staff.

Browne moved to confirm the appointment.

The motion was seconded.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

PUBLIC HEARINGS
1. RESOLUTION APPROVING THE SALE OF AN EASEMENT OVER WHATCOM COUNTY-OWNED PROPERTY (AB2017-308)
Buchanan opened the public hearing, and the following person spoke:

Jon Sitkin, attorney representing the property owner, stated he is available to answer questions.

Hearing no one else, Buchanan closed the public hearing.

Andrew Hester, Public Works Department, and Mr. Sitkin answered questions on what happens if the County has a need for an easement in the future for public health and safety reasons, the difference between possession and occupation of the land, and whether the County is losing some value or use.

Browne moved to approve the resolution.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

OPEN SESSION

The following people spoke:

- George Rounthwaite spoke about flood and drainage relief in his neighborhood.
- Gwen Hunter spoke about creating a special district to pay for Lake Whatcom water quality and development around the shoreline.
- Irene Morgan spoke about voting against the jail sales and use tax.
- Joseph Down spoke about hatred in the community.
- Robert Lee spoke about the County jail and justice reform.
- Joy Gilfilin, Restorative Community Coalition, submitted a handout (on file) and spoke about the County jail and alleged election law violations.
- Wendy Harris spoke about the critical areas ordinance.
- Max Perry spoke about the County jail.
- Carole Perry spoke about the County jail.
- Natasha Raiming spoke about the lack of behavioral health services in the community.

CONSENT AGENDA

Browne reported for the Finance and Administrative Services Committee and moved to approve Consent Agenda items one through four.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)
1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND NORTH SOUND BEHAVIORAL HEALTH ORGANIZATION TO PROVIDE FUNDING TO PROMOTE RECOVERY AND RESILIENCE TO HOMELESS INDIVIDUALS THROUGH THE PROVISION OF HOUSING CASE MANAGEMENT AND SHELTER OPERATIONS SERVICES, IN THE AMOUNT OF $168,339 (AB2017-313)

2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY, CITY OF BELLINGHAM, AND LAKE WHATCOM WATER & SEWER DISTRICT FOR LAKE WHATCOM TRIBUTARY MONITORING FOR WATER YEARS 2018-2020, IN THE AMOUNT OF $279,779 (AB2017-314)

3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND TYLER TECHNOLOGIES, INC. FOR ONE-TIME SOFTWARE LICENSES AND PROFESSIONAL SERVICES TO IMPLEMENT A NEW PERMIT SYSTEM, IN THE AMOUNT OF $1,080,239.08 (AB2017-315)

4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND DESIGN2LAST, INC. FOR CAPITAL IMPROVEMENTS AT THE JAIL (PUBLIC SAFETY BUILDING AND WORK CENTER), IN THE AMOUNT OF $543,000, FOR A TOTAL AMENDED CONTRACT AMOUNT OF $913,287.20 (AB2017-316)

OTHER ITEMS

1. RESOLUTION SETTING HEARING AND NOTICE OF HEARING ON THE SALE OF COUNTY TAX TITLE PROPERTY BY NEGOTIATION, REQUEST NO. TR2017-04 (AB2017-311)

   Browne reported for the Finance and Administrative Services Committee and moved to approve the resolution.

   The motion carried by the following vote:
   Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
   Nays: None (0)

2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT AND GENEVA CONSULTING SERVICES FOR COORDINATION OF THE WHATCOM COUNTY LOCAL INTEGRATING ORGANIZATION, IN THE AMOUNT OF $68,970 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-312)

   Browne reported for the Finance and Administrative Services Committee and moved to approve the request.

   Councilmembers discussed having the Planning Unit review the recommendation.
The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** Brenner (0)

4. **RESOLUTION REQUESTING THE COUNTY EXECUTIVE MAKE MINOR CHANGES TO IMPROVE SERVICE TO THE PUBLIC AND ELIMINATE THE NEED FOR STAFF TO PERFORM CERTAIN REPETITIVE TASKS (AB2017-333)**

*Browne moved* to approve the resolution.

The motion was seconded.

Browne described his proposed resolution to bring forward these items for the budget, the need to relabel the unisex bathrooms to not be gender specific, and the need for baby changing stations in the men’s restrooms.

Jack Louws, County Executive, answered questions and councilmembers discussed Americans with Disabilities Act (ADA) requirements for public bathrooms, assigning parking spaces to councilmembers, and costs associated with the proposals.

*Brenner moved* to amend to remove the parking sign proposal.

The motion was seconded.

The motion to amend failed by the following vote:

**Ayes:** Brenner and Donovan (2)

**Nays:** Mann, Sidhu, Browne, Buchanan, and Weimer (5)

The motion to approve the resolution carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** None (0)

**Abstains:** Brenner (1)

**INTRODUCTION ITEMS**

*Brenner moved* to approve items one through 15 and 17.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

1. **ORDINANCE AMENDING WHATCOM COUNTY CODE 2.118, REACTIVATING THE WHATCOM COUNTY WILDLIFE ADVISORY COMMITTEE (AB2017-318)**

2. **ORDINANCE ADOPTING WHATCOM COUNTY ZONING CODE AMENDMENTS RELATING TO THE RESORT COMMERCIAL DISTRICT, PLANNED UNIT**
1. DEVELOPMENT CHAPTER, AND A NEW DENSITY CREDITS CHAPTER (AB2017-319)

2. RESOLUTION TO SELL COUNTY TAX TITLE PROPERTY BY NEGOTIATION - REQUEST NO. 2017-04 (AB2017-311A)

3. ORDINANCE AMENDING ORDINANCE 2012-050 (ESTABLISHMENT OF THE BIRCH BAY DRIVE AND PEDESTRIAN FACILITY PROJECT FUND AND ESTABLISHING A PROJECT BASED BUDGET FOR CRP NO. 907001) FOR THE FOURTH TIME TO INCREASE THE PROJECT BASED BUDGET FOR THE BIRCH BAY DRIVE AND PEDESTRIAN FACILITY PROJECT BY $7,850,000, FOR A TOTAL PROJECT BUDGET AMOUNT OF $11,450,000 (AB2017-320)

4. RESOLUTION ADOPTING THE 2018 BUDGET FOR THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT AND SUBZONES (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-321)

5. RESOLUTION UPDATING THE CAPITAL PROJECT SECTION OF THE LAKE WHATCOM COMPREHENSIVE STORMWATER PLAN (AB2017-322)

6. ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 10.04, ESTABLISHING THE SPEED LIMIT ON A PORTION OF LAKE WHATCOM BOULEVARD (AB2017-323)

7. RESOLUTION AMENDING THE 2017 FLOOD CONTROL ZONE DISTRICT AND SUBZONES BUDGETS, FOURTH REQUEST, IN THE AMOUNT OF $83,765 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-324)

8. ORDINANCE AMENDING THE 2017 WHATCOM COUNTY BUDGET, THIRTEENTH REQUEST, IN THE AMOUNT OF $4,330,977 (AB2017-325)

9. ORDINANCE AMENDING THE 2018 WHATCOM COUNTY BUDGET, FIRST REQUEST, IN THE AMOUNT OF $20,456,067 (AB2017-326)

10. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND STATE PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE YEAR OF 2018 (AB2017-327)

11. ORDINANCE LIMITING THE 2018 GENERAL FUND PROPERTY TAX LEVY (AB2017-328)

12. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR CONSERVATION FUTURES PURPOSES FOR 2018 (AB2017-329)

13. ORDINANCE AUTHORIZING THE LEVY OF 2018 PROPERTY TAXES FOR COUNTY ROAD PURPOSES (AB2017-330)
15. RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT FOR 2018 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2017-331)

16. ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 16.16 (CRITICAL AREAS) AND WHATCOM COUNTY CODE CHAPTER 23.10 (SHORELINE MANAGEMENT PROGRAM – PURPOSE AND INTENT) PERTAINING TO THE PROTECTION AND REGULATION OF ENVIRONMENTALLY CRITICAL AREAS (AB2016-276L)


COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Browne reported for the Finance and Administrative Services Committee.

Buchanan reported for the Committee of the Whole and Special Committee of the Whole.


Councilmembers gave updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 8:05 p.m.

The County Council approved these minutes on ______, 2018.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ___________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair
Whatcom County Council
Surface Water Work Session

November 14, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 10:32 a.m. in the Civic Center Garden Level Conference Room, 322 Commercial Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer
Absent: Rud Browne

SURFACE WATER WORK SESSION (AB2017-024)

1. WATER PLANNING UPDATE

Gary Stoyka, Public Works Department, reported on the activity among the Water Board staff, local government caucus, Planning Unit, and water supply group to reengage everyone on water issues. Also, The flood budget will be before the Council next week.

Councilmembers and Stoyka discussed the level of service options chart and deciding on and funding the level of service going forward in 2018. Councilmembers will schedule a work session to discuss increasing flood fund revenue to increase the level of service.

2. PLANNING UNIT PRESENTATION

The following Planning Unit members and staff submitted information on the Planning Unit outline for discussion (on file), gave a presentation, and answered questions:

- Dan Eisses, water districts caucus
- Andy Ross, non-government water systems caucus
- Steve Jilk, Public Utility District
- Jon Hutchings, Public Works Department Director

The framework is the mechanism and process for accomplishing anything. The Watershed Management Board is developing its work plan. The outstanding framework questions are the role of the Planning Unit, how it interfaces with the Watershed Management Board, and whether the Planning Unit will implement the 2005 watershed management plan or will it do something else. There isn’t a commitment to implement the 2005 Watershed Management Plan. The Council is one member of the Watershed Management Board.

Councilmembers asked questions and discussed how to incorporate the Watershed Management Board into the framework, the Planning Unit recommendations to Council on spending money, and Planning Unit staff needs.
Brenner moved to add an adequate amount of staff to the Planning Unit to work on all water issues in the water resources inventory area (WRIA) 1.

Councilmembers, staff, and Planning Unit members continued to discuss the Council identifying what it wants the Planning Unit to do; identifying an appropriate level of staffing; the County as the lead agency in an administrative role to pass funds through and approve contracts, on recommendation of the Watershed Management Board, which is in charge; and whether the County Council can reject funding a recommendation of the Watershed Management Board.

The motion was seconded.

Councilmembers, staff and Planning Unit members continued to discuss staffing levels and framework for the Planning Unit.

Ross submitted a handout (on file) and reported on Recommendation 1, to implement Instream Flow Selection And Adoption Plan, and on Recommendation 3, data collection, reporting, monitoring, and evaluation.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Browne (1)

3. POLLUTION IDENTIFICATION & CORRECTION (PIC) PROGRAM UPDATE

The following staff submitted and read from a presentation (on file).
- Erika Douglas, Public Works Department
- Aneka Sweeney, Whatcom Conservation District
- Mike Kim, Health Department

All water is connected, and land uses impact water. Too much bacteria is going into the marine waterbodies. The PIC program addresses all the sources of bacteria. Partnerships are required to solve the source problems. An online resource shows historic data collected. The PIC program allows them to reach out to people and give them tools needed to make changes. The Health Department is working on source problems from septic systems. The solutions are working.

Whatcom County has 37 percent of all the livestock in Puget Sound. The Conservation District implements a voluntary stewardship program. Trusting relationships with the community are necessary. There are several programs to assist landowners.

The Health Department notifies property owner to complete the operations and maintenance for their onsite septic systems. They hope to inspire voluntary compliance through a cultural shift. In the last two and a half years, over 12,000 inspections were done. Compliance is defined as completing the system status evaluation. Kim described the results of the OSS inspection programs. They continually review and streamline the process. With recent changes, they receive higher quality evaluations.
Other partners include the City of Lynden, which has begun to waive fees for hooking up old septic systems to the new sewer system. The Health Department will develop a more comprehensive educational campaign with different messages for different people, including more use of social media. Everyone in the community can take action to fix the water problems.

Councilmembers and staff discussed the types of messages that people respond to that have nothing to do with water quality improvements, such as doing chores more efficiently, helping neighbors, animal health, and taking care of the investment and the reasons why septic systems fail.

**ADJOURN**

The meeting adjourned at 12:30 p.m.

The Council approved these minutes on ________________, 2018.

**ATTEST:**

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
WHATCOM COUNTY COUNCIL
Committee Of The Whole

November 21, 2017

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1:17 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Satpal Sidhu, Rud Browne, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer
Absent: None

COMMITTEE DISCUSSION

1. UPDATE ON NEGOTIATIONS AND STRATEGY PLANNING DISCUSSION REGARDING COLLECTIVE BARGAINING (AB2017-018)
   Attorney Present: None

   Buchanan stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.140 (4)(a). Executive session will conclude no later than 1:30 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

   Browne moved to go into executive session until no later than 1:30 p.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

   The motion carried by the following vote:
   Ayes: Brenner, Browne, Buchanan, Mann, and Weimer (5)
   Nays: None (0)
   Absent: (out of the room): Sidhu and Donovan (2)

OTHER BUSINESS

ADJOURN

The meeting adjourned at 1:30 p.m.

The Council approved these minutes on ______ 2018.

ATTEST: WHATCOM COUNTY COUNCIL
<table>
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<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
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<tbody>
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<td>EB</td>
<td>1/8/18</td>
<td></td>
<td>1/16/18</td>
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<td></td>
<td></td>
<td></td>
<td>1/30/18</td>
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<td>01/08/18</td>
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<td>1/8/18</td>
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</table>

**TITLE OF DOCUMENT:** Clarification of 2018 Property Tax Levy Ordinances

**ATTACHMENTS:** Proposed Resolution

<table>
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<tr>
<th>SEPA review required?</th>
<th>( ) Yes</th>
<th>( X ) NO</th>
<th>Should Clerk schedule a hearing?</th>
<th>( X ) Yes</th>
<th>( ) NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPA review completed?</td>
<td>( ) Yes</td>
<td>( ) NO</td>
<td>Requested Date: January 30, 2018</td>
<td></td>
<td></td>
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</table>

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

The proposed resolution clarifies the 2018 Property Tax Levy Ordinances as a result of any ambiguities caused by the 2017 administrative deduction related to settlement of the BP Refinery tax appeal.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

1/16/2018: Substitute Introduced 6-0

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**
Memorandum

To: Jack Louws, County Executive
From: Brad Bennett, Finance Manager
Date: January 12, 2018
Re: Clarification of 2018 Property Tax Levy Ordinances

The proposed resolution clarifies the 2018 property tax levy ordinance as a result of any ambiguities caused by the 2017 administrative deduction related to the settlement of the BP Refinery tax appeal. The County Assessor was required by law to reduce the 2017 property tax levy described in the county’s 2017 tax levy ordinances by recovered amounts related to the BP Refinery Tax appeal. The adjustments reduced individual funds’ tax levies as follows.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General Fund</td>
<td>($505,148.07)</td>
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<tr>
<td>Road Fund</td>
<td>($688,884.09)</td>
</tr>
<tr>
<td>Conservation Futures Fund</td>
<td>($18,703.98)</td>
</tr>
<tr>
<td>Flood Control Zone District</td>
<td>($60,218.92)</td>
</tr>
<tr>
<td>Total</td>
<td>($1,272,955.06)</td>
</tr>
</tbody>
</table>

This was a one-time adjustment intended to repay all taxpayers for the impact of the BP Refinery tax appeal on taxpayers’ 2014-2016 property taxes. The Washington State Department of Revenue considers the “previous year’s levy” to be the adjusted levy after the deduction for recovered tax amounts. The proposed resolution clarifies the County’s intent in the 2018 tax levy ordinances was to levy taxes based on a “previous year’s levy” that was equal to the 2017 property tax levy before the one-time adjustment for recovered amounts related to the BP Refinery tax appeal.
The Levies before the one-time adjustment for recovered amounts are as follows.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General Fund</td>
<td>$29,365,202.70</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$19,619,286.17</td>
</tr>
<tr>
<td>Conservation Futures Fund</td>
<td>$1,086,580.72</td>
</tr>
<tr>
<td>Flood Control Zone District</td>
<td>$3,501,750.22</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$53,572,819.81</strong></td>
</tr>
</tbody>
</table>
Resolution 

CLARIFICATION OF 2018 PROPERTY TAX LEVY ORDINANCES

WHEREAS, the Whatcom County Council adopted 2018 property tax levy ordinances 2017-065 (General Fund), 2017-066 (Conservation Futures Fund) and 2017-067 (Road Fund) on November 21, 2017; and

WHEREAS, the Whatcom County Council acting as the Whatcom County Flood Control Zone District Board of Supervisors adopted 2018 property tax levy resolution 2017-064 (Flood Control Zone District Fund) on November 21, 2017; and

WHEREAS, pursuant to RCW 84.52.018 recovered tax collections resulting from the settlement of the BP Refinery property tax appeal resulted in a one-time administrative deduction from taxes levied in ordinances 2017-065, 2017-066, 2017-067 and Resolution 2017-064; and

WHEREAS, the Whatcom County Council wishes to clarify any ambiguity pertaining to property taxes levied caused by the administrative deduction related to settlement of the BP Refinery tax appeal;

NOW, THEREFORE BE IT RESOLVED, the 2018 Adopted Levy Ordinances (Ordinance 2017-065, Ordinance 2017-066, and Ordinance 2017-067) include dollar increase and percentage change from the previous year of zero (0) dollar and zero (0) percentage increase to the actual levy from the previous year (2017), before amounts administratively deducted pursuant to RCW 84.52.018, related to recovered tax amounts from the settlement of highly valued disputed property (BP Refinery). The referenced previous year’s levies’ dollar amounts are:

County Current Expense: $ 29,365,212.70
Conservation Futures: $ 1,086,580.72
County Road: $ 19,619,286.17
BE IT FURTHER RESOLVED, the 2018 Adopted Levy Resolution pertaining to the Whatcom County Flood Control Zone District (Resolution 2017-064) includes a dollar increase and percentage change from the previous year of $1,200,000 dollars and 34.391324442% increase to the actual levy from the previous year (2017), before amounts administratively deducted pursuant to the RCW 84.52.018, related to recovered tax amounts from the settlement of highly valued disputed property (BP Refinery). The referenced previous year’s levy dollar amount is $3,501,750.22.

APPROVED this __________ day of January, 2018.

ATTEST:

______________________________
Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________
Chair of Council

( ) APPROVED  ( ) DENIED

______________________________
Civil Deputy Prosecutor

Jack Louws, County Executive

Date: __________________________
WHATCOM COUNTY COUNCIL AGENDA BILL
NO. 2018 - 27

CLEARANCES

Initial | Date | Date Received in Council Office | Agenda Date | Assigned to:
---|---|---|---|---
Originator: | 1/4/2018 | | | Council
Division Head: | | | | 
Dept. Head: | 1/10/2018 | | | 
Prosecutor: | | | | 
Purchasing/Budget: | | | | 
Executive: | | | | 

TITLE OF DOCUMENT:
Approval of "Standing" Council Meetings for 2018

ATTACHMENTS:

SEPA review required? ( ) Yes ( ) NO
SEPA review completed? ( ) Yes ( ) NO
Should Clerk schedule a hearing? ( ) Yes ( ) NO
Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)
Approval of "Standing" Council Meetings for 2018

COMMITTEE ACTION:

COUNCIL ACTION:
1/16/2018: Approved 6-0

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

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

SPECIAL STANDING MEETING
DATES FOR 2018
(OFFICIAL ACTION MAY BE TAKEN AT THESE MEETINGS)

HEALTH BOARD
10:30 A.M., WHATCOM COUNTY COUNCIL CHAMBERS, 311 GRAND AVENUE

MARCH 6, 2018
JUNE 26, 2018
OCTOBER 2, 2018
NOVEMBER 27, 2018

SURFACE WATER WORK SESSIONS
10:30 A.M., CIVIC CENTER BUILDING GARDEN ROOM, 322 N. COMMERCIAL ST.

JANUARY 23, 2018
FEBRUARY 20, 2018
MARCH 20, 2018
APRIL 17, 2018
MAY 15, 2018
JUNE 12, 2018
JULY 17, 2018
SEPTEMBER 18, 2018
OCTOBER 16, 2018
NOVEMBER 13, 2018

LAKE WHATCOM JOINT COUNCILS AND COMMISSION MEETING
6:30 P.M., BELLINGHAM CITY COUNCIL CHAMBERS, 210 LOTTIE STREET
(6 P.M. OPEN HOUSE)

MARCH 28, 2018
WHATCOM COUNTY COUNCIL AGENDA BILL

CLEARANCES

<table>
<thead>
<tr>
<th>Originator:</th>
<th>Council</th>
<th>Date</th>
<th>1/8/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
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<tr>
<td>Dept. Head:</td>
<td></td>
<td></td>
<td>1/10/2018</td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Purchasing/Budget:</td>
<td></td>
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<tr>
<td>Executive:</td>
<td></td>
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</tbody>
</table>

TITLE OF DOCUMENT:

Annual appointments to Council appointed Boards and Committees

ATTACHMENTS:

application

SEPA review required? ( ) Yes ( ) NO

SEPA review completed? ( ) Yes ( ) NO

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

Requested Date:

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

Annual appointments to Council-appointed citizen boards, commissions, and committees. See attached list of vacancies.

COMMITTEE ACTION:

COUNCIL ACTION:

Application deadline extended to 10 a.m.
on January 29, 2018

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.
DRAYTON HARBOR SHELLFISH PROTECTION DISTRICT
4 vacancies, various terms. Members must have a direct interest in the shellfish protection district. Duties are to advise the County Council on the proposed actions and operations relating to the restoration of water quality in the Drayton Harbor Shellfish Protection District.

Applicant: Richard Beauregard
**Board and Commission Application**

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

*THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.*

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Richard</td>
</tr>
<tr>
<td>Last Name</td>
<td>Beauregard</td>
</tr>
<tr>
<td>Date</td>
<td>1/12/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>8961 Bald Eagle Dr</td>
</tr>
<tr>
<td>City</td>
<td>Blaine</td>
</tr>
<tr>
<td>Zip</td>
<td>98230</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>7149812871</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:rick.beauregard@outlook.com">rick.beauregard@outlook.com</a></td>
</tr>
</tbody>
</table>

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Drayton Harbor Shellfish Protection District Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>Retired. 40 years experience as an environmental consultant, business consultant and corporate trainer in negotiations and strategic planning. Technical expertise in water quality, marine biology, and environmental engineering. Worked in environmental planning and monitoring for offshore and onshore petroleum facilities and pipelines, wastewater facilities, and hazardous waste management. Served as appointed</td>
</tr>
</tbody>
</table>
10. Please describe why you’re interested in serving on this board or commission

To offer my expertise and training to preserve the water quality and marine environment of Drayton Harbor as a representative of the yachting community and a local resident.

References (please include daytime telephone number):

Dan Young 714-914-2075 Del Hodkins 361-933-4839

Signature of applicant: Richard R Beauregard

Place Signed / Submitted: Blaine, WA
INCARCERATION PREVENTION AND REDUCTION TASK FORCE
The Task Force reviews Whatcom County’s criminal justice and behavioral health programs and makes specific recommendations to safely and effectively reduce incarceration of individual struggling with mental illness and chemical dependency, and minimize jail utilization by pretrial defendants who can safety be released.

6 Vacancies:

- 1 Member - Must be a representative of one of the following: Community Health Center - Federally Qualified Health Center (FQHC). Partial Term ending 1/31/2020.
  Applicant: Kate Hansen

- 1 Member – Emergency Medical Services – 4 year term – Current member eligible to reapply
  Applicant: Jerry DeBruin

- 2 Members – Community Action Agency- 4 year term – Current members eligible to reapply
  Incumbents: Byron Manering
  Moonwater

  Applicants: Phyllis Joy Gilfilen
  Barry MacHale

1 Member – Consumer- 4 year term – Current member eligible to reapply
  Applicant: Kristin Hanna
  Deborah Hawley

- 1 member - Citizen- 4 year term – Current member eligible to reapply
  Incumbent: Irene Morgan
  Applicants: Phyllis Joy Gilfilen
  Barry MacHale
  Lisa McShane
  Wendy Miller
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name

Kate

Last Name

Hansen

Date

1/7/2018

Street Address

6133 Venus Place

City

Ferndale

Zip

98248

Do you live in & are you registered to vote in Whatcom County?

Yes

Do you have a different mailing address?

Field not completed.

Primary Telephone

360-325-2017

Secondary Telephone

Field not completed.

Email Address

Kate.hansen7@gmail.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Board or Committee</td>
<td>Incarceration Prevention and Reduction Task Force</td>
</tr>
<tr>
<td>Incarceration Prevention and Reduction Task Force</td>
<td>Community Health Center - Federally Qualified Health Center (FQHC) representative</td>
</tr>
<tr>
<td>Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?</td>
<td>Yes</td>
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<tr>
<td>Which Council district do you live in?</td>
<td>District 5</td>
</tr>
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</tr>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: 

- Kate Hansen Resume Jan. 2018.pdf

9. Please describe your occupation (or former occupation if retired), qualifications, | Please see attached resume. |
professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

I have extensive experience working with marginalized populations and have learned so much about how to best help people through community programs to live fulfilling and meaningful lives. I am excited about the opportunity to put those skills to further use and share my knowledge with others. There is much I can learn from current members of this task force as well. I know together we can make a difference by meeting the needs of individuals to help them stay out of jail. I believe low incarceration rates are what's best for the whole community.

References (please include daytime telephone number):
Nav Kaur, Unity Care NW, 360-820-4067 Lisa McShane, McShane Strategies, 360-201-0779 Danae Armstrong, Compass Health, 360-325-1956

Signature of applicant: Kate Hansen

Place Signed / Submitted: Ferndale, WA

Email not displaying correctly? View it in your browser.
KATE HANSEN
6133 VENUS PLACE · FERNDALE, WA 98248
(360) 325-2017 · KATE.HANSEN7@GMAIL.COM

WORK EXPERIENCE

Integrated Behavioral Health Case Manager – Unity Care Northwest
Bellingham/Ferndale, WA, June 2017 – Present
• Work directly with medical providers to ensure patients with complex needs meet their physical and mental health goals
• Draw on excellent knowledge of local resources to connect patients with other services and programs to address needs such as food, housing, legal representation, transportation, substance abuse, etc.
• Coordinating with other programs and providers in the community to improve services for the public

Mental Health Case Manager, Intensive Outpatient Program – Compass Health
Bellingham, WA, March 2012 – August 2013, April 2015 – June 2017
• Assessed needs, wrote treatment plans, and supported clients in reaching their goals, ensuring their basic needs were met
• Deal with crisis situations, often regarding client safety, including answering and triaging after-hours crisis line
• Helped develop Independent Living Support Program, which worked with community housing providers to obtain referrals and assist residents in living fulfilling, meaningful, and independent lives

Program Manager – Sun Community Service
Bellingham, WA, March 2011 – March 2012
• Managed two housing programs for adults with mental illness: coordinated referrals, admissions, and discharges and supervised staff of ten employees
• Worked closely with other agencies on homelessness prevention, rapid re-housing, and jail reentry
• Developed new projects, such as fundraising, and coordinating volunteers and interns

Homelessness Prevention Specialist – YMCA Oasis Teen Shelter
Mount Vernon, WA, April 2010 – March 2011
• Supervised youth, ages 13-21, in daily drop-in center and overnight shelter
• Assisted youth in accessing resources to find safe, stable housing, get an education, or find a job
• Facilitated life skills classes and other activities for small groups

OTHER EXPERIENCE

City Councilmember – City of Ferndale
Ferndale, WA, January 2018 – Present
• Work with the mayor, other council members, and city staff to solve complex issues facing the community through setting goals, proposing ordinances and policy changes, and approving budgets
• Serve in leadership role and as liaison between local government, various boards and committees, and the public

Secretary – Ferndale Community Service Cooperative Board of Directors
Ferndale, WA, May 2017 – Present
• Provide leadership and support for seven independent programs: Community Resource Center, The Other Bank, Family Funds Project, Volunteer Mobilization Center, Holiday Giving Store, Community Garden, and Family Meals Project
• Perform secretarial duties to ensure Board activities and meetings run smoothly and documentation is complete and accurate

Health Extension Volunteer – United States Peace Corps
Mongolia, May 2008 – June 2009
• Developed, facilitated, and evaluated trainings on topics such as leadership, public health, life skills, teaching methodologies, research skills, and Behavior Change Communication
• Served as a co-chairman of the Peace Corps Mongolia HIV/AIDS Task Force

Public Affairs and Education Intern – Planned Parenthood Mar Monte
Santa Cruz, CA, June 2005 – March 2006
• Coordinated volunteer program: recruited, placed, and managed volunteers
• Managed successful political campaign: carried out extensive community and media outreach
• Conducted community education and outreach activities, such as a support group for teen moms
Drop-In Center and Education Intern / Speakers' Bureau Member – Santa Cruz AIDS Project
Santa Cruz, CA, February 2005 – June 2005
- Conducted community health outreach on the streets and in schools
- Developed and gave presentations on HIV prevention at rehabilitation centers and schools

EDUCATION

Bachelor of Arts in Community Studies / Healthcare Inequalities – University of California
Santa Cruz, CA, September 2004 – June 2006
- Graduated with Honors

Continuing Education
2008 – 2018
- Trainings include Illness Management and Recovery, Motivational Interviewing, Behavior Change Communication, Crisis Intervention, De-escalation, Suicide Prevention, Housing First, and Elected Officials Essentials
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name  Jerry
Last Name    DeBruin
Date         1/9/2018
Street Address  3797 Clearbrook Rd.
City         Sumas
Zip           98295
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  360-988-4328
Secondary Telephone  360-224-0901
Email Address  jdebruin@wcfd14.org

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Incarceration Prevention and Reduction Task Force</td>
</tr>
<tr>
<td>Incarceration Prevention and Reduction Task Force</td>
<td>Emergency medical services</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
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<tr>
<td>3. Which Council district do you live in?</td>
<td>District 2</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
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<td>No</td>
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<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>Chief of Whatcom County Fire District #14 and President of the Whatcom County Fire Chief's Association. I have been involved with public service more than 30 years in various capacities.</td>
</tr>
</tbody>
</table>

DeBraun
professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

On a daily routine we are dealing with situations that involve individuals in our community who are in challenging situations at home, work or school. I am also involved in community groups that are striving to reduce drug and alcohol abuse/addictions amongst various age groups.

References (please include daytime telephone number):


Signature of applicant: Jerry DeBruin

Place Signed / Submitted: Sumas, Wa. 98295
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Byron Manering

Street Address: 1452 Grant St

City: Bellingham Zip Code: 98225

Mailing Address (if different from street address):

Day Telephone: 360 734-4608 Evening Telephone: Cell Phone: 360 305-0435

E-mail address: bmanering@bigdiddums.org

1. Name of board or committee - please see reverse:

2. You must specify which position you are applying for. 
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? 
   (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? 

5. Are you a US citizen? 

6. Are you registered to vote in Whatcom County? 

7. Have you ever been a member of this Board/Commission? 
   If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? 
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? 
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

11. Please describe why you're interested in serving on this board or commission:

   To improve the lives of those impacted by family members who are incarcerated, to make sure that victims find justice, & find alternatives to incarceration when safe.

References (please include daytime telephone number):

Signature of applicant:

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Moonwater
Street Address: 1463 County Ln
City: Bellingham
Mailing Address (if different from street address): 
Day Telephone: 360 676 0123 Evening Telephone: Cell Phone: 
E-mail address: director@whatcomrc.org

1. Name of board or committee-please see reverse:
   Incarceration Prevention and Reduction Task Force
2. You must specify which position you are applying for.
   Community Action Agency or Provider (position 3)

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
   (If applicable, please refer to vacancy list.)
   ( ) Yes ( ) No
4. Which Council district do you live in?    ( ) One ( ) Two ( ) Three ( ) Four ( ) Five
5. Are you a US citizen?    ( ) Yes ( ) No
6. Are you registered to vote in Whatcom County?    ( ) Yes ( ) No
7. Have you ever been a member of this Board/Commission?
   ( ) Yes ( ) No
   If yes, dates: Since 2015

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?    ( ) Yes ( ) No
   If yes, please explain: I am the Executive Director of the Whatcom Dispute Resolution Center
9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county?    ( ) Yes ( ) No

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
    See attached

11. Please describe why you're interested in serving on this board or commission:
    See attached

References (please include daytime telephone number):

Signature of applicant:

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Whatcom County Council  
311 Grand Avenue, Suite 105  
Bellingham, WA 98225  

Council Members,  

December 12, 2017  

It is my honor to submit my application for consideration to retain my position on the Incarceration Prevention and Reduction Task Force. As the Executive Director of the Whatcom Dispute Resolution Center (WDRC), I believe there is much I can continue to add as a Community Action Agency Representative.  

With a mission of providing and promoting constructive and collaborative approaches to conflict through mediation, training, facilitation, and community education, the WDRC has a rich 23 year history of serving Whatcom County. Our programs and services touch the lives of many – from youth participating in diversion programming, to parents experiencing divorce, to individuals wanting to build their communication skill set. Our services are assisting schools to reduce out of school suspensions, helping parents stay connected to their children, and complimenting those provided by the Courts - successfully serving to divert cases off the dockets, saving the courts time and resources, and empowering community members to resolve their own disputes effectively.  

There is a natural alignment with our services and the intent of this task force. The WDRC understands the value of restorative justice, and currently offers a host of restorative practices to the community and our local schools. We have experimented with adult restorative practices and are interested in exploring how we could further support the expansion of these and similar practices throughout the community. As a member of Resolution Washington, the National Association for Community Mediation, and the Association for Conflict Resolution, we are well situated and connected to programs across the state and country that are tackling the same issues and concepts we are grappling with in Whatcom County.  

For the past 2 years I have served on the Task Force, providing input and offering assistance. I would be pleased to continue to support the work of the task force, and continue to help move this important work forward. Thank you in advance for your consideration of my application. I can best be reached at director@whatcomdrc.org or 360/676-0122 x 110. I look forward to hearing from you.  

Warm regards,  

Moonwater  
Executive Director
EDUCATION

Seattle University  
Master of Public Administration  
Seattle, WA  
June, 2005

Whitman College  
Bachelor of Arts in Psychology  
Walla Walla, WA  
May, 1998

Instituto di Lingua Moderna  
Milan, Italy  
Spring, 1997

PROFESSIONAL EXPERIENCE

2/05-Present  
Whatcom Dispute Resolution Center  
Bellingham, WA  
Executive Director

- Responsible for overall agency management; including hiring and management of 15 staff, numerous contractors, and annual engagement of 100 volunteers, policy development and implementation, fiscal oversight, accounting and tax preparation, program development and oversight, fund development, event coordination, donor relations, volunteer coordination, case management, training, facilitation, mediation, and community education services.

- Support Board of Directors to develop and implement a strategic plan, build relationships with funders, City and County officials and other stakeholders to ensure actualization of mission.

- Provide direct service, including 40 hour professional mediation training course, conflict resolution workshops, and custom training and facilitation services for local city and county government leadership and departments, as well as numerous other workplace clients, including local tribes, nonprofit organizations, community associations, and local colleges and universities. Mediate family, foreclosure, workplace and community disputes. Conduct public outreach presentations. Design and deliver a broad range of ADR related custom curricula.

- Develop and manage multiple contracts with local courts, state agencies, and community partners and funders.

- Oversee training program for mediation practicum students, ensuring compliance with best practices and standards.

- Build and nurture relationships with statewide DRC partners organizations, other local nonprofit partners and service providers, schools, and associations.

1/09-3/09  
Western Washington University  
Bellingham, WA  
College of Business and Economics, Lecturer

- Course instructor for Human Resource Management class focused on workplace mediation

10/99-8/06  
Washington Campus Compact  
Bellingham, WA  
Director of Student Engagement  
9/03-8/05

- Responsible for the overall direction of Washington Campus Compact’s student engagement efforts, linking college students with service opportunities - including both the statewide Campus Connections program, and 7-state regional Students in Service AmeriCorps programs (2000+ participants); co-authored successful $225,000 grant; authored successful grant for fulltime staff member through the Points of Light Foundation; supervised 2 full-time staff, 3 student staff, and 35 AmeriCorps members on 13 campuses; developed and managed $379,000 budget; managed contracts with state and federal agencies, and subcontracts with higher ed institutions; developed and implemented program policies; researched and created training curricula; developed and implemented staff evaluation plan; designed and facilitated multi day retreats for 35 participants; supported coordination of annual regional conference with 400 attendees.
Program Manager 9/01-9/03
- Responsible for management of the statewide Campus Connections program, and the Skagit Washington Reading Corps; researched and authored successful $154,000 grant proposal; expanded program from 15 to 35 participants; served as an Advisory Committee member for the Continuums of Service Conference; presented “Effective Partnerships” at the National Youth Leadership Conference;

Program Coordinator 8/00-8/01
- Responsibilities included program coordination for statewide Campus Reads AmeriCorps program; supervised participants on 11 campuses; expanded program from 18 to 26 participants.

Key Area Coordinator 10/99-7/00
- Responsibilities included coordination of a three county literacy program, the Washington Reading Corps, with 27 AmeriCorps and VISTA volunteers; collaborated with elementary school teachers and principals; served as primary contact between volunteers and the state funding agency.

8/98-8/99 Blue Mountain Action Council Walla Walla, WA
Walla Walla Valley AmeriCorps Member
- Responsibilities included tutoring developmentally delayed and learning disabled children; created after school tutoring program; developed and implemented behavior management schedules; co-coordinated a peer-mentoring program.

3/99-8/99 Juvenile Justice Center Walla Walla, WA
Intermittent Detention Officer
- Responsibilities included the supervision and support of juvenile offenders, monitoring the security control board, and assisting the youth with their daily routines.

ADDITIONAL EDUCATION
February 2017 Resolution Washington
5 Day Restorative Practices/Schools Training Kitsap, WA

November 2015 WA State Department of Commerce Renton, WA
Advanced Foreclosure Mediation

July 2015 Neuroawareness Consulting Services Online
Certificate Program for Legal and ADR professionals

August 2013 WA State Department of Corrections/Kitsap DRC Port Orchard, WA
Victim/Offender Facilitated Dialogue Training

January 2013 Skagit Dispute Resolution Center Mt. Vernon, WA
Restorative Justice Victim-Offender Meetings

November 2012 ManPower Bellingham, WA
Interpersonal Communication

September 2012 Northwest Justice Project, Opportunity Council, Whatcom DRC Bellingham, WA
Foreclosure Mediation Training for Advocates

September 2012 Whatcom County Bar Association Bellingham, WA
ADR Tips for Attorneys

December 2011 Antioch University Seattle, WA
Advanced Foreclosure Mediation Training

June 2011 Department of Commerce Lynnwood, WA
Foreclosure Mediation Training

February 2011 Vigilant Counsel Bellingham, WA
Dealing with Difficult People

February 2011 Whatcom Dispute Resolution Center Bellingham, WA
Parent/Teen Mediation

September 2009 Lumnii Cedar Tree Project Bellingham, WA
Restorative Circles Training
October 2009  Whatcom Dispute Resolution Center  Bellingham, WA  
Parenting Coordinator Training

March, 2008  Antioch University  Seattle, WA  
Resolving Workplace Conflict

October, 2007  Antioch University  Seattle, WA  
Mediator as Leader

Spring, 2007  Skagit Mediation Services & WSU extension  Burlington, WA  
40 hour Master Facilitation Course

June, 2006  Northwest Training Institute  Everett, WA  
2 Day Advanced Negotiation Workshop

July, 2001  Volunteers of America  Everett, WA  
3 Day Domestic Relations Mediation Training

July, 2000  National Service Leadership Institute  San Francisco, CA  
7 Day Leadership, Management, & Diversity Training

June, 1999  Benton Franklin Dispute Resolution Center  Kennewick, WA  
5 Day Professional Mediation Training

LEADERSHIP AND SERVICE
1/16 – Present  Whatcom County Incarceration Prevention and Reduction Task Force  Bellingham, WA  
Task Force Member

1/7- Present  Bellingham-Whatcom Commission Against Domestic Violence  Bellingham, WA  
Commission Member

6/11-Present  WA Secretary of State’s Charities Advisory Council  Statewide  
Council Member

5/06- 2/09  Washington Mediation Association  Statewide  
Board Member

4/06-2010  Whatcom Council of Nonprofits  Bellingham, WA  
Steering Committee Member, past chair

2006-2010  Whatcom County Law and Justice Council  Bellingham  
Council Member

2/05-Present  Resolution Washington (Association of Dispute Resolution Centers)  Statewide  
Past President, Vice President, and Member

9/05-6/06  Leadership Whatcom  Bellingham, WA  
Participant in inaugural year long program on collaborative leadership

8/03 – 6/05  Seattle University Institute for Public Service  Seattle, WA  
President, MPA Student Association

9/98-2/05  Whatcom Dispute Resolution Center  Bellingham, WA  
Volunteer Mediator

9/98-2/05  Northwest Youth Services /Juvenile Services  Bellingham, WA  
Member of the Community Accountability Board

5/98-8/99  Walla Walla Juvenile Detention Center  Walla Walla, WA  
Member of the Diversion Board.

HONORS
10/17  Whatcom Women in Business  Bellingham, WA  
Professional Woman of the Year

4/16  Bellingham Police Department  Bellingham, WA  
Challenge Coin Award for Exemplary Service
12/15 Whatcom Family and Community Network
Ken Gass Community Collaboration Award

12/14 Bellingham- Whatcom Chamber of Commerce
Nonprofit of the Year

5/13 Whatcom County Bar Association
Liberty Bell Award

9/02-6/05 Seattle University
• Commencement Speaker
• Member, Pi Alpha Alpha Honor Society
• Member, Alpha Sigma Nu Honor Society
• Recipient, Governor John Spellman Leadership Scholarship

9/94-5/98 Whitman College
• Outstanding Contributions to Student Activities
• Outstanding Contributions to Peer Counseling
• Outstanding Contributions to Multiculturalism
• Scholarship Improvement Award
• Class Award for Efforts in Multicultural Awareness
• Merit Scholarship

Seattle, WA

Walla Walla, WA
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name  Phyllis Joy

Last Name  Gilfelen

Date  1/7/2018

Street Address  5240 Graveline Rd

City  Bellingham

Zip  98226

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  Field not completed.

Primary Telephone  3607397493

Secondary Telephone  Field not completed.

Email Address  joythinks@gmail.com

Step 2
1. Name of Board or Committee
   Incarceration Prevention and Reduction Task Force

   Concerned Citizen
   Community Action Agency

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   Yes

3. Which Council district do you live in?
   District 4

4. Are you a US citizen?
   Yes

5. Are you registered to vote in Whatcom County?
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications,
   President of the Restorative Community Coalition - 7 years.
   Served as Irene Morgan’s proxy on the IPRTF since 2016.
   Strategist and Business Consultant since 1992 - 2018. Served in executive level positions in three different non-profit and
professional and/or community activities, and education

As President of the Coalition, I lead the research into the economics and market forces that drive the jail industry expansion policies so that we could identify critical, actionable solutions that could be implemented locally to stop the poverty, addiction and mental illness that come as a side effect of mass incarceration. Co-Authored the "Stop Punishing Taxpayers, Start Rebuilding Community" 2015 Taxpayers Report that provided a roadmap to county non-profits and leaders to illustrate that solutions are available to downsize the jail demand, that could build our workforce, and rebuild our community relationships and neighborhoods. Attached is a new document that illustrates how the economy is affecting people who get arrested and punishing them in extreme ways that most of the public and even our officials do not understand, since you don't know the impact unless you have been through the system. I would like to work with the various organizations, officials and citizens of Whatcom County to implement justice reform locally, to reduce the stress and trauma that comes from arrests, to help implement restorative justice, mental health alternatives and do what it takes to stop the poverty and arrest cycles, so that we can help people get back to work successfully. I thought that there was a position available on the IPRTF to serve as a community action agency representative, and I would prefer being appointed as that position if possible, so that I can represent the citizens who have no voice.

References (please include daytime telephone number):

Irene Morgan, 360-354-3653, Christine Haberkorn, PhD 360-603-0470 Doug Robertson, 360-389-3494

Signature of applicant:

Joy Gilfillen

Place Signed / Submitted

Bellingham, WA

Email not displaying correctly? View it in your browser.
Failure to successfully reenter society stems from convoluted and dysfunctional systems that create daunting and hidden barriers. Success in recovery requires personal support, a strong community network, and a multi-sector commitment by government, NGOs and business.

Since 2006:
Our volunteers in Whatcom County have been successful in the field doing hands-on work and learning in recovery, reentry and justice.

Our goal has been to understand and transform the personal, social, economic and cultural aberrations that have emerged in the wake of the rapid growth of the mass incarceration industry. We've discovered how recidivism is a systems problem.

**DIRECT COSTS**
US government reports the costs of incarceration in the US to be $80 Billion per year. The media story told is that criminals are to be blamed for the rising costs of mass incarceration. This is not quite accurate. This is the cost of bureaucracy, courts, corrections industry jobs, prison real estate that inflate operating costs.

**COMMUNITY COSTS**
The Washington University in St. Louis discovered compound costs are closer to $1 Trillion per year. This calculation includes social health costs such as divorce, suicides, illness and addiction. This means there is a public perception shortfall of roughly $920 Billion when considering the side effects following incarceration.

**THE TRUE COST OF INCARCERATION**

**PERSONAL COSTS**
Few people know of the "hidden costs" a family pays directly to attorneys, defenders, and to jail industry service providers. These middlemen charge for phone access, bail fees, commissary foods, assessments, investigations, evaluations, counselling, medical, clothes, license fees, fines and more. Some people leave prison after serving their sentence literally tens to hundreds of thousands of dollars in debt. These private contractor fees are non-negotiable, leaving families financially crippled for life.
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Barry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>MacHale</td>
</tr>
<tr>
<td>Date</td>
<td>1/8/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2706 Nevada Street</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98226</td>
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</table>

**Do you live in & are you registered to vote in Whatcom County?**

Yes

**Do you have a different mailing address?**

Field not completed.

**Primary Telephone**

18053201810

**Secondary Telephone**

18053201810

**Email Address**

hucklebarry4@yahoo.com

**Step 2**
1. Name of Board or Committee
   Incarceration Prevention and Reduction Task Force

   Concerned Citizen

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   Yes

3. Which Council district do you live in?
   District 2

4. Are you a US citizen?
   Yes

5. Are you registered to vote in Whatcom County?
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   Yes

If yes, please explain
   I am employed by the Whatcom County Library System as a Public Services Assistant for Jail Services. I am also employed by Northwest Youth Services as a Vocational Specialist. Northwest Youth Services is currently contracted by Whatcom County to provide employment, housing support, and emergency shelter services for homeless/at-risk youth aged 13-24.

You may attach a resume or detailed summary of
   Field not completed.
experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I have a background in Special Education, including 6 years as a credentialed teacher (California/Washington) and 4 years as a paraprofessional aide in K-12 classrooms. At present, I am employed as a Vocational Specialist with Northwest Youth Services, providing employment/educational support services and re-entry planning for homeless/incarcerated 16 to 24-year old youth. I am also employed by the Whatcom County Library System as a Public Services Assistant for the Jail, providing library services to patrons who are incarcerated. I am also a Board member on the Whatcom County Developmental Disabilities Advisory Board, a Board member at the Whatcom Watch newspaper, and former volunteer at the Lighthouse Mission.

10. Please describe why you’re interested in serving on this board or commission

I am concerned about the varied cultural, economic, and social impacts of (mass) incarceration, and desire to use my experience and training to add more care, compassion, decency, justice, hope, humanity, opportunity, rigor, thoughtfulness, and understanding to the work that others are currently bringing to our collective experience with corrections-related issues in Whatcom County. Also...I thrive in service.

References (please include daytime telephone number):

Jessica Lee; Program Specialist/Whatcom County Developmental Disabilities Program; jlee@co.whatcom.wa.us or (360) 778-6047 Cathy Beetly; Teen Court Program Director, Northwest Youth Services; CathyB@nwys.org or (360) 734-9862 ext. 130.

Signature of applicant: Barry MacHale

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
Hello Mr. MacHale – We will add the Community Action Agency position to the drop down list. Thank you for letting us know. We also will include your name on the list of applicants interested in representing the Community Action Agency position.

NaDean Hanson
Whatcom County Council Office
311 Grand Avenue, Suite 105
Bellingham, WA 98225
Main line 360-778-5010
Direct line 360-778-5018

NOTICE: All emails, and attachments, sent to and from Whatcom County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: Council
Sent: Tuesday, January 23, 2018 8:15 AM
To: Barbara Brenner; Barry Buchanan; Rud Browne; Satpal Sidhu; Timothy Ballew; Todd Donovan; Tyler Byrd
Cc: Dana Brown-Davis; Jill Nixon; Kristi Felbinger; Marina Engels; NaDean Hanson
Subject: FW: IRPTF candidate MacHale admenment to application

From: Barry MacHale [mailto:hucklebarry4@yahoo.com]
Sent: Monday, January 22, 2018 7:51 PM
To: Council
Subject: IRPTF candidate MacHale admenment to application

Council Members – Good evening. My name is Barry MacHale and I submitted an application for the Concerned Citizen position open on the Incarceration Reduction and Prevention Task Force on 1/8/2018. I received a call from Jill Bernstein on Thursday requesting that I amend my application to add the Community Action Agency position, in addition to the Concerned Citizen.

I have only just returned from travels to discover that the drop-down menu on the Whatcom County Boards and Commissions applications page that designates the position applied for does not include the Community Action Agency position currently listed on the Boards and Commissions Current Vacancies page. Therefore, I am unable to submit an amended application, but want to express my strong interest in serving in either position. I am very excited to be serving those community members who are currently incarcerated in my roles with the Whatcom County Library System and Northwest Youth Services, and would be honored to be given further opportunity to serve the Task Force.

I thank you for your considering my application, and for the work that each of you do to serve Whatcom County.
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<tr>
<td>Last Name</td>
<td>Hanna</td>
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<tr>
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<td>1/9/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2616 Victor Street</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
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<tr>
<td>Zip</td>
<td>98225</td>
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<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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<tr>
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<tr>
<td>Primary Telephone</td>
<td>253-279-0279</td>
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<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:khannaslone@comcast.net">khannaslone@comcast.net</a></td>
</tr>
</tbody>
</table>

**Step 2**
1. Name of Board or Committee | Incarceration Prevention and Reduction Task Force
---|---
Incarceration Prevention and Reduction Task Force | Consumer, or family member of a consumer, of behavioral health services

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? | Yes

3. Which Council district do you live in? | District 2

4. Are you a US citizen? | Yes

5. Are you registered to vote in Whatcom County? | Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? | No

7. Have you ever been a member of this Board/Commission? | No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? | No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, | I have been a practicing criminal defense lawyer since 1992.
professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

As a lawyer, I wish to serve because the condition of the jail influences my law practice, as all my clients face potential jail time. As a citizen, I wish to collaborate with others to help my government properly allocate public resources for optimal public safety.

References (please include daytime telephone number):

Dan Raas cell phone: 360-739-3538

Signature of applicant:

Kristin Miriam Hanna

Place Signed / Submitted

Bellingham, WA

(Section Break)

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Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<tr>
<td>First Name</td>
<td>Deborah</td>
</tr>
<tr>
<td>Last Name</td>
<td>Hawley</td>
</tr>
<tr>
<td>Date</td>
<td>1/9/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2136 S. Nugent</td>
</tr>
<tr>
<td>City</td>
<td>Lummi Island</td>
</tr>
<tr>
<td>Zip</td>
<td>98262</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>YES</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>PO Box 101 Lummi Island, WA 98262</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>360-255-3434</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:deborahhawley@yahoo.com">deborahhawley@yahoo.com</a></td>
</tr>
</tbody>
</table>
### Step 2

1. Name of Board or Committee: Incarceration Prevention and Reduction Task Force

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

---

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions. Field not completed.

9. Please describe your occupation (or former) I am currently employed at the Lummi Tribal School as a K-6 teacher working with special needs kids who if not helped now
occupation if retired), qualifications, professional and/or community activities, and education

could easily end up on the school-to-prison pipeline. I have a B.A. in General and Developmental Psychology, completed The M.S. Program in General and Research Psychology at WWU (except the thesis) did one year of clinical psychology in a Doctoral program at WA School of Professional Psychology, Argosy University, Seattle and have a Master Degree from Antioch University, Seattle and a Graduate Certificate in Communications from Antioch University Seattle, my area of interest in raising public awareness about incarceration and working with families and inmates who have loved ones in Whatcom County jail (or formerly were in Whatcom County Jail) who themselves have been incarcerated. The main focus of my Master’s program at Antioch was learning how to work with others to create conditions for change and I learned how collaborative efforts are the most successful.

10. Please describe why you’re interested in serving on this board or commission

No one that I am aware of in Whatcom County has been as committed as I with working with families who have incarcerated loved ones and also former inmates in Whatcom County Jail. I have done this work for the past 7 and a half years and run a bi-monthly support group at St. Lukes Health Ed Center for those with incarcerated loved ones who have all been or are currently housed in the Whatcom County Jail. I have 2 sons that were incarcerated frequently in Juvenile Detention in Whatcom County and later spent many years off and on in Whatcom County Jail until they eventually went to prison. One has since turned his life around (seven years ago) and the other currently is housed in Whatcom County jail for the past year intermittently as he has been unsuccessful in transitioning from his last and third prison sentence which was 7 years long.

References (please include daytime telephone number):

Barbara Brenner, Irene Morgan

Signature of applicant:

Deborah Hawley

Place Signed / Submitted:

Bellingham, Wa

(Section Break)

Email not displaying correctly? View it in your browser.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Irene Morgan
Date: 1-2-2018

Street Address: 1254 E. Pole Rd
City: Everson, WA
Zip Code: 98247

Mailing Address (if different from street address):

Day Telephone: 360-354-2685 Evening Telephone: — Cell Phone: —
E-mail address: impeax2@whatcomrec.org

1. Name of board or committee—please see reverse: PR Task Force

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission?

If yes, dates: 2015 - 1-31-2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes ( ) no

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes ( ) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following question:

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

I HAVE ATTACHED MY RESUME AND A LETTER OR REFERENCE THAT DESCRIBES MY COMMITMENT TO THE CITIZENS OF OUR COMMUNITY.

11. Please describe why you’re interested in serving on this board or commission: As Founder of Restorative Community Coal, my focus is helping those recovering from victimization identify barriers to success, educate about solutions, & advocate for the voiceless. I would like to experience more changes as these initiatives suggestions are implemented.

References (please include daytime telephone number): Don Kirkner—Return to Honor Fdn 908-300-2932, Roberta Sieck—Steer 300-300-6186, Clint Lincoln 360-903-9972, Doug

Signature of applicant: Roberta Sieck 360-300-3900

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Irene R. Morgan
Counselor, Therapist,
Visionary, Intuitive

Purpose: ReClaiming Lives
bring voice to the voiceless
Public Safety

Vision
- **RestoreALife Center** – Reentry housing, functional living, education and on-the-job training for citizens who have issues integrating successfully into society after displacement caused by incarceration, arrest, trauma or homelessness.

Programs – Teach personal transformation to learn and fulfill our purpose.
- **Soulular Integrity©**
- **Growing from Ordinary to Original** - 12 Steps to Enlightenment ©
- **Joyous Discovery of Self** - Eight component self-empowerment program©
- Trauma Interception/Recovery

Background
- Wife, Mom, Grand Mom, Ordained Minister – SHES (Spiritual Healer & Earth Stewards)
- Counselor, Therapist, Energy Healer, Social Activist
- 20 year family business owner, 30 years volunteering with non-profits
- Founder and Board Member of Restorative Community Coalition
- Pioneer – holding vision and energy for the RestoreALife Center

Awards/Recognition
- Ambassador For Peace – Universal Peace Federation
- Volunteers with Heart, Dec. 2015 – Volunteer Center of Whatcom County
- Certificate of Appreciation – Whatcom County ReEntry Coalition
- Numerous appreciation certificates from 30 years of volunteering for non-profits

Achievements
- Developed/published/taught **Joyous Discovery of Self** – since 1995
- Established **Self-Empowerment Services** – counseling/therapy since 1995
- Co-authored Declaration of State of Esteem passed by Washington State Legislature 1993
- Researched/Opposed the Jail & Prison Industrial Complex since 1990’s
- Founded Restorative CommUnity Coalition (ReEntry Coalition of Whatcom County) 2006
- Co-author, **Stop Punishing Taxpayers, Start Rebuilding Community** 2015
- Appointed to the **Incarceration Prevention & Reduction Task Force** 2015
December 15, 2017

RE: Letter of Reference

As the Founder and present Executive Director of The Society For Return To Honor, I have worked in the field of Prison Aftercare and Re-entry for over 25 years, and have been a principal contributor to the formation and development of two community and countywide Re-entry programs in two different states. I have spoken to inmate audiences and at civic, religious and government functions and gatherings in seven different states of this country.

In all of my experiences to date, I have not seen or experienced the level of commitment and determination of Irene Morgan and her many supporters in their work to bring more meaning, understanding and collaboration to her community, county and throughout the State of Washington.

I am privileged to support the excellent work of the Restorative Community Coalition in Whatcom County. I have been affiliated with them since its inception and am well aware of their continued efforts to assist those navigating the justice system, homelessness and unemployment.

As a former offender myself, I so well understand the value of intervention and the point of optimal need for compassionate understanding of the underlying issues of criminal behavior and wish to support RCC in their desire to persist in their cause.

Please contact me personally at the above address, phone or email should you have any questions or wish any further confirmation.

Sincerely,

Don Kirchner
Founding Director
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name     Lisa
Last Name      McShane
Date           1/8/2018
Street Address 1451 Grant St.
City           Bellingham
Zip            98225

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone 3602010779
Secondary Telephone Field not completed.

Email Address lisa@lisamcshane.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
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<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Incarceration Prevention and Reduction Task Force</td>
</tr>
<tr>
<td>Incarceration Prevention and Reduction Task Force</td>
<td>Concerned Citizen</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<td>5. Are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>Occupation: Consultant &amp; Artist Qualifications: Years of civic engagement in criminal justice matters Community activities: Past co-chair of the 2011 &amp; 2012 Jail Planning Task Force Served on the 2016 redistricting committee Worked on many</td>
</tr>
</tbody>
</table>
professional and/or community activities, and education

<table>
<thead>
<tr>
<th>10. Please describe why you’re interested in serving on this board or commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal justice reform is an interest of mine and I’ve been closely involved in this issue in Whatcom County since 2010. In 2011 and 2012 I served on the Jail Planning Task Force and since then have continued to follow the good work done across the country and in Whatcom County to reduce incarceration. I bring a broad understanding both of what has been done elsewhere and optimism for what we can accomplish here.</td>
</tr>
</tbody>
</table>

References (please include daytime telephone number):

| Kirsten Barron, 360-733-0212 Anne-Marie Faiola, 360-734-8278 Heather Flaherty, 360-778-3782 April Barker, 360-325-5128 |

Signature of applicant: Lisa McShane

Place Signed / Submitted: Bellingham, Washington
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Wendy Miller
Street Address: 110 E. Victor St.
City: Bellingham
Mailing Address (if different from street address):
Day Telephone: 360-312-1078 Evening Telephone: same
E-mail address: millerwa028@gmail.com

1. Name of board or committee-please see reverse: Incarceration Prevention & Reduction Task Force

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? One (X) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? (X) yes ( ) no

6. Are you registered to vote in Whatcom County? (X) yes ( ) no

7. Have you ever been a member of this Board/Commission? ( ) yes ( ) no

If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes (X) no

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes (X) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Pls. see attached

11. Please describe why you’re interested in serving on this board or commission: To help revise the path to recovery from incarceration to meaningful community participation.

References (please include daytime telephone number):

Pls. see attached

Signature of applicant:

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Wendy Miller
859.312.1078
millerwa828@gmail.com

RELEVANT EXPERIENCE FOR POSITION AS VOLUNTEER CITIZEN ON INCARCERATION PREVENTION AND REDUCTION TASK FORCE:
1. 22+ years professional experience as a reference librarian in public library setting serving diverse populations;
2. 6 years professional experience at the Los Angeles Free Clinic (now Saban Community Clinic);
3. 2 years professional experience specializing in medical librarianship

EXPERIENCE:

Freelance Fitness Instructor 2014-present
Developed collaboration with airport to provide quick chair-based exercise program for flyers. Taught DRUMS ALIVE!@ to senior populations.

*Subject Analyst, MedlinePlus 2012-2014
Maintained topic content for MedlinePlus for National Library of Medicine.

Freelance Journalist 1995-2014
Wrote articles on food, drink and lifestyle for Lexington Herald-Leader in Lexington, Kentucky.

*Reference Librarian/Assistant Grants Librarian 1992-2012
Delivered reference services online and in person; collection development for consumer health resources; performed web instruction; served on administrative committees.

*Legal Services Administrator 1988-1990
Los Angeles Free Clinic, Los Angeles, California
Administered legal services program; supervised 80 professional volunteers.

*Resource and Referral Coordinator 1984-1988
Los Angeles Free Clinic, Los Angeles, California
Kept database and provided referrals for 150,000 clients annually; assessed unmet needs for administration.
*Community Health Worker* 1986-1988
Los Angeles Free Clinic, Los Angeles, California
Assisted doctors with examinations and discussed results with patients; provided education on birth control and reproduction; updated medical records.

**Interviewer** 1983-1984
National Opinion Research Center, Chicago, Illinois
Administered surveys in Russian on social issues in the former Soviet Union.

**Governess** 1975-1981
Moscow, Russia
Provided child care and household management for American families.

**VOLUNTEER ACTIVITIES:**

ESL tutor for Congolese refugees for Kentucky Refugee Ministry and for student via Skype in Vilnius, Lithuania; assistant grant writer for Health Literacy Kentucky

**EDUCATION:**

B.A., History and Early Childhood Education
Earlham College 1973

Masters of Library Science
Graduate School of Library and Information Science, UCLA 1992

Postgraduate Course, “Comparative Government”
London School of Economics and Political Science 1974-75

**REFERENCES:**
Roberta Rinaldi, LCSW 310.475.2099
Laurie Goodman, MPH 213.598.3632
James Mandiberg, Ph.D. 917.399.6940
Chair, Organizational Management & Leadership
Silberman School of Social Work at Hunter College (Eastern Time)
LUMMI ISLAND FERRY ADVISORY COMMITTEE

The Committee provides review and recommendations to the County Council and Executive on issues that affect the ongoing operations and infrastructure of ferry service to Lummi Island. Review includes: proposed changes to ferry operations and fares; an annual review of the ferry fund; demands of and improvements to ferry services; and ferry replacement options.

3 Vacancies
- 2 Vacancies- Applicants must be a resident or property owner on Lummi Island. - Current members eligible to reapply
  Incumbent: Elizabeth Walukas Louis
  James Dickinson

- 1 Vacancy – County resident not living or owning property on Lummi Island – Current member eligible to re-apply
  Incumbent: Crispin Colburn
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

<table>
<thead>
<tr>
<th>First Name</th>
<th>Elizabeth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Walukas Louis</td>
</tr>
<tr>
<td>Date</td>
<td>12/8/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>2558 Island View Lane</td>
</tr>
<tr>
<td>City</td>
<td>Lummi Island</td>
</tr>
<tr>
<td>Zip</td>
<td>98262</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>3607582158</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>5104094624</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:bwlouis60@gmail.com">bwlouis60@gmail.com</a></td>
</tr>
</tbody>
</table>

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Lummi Island Ferry Advisory Committee</td>
</tr>
<tr>
<td>Lummi Island Ferry Committee (Part 2)</td>
<td>Lummi Island resident and/or property owner</td>
</tr>
<tr>
<td>Lummi Island Ferry Advisory Committee</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please list dates:</td>
<td>October 1, 2017 though present</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions.

Beth Walukas Louis LIFAC application qualifications.pdf
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Current LIFAC member. Former Deputy Director of Planning for the Alameda County Transportation Commission. Masters of Transportation Engineering from UC Berkeley. Masters of Applied Social Research from West Virginia University. BS Sociology from West Virginia University. Three years toward engineering degree at Tennessee Technological University.

10. Please describe why you’re interested in serving on this board or commission

The ferry is Lummi Island’s lifeline to the mainland and impacts the quality of life on the Island as well as Lummi Nation. I would like to work with the County, our community and the Nation to continue to maintain this transportation link in the future in a way considers all users and people impacted by the ferry as well as considering affordability and reliability.

References (please include daytime telephone number):

Mary Ross 360/758-2844  Stu Clark 425/231-3413

Signature of applicant:  Elizabeth Walukas Louis

Place Signed / Submitted  Lummi Island, WA

Email not displaying correctly? View it in your browser.
RELATED EXPERIENCE
Currently retired. Have 30 plus years of transportation planning, engineering and community experience, including as Deputy Director of Planning for the Alameda County Transportation Commission. Responsible for overseeing long range, multi-modal transportation planning, programming and funding of transportation projects, including transit (bus, rail, ferry), roadway, bicycle and pedestrian, and goods movement. Participated as chair, vice-chair and member of a number of transportation related committees to build consensus for infrastructure projects including developing implementation and funding plans and applying for grants. Planning efforts included working with elected officials, the public and consultants. A summary of my work history is found below.

Alameda County Transportation Commission, Oakland, CA 1995-2013
Bay Area Rapid Transit District, Oakland, CA 1993-1995
Consultant Experience
• Korve Engineering, Sacramento, CA 1991-1993
• TJKM Consultants, Pleasanton, CA 1989-1991
• London 1988
City of Los Angeles Department of Transportation, Los Angeles, CA 1984 – 1985
Research Assistant, University of California, Berkeley and West Virginia University 1981-1984

EDUCATION
University of California, Berkeley, CA
• Masters of Science: Transportation Engineering Graduated September 1984
West Virginia University, Morgantown, WV
• Master of Arts: Applied Social Research Graduated December 1982
West Virginia University, Morgantown, WV
• Bachelor of Arts: Sociology Graduated August 1981
Tennessee Technological University, Cookeville, TN 1977 - 1980
• Three years of study toward Industrial Engineering degree

ADDITIONAL INFORMATION
• Women’s Transportation Seminar (Member 1984 – 2013): Served as President, Vice-President, Secretary and Annual Event Chair for the San Francisco and Sacramento Chapters.
• Institute of Transportation Engineers (Member 1984 – 1995): Served as District 6 Legislative Committee Chair.
• Protect Lummi Island Community (PLIC): Current President and Secretary (These position will be ended if appointed). Worked proactively with LIFAC and County Council and staff to include long term ferry policies in the County Comprehensive Plan and identify suggestions for improving the Dry Dock process.
• Property owner on Lummi Island since 2005.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: James M. Dickinson
Date: 1/09/2018

Street Address: 2894 h, sham Dr.
City: Lummi Island, WA 98262
Zip Code: 98262

Mailing Address (if different from street address): n/a

Day Telephone: 360-296-3440 Evening Telephone: 360-296-3440 Cell Phone: n/a

E-mail address: audidancer @ hotmail.com

1. Name of board or committee—please see reverse:
   Lummi Island Ferry Advisory Committee

2. You must specify which position you are applying for.
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
   (If applicable, please refer to vacancy list.)
   yes ( ) no

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No
   If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) Yes ( ) No

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

   president Isonic WFC, LLC - audio company

   president Lummi Island Land Co - land owner

   pioneer sound - audio installation & design, former occupation

11. Please describe why you're interested in serving on this board or commission:

   See attached resume

   References (please include daytime telephone number):
   Bill Fox 360-336-1154
   Bill Cummins 360-758-2028

Signature of applicant: [Signature]

This is a public document: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Jim Dickinson
Ferry-related Resume

**Personal Qualifications**

1. Historical Research of initial Lummi Island Cannery Ferry and other early local Ferries. Passenger and observer, for 67 years of the Chief Kwina, Acorn, and Whatcom Chief ferries and various dry-dock and emergency passenger vessels.
2. Lifelong Lummi Island resident and property owner.
3. Attended Vehicle Research Institute, Western Washington University.

**Civic Contributions**

4. Member of previous, very successful Lummi Island Ferry Task Force.
5. Member of Protect Lummi Island Community (PLIC)
7. Member of Lummi Island Community Association.
8. Have 50-year on-going interest and involvement in Lummi Island and County issues.
   a. Often Testify at County Council Hearings
   b. Former Director of Lummi Island Community Club
   c. Mother was long-time President of former Lummi Island Township
   d. Father was one of the founding Directors of Lummi Island Community Club, now Lummi Island Community Association.

**Professional Qualifications**

10. Captain/Operator of commercial fishing vessels and cannery tenders, pleasure boats, for over 50 years.

**Professional Associations**

12. US Ferry systems:
   a. Skagit County Ferry
   b. Pierce County Ferries
   c. Wahkiakum County Ferry
   d. Washington State Ferries
   e. Texas State Ferries

*Professional Associations, continued*
Jim Dickinson, Ferry-Related Resume

f. Maine State Ferries
g. Lake Champlain Transportation Company- (Ferries)
h. Borough of Ketchikan, (Ferries), Ketchikan, AK
i. B.C. Ferries, Canada

13. Shipyards and Marine Consultants:
   a. All American Marine, Passenger Boat Builders, Bellingham, WA
   b. Anderson and Associates, Transportation Consultants, Bremerton, WA
   c. Dakota Creek Industries, Shipyard, Anacortes, WA
d. Dunlap Towing, (Tug/Barges) La Conner, WA
e. Eastern Marine, Shipyard, Panama City, FL
d. Elliot Bay Design Group, Marine Consultants, Seattle, WA
f. Everett Shipyard, Everett, WA
g. Fishing Vessels Owner's, Shipyard, Seattle, WA
h. John Gilbert Associates, Marine Architects, Boston, MA
i. Hard Wire Marine, Boat and Landing Barge Builders, Bellingham, WA
j. The Landing's/Colony Wharf, Haul-out and Shipyard, Bellingham WA
k. Lovric's Marine, Shipyard, Anacortes, WA
l. Manke Lumber, Timber and (Tug) Barge Towing, Tacoma, WA
m. N.C. Machinery, Caterpillar Engines, Tukwilla, WA
n. Nichols Brothers' Boat Builders, Freeland, WA
o. On-The-HIYU, Entertainment Ferry, Seattle, WA
p. Star Marine, Marine Towing, Port Angeles, WA
q. San Juan Marine Freight (Landing Barges), Anacortes, WA
r. San Juan Services, Ferry TREK, Seattle, WA
s. Vigor Shipyards, Seattle, WA

14. Citizen Ferry Groups:
   a. Guemes Island Ferry Committee
   b. State of Washington Ferry Advisory Committee.
c. Contact with Members of Anderson Island Ferry Committee (Pierce Co.)

15. Subscribe to, or am a member of, on-line groups:
e. Workboat Magazine
f. West Coast Ferry Forum
g. Ferry Group on Nextdoor Lummi Island.

Research

16. Researched and presented Lake Champlain Ferry Plattsburgh to County for purchase consideration to replace aging Whatcom Chief.
17. Found and researched rental Ferry TREK in Seattle, advocating for its economic efficiency and use to provide continuing vehicle and passenger services during the Whatcom Chief's annual dry-dock at substantial savings to County.

Research, continued
Jim Dickinson, Ferry-Related Resume

18. Brought the TREK up to the Island last fall for a very successful day cruise for Islanders to see its attributes for Dry-Dock and Emergency Ferry.

19. Discovered surplus of former Washington State Ferry HIYU, Chaired LIFAC Ferry Replacement Sub-Committee and later Independent Committee which researched and advocated for its evaluation to replace, at minimum cost, the aging Whatcom Chief. 
   Note: All research evaluations and cost projections done by "HIYU" Group have since been proved accurate by HIYU's new owner.

20. Written and posted many “papers” about our local ferry system.

21. Written and Contributed Ferry Articles to Northwest Citizen, Internet Newspaper.

Conclusion.

I will be a dedicated and knowledgeable addition to the Lummi Island Ferry Advisory Committee. My goal is to represent a very necessary body of knowledge that is not being properly considered by LIFAC, such as: Marine and Vessel Engineering and Design, Vessel Propulsion Systems, Docks, Vessel Costs, knowledge of and impact of applicable Marine Laws, effects of Local Marine Weather and Marine Topology. I also bring a good deal of knowledge about Ferry Ridership, not considered costs to Riders, Community and County, Lost Revenues, Future Projections, and Protection of Working Age Families.

My aim is to increase knowledge to all concerned so we can get better decisions on this all important topic. The Task of LIFAC, especially at this time, is a huge undertaking for the 7 members to properly accomplish. I would strive to involve more people, especially volunteer Marine Professional Mariners and other ideas by use of Citizen Subcommittee's to evaluate individual topics, so more can get done.

I am very familiar with current LIFAC actions as I attend almost all of their meetings, when I was on the Ferry Task Force, I never missed a meeting. I also know how to get a lot done by complementary use of people's time, knowledge and resources, as was done in the Ferry Task Force and the Ferry Replacement Sub-Committee.

Other Ferry Systems have made bad decisions on this Ferry issues with disastrous consequences that continue on for decades. It is of utmost importance that we need to get the improvements to our Ferry System done properly, especially the replacement of the Vessel. We cannot afford to make a mistake on this, it is too important to the well being of both the Islanders and Mainland County Citizens and Taxpayers. I can help with this issue, please consider my application.

Sincerely,

Jim Dickinson

1/09/2018
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

| First Name | Crispin |
| Last Name  | Colburn |
| Date       | 1/1/2018 |
| Street Address | 2629 North Park Drive |
| City       | Bellingham |
| Zip        | 98225 |
| Do you live in & are you registered to vote in Whatcom County? | Yes |
| Do you have a different mailing address? | Field not completed |
| Primary Telephone | 1360733067 |
| Secondary Telephone | 13607889376 |
| Email Address | cris.colburn@yahoo.com |

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Lummi Island Ferry Advisory Committee</td>
</tr>
<tr>
<td>Lummi Island Ferry Committee (Part 2)</td>
<td>County resident not living or owning property on Lummi Island</td>
</tr>
<tr>
<td>Lummi Island Ferry Advisory Committee</td>
<td>No</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 2</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please list dates:</td>
<td>My first full term ends January 31st, 2018. I served a partial term that went vacant before that. The letter I received from Council Chair Buchanan says I'm eligible to serve one more term, which I believe is a three-year term.</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of</td>
<td>Field not completed.</td>
</tr>
</tbody>
</table>
experience, qualifications, & interest in response to the following questions

<table>
<thead>
<tr>
<th>9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</th>
</tr>
</thead>
<tbody>
<tr>
<td>I currently work at Whatcom Transportation Authority (WTA) and have been employed there since 1994. I have worked as a manager in the Operations Department the entire time. My current job title is Dispatch Manager. I worked in a variety of community transportation settings before I moved to Bellingham to work at WTA. They included private transportation consulting, specialized transportation management at Pierce Transit in Tacoma, and work for a private, non-profit transportation firm in Portland, OR in various roles. I have served as an officer and member with state and national transportation associations, and two community organizations, Northwest Mushroomers Association in Whatcom County, and the local Planned Parenthood affiliate in Pierce County some years ago. I have some college but no degree. In a nutshell, my entire forty-plus year career has been spent in community transportation operations.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Please describe why you’re interested in serving on this board or commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>I have served one full and one partial term on LIFAC. It has been a formative period for the committee, as a range of needs, controversial issues, and relationship improvement have engaged us. We have developed and improved how we work as a committee, how we draw input from the island and county community, and how we collaborate with County staff and elected officials. That work has led to the Ferry System Improvement Project, which is now fully under way. The need for this effort has been apparent for some time, and I am so enthusiastic about how it has developed with positive contributions from everyone. I have contributed continuity, engagement, benefits of my transportation operations background, and some objectivity to efforts that paved the way for the next chapter of Whatcom County’s ferry system. I’d simply like to continue that effort to advance the Project for another term.</td>
</tr>
</tbody>
</table>

References (please include daytime telephone number):

| Jack Louws, Whatcom County Executive, 360-778-5200 Pete Stark, General Manager, Whatcom Transportation Authority, 360-788-9301 Nancy Ging, LIFAC Interim Chair, 360-758-2529 |

Signature of applicant: Crispin Colburn

Place Signed / Submitted: Bellingham, Washington

(Section Break)
PLANNING COMMISSION
3 Vacancies, 4-year terms Current members eligible to reapply. Applicants must be a resident of County Council District 1, 4 or 5. The Planning Commission shall assist the Planning & Development Services Department in carrying out its duties, including assistance in the preparation and execution the comprehensive plan and recommendations to the department for the adoption of official controls and/or amendments. The Commission shall conduct hearings as required under RCW 36.70, and shall make findings and conclusions that shall be transmitted to the Planning and Development Services Department and County Council. The Planning Commission meets on the second and fourth Thursday of every month in the evenings.

9 Members. At least one, but no more than two members from one council district. The council encourages representation from the following: 1. The development community, 2. The environmental community, 3. Business and industry, 4. Agricultural, forestry, mineral, or aquatic resource lands.

Planning Commission has the following representation as of Jan. 31, 2018
1 member representing District 1- Current Member: Kate Blystone
2 members representing District 2-Current Members: Nicole Oliver & Stephen Jackson
2 members representing District 3-Current Members: William Moceri & Atual Deshmene
1 member representing District 4- Current Member: Gary Honcoop
0 members representing District 5-No representation

Applicants:

District 5
Incumbent: Kelvin Barton
Incumbent: Natalie McClendon
Applicant: Jacob Tilbury

District 1
Applicants:
Rachel Nyberg
Andrew Reding

District 4
Applicant:
Chad Butenschoen
Jon Maberry
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Kelvin Barton

Street Address: 7691 Francis Lane

City: Blaine, WA

Zip Code: 98230

E-mail address: Kelvin @ Krounds.com

Date: 1-3-2018

Planning Commission

Position 5

1. Name of board or committee-please see reverse:

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

   Yes ( ) No ( )

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No

   If yes, dates: 2015 – 1-2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No

   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) Yes ( ) No

   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education. Please see attached résumé.

11. Please describe why you’re interested in serving on this board or commission: I have enjoyed being on the Whatcom County Planning Commission these last 3 years. I would like to continue to use my skills and experience for the benefit of Whatcom County.

   References (please include daytime telephone number): Please see attached references

Signature of applicant: Kelvin Barton

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Whatcom County Planning Commission. Thirty-four years local government experience. Responsibilities ranging from Planner to Program Manager. Education includes Land Use Planning and Development, Everett Community College.

EXPERIENCE ENCOMPASSES:

• Whatcom County Planning Commission
• Experience writing and updating City of Everett Comprehensive Plan
• Plan Review – City of Everett
• Program Manager, DASH, Alexandria, VA
• City of Everett, Washington, U.S.A. Transportation Services Project Coordinator
• Puget Sound Regional Smart Card (ORCA) program
• National Transit Database (NTD) Reports to U.S. Federal Government
• Whatcom County Birch Bay Advisory Committee Member and Land Use Sub-Committee Chairman
• Computer intensive responsibilities include: Extensive experience with Microsoft Office Suite of Programs; Visual Basic, Visual Basic for Applications, C++, HTML, XML programming; Ridership database development and maintenance; GIS (Geographic Information Systems); The Master Scheduler (TMS) scheduling, run cutting and transit management software; Trapeze Pass (ADA database and ride scheduling software); Kronos Timekeeper; Scheduling and Run Cutting
• Development of organization Transit Policy and Procedure Manual; Everett Transit Accident Review Board; City of Everett Affirmative Action Advisory Committee; Everett Fire Department Community Emergency Response Team; Boeing Commute Trip Reduction Regional Committee; Inter and intra transit and municipal agencies and Washington state agencies construction projects representation and coordination;
• Everett Community College Advisory Board for the Geographic Information Systems program
• Software Company – working with GPS timing data – including installation of GPS software and providing training for Transit agencies in the communities of Hemet and Victor Valley, California.

CERTIFICATIONS, LICENSES and TRAINING

• Land Use Planning, Program Manager certification; Canadian Urban Transit Association – Scheduling and Run cutting; GIS Certificate; C++ Level 1 Programming Certificate; Program Management; CERT (Community Emergency Response Team); Firefighter Railroad Training; Class B license with passenger and air brake endorsements; General Aviation license; US DOT “Train the Trainer” and Accident Investigation training.

EDUCATION

• Everett Community College land use and real estate classes.
• Everett Community College, 2003, Associate in Technical Arts (CIS/Visual Basic Programming) and Geographic Information Systems (GIS), both with High Honors

ANCILLARY

• Member Phi Theta Kappa Honor Society; Boeing Special Recognition award for post 911 transportation security work,
KELVIN BARTON

REFERENCES

Pat Alesse
C Shop
4825 Alderson Rd
Blaine, WA 98230
(360) 223-6571

Kerry Lyste, Professor
Geography Department
Everett Community College
2000 Tower Street
Everett, WA 98201
(360) 201-2576 - cell

Sandy Modell, General Manager
DASH Transit, Alexandria, VA
3000 Business Center Drive
Alexandria, VA 22314
(703) 746-3274

Ken Housden, General Manager
Citilink
801 Leesburg Road
Fort Wayne, IN 46808
(260) 432-4977
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name  Natalie

Last Name  McClendon

Date  1/5/2018

Street Address  4682 Wynn Road

City  Bellingham

Zip  98226

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  Field not completed.

Primary Telephone  360-319-8287

Secondary Telephone  Field not completed.

Email Address  nataliebham@gmail.com

Step 2
1. Name of Board or Committee: Planning Commission

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? Yes

If yes, please list dates: Jan 2014-Jan 2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or Currently Business owner/manager of a Photography Studio. BA Environmental Politics and Economics, University of Nebraska; Secondary Teaching Certificate, WWU. 4 Years on the Planning Commission, during which time participated in the updates for the Comp Plan and the CAO. Active in the
community activities, and education  Environmental Caucus of WRIA-1.

10. Please describe why you’re interested in serving on this board or commission  I would like to continue my work on the Planning Commission to help the county craft practical land use regulations that solve problems of land degradation, water quality, and efficient energy use, while minimizing barriers to individuals to make a home and living in Whatcom County.

References (please include daytime telephone number):  Carl Weimer 360-223-2636 Mike Estes 360-220-1100 Ruth Higgins 360-371-5312

Signature of applicant:  Natalie McClendon

Place Signed / Submitted  Bellingham, Wa

Email not displaying correctly? View it in your browser.
From: noreply@civicplus.com
Sent: Sunday, December 31, 2017 2:46 PM
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson
Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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<table>
<thead>
<tr>
<th>First Name</th>
<th>Jacob</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Tilbury</td>
</tr>
<tr>
<td>Date</td>
<td>12/31/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>2603 pacific highlands ave</td>
</tr>
<tr>
<td>City</td>
<td>Ferndale</td>
</tr>
<tr>
<td>Zip</td>
<td>98248</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
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</tr>
<tr>
<td>Primary Telephone</td>
<td>3602246805</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>3602246805</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:Jakemtilbury@gmail.com">Jakemtilbury@gmail.com</a></td>
</tr>
</tbody>
</table>

Step 2
<table>
<thead>
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<th>Question</th>
<th>Answer</th>
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<td>1. Name of Board or Committee</td>
<td>Planning Commission</td>
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<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
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<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
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<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
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<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>Currently a licensed real estate agent at RE/MAX Whatcom County Bellingham office. Worked with many clients providing insight on land use, and helping them navigate zoning to make informed purchases for developments and investments. Currently developing my own mixed use project in Bellingham. Volunteer with Sustainable Connections(current), and HATCH(2015). Went to school in Lynden(LC), live in Ferndale,</td>
</tr>
</tbody>
</table>
and work in Bellingham. Diverse group of people i network with and hear ideas and issues from including farmers, small business owners, and college students.

10. Please describe why you’re interested in serving on this board or commission

My family has been in the real estate business in Vancouver, BC for many years, and has always been involved in local government. My uncle was on the planning committee in Vancouver, and my grandfather was the mayor of his city in England. I have developed a strong interest in community planning and growth from these two people, and I hope to continue the tradition of local government involvement. In my spare time I enjoy reading the different city’s comprehensive plans, and zoning maps. I like to compare past maps with current ones to see how things have changed, and come up with my own scenarios for how I think things should be to benefit the community. Having some insight on the issues with Vancouver’s housing market and land availability gives me a different perspective and helps me learn from their mistakes. As a young 23 year old, I hope this can be the start of my journey with our local government, and community involvement. I know there is still a lot to learn, but I believe that at my age I can provide insight and ideas from a demographic that often times goes unheard or isn’t interested in local issues. I have close relationships with people that hold opposite political views than me, and ones with very similar views as well. This helps me try and approach everything with a mutually beneficial mindset. I am a strong believer that our nation is only as strong as the communities that form it, and I want to do my part to try and help our community come together and grow in a sustainable manner.

References (please include daytime telephone number):
Ken Mann (Phone: 360-483-6020), Ali Taysi (Phone: 360-305-2124), Dylan Langei (Phone: 360-927-5897)

Signature of applicant: Jacob Tilbury

Place Signed / Submitted: Bellingham, Washington

(Section Break)

Email not displaying correctly? View it in your browser.
From: noreply@civicplus.com  
Sent: Tuesday, January 09, 2018 9:32 AM  
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson

Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name: Rachel  
Last Name: Nyberg  
Date: 1/8/2018  
Street Address: 2129 King St  
City: Bellingham  
Zip: 98225  

Do you live in & are you registered to vote in Whatcom County?: Yes

Do you have a different mailing address?: Field not completed.

Primary Telephone: 425-445-2454  
Secondary Telephone: Field not completed.

Email Address: r.nyberg3@gmail.com

Step 2
1. Name of Board or Committee | Planning Commission
---|---
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? | Yes
3. Which Council district do you live in? | District 1
4. Are you a US citizen? | Yes
5. Are you registered to vote in Whatcom County? | Yes
6. Have you declared candidancy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? | No
7. Have you ever been a member of this Board/Commission? | No
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? | No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: Resume-Newest.pdf

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education: I am currently employed at The Local Public House, a locally owned restaurant. I work as the Sous Chef in the kitchen and along with the rest of the team we keep the kitchen running clean and smoothly while giving out delicious meals to our patrons. I have also been apart of the roller derby community here in Whatcom County, playing on the home team and travel team for 3 years. While apart of the Bellingham Roller Betties,
not only did we (and I specifically) organize bouts for the community to gather and enjoy, we also put on a number of community events. As a non-profit, skater run league, we each had specific jobs within the league. I organized the bouts, a virtually day long event 6 or more times a season. This included coordinating with people in the community and other committees within our league. We were able to put on such events with help from volunteers and the general public, which was also a place in which I was in charge of reaching out to gain and commend volunteers for their work. I have an education from our own Western Washington University with a Bachelor's in Geology. I gained more than just facts about rocks and minerals from my education, but a general understanding of the landscape around Whatcom County and the PNW. I learned what are land is comprised of and how and why we utilize our land in the way we do.

10. Please describe why you're interested in serving on this board or commission

I am interested in serving for the Planning Commission because I care about the direction our city, county and land is going in. Our county is growing rapidly as it offers so many amazing benefits to its residences. I feel that our growth should be managed in a responsible, sustainable and profitable way for all of our counties patrons. I am seeking greater knowledge and understand of the planning community, and I believe that having a voice from all walks of life on such a commission as this is very important. I feel I would be a very useful, productive and enlightening point of view on this commission that would work hard to continue to better our community. I care about the decisions made in our county and how the affect the people here. I want to be a voice in the conversation so that no person or community is left out in the resolutions made for all of us.

References (please include daytime telephone number):
Matt Hansen (360)223-6196 Brooke Klein (360)927-8816 Janet Lightner (360)303-9332 Sarah Moran (360)616-1073

Signature of applicant: Rachel Nyberg

Place Signed / Submitted Home- 2129 King St. Bellingham, WA 98225

Email not displaying correctly? View it in your browser.
Rachel Nyberg
2129 King St. Bellingham, WA 98225 • (425)445-2454 • r.nyberg3@gmail.com

Skills
- Proficient in Microsoft Office, Google Docs; familiar with Adobe Acrobat
- Able to type 58 WPM
- Strong leader through example and voice
- Attention to details while working in a fast paced environment
- Cool, calm and collected in a high stress environment
- Adaptable to new situations and tasks
- Delegates tasks effectively, instructs/trains others well
- Excellent communicator, very logical mind
- Enforces policies and manages conflict with positivity and situational decision making
- Clear and concise writer

Employment History

7/2017 to Present  The Mile Pie Club  Bellingham, Washington
   Owner, Operator and Baker
   - Keeps track of finances and all other important documents for company
   - Operator of mobile pie cart
   - Baker of pies, that are sliced and boxed
   - Organizes and arranges events to sell pie

8/2017 to Present  The Local Public House  Bellingham, Washington
   Sous Chef
   - Works fast paced line, preparing lunch and dinner items
   - Trains new employees and assists head chef in day to day operations
   - Prep’s and cook’s upscale pub food
   - Maintains clean and orderly kitchen and workspace
   - Communicates effectively with fellow employees and servers

4/2013 to 8/2017  Boundary Bay Brewery & Bistro  Bellingham, Washington
   Kitchen Manager
   - Responsible for high volume day to day operations of two kitchens
   - Makes schedule and manages 30+ employees
   - Trains new employees and gives direction, feedback
   - Supervises employee’s time sheets
   - Conflict resolution between employee’s
   - Responsible for hiring and firing of employees
   - Capable of efficiently working cold side and hot side; expediting, flat top, salad station, etc.
   - Expedites and plates food while timing orders going to tables
   - Communicates with fellow employees in an efficient and effective manner while working in a fast paced environment

08/2013 to Present  Bellingham Roller Betties  Bellingham, Washington
   Lead of Bout Production and Co-Captain
   - Managed 15+ people to plan and execute Bout
   - Delegated tasks appropriately to other members of the league
   - Yearly budget updates
   - Issued budgets to appropriate persons within committee
   - Coordinate monthly meeting and record minutes
   - Handle permits and contracts
   - Schedule plan and execute team practices and bouts
   - Conflict resolution between teammates

Education
Western Washington University  Bellingham, Washington
Bachelor of Arts, Geology – Graduated March 2015
- Working knowledge of ArcGIS mapping software program
- Experience with digital land surveying tools
- Familiar with Western Washington landscape
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Andrew</th>
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<tbody>
<tr>
<td>Last Name</td>
<td>Reding</td>
</tr>
<tr>
<td>Date</td>
<td>1/2/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>1522 Grant St</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98225</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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<tr>
<td>Email Address</td>
<td><a href="mailto:aareding@gmail.com">aareding@gmail.com</a></td>
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Step 2
1. Name of Board or Committee
Planning Commission

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 1

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
No

7. Have you ever been a member of this Board/Commission?
No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

AAR summary resume.pdf

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education
10. Please describe why you’re interested in serving on this board or commission

I am professionally trained in public policy and have extensive experience both in federal and local government. As a professional researcher, I always look for evidence-based approaches. I am not at all ideological in my approach, favoring what will work best, and looking for consensus wherever possible. So if you want someone who relies on research, careful reasoning, is a good listener, and looks to find solutions that address others’ concerns, I may be who you are looking for!

References (please include daytime telephone number):

Stephen Faraone (regarding my Florida experience): (239) 896-3850
Barbara Lewis (regarding my Whatcom County experience): (360) 594-1501

Signature of applicant: Andrew A. Reding

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
ANDREW A. REDING

PROFESSIONAL EXPERIENCE

Senior Fellow, World Policy Institute, New York (since 1983)


City Council, Sanibel, Florida (1996-2000)

Public Policy Expert, Writer, and Consultant


Federal Government: Country of Origin Information Expert with the Department of Justice (1994-2003) and Department of Homeland Security (2003-2014). Prepared country reports on human rights (Americas, Eastern Europe, Asia, Africa); provided trainings on country conditions for regional offices; researched asylum cases and issues (query responses); researched groups to determine whether they should be classified as terrorist; identified foreign residents responsible for torture and massacres in their home countries, leading to civil suits and deprivations.


EDUCATION, LANGUAGES

✦ Master in Public Affairs, Woodrow Wilson School of Public and International Affairs, Princeton University, on U.S. Public Service Education Fellowship

✦ B.A. magna cum laude, Phi Beta Kappa, Middlebury College, Middlebury, Vermont

✦ Fluent in Spanish and French.

1522 Grant St, Bellingham WA 98225 — (805) 710-5500 — aareding@gmail.com

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Board and Commission Application

Step 1
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name: Chad
Last Name: Butenschoen
Date: 12/4/2017
Street Address: 1542 Westview Pl
City: Lynden
Zip: 98264
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 360-224-4710
Secondary Telephone: Field not completed.
Email Address: chadbutenschoen@me.com

Step 2
1. Name of Board or Committee: Planning Commission

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 4

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education: Please refer to résumé

Resume.pdf
10. Please describe why you’re interested in serving on this board or commission

Being born and raised in Whatcom County then traveling the world has provided me a great humility for what we have. Our agricultural community has flourished and continues to make great strides in providing not just the local community, but the world, with products. We can see this while walking the farm lands and speaking with farmers to strolling through the Bellingham Farmers Market and buying locally grown produce. I want to contribute to our community and help strengthen what the generations before us have successfully accomplished. I have great passion for the farming community and believe I could turn that passion into a strong, level headed, bipartisan voice for everyone in our district.

References (please include daytime telephone number):

Jim Sutterfield 360-303-3192 Tom Blumberg 360-224-7226
U.S. Army I Corps CSM Walter Tagalicud 907-306-8224

Signature of applicant: Chad Butenschoen

Place Signed / Submitted: Blaine, Wa

Email not displaying correctly? View it in your browser.
Chad R. Butenschoen  
1542 Westview Pl  
Lynden, Wa 98264  
chadbutenschoen@me.com  
360-224-4710  

INTEREST  
Whatcom County Planning Commission  

EXPERIENCE  
BP General Shop Technician – Bellingham, Wa  
Tech 5  
2008 - Present  
In Shop  
While working in the General Shop I have performed various tasks and roles throughout the Cherry Point Refinery. My main role as a technician was to perform routine maintenance work in the process units while following all safety and work guidelines. I also became a crane operator and have spent many hours operating equipment, which plays a significant role into the policy’s and procedures aspect of BP for the fact that you need to always be aware of changes.  
Out Of Shop  
I have performed many roles outside of the Maintenance Dept. which include:  
• 2011 - 2013 (Hydrogen Unit Maintenance Planner)  
During this period I was responsible for many different crafts and companies, all working on getting the unit back to operating conditions. My role as a planner was to budget, order materials, set schedules and provide contract companies there work for the T/A. During the Turn Around I was the lead for over 6 different companies averaging 1-200 people per night while troubleshooting any issues that arise.  
• 2014 - 2015 (Maintenance Planning)  
I would take work that individual units had and create work packages for the General Shop technicians to use to complete that work. Working with coordinators, engineers and inspectors I would use the information to create a work plan for each individual job that technicians could use to do day to day maintenance activities in the refinery.  
• 2015 (Safety Committee Chair)  
I was elected by a group of my peers in the safety committee to be the president of the group for the year of 2015. This group consists of around 100 people who are from a broad range of crafts around the refinery. This group was responsible for new ideas in safety compliance and ensuring that the whole site had resources available to them regarding safety.  
• 2015 (Co-Founder and Chair of Veterans Business Resource Group)  
This role was created by our Business Unit Leader/Plant manager when he realized that Cherry Point did not have a Business Resource Group for Vets at this site. I volunteered to help out and soon found myself as the lead and establishing the group not only at an onsite level but nationally as well. We worked to provide resources to employees and the local community through volunteer work and setting up booths at job fairs for veterans leaving the military for the private sector. Once the group was established and the vision for the future
was clear, I turned the lead over to a governing board and eliminated the chair position entirely.

- **2015 - 2016 (Contract Compliance Officer)**
  It is of utmost importance to BP that people working within our industrial facilities are competent when conducting work activities and do all they can to reduce risk to themselves, other people, assets, and the environment. As such BP created a pilot role in which my responsibility was to audit contract companies on the contracts they already had with BP at their Cherry Point refinery. Just like the Veterans BRG this was a new role they brought to this site. I was responsible for not only building the mission statement, job description and implementation plan, but establishing communication with the Contract Companies and beginning the Audit process. During my time in this role I audited 5 different contract companies on many different topics including, ensuring each employee has a clear job description that reflects what that employee is doing onsite, vehicle and equipment maintenance and record documentation, employee training and proficiency of both team and staff positions, code of conduct, how they on-board employees and ensuring on-boarded employees review and understand BP entity HSSE requirements. Once the audit process was completed my focus turned to making a clear After Action Report that was turned into the Contracts Governance Board and training the staff level BP employee that would be taking over the role for the future.

- **2016 to Present (NCE Planning)**
  Plan and Oversee all Non Cycle Ending maintenance work needed to be completed during a given units shutdown. I control the work process from discovery, engineering and inspection details, parts and labor and seeing the work through from a personnel control aspect as well.

**Matrix - Bellingham, WA**
Multi-Craft

October 2005 - 2008
I performed many jobs including constructing concrete forms, helping to build metal structures and platforms by fabricating panels and beams and assisting with assembly. I performed maintenance work as well as doing many T/A’s at different locations on bundle crews.

**Cajun Construction – Baton Rouge, LA**
Concrete Worker
April 2005 - May 2005
This company drilled large holes in the ground to be filled with concrete for building foundations. My job was to monitor and measure the depth of the holes during the drilling process.

**United States Army – Fort Bragg, NC**
Airborne Infantry/RTO
October 2001 - October 2004
In the U.S. Army I served in B. Co 1/504 Parachute Infantry Regiment. I
was stationed out of Fort Bragg, NC but also did two tours overseas in both Afghanistan in early 2002 and Iraq in 2003. My duties changed according to location, in Afghanistan I was a machine gunner in an infantry squad as we performed combat missions along the Pakistan border to stop the insurgency from jumping borders. I was then promoted to Company RTO and served in Iraq communicating between company and battalion ranks as well as calling in artillery and Close Air Support while at the same time performing my duties as an infantryman in a combat zone. I developed a unique ability to perform under pressure and lead people even in overwhelming circumstances.

EDUCATION
Squalicum High School – September 1998 – August 2001
August-September 2001 Obtained GED in order to enlist in the Army at 17 years old.

REFERENCES
Supplied upon request

AWARDS & RECOGNITION
Army Commendation Medal w/Oak Leaf Cluster (2nd award), Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Combat Infantry Badge, Parachutist Badge, Combat Action Badge, and several Certificates of Commendation from the Commanding General for Extraordinary Meritorious Service.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name: Jon
Last Name: Maberry
Date: 4/7/1985
Street Address: 8680 Weidkamp Rd
City: Lynden
Zip: 98264
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 3608157093
Secondary Telephone: Field not completed.

Email Address: jonma@maberrys.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Planning Commission</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 4</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>Occupation: Owner/Agronomist - Maberry Packing LLC Current Board Positions: President - Washington Red Raspberry Commission Member - Laurel WID Alternate - National Processed Raspberry Council Education: University of Washington - BS Aeronautic/Astronautic Engineering</td>
</tr>
</tbody>
</table>
10. Please describe why you’re interested in serving on this board or commission: To help the council make decisions that positively impact agriculture.

References (please include daytime telephone number):
- Adam Enfield: 360.815.0640
- Brad Rader: 360.815.4808
- Rob Dahlwal: 360.815.6324
- Greg Ebe: 360.815.5255
- Scott Bedlington: 360.815.1970

Signature of applicant: Jonathan Maberry

Place Signed / Submitted: Lynden, WA

Email not displaying correctly? View it in your browser.
PORTAGE BAY SHELLFISH PROTECTION DISTRICT
1 vacancy, 4-year term Current member eligible to re-apply. Members must have a direct interest in the shellfish protection district. Duties are to advise the County Council on the proposed actions and operations relating to the restoration of water quality in the Portage Bay Shellfish Protection District.

*Incumbent: Andy Ross*

*Applicant: Eleanor Hines*
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Andy Ross
Street Address: 1840 High Noon Road
City: Bellingham (I do not live within the city limits)
Mailing Address (if different from street address): As above
Day Telephone: see cell phone Evening Telephone: see cell phone Cell Phone: (360) 393 6998
E-mail address: salixenv@gmail.com

1. Name of board or committee—please see reverse:
   Portage Bay Shellfish Protection District Advisory Committee

2. You must specify which position you are applying for.
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.)
   ( ) One (X) Two ( ) Three ( ) Four ( ) Five

4. Which Council district do you live in?
   ( ) One (X) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen?
   (X) yes ( ) no

6. Are you registered to vote in Whatcom County?
   (X) yes ( ) no

7. Have you ever been a member of this Board/Commission?
   (X) yes ( ) no
   If yes, dates: Spring 2014 to present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   ( ) yes (X) no
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county?
   ( ) yes (X) no
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
    I am a Washington licensed Geologist and Hydrogeologist with extensive water quality experience, particularly with regards to the Nooksack Watershed and Portage Bay shellfish beds. From 1993 to 2005 I worked for the Lummi Indian Business Council in water resources and worked extensively on Nooksack River and Portage Bay water quality issues and conducted and/or participated in studies addressing potential pollution sources on and off the Lummi Indian Reservation. I substantially participated in the Nooksack River Bacteria Total Maximum Daily Load (TMDL), which in part addressed protection of the Portage Bay shellfish beds. I have served on the Portage Bay Shellfish Protection District Advisory Committee since the spring of 2014 and currently chair the Data Subcommittee and am involved with outreach efforts. I am currently an independent water resources consultant (Watershed Solutions Services LLC).

11. Please describe why you’re interested in serving on this board or commission:
    I am interested in this position because I believe I can continue to make a positive contribution to the reopening of the shellfish beds in Portage Bay. I live in the Nooksack River Watershed (Tennmile Creek). I have a strong commitment to community involvement and am currently involved with many facets of water issues in Whatcom County (i.e., Tennmile Clean Water Project [currently a contracted part-time coordinator], technical reviewer on the Water Resource Inventory Area 1 (WRIA 1) Combined Review Team (CRT) of the WRIA 1 Salmon Recovery Program, Non Government Water Systems representative to the WRIA 1 Planning Unit and chair of the Governance and Funding Committee). I want to help address water quality issues in the Nooksack River Watershed and restore and protect the Portage Bay shellfish beds.

References (please include daytime telephone number):

George Boggs, Executive Director, Whatcom Conservation District, (360) 354-2035 x115. Henry Bierlink, Director, Ag Water Board (360) 354-1337.

Signature of applicant:

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Board and Commission Application

**Step 1**

**Application for Appointment to Whatcom County Boards and Commissions**

**Public Statement**

*THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.*

<table>
<thead>
<tr>
<th>First Name</th>
<th>Eleanor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Hines</td>
</tr>
<tr>
<td>Date</td>
<td>1/22/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>511 Gladstone St</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>WA</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>2152870043</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:eleanorehines@gmail.com">eleanorehines@gmail.com</a></td>
</tr>
</tbody>
</table>

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
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<td>Portage Bay Shellfish Protection District Advisory Committee</td>
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<td>Yes</td>
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<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
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<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Eleanor Hines Resume 2018.pdf</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>I have a masters of science with a focus in environmental toxicology and am currently lead scientist at RE Sources. I have been involved and continue to be involved through both work and volunteer groups with water quality testing and identifying sources of bacterial pollution for about 10 years and protecting water for recreationists. Please see resume for more details.</td>
</tr>
</tbody>
</table>
10. Please describe why you’re interested in serving on this board or commission

I have always had an interest in water quality. I hope to provide my scientific expertise combined with education and outreach experience to this committee. Identifying pollution sources is not an easy task, but a really important one.

References (please include daytime telephone number):

Ann Russel, work supervisor, (360) 733-8307 ext. 212

Signature of applicant:

Eleanor Hines

Place Signed / Submitted:

Bellingham, WA

(Section Break)

Email not displaying correctly? View it in your browser.
Eleanor Hines • 511 Gladstone St, Bellingham, WA 98225 • 215-287-0043 • eleanorehines@gmail.com

Education:
Masters in Science at Huxley College, Western Washington University: 2011-2013
Degree in Environmental Science, focus on regional risk assessment using a Bayesian network approach for probabilistic modeling methods and examining effectiveness of management tools in the risk model framework. Looked at prespawn mortality in Oncorhynchus kisutch (coho salmon) and the ability of low impact development to alter the risk of this acutely lethal syndrome in the Puyallup River Watershed in Pierce Co, WA.
Bachelors of Science at Huxley/Fairhaven College at Western Washington University: 2004-2008
Degree in Environmental Science, emphasis in Environmental Toxicology; minor in Chemistry.

Professional Experience:
Lead Scientist – RE Sources for Sustainable Communities: 2014 – present
• Managed Squalicum Clean Water Project entailing water quality sampling, data management, and social marketing development and implementation.
• Review and encourage public comment throughout the Bellingham Bay toxics site cleanup process and ensuring protection of marine habitat.
• Provide scientific support for Clean Water, Clean Energy, and Sustainable Schools programs as needed.
• Staff support for Cherry Point and Fidalgo Bay Aquatic Reserves Citizen Stewardship Committees.
• Manage citizen science projects such as intertidal monitoring, marine birds monitoring and water quality monitoring projects.

Field Manager – Hirsch Consulting Services, LLC 2014 – 2016
• Managed and trained field team on an Ecology 319 grant on Cain Creek in Blaine, WA to collect fecal coliform bacteria and microbial source tracking samples as well as other water quality parameters including temperature, pH, DO, conductivity and flow measurements.
• Managed data, assisted with reports, and consulted on field sampling.
• Develop and assist with education and outreach program component to improve water quality in Blaine.

• Assist with education and outreach programs in classrooms k-6 and field trips aimed to protect shellfish harvest.
• Promote program through social media and at events to encourage Salish Sea stewardship and develop program website.

Private Contractor – Institute of Natural Resources/North West University of KwaZulu-Natal, South Africa: 2013
• Assist with environmental risk assessment modeling using a combination of Monte Carlo and Bayesian network modeling in the Relative Risk Assessment method framework.
• Assisted with the formulation of ProbFlo, an instream flow requirements method that falls within the ELOHA framework using probabilistic methods incorporating adaptive management for dams in Lesotho.
• Attended Water Affairs workshop with team of national South African scientists to lay out framework for Water Quality Objectives in the Olifants River catchment.
• Worked at the North West University of KwaZulu-Natal to determine conceptual models for a relative risk assessment on the Phongolo catchment to ensure that social and economic needs of the catchment are met.

Field Technician – Western Washington University: 2011-2012
• Aided in research and field sampling for the Catostomus catostomus (Salish suckerfish)
• Set traps, recorded data, took water quality readings with YSI water quality probe, gathered site data including GPS coordinates, gradient of riffles, bankfull width, depths, habitat assessments, and pit tagged fish.

Private Contractor – Nooksack Salmon Enhancement Association: 2010-2011
• Trained replacement monitoring coordinator.
• Took volunteer interns on Washington Department of Fish and Wildlife salmon spawner surveys to document returning adult salmon by species, count redds, and process carcasses for samples including coded wire tags, prespawn mortality assessment, otolith samples, and DNA samples.

Monitoring Coordinator (AmeriCorps Term) – Nooksack Salmon Enhancement Association: 2009-2010
• Responsible for salmon enhancement monitoring projects, including salmon spawner surveys, water quality monitoring, community habitat restoration work parties, and education and outreach.
• Wrote for a variety of audiences, including: technical documents for evaluating salmon spawner surveys and water quality data to aid in regulatory determinations, State of the Watershed Reports for community members from collected and analyzed water quality data, authored website content and newsletter articles, and more.
• Trained and managed interns, sometimes as many as a dozen or more at a time.
• Assisted with grant applications, updates, and reports.

Volunteer Experience:
Chapter Chair – Northwest Straits Chapter, Surfrider Foundation: 2007-present
• Coordinate citizen science water quality monitoring project (Blue Water Task Force), present findings to community, and work with partner organizations along with source tracking of contaminants in marine water.
• Organize beach cleanups and other events.
• Project management experience with planning and organizing campaigns, events, fundraisers, education and outreach programs, press releases, factsheets and messaging, workshops, and internship programs.
• Developed and manage summer college internship focused on education and outreach on water quality issues at a local state park; assess and match tasks with volunteers' abilities.
• Bolster partnerships with local organizations with similar goals to expand the Surfrider scope with limited resources.
• Collaborate with Surfrider chapters throughout Washington, Oregon, and British Columbia to implement Surfrider projects on a regional scale.

Whatcom County Marine Resources Committee: 2007-present
• Participate on subcommittees such as the Shellfish, Scientific, Advocacy, and Project Development.
• Participate/organize/lead citizen science programs such as shellfish, intertidal, kelp, forage fish, water quality testing, and other monitoring programs.
• Organize education and outreach programs and materials on water quality issues and present messaging and data to local community.
• Currently hold scientific expertise seat (as of 2014) and committee chair (as of 2016).

Professional Conferences and Presentations:
Salish Sea Conference: October 2011 Represented the Surfrider Foundation
• Recreational users test water quality at popular beaches throughout Puget Sound and tackle barriers to incorporate citizen science into monitoring and education programs.

Pacific Northwest Chapter Society of Environmental Toxicology and Chemistry 21st Annual Meeting: April 2012 Represented the Institute of Environmental Toxicology, Huxley College, WWU
• Regional Risk Assessment of the Puyallup River Watershed and Low Impact Development (LID) to meet management goals.

Society of Environmental Toxicology and Chemistry North American Conference: November 2012 Represented the Institute of Environmental Toxicology, Huxley College, WWU
• Regional Risk Assessment of the Puyallup River Watershed and Low Impact Development (LID) to meet management goals.

Society of Risk Analysis: December 2012 Represented for the Institute of Environmental Toxicology, Huxley College, WWU
• Risk assessment for non-indigenous plants for the intermountain Western United States.

Padilla Bay Research Symposium: 2013 Represented the Northwest Straits Chapter, Surfrider Foundation
• Blue Water Task Force: A look into effective ways to use citizen science to help protect community health.

Restore America’s Estuaries National Conference: November 2014 Represented the Surfrider Foundation
• The Surfrider Foundation's Blue Water Task Force in Bellingham, WA: A citizen science program inspiring actions and engaging communities.

**Salish Sea Ecosystem Conference:** April 2016 Represented the Surfrider Foundation and Whatcom Marine Resources Committee

• Recreational users update their program to test water quality at popular beaches and tackle barriers to incorporate citizen science into monitoring and education.

**Publications:**

Hines EE, Landis WG. 2013. Regional risk assessment of the Puyallup River watershed and the evaluation of low impact development in meeting management goals. Integrated Environmental Assessment and Management. DOI: 10.1002/ieam.1509.

SOLID WASTE ADVISORY COMMITTEE
The committee provides ongoing public input and advice to Whatcom County on solid waste management issues. Generally meets quarterly on Thursday evenings, but meeting schedule and frequency subject to change upon committee approval.

6 Vacancies
- 1 vacancy Citizen representative – partial term ending 1/31/2019
- 1 vacancy representing agriculture
- 2 vacancies representing Public Interest Group, 1 current member eligible to reapply, 1 is a partial term ending 1/31/2020.
- 1 vacancy representing Waste Recycling Industry.
- 1 vacancy representing Waste Collection Industry, current member eligible to reapply

No two representatives can be from the same company or public interest group.

Public Interest Group – 2 vacancies – when making appointment indicate which vacancy full term vacancy or partial term vacancy

Incumbent for full term vacancy: Mark Peterson

Applicant: Priscilla Brotherton
Applicant: Robert Hendricks

Waste Recycling Industry – 1 vacancy
Applicant: Kevin Moore

Waste Collection Industry – 1 Vacancy
Incumbent: Troy Lautenbach
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: **MARK PETE RSO**
Date: 1/5/18

Street Address: 1100 ROLAND ST
City: BELLINGHAM, WA
Zip Code: 98229

Mailing Address (if different from street address):__

Day Telephone: 360-201-0817 Evening Telephone: **MARK@SUSTAINABLE CONNECTIONS.ORG**
Cell Phone: 360-201-0879

E-mail address: **MARK@SUSTAINABLE CONNECTIONS.ORG**

1. Name of board or committee - please see reverse: **PUBLIC INTEREST GROUP**

2. You must specify which position you are applying for. Please refer to vacancy list. Applying for 2nd term

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) ___________________________________________ Yes ( ) No

4. Which Council district do you live in? One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a U.S. citizen? _____________________________ Yes ( ) No

6. Are you registered to vote in Whatcom County? _____________________________ Yes ( ) No

7. Have you ever been a member of this Board/Commission? _____________________________ Yes ( ) No

If yes, dates: 1/31/2018 - 1/31/2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ___________________________________________ Yes ( ) No

If yes, please explain: **PROGRAM MANAGER FOR SUSTAINABLE COMMUNITIES**

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? _____________________________ Yes ( ) No

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education. **PROGRAM MANAGER FOR SUSTAINABLE COMMUNITIES and VARIOUS TIGER INITIATIVES. CURRENT CHAIR OF SWAC**

11. Please describe why you’re interested in serving on this board or commission: **I am passionate about reducing waste and my professional experience allows me to be a good contributor to this committee.**

References (please include daytime telephone number): **Road Pember, SSC - 360-527-9785 - JEFF HEGDORN, WHATCOM Cty 360-778-6644**

Signature of applicant: **Mark Peterson**

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

Please print legibly and complete all items

Name: Priscilla Brotherton
Street Address: 2309 Meridian St.
City: Bellingham
Mailing Address (if different from street address): 

Day Telephone: 360.733.8307 x218  Evening Telephone: 360.296.0187  Cell Phone: 360.296.0187
E-mail address: priscillab@re-sources.org

1. Name of board or committee—please see reverse: Solid Waste Advisory Committee

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission? ( ) yes ( ) no

If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes ( ) no

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes ( ) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Please see attached resume. In addition to the professional positions I’ve held, I also took part in WSU extension Carbon Master Program.

11. Please describe why you’re interested in serving on this board or commission:

I am passionate about how our county is working to reduce solid waste. I have enjoyed the professional relationships I have formed with the people that I currently work with in the waste diversion field and would like to continue to build those relationships. But more importantly I hope that I can offer a perspective from a youth and school point of view.

References (please include daytime telephone number): Janet Marino, Program Director 360.733-8307

Signature of applicant:

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3/2017
PRISCILLA BROTHERTON
SUSTAINABLE SCHOOLS MANAGER

Ms. Brotherton came to RE Sources with a background in experiential and traditional education. Working with youth in the classroom, outdoors, and as a part of supplemental education has well prepared her for managing the Sustainable Schools Program. Most recently Ms. Brotherton worked as an Education Specialist before taking on the management of the Sustainable Schools program, which she accepted with enthusiasm to build and expand the existing programs.

PROTECT. ACTIVATE. INNOVATE. THRIVE.

We promote sustainable communities and protect the health of northwest Washington people and ecosystems through application of science, education, advocacy and action.

re-sources.org

EDUCATION
Bachelor of Arts in English and Italian, University of Iowa

EXPERIENCE
Sustainable Schools Manager, RE Sources (9/17 – present)
Responsible for oversight and implementation for all existing school-based education programs and the development of new or expansion opportunities. Evaluates the current programs for content, alignment with teaching objectives and overall effectiveness, then updates as necessary. Trains and supervises Education Specialists, AmeriCorps members and/or interns, tracks deliverables, and produces reports for grants and contracts.

Education and Outreach Coordinator, Bellingham, Washington, (2011 - 2013)
Recruited, trained, and supervised volunteers at 16 elementary and middle schools for monthly program targeting healthy food education and involving school food services, farmers, teachers, parents, administrators, and students. Served as volunteer working with students during Harvest of the Month Day to engage students in discussion about healthy food choices. Created a monthly newsletter to establish clear lines of communication with all volunteers. Served as a member of Whatcom Farm-to-School Advisory Committee.

Presented interpretive programs for school groups from preschool to 4th grade. Developed curriculum and instructed preschoolers in weekly education programs. Supervised, trained, and mentored interns from Western Washington University. Contributed to daily operations, including community relations and customer service. Heavily involved in planning a range of activities, including exhibit design, fundraising, long-range planning.

Education Specialist, Western Washington University (1998 - 2000)
Managed the Washington Reading Corps literacy grant for Whatcom and Skagit Counties. Hired, supervised and provided on-going training for National Service Members (AmeriCorps and VISTA) while creating and implementing literacy programs for public schools.

Program Director, Camp Orkila of Seattle YMCA (1993 - 1995)
Directed weekend and conference programs, logistical setup for 400+ guests every weekend. Assistant director of summer camp; hiring, training and supervision of up to 100 staff and 40 volunteers, programming for 1800+ children annually. Coordinator of Teen Leadership Development Program. Responsible for fundraising and program development.

Environmental Educator, Bellingham Public Schools (1998)
Environmental Educator, School District 56 (1992)
Environmental Educator, Shaver’s Creek Environmental Center (1991)
Hi Nadine -
In regards to Item #2 on the SWAC application. The position I am interested in is filling a partial term in the public interest seat.
Thanks!

---

Priscilla Brotherton
Sustainable Schools Program Manager
RE Sources for Sustainable Communities
Office: (360) 733-8307 ext. 218
re-sources.org | Facebook | Blog | E-News
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Robert L. Hendricks
Street Address: 3210 Orleans St 105
City: Bellingham WA
Zip Code: 98226-1908
Mailing Address (if different from street address):
Day Telephone: 360 738 0986 Evening Telephone: SAME
Cell Phone: NO
E-mail address: Trippleoneviner@hotmail.com

1. Name of board or committee—please see reverse: Solid Waste Advisory Comm.
   Public Interest Group
   Waste Recycling Industry

2. You must specify which position you are applying for.
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.) ( ) yes ( ) no

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission? ( ) yes ( ) no
   If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes ( ) no
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes ( ) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

11. Please describe why you’re interested in serving on this board or commission:
    I'm compost, recycling master & Carbon Master with WSU Extension Service

References (please include daytime telephone number): Joyce Jimerson/CarbonMasters.com

Signature of applicant: [Signature]

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Kevin Moore ______________________________ Date: 12-1-17
Street Address: 323 South Forest St ______________________________
City: Bellingham WA ______________________________ Zip Code: 98225
Mailing Address (if different from street address): ______________________________
Day Telephone: 360.733.0160 ______________________________ Evening Telephone: ______________________________
Cell Phone: 360.724.4038 ______________________________
E-mail address: kmore74b2@gmail.com ______________________________

1. Name of board or committee - please see reverse: Solid Waste Advisory Committee

2. You must specify which position you are applying for.
   Please refer to vacancy list. Waste Recycling Industry vacancy

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.) ______________________________ ( ) yes ( ) no

4. Which Council district do you live in? ______________________________ ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ______________________________ ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ______________________________ ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission? ______________________________ ( ) yes ( ) no
   If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any
business or agency that does business with Whatcom County? ______________________________ ( ) yes ( ) no
   If yes, please explain: ______________________________

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected
office in any jurisdiction within the county? ______________________________ ( ) yes ( ) no
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community
activities, and education.

      Resume attached ______________________________

11. Please describe why you’re interested in serving on this board or commission:

      Recycling is essential to the well being of our community and I want to make sure it remains a priority.

References (please include daytime telephone number): ______________________________

Signature of applicant: ______________________________

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available to the County Council, County Executive, and the public. All board and commission members are
expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these
expectations may result in revocation of appointment and removal from the appointive position.
Kevin R. Moore
328 South Forest
Bellingham, WA 98225
kmoore7663@gmail.com
360.224.4038 (cell)

A results driven Executive with an impressive track record of more than 30 years of successfully analyzing an organization’s critical business requirements, identifying deficiencies and opportunities, and developing innovative and cost effective solutions for increasing revenue, improving profitability and expanding market share.

Key Skills
- Creative thought leader combining critical thinking, strategic planning and ability to execute to achieve high impact results
- In-depth, end-to-end knowledge of dietary supplements, educational publishing, home improvement, consumer electronics, automotive, construction and real estate sectors
- Skilled at building, leading and coaching top performing teams
- Unique ability to identify emerging market trends and implement game changing strategies
- Highly effective at cost management and eliminating waste in a way that values associates
- Oversight of Finance, Human Resources, Information Technology (IT), Marketing, Legal, Product Development, Manufacturing, Supply Chain, Logistics and Customer Service

Recent Accomplishments
- Key member of executive leadership team that grew revenue from $77MM to $135MM while improving gross margin and achieving 22% EBITA
- Led a $7MM Oracle based implementation that replaced all existing enterprise systems simultaneously
- Championed Lean Implementation in the organization resulting in significant elimination of waste, improved cycle times and metrics, and creating standard work
- Championed implementation of Stagegate product development work flow.
- Implemented cellular production flow in agenda manufacturing resulting in a 20% higher capacity while using less people
- Restructured operational workflow resulting in an improvement in on-time delivery to customers from 94% to 99.6% while simultaneously decreasing the error frequency from 6% to less than 1%
- Directed overall improvement strategy and engaged in hands on negotiations with vendors which has resulted in cost savings of more than $1.5MM each year

Professional Experience

Executive Vice President/Chief Financial Officer
Nutradried, LLP
Blaine, WA
01/2016 – Current
- Executive team member responsible for company mission, market strategy, goals and metrics
- Daily management of Finance, Manufacturing, Supply Chain, Quality and Human Resources
- Prepare and develop corporate budgets, forecasts and cash flow projections
- Manage third party professional relationships

Chief Financial Officer/Chief Operating Officer
Barlean’s Organic Oils, LLC
Ferndale, WA
03/2012 – 12/2015
- Executive team member responsible for company mission, market strategy, goals and metrics
- Daily management of Finance, Manufacturing, Marketing, Supply Chain, Human Resources, and Fulfillment activities
Barlean's Organic Oils, LLC (continued)

- Establish and execute strategies to maximize consumer awareness of the Barlean's brand
- Establish, implement and revise financial and accounting policies, procedures and systems
- Prepare and develop corporate budgets, forecasts and cash flow projections
- Directly manage Finance, Legal, Human Resources and Marketing

Chief Executive Officer/Chief Financial Officer
Moncrieff Construction, Inc. Lynden, WA 01/2011-01/2012
- Create and implement company culture, vision and strategy
- Establish and nurture new customer and vendor relationships
- Manage subcontracts and ensure compliance with negotiated terms
- Establish, implement and revise financial and accounting procedures, metrics, and standard work

Chief Financial Officer/Chief Operating Officer
Premier Agendas, Inc. Bellingham, WA 01/2001-01/2011
- Manage and direct daily activities of owned manufacturing plants and sourced manufacturing
- Provide administrative and technical direction for Procurement, Order Processing, Customer Service, Transportation, Logistics, Warehousing, Business Technology, and Commercial Sales
- Monitor and improve key operational metrics, cycle times, work-flow and standard work
- Manage, plan and coordinate the implementation of new enterprise system (Oracle)
- Direct continuous improvement activities and eliminate waste using Lean practices
- Prepare and develop corporate budgets, forecasts and cash flow projections
- Manage third party professional relationships

Chief Financial Officer
Homax Products, Inc. Bellingham, WA 01/2000-01/2001
- Oversee day-to-day activities of accounting and analytical staff
- Prepare and develop budgets, forecasts, sales reporting and cash flow projections
- Identify strategic business partners and acquisition targets
- Manage third party professional relationships

Co-Founder
- Responsible for all aspects of a start-up automotive accessory company
- Create company business plan, obtaining bank and private equity financing
- Manage and direct product design, engineering, offshore sourcing and domestic manufacturing
- Supervise all accounting and financial functions

Chief Financial Officer/Plant Manager
- Manage and direct daily activities of accounting staff and owned manufacturing plants
- Manage budgeting, fiscal planning, financial analysis, cash flow analysis and ad hoc reporting
- Supervise staff in procurement, human resources, IT, research and development and logistics
- Manage third party third party relationships and estate planning

Vice President Finance, Polygon Holdings Seattle, WA 07/1983-05/1992

Education and Affiliations
1977-1980 BA in Business Administration/Accounting, Seattle Pacific University.
1976 Attendance at North Park University. Chicago, IL.

418 Certified Public Accountant – Inactive (Cert#10492)
References

Kevin Moore
328 South Forest
Bellingham, WA 98225
Kmoore7663@gmail.com
360.224.4038

Professional

Michael Flittle – CIO, Barlean’s Organic Oils 360.395.8453
Dave Loeppky – President, Chuckanut Foods (former President of Premier Agendas) 360.319.9141
Jim Gibson – CFO, Saturna Capital (former COO of Premier Agendas) 360.319.6445
Keith Carlson – Senior Manager, Larson Gross 360.752.8020
Larry Renooy - Director of Product Development, Premier Agendas 604.557.6522
Jeff Heininger, Co-Founder, Heininger Holdings 360.756.2411
Pattie Washburn, HR Business Partner, Peace Health (former HR director for Allsop) 360.752.5603

Personal

Henry Klos, Owner, True North Cleaning Professionals 360.223.0330
Jeff Hopwood, Broker, Windermere Real Estate 360.303.8693
April Weed, Director of Finance, Upper Skagit Indian Tribe 360.724.0223
Rick Bolduc – Retired, Co-Founder of Pension Portfolio Services 360.941.6616
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name: Troy
Last Name: Lautenbach
Date: 1/18/2018
Street Address: 244 Chuckanut Point Rd
City: Bellingham
Zip: 98229
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 3608153222
Secondary Telephone: 3608153222
Email Address: troylaut@gmail.com

Step 2
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Name of Board or Committee</strong></td>
<td>Solid Waste Advisory Committee</td>
</tr>
<tr>
<td><strong>Solid Waste Advisory Committee (SWAC)</strong></td>
<td>Waste Collection Industry representative</td>
</tr>
<tr>
<td><strong>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>3. Which Council district do you live in?</strong></td>
<td>District 1</td>
</tr>
<tr>
<td><strong>4. Are you a US citizen?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>5. Are you registered to vote in Whatcom County?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>7. Have you ever been a member of this Board/Commission?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>If yes, please list dates:</strong></td>
<td>2017</td>
</tr>
<tr>
<td><strong>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>If yes, please explain</strong></td>
<td>I own a recycling business that does business in the county. My wife is Erika Nuerenberg assistant director of the Whatcom County Health Department.</td>
</tr>
<tr>
<td><strong>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to</strong></td>
<td>Field not completed.</td>
</tr>
</tbody>
</table>
the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

| I own a recycling and demolition business and sit on various solid waste boards. |

10. Please describe why you’re interested in serving on this board or commission

| I’m interested in solid waste activities in Whatcom County. |

References (please include daytime telephone number):

| Field not completed. |

Signature of applicant:

| troy lautenbach |

Place Signed / Submitted: Bellingham, WA

(Section Break)

Email not displaying correctly? View it in your browser.
WILDLIFE ADVISORY COMMITTEE
11 Vacancies – 4 year term
Seven of the 11 members will have technical expertise in wildlife and habitat management or current or past professional experience such as, but not limited to, at least one of the following: wetlands manager, wildlife biologist, population biologist, natural resources manager, watershed scientist, conservation specialist, forestry protection, and tribal representative. Agriculture or land development representatives are encouraged to apply for at least two of the remaining four positions.

Previous Committee members who were appointed to positions with Technical expertise:
- Frank Bob
- Joel Ingram
- Vikki Jackson
- Stephen Nyman
- Fenner Yarborough

Previous Committee members who were appointed to general positions:
- Canaan Cowles
- Wendy Harris
- Christopher Kazimer

New Applicants:
- Joan Drinkwin
- Marvin Hoekema
- Caitlin Martin
- Gregory Green
- Rob Rich
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Frank E. Bob Date: 12-11-17
Street Address: 1400 Moore St. APT. D-16
City: Bham Zip Code: 98229
Mailing Address (if different from street address): PO Box 187, Ferndale, WA, 98248
Day Telephone: (360) 310-1783 Evening Telephone: (360) 310-1783
Cell Phone: (360) 310-1783
E-mail address: frank@uma.org

1. Name of board or committee-please see reverse:
2. You must specify which position you are applying for.
   Please refer to vacancy list.
3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.) ( ) yes ( ) no
4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five
5. Are you a US citizen? ( ) yes ( ) no
6. Are you registered to vote in Whatcom County? ( ) yes ( ) no
7. Have you ever been a member of this Board/Commission? ( ) yes ( ) no
   If yes, dates:
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes ( ) no
   If yes, please explain:
9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes ( ) no
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.
10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

11. Please describe why you’re interested in serving on this board or commission: To ensure concerns regarding wildlife issues are known and addressed, and ensure tribal concerns in this area are made aware of.

References (please include daytime telephone number): Barbara Brenner, Clarence Bob (360) 50-5419, Thomas (360) 310-1706, Elden Holladay, 343-8992

Signature of applicant: [signature]

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3/2017
If you are applying for one of the following boards, committees, or commissions, please send this application to the

**Whatcom County Executive's Office:**
311 Grand Avenue, Suite 108
Bellingham, Washington 98225
Phone: (360) 778-5200  Fax: (360) 778-5201

- Agricultural Advisory Committee
- Americans with Disabilities Act (ADA) Compliance Committee
- Behavioral Health Advisory Committee
- Bellingham-Whatcom County Commission Against Domestic Violence
- Bicycle/Pedestrian Advisory Committee
- Boundary Review Board
- Civil Service Commission
- County Appeals Board
- Developmental Disabilities Board
- Development Standards Technical Advisory Committee
- Ethics Commission
- Housing Authority of Whatcom County
- Housing Advisory Committee
- Lodging Tax Advisory Committee
- Marine Resource Committee
- North Sound Mental Health Administration
- Northwest Senior Services Board
- Parks and Recreation Commission
- Point Roberts Community Advisory Committee
- Public Health Advisory Board
- Purchase of Development Rights Oversight Committee
- Rural Library Board
- Salary Commission
- Veteran’s Advisory Board

If you are applying for one of the following boards, committees, or commissions, please send this application to the

**Whatcom County Council Office:**
311 Grand Avenue, Suite 105
Bellingham, Washington 98225
Phone: (360) 778-5010  Fax: (360) 778-5011

- Acme/VanZandt Flood Control Sub-Zone Advisory Committee
- Address and Road Name Citizen Appeals Committee
- Birch Bay Shellfish Protection District Advisory Committee
- Birch Bay Watershed and Aquatic Resources Management Committee
- Board of Equalization
- Drayton Harbor Shellfish Protection District Advisory Committee
- Flood Control Zone District Advisory Committee
- Forestry Advisory Committee
- Horticultural Pest and Disease Board
- Incarceration Prevention and Reduction Task Force
- Jail Stakeholder Workgroup
- Law and Justice Council
- Lummi Island Ferry Advisory Committee
- Lynden/Everson Flood Control Sub-Zone Advisory Committee
- Noxious Weed Control Board
- Open Space Advisory Committee
- Planning Commission
- Portage Bay Shellfish Protection District Advisory Committee
- Solid Waste Advisory Committee
- Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee
- Surface Mining Advisory Committee
- Wildlife Advisory Committee

**RCW 42.17A.005**

(7) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office;

(b) Announces publicly or files for office;

(c) Purchases commercial advertising space or broadcast time to promote his or her candidacy; or

(d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name                      Joel
Last Name                       Ingram
Date                            12/8/2017
Street Address                  4311 Rural Ave
City                            Bellingham
Zip                             98226
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone               360-584-6339
Secondary Telephone             360-393-1457
Email Address                   joel.ingram@dfw.wa.gov

Step 2
1. Name of Board or Committee  | Wildlife Advisory Committee
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?  | Yes
4. Are you a US citizen?  | Yes
5. Are you registered to vote in Whatcom County?  | Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  | No
7. Have you ever been a member of this Board/Commission?  | Field not completed.
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  | Yes
   If yes, please explain  | I work for Wa Dept of Fish and Wildlife as the local Habitat Biologist for WR1A 1, which covers most of Whatcom County.
   You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions  | Field not completed.
9. Please describe your  | As the local WDFW Habitat Biologist, I write permits for in
occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

water and near water construction and administer the state hydraulic code (RCW 77.55). I also advise local jurisdictions on long range and project specific planning efforts with specific focus on Priority Habitats and Species and other critical areas.

10. Please describe why you’re interested in serving on this board or commission

I was a member of the original ordinance and worked with other committee members to collect the information and develop the suggestions outlined in the final report submitted to council in the fall of 2017. I would like to continue working on this document and refine the suggestions to actionable items that the council can consider.

References (please include daytime telephone number):

Field not completed.

Signature of applicant: Joel Ingram

Place Signed / Submitted Bellingham

(Section Break)

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Vikki Jackson
Street Address: Squalicum Marina, Gate 5 Dock C Slip 28
City: Bellingham
Mailing Address (if different from street address): 2801 Meridian Street #202 Bellingham, WA 98225
Day Telephone: 360.319.6988 Evening Telephone: same
Cell Phone: same
E-mail address: vikki@nwecological.com

1. Name of board or committee - please see reverse: Wildlife Advisory Committee
2. You must specify which position you are applying for. Please refer to vacancy list: Wildlife Biologist/ Wetland Ecologist
3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? (If applicable, please refer to vacancy list.) (x) yes ( ) no
4. Which Council district do you live in? (x) One ( ) Two ( ) Three ( ) Four ( ) Five
5. Are you a US citizen? (x) yes ( ) no
6. Are you registered to vote in Whatcom County? (x) yes ( ) no
7. Have you ever been a member of this Board/Commission? (x) yes ( ) no
   If yes, dates: 2015-2017 Wildlife Advisory Committee
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? (x) yes ( ) no
   If yes, please explain: I am an owner of Northwest Ecological Services and I have done contract work for the County.
9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes (x) no
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.
10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
   I have been a working wetland/wildlife ecologist in Whatcom County for 26 years. My work involves the analysis and review of sensitive habitats and species protected under, state, federal and local laws and ordinances. I am the chair of the Wildlife Conservation Trust (funds wildlife research) and the Whatcom County Amphibian Monitoring Program.
11. Please describe why you're interested in serving on this board or commission: I have served two years in the Wildlife Advisory Committee (one year as chair). I would like to be involved in the next steps for this committee in providing the Council and WC staff with additional information and guidance on maintaining healthy wildlife populations in WC as our county continues to grow. I believe my experience can assist planning growth and protecting wildlife.

References (please include daytime telephone number): Erin Page, Whatcom County PDS Critical Areas 360.778-5900; Kim Weil, City of Bellingham Planning, (360)778-8356, Ann Eissinger, Wildlife Biologist Nahkeeta NW 360.770-6012

Signature of applicant: __________________________

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Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Stephen</td>
</tr>
<tr>
<td>Last Name</td>
<td>Nyman</td>
</tr>
<tr>
<td>Date</td>
<td>1/21/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>1058 West Smith Road</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98226</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>360-393-6984</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:stephen.nyman@hdrinc.com">stephen.nyman@hdrinc.com</a></td>
</tr>
</tbody>
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**Step 2**
<table>
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<tr>
<th>Question</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Wildlife Advisory Committee</td>
</tr>
<tr>
<td>Wildlife Advisory Committee (WAC)</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 4</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please list dates:</td>
<td>December 6, 2016 until the sunset date for the committee (uncertain of exact date: either end of July or first week of August 2017)</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

- **Nyman resume 2018.pdf**
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

(see attached resume)

10. Please describe why you’re interested in serving on this board or commission

I am keenly interested in wildlife conservation and related public outreach and education. During the period in which I served as a technical member, I believe I helped advance the important work of the Committee, including development of the Ecosystem report. I would welcome the opportunity to continue to contribute my knowledge and experience to address issues associated with Whatcom County wildlife.

References (please include daytime telephone number):

Vikki Jackson (360-319-6988) Chris Brown (509-592-0840)

Signature of applicant:  Stephen Nyman

Place Signed / Submitted  Bellingham, Washington

Email not displaying correctly? View it in your browser.
Stephen Nyman, PhD
Amphibian Ecologist, Terrestrial Ecologist

Dr. Nyman has an academic training in the study of salamanders, frogs, snakes, lizards, and turtles (i.e., herpetology), and more than 35 years of field experience in this area. As a Senior Scientist with HDR, Inc., in Bellingham, Washington, he provides technical services associated with herpetological and wildlife studies, including surveys, habitat evaluations, and agency consultation for rare, threatened, and endangered species. He has performed more than 30 separate herpetological investigations in Washington, Oregon, California, and New York, ranging from watershed-level studies of complex hydroelectric projects to narrowly focused investigations of proposed residential and recreational developments. Most of this work involves coordination with other specialists, and management of field personnel. He is also experienced in a wide range of wetland, riparian, and botanical studies. In recognition of his expertise and achievements in his field, he was awarded Professional Associate status by HDR in 2014.

Dr. Nyman has conducted dedicated surveys and/or habitat evaluations for numerous state or federally-listed Threatened, Endangered, Sensitive, Fully Protected (California), and other “special status” species, including Oregon Spotted Frog, Foothill Yellow-legged Frog, Sierra Nevada Yellow-legged Frog, California Red-legged Frog, Cascades Frog, Northern Leopard Frog, Boreal Toad, Limestone Salamander, Larch Mountain Salamander, Van Dyke’s Salamander, Blue-spotted Salamanders, Timber Rattlesnake, Pine Snake, Sagebrush Lizard, Western Pond Turtle, Bog Turtle, Marbled Murrelet, Bald Eagle, and Spotted Owl. Dr. Nyman is experienced working in a wide variety of habitats including instream, riparian, palustrine wetlands, forests, and talus; and using specialized techniques and adherence to accepted survey protocols.

As Lead Scientist with the Whatcom County Amphibian Monitoring Program (WCAMP), Dr. Nyman provides technical oversight for county-wide amphibian monitoring, and has developed monitoring and research projects focused on the federally-threatened Oregon Spotted Frog, including a multi-year study and habitat restoration at the Whatcom Land Trust's Samish River Preserve. He holds a US Fish and Wildlife Service (USFWS) Section 10(a)(1) Recovery permit (since 2015) for Oregon Spotted Frog, and is a member of the Oregon Spotted Frog Working Group for Washington State. In addition, he was recently selected to participate in the non-regulatory designation of Priority Amphibian and Reptile Conservation Areas in Washington. He has been a Research Associate with Hudsonia, a non-profit environmental resource institution located in the New York Catskills, since 1987.

Selected Project Experience

Oregon Spotted Frog Surveys and Habitat Assessment, Deming Levee Improvement Project; Whatcom County Flood Control Zone District – Conducted USFWS-permitted surveys and habitat assessment for Oregon Spotted Frog, an approved conservation measure required prior to implementation of a levee reconstruction project along the Nooksack River.

Hancock Creek and Calligan Creek Hydroelectric Projects, King County, Washington; Public Utility District No. 1 of Snohomish County – Principal Investigator for amphibian and reptile survey study in support of licensing of two proposed run-of-river hydroelectric projects and possible project effects.

Sunset Fish Passage and Energy Project, Snohomish County; Public Utility District No. 1 of Snohomish County – Principal Investigator for amphibian study and Project Manager for environmental services in support of licensing of proposed small hydroelectric project, including studies of water quality, benthic macroinvertebrates, mollusks, and raptors.

South State Water Project Hydropower and Devil Canyon Projects (California Aqueduct System), Relicensing, Los Angeles and San Bernardino Counties, California;

Education
Ph.D., Biological Sciences
University of Rhode Island, 1985
M.Sc., Ecology
Rutgers University, 1979
B.A., Botany, minor Zoology
Rutgers University, 1975

Professional Affiliations
Society for Northwestern Vertebrate Biology
Society for the Study of Amphibians and Reptiles
Hudsonia (Research Associate)

Volunteer Affiliation
Whatcom County Amphibian Monitoring Program (Lead Scientist)

Employment
HDR, Inc.
Department of Water Resources and Los Angeles Department of Water and Power – Resource Lead for Endangered Species Act (ESA)-listed Species and special-status aquatic species. Prepared sections of the Pre-Application Document, developed study plans, and directed implementation of study plans.

Yuba River Development Project, Relicensing, Yuba County, California; Yuba County Water Agency – Study Lead for herpetological studies in support of hydroelectric project relicensing, addressing issues associated with Foothill Yellow-legged Frog, California Red-legged Frog, and Western Pond Turtle.

Yuba-Bear and Drum-Spaulding Hydroelectric Projects, Sierra Nevada Counties, California; Nevada Irrigation District and Pacific Gas & Electric Company – Technical and Study Lead for studies of Foothill Yellow-legged Frog, California Red-legged Frog, Sierra Nevada Yellow-Legged Frog, and Western Pond Turtle in support of relicensing of two large, complex, inter-connected projects.

Cabin Creek Pumped Storage Hydroelectric Project, Clear Creek County, Colorado; Public Service Company of Colorado – Technical Lead for Boreal Toad Study in support of relicensing and providing ongoing technical assistance in the development of license compliance measures for Boreal Toad.

Merced Hydroelectric Project, Merced and Mariposa Counties, California; Merced Irrigation District – Study Lead for herpetological studies and special-status branchiopods in support of relicensing. Species that were addressed included Limestone Salamander, a talus-dwelling terrestrial species, endemic to a small area, which includes the steep, rocky margins of the project reservoir. Study scope for this species included developing a habitat suitability model to identify potential habitat and two years of surveys.

Henry M. Jackson Hydroelectric Project, Snohomish County, Washington; Public Utility District No. 1 of Snohomish County – Project Manager and Principal Investigator for amphibian survey study in support of relicensing. Target species included Coastal Tailed Frog, Western Toad, Northern Red-legged Frog, and Northwestern Salamander.

Box Canyon Hydroelectric Project, Pend Oreille River, Washington; Pend Oreille Public Utility District No. 1 – Principal Investigator for wildlife studies during relicensing and development of Comprehensive Wildlife Management Plan of lands associated with the project, governing 700 acres of PUD-owned lands and creation of amphibian habitat.

Packwood Lake Hydroelectric Project, Lewis County, Washington; Energy Northwest – Principal Investigator for amphibian study in support of relicensing. Performed intensive amphibian survey focused on special status species associated with instream, riparian, wetland, and talus habitats in the project-affected area.

Tacoma and Ames Hydroelectric Projects; San Juan, La Plata, and San Miguel Counties, Colorado; Public Service Company of Colorado – Technical Lead for relicensing, addressing wetland and riparian issues, and amphibians, including Tiger Salamander and Northern Leopard Frog.

Priest Rapids Hydroelectric Project, Columbia River, Washington; Grant Public Utility District No. 2 – Project Manager and Principal Investigator of wildlife issues in support of relicensing. The studies included site-intensive surveys for amphibians, reptiles, small mammals, breeding birds, and rare plants; extensive collection of habitat and habitat disturbance data; and habitat rankings within a large project area.

Upper American River Project, El Dorado County, California; Sacramento Municipal Utility District – Co-principal Investigator in support of relicensing, conducting studies of riparian and wetland areas associated with a large, complex project.

Stephen Nyman - Page 2
Stone Creek Hydroelectric Project, Clackamas County, Oregon; Eugene Water and Electric Board – Principal Investigator for wildlife, wetlands, and terrestrial habitats in support of licensing and license compliance, including designing, conducting, and reporting on a 15-year population monitoring plan for a rare, riparian plant, Clackamas Corydalis.

Herpetofaunal Inventory of State Owned Lands, Hudson River Estuary, Columbia County, New York; New York Department of Environmental Conservation – Principal Investigator for herpetological evaluation, conducting intensive investigations of amphibians, snakes, and turtles on more than 500 acres of wetlands, riparian habitats, and upland forests near the Hudson River using dip-net sampling, cover object searches, frog call surveys, and other techniques.

Characterization of Reference Wetlands in Eastern New York, Columbia and Dutchess County; U.S. Environmental Protection Agency – Conducted amphibian surveys in four types of wetlands in the Hudson River Valley of New York in order to better define standards for wetland protection and restoration projects. Standardized sampling protocols were used at seasonal woodland pools, red maple swamps, clay meadows, and fens. The final report documented differences in amphibian use of the wetland types, discussed the efficacy of effort-constrained dip-netting, and made recommendations for wetland projects.

Selected Technical Papers and Presentations

Habitat use and performance of Oregon Spotted Frog (Rana pretiosa) larvae at ponds and emergent wetlands of the Samish River Preserve, Whatcom County, Washington, and response to a habitat enhancement project. (To Be Presented at: Society for Northwestern Vertebrate Biology and Northwest Chapter of Partners in Amphibian and Reptile Conservation, 2018 Annual Meeting (February 15, 2018).

Perspectives on the effects of Reed Canarygrass (Phalaris arundinacea) on habitat suitability for Oregon Spotted Frog (Rana pretiosa), based on observations at the Samish River Preserve, Whatcom County, Washington. (Society of Wetland Scientists, Pacific Northwest Chapter, 2015 Annual Meeting).


Evaluation of characteristics to differentiate larvae of Oregon Spotted Frog (Rana pretiosa) and Northern Red-legged Frog (Rana aurora). (Society for Northwestern Vertebrate Biology, 2015 Annual Meeting).

Evaluation of an aquatic funnel trap for shallow water habitats used by Oregon Spotted Frog (Rana pretiosa). (Society for Northwestern Vertebrate Biology, 2015 Annual Meeting).


Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

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<tr>
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</tr>
<tr>
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</tr>
<tr>
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<td>98257</td>
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</tr>
<tr>
<td>Email Address</td>
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Step 2
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<th>Answer</th>
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<td>1. Name of Board or Committee</td>
<td>Wildlife Advisory Committee</td>
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<tr>
<td>Wildlife Advisory Committee (WAC)</td>
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<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
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<td>3. Which Council district do you live in?</td>
<td>District 2</td>
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<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
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<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
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<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
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<td>If yes, please list dates:</td>
<td>2015-2017</td>
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<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
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</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
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<tr>
<td>9. Please describe your occupation (or former)</td>
<td>District Wildlife Biologist - Washington Dept. of Fish and Wildlife Masters Degree of Science - Northern Arizona</td>
</tr>
</tbody>
</table>
10. Please describe why you're interested in serving on this board or commission:

I would like to continue the progress that the Committee has made in the past to provide scientific recommendations to the County Council regarding wildlife management throughout Whatcom County.

References (please include daytime telephone number):

Chris Elder - Planner Whatcom County PDS (360)778-5932
Ruth Milner WDFW Wildlife Program Manager 360-466-4345

Signature of applicant: Fenner Yarborough

Place Signed / Submitted: Bellingham
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Caanan Cawles Date: 1/04/2018
Street Address: 3106 Cottonwood Ave
City: Bellingham Zip Code: 98225
Mailing Address (if different from street address):

Day Telephone: __________________ Evening Telephone: __________________ Cell Phone: 360-303-6988
E-mail address: caananc@gmail.com

1. Name of board or committee—please see reverse: Wildlife Advisory Committee

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) (X) yes ( ) no

4. Which Council district do you live in? ( ) One (X) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? (X) yes ( ) no

6. Are you registered to vote in Whatcom County? (X) yes ( ) no

7. Have you ever been a member of this Board/Commission? (X) yes ( ) no
   If yes, dates: 4/19/2017-Present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes (X) no
   If yes, please explain: __________________

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
   I am a Wildlife Biologist for WDFW focusing on seabirds and marine mammals. I have a long history of bird biology/ecology and have a deep knowledge of our local ecosystems. I teach and certify local citizen science groups to monitor seabird population in Whatcom and Skagit Counties

10. Please describe why you’re interested in serving on this board or commission: I bring an expertise in bird migration, breeding populations and wintering seabird ecology. I feel I have a non-biased approach to the habitat needs of our local avian population.

References (please include daytime telephone number):
   Dr. John Bower (360-650-7217)
   Paul Woodcock (360-966-6459)

Signature of applicant: __________________

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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<tr>
<td>First Name</td>
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</tr>
<tr>
<td>Last Name</td>
<td>harris</td>
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<tr>
<td>Date</td>
<td>1/9/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>4432 Castlerock Drive</td>
</tr>
<tr>
<td>City</td>
<td>Blaine</td>
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<tr>
<td>Zip</td>
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<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:w.harris2007@comcast.net">w.harris2007@comcast.net</a></td>
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**Step 2**
1. Name of Board or Committee: Wildlife Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? Yes

If yes, please list dates: I was one of the founding members who worked with the county council on establishing this committee, and I have been a member since it first started two years ago.

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions Field not completed.
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am a retired federal attorney. I bring the professional skills to research, read, update and properly interpret local, state and federal statutes, case law and administrative regulations that are relevant to wildlife issues to ensure the county is in compliance with appropriate laws and policies. I continue to educate myself through webinars, seminars, agency website review and case law research. I am also skilled at researching scientific studies that comply with the definition of Best Available Science. While I am not a scientist, I research and understand the science regarding wildlife conservation and am fully conversant and able to participate in discussion on wildlife matters with consultants, professors, field biologists, etc. I have worked with professionals in the context of conservation science at the Washington State Recreation and Conservation Office as a member of the urban wildlife committee, where we reviewed and rated grant applications from around the state. I stopped doing that only because the meetings changed from telephone conferences to meetings in Olympia. Most of my fellow committee members were wildlife professionals. I was a member of the Market Place of Natural Resources pilot project for parts one and two and fully participated in the process. I was a member of the Planning Commission Ad Hoc Committee on LID stormwater practices and wildlife mitigation. It was here that I really learned the nuts and bolts of watershed based analysis and review through a detailed study of the Birch Bay Characterization Pilot Project. I served on the citizen advisory committee for almost two years, where I focused on Critical Area Ordinance issues. I collaborated with some members of the technical advisory committee. I participated in the Planning Commission review and the County Council review, often providing citation to Best Available Science and relevant law. I have provided informed comment on many issues in this community regarding the GMA, the SMA, Lake Whatcom, Comprehensive Plan updates, SEPA review, the marine ecosystem and all manner of land use regulation. I have also written articles on these topics and used to have a monthly column in our local nonprofit environmental newspaper, The Whatcom Watch, which was entitled, "No Net Loss." I was the first person to be awarded the annual Paul deArmond Citizen Journalism Award. Because of my interest and drive, my background exceeds that of a layperson and therefore, I request appointment to the technical committee. This is supported by my references, who are conservation professionals that have worked with me.

10. Please describe why you're interested in serving on this board or

I am well known in the community for my interest and advocacy on behalf of wildlife and habitat. This is an opportunity to take all the time I have spent learning the law and science and put it
into practical application. I have to limit my involvement in community affairs more than I would like due to health, and therefore I am applying to only one committee. The one that matter the most to me is the Wildlife Advisory Committee.

References (please include daytime telephone number):
The following references support my appointment to the technical advisory group of the Wildlife Committee. Chris Elder, Staff Planner, Wildlife Advisory Committee. (360)778-5932
Oliver Grah, Nooksack Tribe Water Resources Manager, respected and published scientist, former county natural resource manager, and former member of the technical advisory committee for the CAO. 360-920-6609
John McLaughlin, wildlife biologist, field researcher, consultant and WWU professor, member of the Wildlife Advisory Committee. 360-738-9446
Wendy Steffensen, Environmental Project Manager, former North Sound Bay Keeper and water scientist, member of the technical advisory committee for the CAO, former member of the Ad Hoc committee on the LID/Habitat mitigation committee. 360-441-0158

Signature of applicant: Wendy Harris
Place Signed / Submitted: Blaine, WA

Email not displaying correctly? View it in your browser.
NaDean Hanson

From: Wendy Harris <w.harris2007@comcast.net>
Sent: Tuesday, January 09, 2018 3:23 PM
To: NaDean Hanson
Subject: late application for wildlife committee.

Nadine, This is to confirm that my late application was inadvertent based on processing problems with the application and or website. I tried to work on the application last night (1.8.18) and it kept kicking me off before I was finished. This application process is new to me. I also tried again today and continued to have problems until I called your office and after speaking with you realized that I had to create an account to prevent that from happening. So my deadline problems were based on technical issues in processing the application.

I think it is also worth noting that due to health issues that affect my hands, I have problems typing and it takes me longer than an average person to type something. That could one reason I had more difficulty than others as I was likely being kicked off more often. Apparently, if you hit the wrong button, which I frequently do, you get bumped out immediately.

Thanks for your time and assistance this afternoon. If there is any way to include this with the other applications under these circumstances, that would be appreciated. If not, I understand.

Wendy Harris
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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<td>Kazimer</td>
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<tr>
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<td>Street Address</td>
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<td>City</td>
<td>Deming</td>
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<td>Zip</td>
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<tr>
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<td>Primary Telephone</td>
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<td>Secondary Telephone</td>
<td>3605922269</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:christopheronkaz@gmail.com">christopheronkaz@gmail.com</a></td>
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</tbody>
</table>
Step 2

1. Name of Board or Committee  
   Wildlife Advisory Committee

Wildlife Advisory Committee (WAC)  
No

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?  
Yes

3. Which Council district do you live in?  
District 3

4. Are you a US citizen?  
Yes

5. Are you registered to vote in Whatcom County?  
Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  
No

7. Have you ever been a member of this Board/Commission?  
Yes

If yes, please list dates:  
2015-2017

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions  

Field not completed.
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am a site supervisor at Bellingham Bay Builders with over 13 years of building experience. I am the president and founder of the Cascadia Naturalist Association. I am a master hunter through WDFW, and a certified wildlife tracker with Cybertracker International. I also had the privilege of serving on the Wildlife Advisory Committee from its inception.

10. Please describe why you’re interested in serving on this board or commission

As a conservationist, hunter, naturalist, and builder within this community I feel like I am uniquely suited to serve as a bridge of sorts between needing smart and sustainable development for a growing population, and recognizing the needs and importance of our resident wildlife populations.

References (please include daytime telephone number):

Chris Elder: 360-840-3064 Dave Brogan: 360-739-4066

Signature of applicant: Christopher Kazimer

Place Signed / Submitted: Deming, WA
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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| First Name | Joan |
| Last Name  | Drinkwin |
| Date       | 1/8/2018 |
| Street Address | 1000 E. Maple St. |
| City       | Bellingham |
| Zip        | 98225 |
| Do you live in & are you registered to vote in Whatcom County? | Yes |
| Do you have a different mailing address? | Field not completed. |
| Primary Telephone | 13608203323 |
| Secondary Telephone | 13608203323 |
| Email Address | joanandluis@hotmail.com |

Step 2
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<tr>
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<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
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<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
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<td>No</td>
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<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>Yes</td>
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If yes, please explain: My husband’s engineering firm, Riechhardt and Ebe Engineering, occasionally does work for the Whatcom County Public Works Department.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: NRC_JD_resume_4_page_WCCommittee_010818.pdf
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am currently a fisheries consultant working for Natural Resources Consultants, Seattle, WA. I specialize in developing and implementing marine conservation projects to reduce and eliminate negative impacts of lost fishing gear on species and habitats. I also specialize in communications. Formerly, I was Programs Director (and Interim Director) of the Northwest Straits Foundation, a regional marine conservation non-profit organization focused on addressing pressing ocean conservation problems at the local scale. There I ran a successful lost fishing gear removal program, a comprehensive shoreline restoration program, and a local technical assistance program to advise and support county Marine Resources Committee, including the Whatcom Marine Resources Committee. Prior to that work, I served as local liaison to the Puget Sound Action Team, facilitating the implementation of the Puget Sound Action Plan. There I focused my energies on assisting local governments to implement effective critical areas ordinances, shoreline management plans, stormwater regulations, and watershed planning. When I lived in Skagit County, I served on the City of Mount Vernon Planning Commission and Wetland Banking Advisory Committee.

10. Please describe why you’re interested in serving on this board or commission

Since my children are now in their college years, I have time in my personal life to devote to community service. I am particularly interested in the Wildlife Advisory committee because of my lifelong activity in environmental and resource management. While I am not a biologist, my work experience has provided me with a wealth of experience in watershed management and a deep understanding of the nexus between terrestrial and marine ecology. I would like to lend my expertise to ensure that the wildlife we enjoy in Whatcom County continues to thrive amidst our growing population.

References (please include daytime telephone number):

Jeff Ward, former Board President, NW Straits Foundation, 360-461-9604
Tom Cowan, former San Juan County Commissioner and NW Straits Commission member, 360-622-6391
Erika Douglas, Whatcom County Senior Planner, 360-778-6230

Signature of applicant:

Joan Dirkwin

Place Signed / Submitted

Bellingham, WA

Email not displaying correctly? View it in your browser.
Joan specializes in designing and implementing strategic conservation programs and projects. She is a recognized leader in the field of abandoned, lost and discarded fishing gear and is regularly called on for consultation from practitioners worldwide as well as Intergovernmental Organizations (FAO, IWC). She has collaborated on significant research into impacts of derelict fishing gear and led development of a comprehensive strategy to address the problem of lost and abandoned crab pots in Puget Sound. Joan has managed on-the-ground nearshore restoration projects as well as developed and directed strategic restoration programs and communications plans. She has extensive grant acquisition and development experience and has raised more than $15 million for conservation work in the Salish Sea and beyond. Prior to joining NRC, Joan was Programs Director (and Interim Director) for the Northwest Straits Marine Conservation Foundation, where she managed the Northwest Straits Initiative’s internationally recognized Derelict Fishing Gear Program. She also developed and directed the Northwest Straits Foundation’s comprehensive program to reduce shoreline armoring in Puget Sound. Joan has worked extensively throughout the Salish Sea region on marine conservation policy and on-the-ground and in-the-water projects. Joan enjoys working with a variety of stakeholders, including elected officials, industry, fishers, media, funders, and private citizens. She brings strong communications and development skills to all her projects and is deft at communicating scientific information to lay audiences both in writing and speaking.

PUBLICATIONS AND SCIENTIFIC REPORTS


WORKSHOPS AND CONFERENCE SESSIONS


2016 Salish Sea Ecosystem Conference, Vancouver, BC, Canada – session convenor, Integrating Science with Landowner Outreach to Increase Coastal Resiliency

2016 Salish Sea Ecosystem Conference, Vancouver, BC, Canada – presenter, Solutions to Derelict Fishing Gear in the Salish Sea

2015 Southeast Alaska Environmental Conference, Juneau, AK – invited speaker, Developing a Derelict Fishing Gear Program

2014 Global Ghost Gear Initiative Kickoff Meeting, Lubljana, Slovenia – invited speaker, Northwest Straits Foundation Derelict Fishing Gear Program Strategic Approach
2014 International Whaling Commission Workshop on Mitigation and Management of Marine Debris Impacts to Cetaceans, Honolulu, HI – invited speaker, Northwest Straits Foundation Derelict Fishing Gear Program Communication Strategy


2014 Salish Sea Ecosystem Conference, Seattle, WA – session co-convener, Evaluation, conservation, and restoration of species associated with high-relief, rocky habitat in the Salish Sea and presenter, Observed impacts of derelict fishing nets on rocky reef habitats and associated species in Puget Sound


2013 Salmon Recovery Conference, Vancouver WA – presenter, Cornet Bay Nearshore Restoration Project

2012 American Fisheries Society WA-BC Chapter Conference, Victoria, BC – presenter, Pilot Derelict Fishing Gear Removal Project in British Columbia

2012 Region 10 Tribal Summit, Grande Ronde OR – invited speaker, Northwest Straits Foundation Derelict Fishing Gear Program

2012 British Columbia Ministry of the Environment Environmental Protection Division All Program Conference, Victoria BC – invited speaker, The Northwest Straits Initiative: A Local Approach to Restoring Marine Ecosystems

2011 Rockfish Recovery in the Salish Sea; Research and Management Priorities Workshop, Seattle, WA – presenter, Observed impacts to rockfish in derelict fishing gear in the Salish Sea

2011 Salish Sea Ecosystem Conference, Vancouver BC – Session convener, Habitat Restoration and presenter, Habitat Restoration Through Derelict Net Removal in the Salish Sea

EXAMPLE PROJECT EXPERIENCE

Tribal Outreach Related to Lost Fishing Net Reporting, Response, and Retrieval, NW Straits Foundation, WA

Joan works together with NRC partner, Kyle Antonelis, to conduct formal outreach to Puget Sound Treaty Tribes related to the Northwest Straits Foundation's newly lost fishing net Reporting, Response, and Retrieval Program. Outreach occurs about annually and includes meeting with tribal staff and elected officials in person and on the telephone. Meetings include debriefing about past net report responses, current tribal communications processes related to net reporting, and assessment of program successes and areas for improvement. NRC has been conducting outreach to tribes for several years and has developed positive working relationships with tribal fisheries managers, enforcement officers, and tribal council members.

Bering Sea Fisheries Research Foundation Communications, BSFRF, Seattle, WA

Joan developed and is currently implementing a comprehensive communications plan for the Bering Sea Fisheries Research Foundation. Development included an initial assessment of current communications activities and development of goals and measurable objectives for improvement. The initial assessment included an analysis of newsletter distribution and website analytics, as well as
surveys of board members. The communications plan includes five key focuses, including developing a social media presence, increased distribution of electronic newsletters, and integration of all web-based communications. Joan is executing the plan in close collaboration with the executive director and board of directors.

Puget Sound Lost Crab Pot Prevention Plan Development, NW Straits Foundation, WA

Joan (prior to joining NRC) led the development of a comprehensive Puget Sound Derelict Crab Pot Prevention Plan for the Northwest Straits Foundation. The process involved bringing together an Advisory Committee of key stakeholders including marine industry, commercial state and tribal crab fishermen, recreational crabber associations, vessel transit authorities (US Coast Guard, etc.), MRC representatives, and agency personnel. The Advisory Committee was convened twice: first to agree upon the impacts of lost crab pots in Puget Sound and the reasons for loss and second to agree upon recommended actions to be achieved in three years to greatly reduce impacts from lost crab pots. The process included heavy emphasis on preparing the Advisory Committee with pre-meeting homework. A focused online survey was developed and executed between meetings to elicit expert recommendations. The plan was completed in June 2016 and the Northwest Straits Foundation is currently coordinating plan implementation.

Marine Conservation Program Development, NW Straits Foundation, WA

As former Programs Director with the Northwest Straits Foundation, Joan developed and directed three successful marine conservation programs: the Northwest Straits Initiative’s internationally recognized Derelict Fishing Gear Program; a comprehensive Nearshore program focused on on-the-ground restoration, monitoring (including citizen science), and social-science directed outreach to shoreline landowners; and a Marine Resources Committee (MRC) support program providing technical, project, and fiscal management assistance to the seven citizen-based county MRCs in the Northwest Straits region. Programs development always included initial gap analysis and an assessment of where the Northwest Straits Foundation could achieve its greatest impacts. Program development included gradual restructuring of staff, including adding a derelict fishing gear program intern, a Nearshore Program Manager, and focused assignments of staff as liaison to each MRC. With these developments, funding strategies and strategic work plans were developed consistent with the organizations Strategic Plan. Upon Joan’s departure from the Foundation, all three programs were fully operational and funded for up to three years in future.

Shoreline Armoring Reduction Program, NW Straits Foundation, WA

Joan directed the development and implementation of an incentive-based program to reduce shore armor along the nearshore of Puget Sound. The program resulted from a state-funded social science-based analysis of barriers to private landowners’ removal of unnecessary shore armor. The program built on current projects of the Northwest Straits Foundation and partners to educate landowners about shoreline processes necessary to sustain nearshore habitat functions in Puget Sound. The program includes four key incentives: free educational workshops, free technical site visits to provide landowner site-specific management recommendations, free engineered armor removal designs, and cost-shared permitting for shore armor removal. Additionally, the program commits the Northwest Straits Foundation to assist in finding funding for shore armor removal on participating landowners’ parcels for up to two years. Piloted in in the Port Susan Bay area in 2012 with funding from WDFW/DNR Marine and Nearshore Grant Program, the project is now a regional model and was expanded throughout the Northwest Straits.
counties. It has succeeded in reaching more than 1,000 shoreline landowners, providing site visits on over 60 sites, and succeeded in achieving landowner willingness to remove unnecessary shore armor along significant stretches of shoreline.

Cornet Bay Nearshore Restoration Project, Areas 4, 6, and 7, NW Straits Foundation, WA
Joan managed the on-the-ground design and restoration of 750 feet of beach at Cornet Bay day use area of Deception Pass State Park. This project was initiated in 2007 by the Island Marine Resources Committee and State Parks to improve nearshore habitat for salmon and forage fish spawning along an altered section of the shoreline in Cornet Bay. Joan took over managing the project for the Marine Resources Committee once the construction design was funded. She managed the finalized design, hired contractors, managed the permitting, public outreach, and construction. Additionally, she promoted the project to funders and succeeded in obtaining full construction funding from the Salmon Recovery Funding Board, Department of Natural Resources, and the US Fish and Wildlife Service. In all a creosote bulkhead stretching along 750 feet of the beach was removed, 1200 tons of beach spawning gravel was brought in, and native vegetation planted to create a more natural shoreline. Over 800 linear feet of shoreline and 1.24 acres of beach and upland were restored.

APPOINTMENTS AND SPECIAL ASSIGNMENTS
Sehome Arboretum Board of Governors, Mayoral Appointee, 2018 – present
Western Washington University Community Engagement Fellow, 2017-2018
Steering Committee, U.S. West Coast Marine Debris Alliance, 2017-present
Steering Committee, Global Ghost Gear Initiative, 2017-present, London, UK
Replicating Solutions Working Group, Global Ghost Gear Initiative, 2015-present, London UK
International Whaling Commission Workshop on Mitigation and Management of the Threats posed by Marine Debris to Cetaceans, 2013-2014, Woods Hole, MA and Honolulu, HI
City of Mount Vernon Planning Commission, 1999-2003, Mount Vernon, WA
City of Mount Vernon Wetland Banking Advisory Committee, 2003, Mount Vernon, WA
Snohomish County Surface Water Management Advisory Committee, 2002, Everett, WA

EXPERIENCE
2016-present Associate Partner Natural Resources Consultants, Seattle, WA
2012 & 2015 Interim Director Northwest Straits Foundation, Bellingham, WA
2008-2016 Programs Director Northwest Straits Foundation, Bellingham, WA
2005-2008 Development Director Northwest Straits Foundation, Mt. Vernon, WA
1993-1995 Nonpoint Projects Coordinator Texas Watch, Texas Natural Resources Conservation Commission, Austin, TX
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name  Marvin
Last Name    Hoekem
Date         12/27/2017
Street Address  3263 Massey Road
City         Everson
Zip          98247
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? YES
Mailing Address  PO Box 678
Primary Telephone  360-595-7018
Secondary Telephone  Field not completed.
Email Address  mhoekema@mhoekema.com
### Step 2

1. **Name of Board or Committee**
   - Wildlife Advisory Committee

2. **Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?**
   - Yes

3. **Which Council district do you live in?**
   - District 3

4. **Are you a US citizen?**
   - Yes

5. **Are you registered to vote in Whatcom County?**
   - Yes

6. **Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?**
   - No

7. **Have you ever been a member of this Board/Commission?**
   - No

8. **Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?**
   - No

---

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. **Please describe your occupation (or former)**
   - My family and I are partners in a dairy and crop farm (Evernook Land LLC) in the Everson area with most of our owned and
10. Please describe why you’re interested in serving on this board or commission.

Preserving open space and wildlife habitat is in harmony with agriculture in this county. I have personally witnessed the increase in wildlife numbers in my lifetime in this area including protected species but see how practices are not always equally applied between rural and agricultural spaces. It would be my objective to understand how a technical nexus could be found which keeps habitat flourishing in rural areas while sustaining agricultural/open space resources in this county which together benefit all the residents of this county.

References (please include daytime telephone number):

Dr. Jen Trout 410-698-8777 Mr. Harold Carbee 360-410-1644

Signature of applicant: Marvin Hoekema

Place Signed / Submitted: Everson, WA
MARVIN J. HOEKEMA, M.S.
PO Box 678
Everson, WA 98247
Phone: 360-595-7018 FAX: 559-553-8807
e-mail: mhoekema@mhoekema.com

EDUCATIONAL BACKGROUND

- Washington State University, Pullman. B.S. Magna Cum Laude Animal Sciences, minor Agricultural Economics 1996. Courses included animal production, nutrition, physiology, and genetics.

EMPLOYMENT BACKGROUND

- Partner and Manager, Everson Valley Milk LLC (2010-current)
- President, Dairy Decisions Consulting, LLC (2004-current)
- Business and Financial Coordinator, Department of Dairy and Poultry Sciences, University of Florida (1998-2000). This involves performing all data collection, processing, analysis, summary reports, and presenting the results. This also involved teaching Dairy Management Systems, a senior level dairy management class.
- Graduate Research Assistant, University of Florida (1997-1998)

PROFESSIONAL ORGANIZATIONS, CREDENTIALS, and AWARDS

- President (2006-2012) and Board Member (2008-2012), Friends of Animal Sciences-Washington State University.
- Past member of QuickBooks Pro Advisor program.
- Member of audit committee, Holstein Association USA, Inc. (2005-2008)
- Recipient of 2000 UF Institute of Food and Agricultural Science Interdisciplinary Research and Extension Team Award.
• Recipient of the 1997 H.H. Kildee scholarship presented by the National Dairy Shrine.
• Recipient, WSU President’s Leadership and Service Award, 1995.

PROJECT ADMINISTRATION AND AUTHORSHIP

• Editor of Milk Market Watch newsletter and blog.
• Provided ongoing decision support, financial analysis, budgeting, and dairy development to several dairy and agribusiness clients in 9 states.
• Served as internal controller and CFO functions to support preparation of GAAP and market-based financial statements to support audit, review, and lender reporting requirements on an ongoing basis for several clients.
• IT support and system design experience.
• Feasibility analyses and business plans using self authored financial pro-forma software and algorithms. This includes stochastic model builds and reports. Especially skilled with @Risk™ simulation software
• Member of international consulting team (1 of 4) to address issues of Deregulation of Australian Dairy industry and lead author on ‘FUTURE FARMING SYSTEMS-OPTIONS FOR A DE-REGULATED MARKET’
• Developed, facilitated, and delivered financial planning workshops for service providers and farm business owners in 5 Australian states.
• Led research team to analyze factors affecting financial performance of Tasmanian (Australia) Dairy Businesses.
• Lead team to develop, facilitate, and deliver advanced business skills and decision practices to service providers and farms (Milk Business) in three Australian states across 3 phases of workshops across a 2 year timeframe.
• Lead development, administration, and consulting with DairyRisk Manager™, a stochastic risk positioning and hedging tool (2000-2004).
• Member, litigation support team, Dairy Strategies LLC (2000-2004).
• PhD Project joint research supervisor at University of Queensland, Australia.
• Invited speaker to 2001 Large Herds Conference, Australia.
• Keynote invited address at Fifth International Housing Conference of the American Society of Agricultural Engineers.

PUBLICATIONS

Available upon request
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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| First Name | Caitlin |
| Last Name  | Martin  |
| Date       | 1/4/2018 |
| Street Address | 3900 Deemer Rd. #209 |
| City       | Bellingham |
| Zip        | 98225 |
| Do you live in & are you registered to vote in Whatcom County? | Yes |
| Do you have a different mailing address? | Field not completed. |
| Primary Telephone | 2536829524 |
| Secondary Telephone | Field not completed. |
| Email Address | CaitlinMartin13@live.com |

Step 2
<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Wildlife Advisory Committee</td>
</tr>
<tr>
<td>Wildlife Advisory Committee (WAC)</td>
<td>No</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
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<tr>
<td>3. Which Council district do you live in?</td>
<td>District 2</td>
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<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<tr>
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<td>Yes</td>
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<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
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<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, I am currently employed at the Bakerview Fred Meyer as an apparel clerk. I recently graduated from Western Washington University with a Bachelors of Science in Environmental Science with a minor in Geology. During my time at Western I
also interned at the Marine Life Center here in Bellingham for about 6 months. While at the MLC I partook in the upkeep of the tanks, feeding, collection, and education of the general public. I also designed and completed a study comparing the metal concentrations of the main pool at the center to those of the Bay.

10. Please describe why you're interested in serving on this board or commission

Growing up, I didn't really play with barbies or dolls. Instead, my family went camping or fishing or mushroom picking. Thanks to this, I have always had a love and appreciation for the outdoors. When it came time for college, there was no real question of what I was going to study, I knew it would be something pertaining to the outdoors; Thus was born my degree in Environmental Science. Furthermore, I moved to Bellingham from Tacoma to attend Western. Now that I have my degree, I have no intention of moving from this beautiful city. In fact, I want to participate more in the community. Serving on the Wildlife Advisory Committee would give me the opportunity to put my knowledge and education to use benefiting Bellingham and the beautiful outdoors that we all love.

References (please include daytime telephone number):

Tracy Keene, (360) 788-2900, Current Manager Amanda Sargent, (360) 788-2900, Former Manager Casey Pruett, (360) 671-2431, Director of the Marine Life Center

Signature of applicant: Caitlin Martin

Place Signed / Submitted: Bellingham, Washington
Caitlin Martin
marti281@wwu.edu • 253-682-9524

Professional Skills Profile

• Experience and knowledge of field work and research
• Lab techniques including simple distillation, chromatography, extraction and purification of compounds, sterile laboratory techniques and microscope use
• Microsoft Word, Excel, and PowerPoint
• Ability to work in a team structure
• High organized and detail oriented
• Ability to learn new skills quickly
• Ability to communicate well
• Strong work ethic; self directed

Education

Bachelor of Science, Environmental Science, Geology minor, Western Washington University, Bellingham, WA, Awarded: June 2017

Relevant Coursework

| Env. Biology of Fishes | General Biology | Physical Geology and Laboratory |
| Water Quality and Laboratory | General Chemistry | Reconstructing Climate |
| Fresh Water Algae Bioindicator | Organic Chemistry | Climate Change |
| Stream Ecology | Intro Ecology | Minerology |
| Limnology and Laboratory | Biostatistics | Volcanology |
| Environmental Impact Assessment | Environmental Disturbances | Oceanography |

Professional and Field Experience

Intern, Marine Life Center, Bellingham, WA, January 2017 - June 2017

• Collecting data for comprehensive water quality and research project
• Running and analyzing data
• Communicating verbally and in writing with faculty and organization members
• Cultivating knowledge of aquatic organisms and water quality parameters
• Maintained aquariums
• Educated public

Other Experience

Student Worker, Aramark, Bellingham, WA, Sept. 2015 - August 2016

Starbucks Barista, Fred Meyer, Bellingham, WA, August 2016 - Current
Awards and Recognition

Employee of the Month, April 2017

- Recognized for "hard work and patience while dealing with some difficult customer encounters and stressful situations within the workplace"
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name Gregory

Last Name Green

Date 1/11/2018

Street Address 5892 Foxtail Court

City Ferndale

Zip 98248

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone 2063311596

Secondary Telephone 2063311596

Email Address ggreen@owiridgenrc.com

Step 2
<table>
<thead>
<tr>
<th>1. Name of Board or Committee</th>
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<td>District 5</td>
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<tr>
<td>4. Are you a US citizen?</td>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

| 9. Please describe your occupation (or former occupation if retired), qualifications, | Professional Wildlife Biologist with an MS in Wildlife Ecology from Oregon State University. |

Green 2
professional and/or community activities, and education

10. Please describe why you're interested in serving on this board or commission

As a new resident to Whatcom County (coming from Snohomish County), and someone at a point in my wildlife career where I want to give back to my profession, the advisory committee provides me an opportunity to continue to put my experience to use, and to meet other professionals and citizens sharing my interest in wildlife.

References (please include daytime telephone number):

Vikki Jackson 360 319 6988 Ruth Milner (WDFW) 360 631
1733 Jay Brueggeman 206 200 2053

Signature of applicant: Gregory A. Green

Place Signed / Submitted: Ferndale, WA

Email not displaying correctly? View it in your browser.
Gregory A. Green
22116 45th Ave SE, Bothell, WA 98021, 206-331-1596,
green.repac@frontier.com

Wildlife Biologist

Summary of Qualifications
Gregory has 40 years’ of experience conducting wildlife population and habitat projects in the western U.S. and Alaska. His responsibilities have been distributed over a wide variety of marine and terrestrial projects, with particular emphasis on threatened and endangered species, forest and shrub-steppe ecology, temperate and arctic marine mammal and seabird ecology, climate change, natural resource management and mitigation plans, risk assessment, NEPA, and project management. He has been especially involved with Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). Gregory has addressed environmental impacts from a variety of activities, including oil and gas development, wind energy development, timber harvest, grazing, military training, hydroelectric projects, transmission lines, and commercial fishing. Based upon his research projects, Gregory has also published over 30 papers in scientific journals, plus five book chapters (marine mammals, shrub-steppe ecology, and burrowing owls). As an associate editor with three different scientific journals, Gregory has managed over 200 manuscripts submitted for publication. Gregory has also traveled to many countries as a wildlife photographer or wildlife investigator, including Peru, Costa Rica, Guatemala, Thailand, Kenya, and Cameroon. Finally, he is currently under contract to write a book on the biomes of the world with nature photographer Art Wolfe.

Relevant Experience

- Prepared conservation assessments addressing willow flycatchers, fisher, marten, Sierra Nevada red foxes, Yosemite toads, mountain yellow-legged frogs, foothill yellow-legged frogs, Cascade frog, leopard frogs, and salt marsh harvest mice.
- Prepared Incidental Harassment Authorization applications for compliance with the Marine Mammal Protection Act (Puget Sound and Alaska).
- Prepared numerous Biological Assessments and Habitat Conservation Plans addressing endangered species in the Pacific Northwest, Alaska, and California.
- Prepared wildlife and wildlife habitat documents addressing FERC relicensing of hydroelectric projects on the Columbia, Snake, and Pend Oreille rivers.
- Conducted scientific studies on bats, Rocky Mountain red foxes, burrowing owls, sagebrush lizards, passerines, arctic and temperate marine mammals, Swainson’s and ferruginous hawks, and other wildlife.
- Conducted numerous aerial, boat-based, and ground surveys for marine mammals, seabirds, waterfowl, waterbirds, raptors, big game, carnivores, passerines, amphibians, and reptiles.
- Particular experience with shrub-steppe, marine, riverine, temperate forest, and arctic ecosystems, including impacts from climate change.
Employment History

Owl Ridge Natural Resource Consultants. Principal Wildlife Ecologist 2014 - Present
ICF International. Principal Ecologist 2011-2014
Tetra Tech EC/Foster Wheeler Environmental. Discipline Lead for Ecology 2000-2011
Enserch Environmental/Ebasco Environmental/Envirosphere. Wildlife Ecologist 1985-1995

Education

Master's Degree – Wildlife Ecology (minors in range and biostatistics)
Oregon State University, 1983

Bachelor's Degree – Biology
Eastern Oregon State University, 1978

Current or Recent Research Projects

- Red fox genetics and habitat use in eastern Oregon.
- North Cascades carnivore remote camera monitoring.
- Wenaha carnivore remote camera monitoring.
- Olympic marten remote camera monitoring.
- Oregon and Washington bat grid participant.

Professional Leadership and Editorship

- President – Society for Northwestern Vertebrate Biology
- Board Member - Society for Northwestern Vertebrate Biology
- President – Washington Chapter of The Wildlife Society
- Vice President – Northwest Section of The Wildlife Society
- Board Member – Western Wildlife Outreach
- Board Member – Cascade Carnivore Project
- Committee Member – Publications Award Committee, National TWS
- Committee Member – Workshop Selection Committee, National TWS
Professional Certification

- Oregon/Washington Bat Grid, USDA Forest Service
- Certified SCUBA Diver PADI
- Amphibian Survey Techniques, Society for Northwestern Vertebrate Biology
- Reptile Survey Techniques, Society for Northwestern Vertebrate Biology (course instructor)
- Black-footed Ferret Survey Technique, USFWS
- Habitat Evaluation Procedures, USFWS
- Marine Mammal Observation and Mitigation, NOAA (course instructor)
- NEPA, Shipley and NOAA

Publications


APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Rob Rich
Date: 22 January 2018
Street Address: 939 20th St. Apt. 202
City: Bellingham
Zip Code: 98225
Mailing Address (if different from street address): 
Day Telephone: 207-598-6649 
Evening Telephone: same 
Cell Phone: same

1. Name of board or committee—please see reverse:
   Wildlife Advisory Committee

2. You must specify which position you are applying for.
   Please refer to vacancy list:
   Wildlife Conservation Specialist

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.)

4. Which Council district do you live in?
   (✓) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen?
   (✓) yes ( ) no

6. Are you registered to vote in Whatcom County?
   (✓) yes ( ) no

7. Have you ever been a member of this Board/Commission?
   ( ) yes (✓) no
   If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   ( ) yes (✓) no
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county?
   ( ) yes (✓) no
   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

     See attached cover letter and resume

11. Please describe why you’re interested in serving on this board or commission:

     See attached cover letter and resume

References (please include daytime telephone number):

Signature of applicant: [Signature]

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
Rob Rich
939 20th St. Apt. 202, Bellingham, WA 98225 • (207) 598-6649 • rlrich3@gmail.com

PROFILE
• compassionate partner and versatile communicator catalyzing ecological awareness and action
• attentive naturalist and steward conserving biodiversity, watersheds, and ecosystem health
• place and nature based educator cultivating community and a sense of wonder

PROFESSIONAL EXPERIENCE

Writer, Photographer, and Editor – Bellingham, WA 2007-present
• Author of Beaver Seasons: A Whatcom Phenology; producing environmental journalism, photography, poems, and essays for Earth Island Journal, High Country News, Sierra, Camas, The Catch, Northern Woodlands, Adirondack Journal for Environmental Studies, and more
• Offering comprehensive editing for individuals and organizations with a conservation focus, including services for The Best of Times on the Chesapeake Bay, My Old Man and the Mountain, and Eager (forthcoming, July 2018)

Land Steward – Agate Pond Preserve, Bellingham, WA 2015-present
• Stewarding biodiversity on a 100-acre, privately owned forested wetland property through invasive species management, native plant restoration, and wildlife habitat enhancement

Botanist – 10,000 Years Institute, Forks, WA (seasonal) 2017
• Led revegetation efforts for Pulling Together in Restoration, a watershed-based project managing invasive plants and restoring native biodiversity on the Olympic Peninsula; collected and prepared seeds of forbs, grasses, sedges, and rushes; assisted crews in plant identification; produced outreach and educational materials on native plant communities

Native Plant Distributor – Fourth Corner Nursery, Bellingham, WA (seasonal) 2016-17
• Prepared native plants for distribution to ecosystem restoration projects around the Pacific Northwest; collaborated with colleagues to ensure product quality and operational efficiency

Community Outreach Associate – Whatcom Land Trust, Bellingham, WA 2015-17
• Wrote stories for newsletters and outreach materials; created content for Whatcom Field Journal blog; led natural history field walks and assisted public events

Instructor – Western Washington University, Bellingham, WA University of Vermont, Burlington, VT 2008-10, 2013-14
• Taught undergraduate courses in Writing & Critical Inquiry and Field Ecology & Natural History; developed lesson plans and assessments for place-based, experiential learning; utilized Canvas and digital learning technologies; collaborated with colleagues for course improvement

Environmental Educator – University of Maine Extension, Lincolnville, ME (seasonal) 2012
• Led students and developed curricula in hands-on, inquiry-driven K-12 natural history education with Earth Connections Program at Tanglewood Learning Center

Outreach and Partnerships Assistant – Downeast Salmon Federation, Columbia Falls, ME 2011-12
• Produced newsletters, brochures, and press releases; conducted habitat surveys and site assessments; shared responsibilities for intern/volunteer recruitment, training, and supervision; assisted grantwriting and event planning
SELECTED INTERNSHIPS & VOLUNTEER EXPERIENCE

Founding Coordinator, Whatcom Beaver Partners 2017-present
Board Member, Natural History Network (Event Organizer, 2015 Pacific NW Gathering) 2014-17
Volunteer Land Steward, Whatcom Land Trust 2015-17
WA Native Plant Society - Meadow Stewards Bumblebee Phenology Project 2015-17
Board Member, Nooksack Salmon Enhancement Association 2015-16
Stream Restoration Intern, Nooksack Salmon Enhancement Association 2014-15
Editorial Intern, Bellingham Review 2014-15
Communications Intern, North Cascades Institute 2015
Volunteer, Forest Bird Monitoring Program, Vermont Center for Ecostudies 2013
Volunteer, Mountain Birdwatch, Vermont Center for Ecostudies 2013
Volunteer, Peregrine Falcon Recovery Project, Vermont Audubon 2013
Volunteer, Isle Royale Wolf-Moose Project 2010
Visitor Relations Intern, U.S. Fish and Wildlife Service - Silvio O. Conte NWR 2007

EDUCATION & CERTIFICATIONS

M.F.A. Creative Writing, Western Washington University, Bellingham, WA 2016
M.S. Natural Resources, University of Vermont, Burlington, VT 2010
B.A. Environmental Studies, University of Montana, Missoula, MT 2008
  • Wilderness & Civilization Program (Wilderness Studies minor)

• Wildlife Track & Sign - Level I, CyberTracker Conservation (with David Moskowitz) 2014
• Foresters for the Birds Program, Vermont Audubon 2013

REFERENCES

Vikki Jackson, Partner / Senior Ecologist
Northwest Ecological Services
2801 Meridian St., Suite 202
Bellingham, WA 98225
vikki@nwecological.com 360-734-9484

Saul Weisberg, Executive Director
North Cascades Institute
810 State Route 20
Sedro Wooly, WA 98284
saul@ncascades.org 360-739-2862

Rachel Vasak, Executive Director
Nooksack Salmon Enhancement Association
3057 E. Bakerview Rd.
Bellingham, WA 98226
rvasak@n-sea.org 360-715-0283 ext. 108
Whatcom County Council Office
311 Grand Ave., Suite 105
Bellingham, WA 98225

Dear Members of the Whatcom County Council,

I am writing with great desire to serve as a member of Whatcom County’s Wildlife Advisory Committee (WAC). Formative experiences across the Pacific Northwest sparked my conservation career, which formally began during an internship with the U.S. Fish and Wildlife Service. By 2011 I earned a role with the Downeast Salmon Federation in rural Maine, where I helped to coordinate, prioritize, and communicate major projects to restore the endangered Atlantic salmon. Translating complex science and policy with clear, actionable storytelling was central to our aims for community-based stewardship, and I served as a key ambassador allying diverse stakeholders for watershed health. Due to my strengths as a mentor and naturalist, I also helped recruit, train, and supervise volunteers and interns for a citizen-science project monitoring rainbow smelt habitat.

When I returned West in 2014, I became a Board Member of the Natural History Network, for whom I convened a regional event that connected emerging and experienced naturalists in North Cascades National Park. I complemented my freelance writing with Nooksack Salmon Enhancement Association’s Stream Restoration internship, part-time work as a Land Steward, and seasonal employment with Fourth Corner Nurseries. With our local chapter of the Washington Native Plant Society, I became active in a citizen-science project monitoring flower and bumblebee emergence in eastern Whatcom County. This role helped me succeed as a contractor assisting Whatcom Land Trust, and in 2016 I co-developed educational wildlife phenology programming around field walks, a lecture series, a BioBlitz, and content for a blog that I developed through a master’s degree in creative writing. As part of that degree, I also initiated a Communications Internship with the North Cascades Institute, and I earned the Ethel Grady Church Scholarship for establishing key relationships between higher education and our nonprofit conservation community. I’ve recently worked seasonally as a Botanist on the Olympic Peninsula, supporting the 10,000 Years Institute’s multi-stakeholder, cross-jurisdictional project that manages invasive plants and restore native biodiversity. Since returning to Bellingham in October 2017, I have provided coordination and leadership as a co-founder of Whatcom Beaver Partners, an independent citizens’ working group advancing beaver conservation and coexistence.

I am currently searching for stable conservation work, and the right job may require my relocation from Whatcom County. But if the WAC can accept that possibility, I will be thrilled to further the WAC’s goals as long as I am here. I am incredibly passionate about Whatcom County wildlife, knowledgeable in the concerns of Whatcom County’s Comprehensive Plan, and eager to pursue solutions for our common future. With nearly a decade of developing relevant experience from nonprofit, higher education, government, and small business settings, I see WAC service as a chance for me to grow as an strategic, informed conservationist while collaborating on our complex, intriguing, and critical wildlife issues. My wide connections relevant to local wildlife species, conservation trends, and management stakeholders will make me a compassionate WAC contributor, and my technical expertise in beavers will deepen the WAC’s commitment to our biodiverse, abundant water supply. I can be available for an interview soon, and can be ready to begin WAC service immediately. Thank you for considering my application. I look forward to hearing from you.

Sincerely,

Rob Rich
WHATCOM COUNTY COUNCIL AGENDA BILL

Title of Document:
Annual appointments to FCZDAC and Sub-zones.

Attachments:
Applications

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

Annual appointments to Board of Supervisor-appointed Flood Control Zone District Advisory Committee and subzone advisory committees. See attached list of vacancies.

COMMITTEE ACTION:

COUNCIL ACTION:
Application deadline extended to 10 a.m. on January 23, 2018 (Council acting as the FCZDDBS)

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.
FLOOD CONTROL ZONE DISTRICT ADVISORY COMMITTEE
8 Vacancies.
- 4 Vacancies representing geographical areas. 1 is a partial term ending 1/31/2020, 3 are 4-year terms. (2 members eligible to reapply)
- 2 vacancies representing Special Districts. 1-year terms, current members eligible to reapply.
- 2 vacancies representing Impacted Cities. 1-year terms, current members eligible to reapply.
- Any person interested in serving on the advisory committee may be appointed as an alternate for a term of six years. Alternate members shall be notified of each meeting and are encouraged to attend.

Committee assists and makes recommendations to the Board of Supervisors in performing flood damage repairs, maintenance and improvements, and minimizing future flood damage through prevention and management on the Nooksack River, its watershed, and the other watersheds within Whatcom County. Meets the second Thursday of the month or as needed. Council acting as Flood Control Zone District Board of Supervisors-appointed.

Geographical areas – 4 vacancies (1 term partial term ending 1/31/2020)
**Incumbent:** Michael Schoneveld

**Applicants:** J. Thomas Brewster
Marvin Hoekema
Theresa Sygitowicz
Holly O’Neil

Special Districts: 2 vacancies
**Incumbents:** Scott Hulse
Ron Bronsema

Impacted cities: 2 vacancies
**Applicant:** Kyle Christensen
ACME/VAN ZANDT FLOOD CONTROL SUBZONE ADVISORY COMMITTEE

3 vacancies, 4-year term. 1 Current member eligible to reapply. Applicants must live within the subzone boundary. The Committee is an integral part of the program reviewing the Comprehensive Plan for flood control, discusses and recommends budget appropriation, and is a liaison with the public at meetings. The Committee has special meetings throughout the year as needed. Council acting as Flood Control Zone District Board of Supervisors-appointed.

Incumbent: Holly O’Neil
Applicant: Theresa Sygitowicz
LYNDEN/EVERSON FLOOD CONTROL SUBZONE ADVISORY COMMITTEE

3 Vacancies  4-year term. 1 Current member is eligible to reapply. Applicants must live within the subzone boundary. The Committee is an integral part of the program reviewing the Comprehensive Plan for flood control, discusses and recommends budget appropriation, and is a liaison with the public at meetings. The Committee has special meetings throughout the year as needed. Council acting as Flood Control Zone District Board of Supervisors-appointed.

Incumbent: Hank Roorda
Applicant: Joel VandeHoef
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Michael Schoneveld                      Date: 12-11-17
Street Address: 721 Parklyn Way
City: Ferndale                                      Zip Code: 98248
Mailing Address (if different from street address):

Day Telephone: 360 410-8998   Evening Telephone: 360 354-8998 Cell Phone:
E-mail address: mschoneveld@comcast.net

1. Name of board or committee—please see reverse:
   (X) yes  ( ) no

2. You must specify which position you are applying for.
   Please refer to vacancy list.

   (X) yes  ( ) no

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.)

4. Which Council district do you live in?  ( ) One  ( ) Two  ( ) Three  ( ) Four  ( ) Five

5. Are you a US citizen?  (X) yes  ( ) no

6. Are you registered to vote in Whatcom County?  (X) yes  ( ) no

7. Have you ever been a member of this Board/Commission?  (X) yes  ( ) no
   If yes, dates: 2016 - 2017

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  (X) yes  ( ) no
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county?  (X) yes  ( ) no

   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

    Dairy Farmer 1989 - Present

11. Please describe why you’re interested in serving on this board or commission:

    I farm 650 Acres of flood plain along the North bank of the Nooksack River between Bertrand and Fishtrap creeks

References (please include daytime telephone number):

   Fred Likel  WFF  (360) 815-4361

Signature of applicant:

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3/2017
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name:  J. Thomas (Tom) Brewster, PLS  
Date:  January 17, 2018

Street Address:  740 Cross St 
City:  Bellingham, WA  
Zip Code:  98229

Mailing Address (if different from street address): 

Day Telephone:  360-733-6100 (ext.231)  
Evening Telephone:  360-647-5349  
Cell Phone:  360-303-4568

E-mail address:  tbrewster@wilsonengineering.com

1. Name of board or committee—please see reverse: Flood Control Zone District Advisory Committee

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)  
(X) yes  ( ) no

4. Which Council district do you live in? ———————————— (X) One  ( ) Two  ( ) Three  ( ) Four  ( ) Five

5. Are you a US citizen? ———————————— (X) yes  ( ) no

6. Are you registered to vote in Whatcom County? ———————————— (X) yes  ( ) no

7. Have you ever been a member of this Board/Commission? ———————————— ( ) yes  (X) no

If yes, dates: 

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ———————————— (X) yes  ( ) no

If yes, please explain: Principal w/ Wilson Engineering Llc. Provide occasional professional consultation services.

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ———————————— ( ) yes  (X) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Please see the attached CV for biographical data and qualifications.

11. Please describe why you’re interested in serving on this board or commission: I have been involved in many river and flood-related projects from a technical perspective over the years. I am interested in seeing the process from the policy perspective, and I feel my past experience "on the ground" and my particular skill-set may be of use to the effort.

References (please Include daytime telephone number):  Please see the attached CV for contacts and references.

Signature of applicant:  01-22-2018

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If you are applying for one of the following boards, committees, or commissions, please send this application to the
Whatcom County Executive's Office:
311 Grand Avenue, Suite 108
Bellingham, Washington 98225
Phone:(360) 778-5200  Fax:(360) 778-5201

- Agricultural Advisory Committee
- Americans with Disabilities Act (ADA) Compliance Committee
- Behavioral Health Advisory Committee
- Bellingham-Whatcom County Commission Against Domestic Violence
- Bicycle/Pedestrian Advisory Committee
- Boundary Review Board
- Civil Service Commission
- County Appeals Board
- Developmental Disabilities Board
- Development Standards Technical Advisory Committee
- Ethics Commission
- Housing Authority of Whatcom County
- Housing Advisory Committee
- Lodging Tax Advisory Committee
- Marine Resource Committee
- North Sound Mental Health Administration
- Northwest Senior Services Board
- Parks and Recreation Commission
- Point Roberts Community Advisory Committee
- Public Health Advisory Board
- Purchase of Development Rights Oversight Committee
- Rural Library Board
- Salary Commission
- Veteran's Advisory Board

If you are applying for one of the following boards, committees, or commissions, please send this application to the
Whatcom County Council Office:
311 Grand Avenue, Suite 105
Bellingham, Washington 98225
Phone:(360) 778-5010  Fax: (360) 778-5011

- Acme/VanZandt Flood Control Sub-Zone Advisory Committee
- Address and Road Name Citizen Appeals Committee
- Birch Bay Shellfish Protection District Advisory Committee
- Birch Bay Watershed and Aquatic Resources Management Committee
- Board of Equalization
- Climate Impact Advisory Committee
- Drayton Harbor Shellfish Protection District Advisory Committee
- Flood Control Zone District Advisory Committee
- Forestry Advisory Committee
- Horticultural Pest and Disease Board
- Incarceration Prevention and Reduction Task Force
- Jail Stakeholder Workgroup
- Law and Justice Council
- Lummi Island Ferry Advisory Committee
- Lynden/Everson Flood Control Sub-Zone Advisory Committee
- Noxious Weed Control Board
- Open Space Advisory Committee
- Planning Commission
- Portage Bay Shellfish Protection District Advisory Committee
- Solid Waste Advisory Committee
- Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee
- Surface Mining Advisory Committee
- Wildlife Advisory Committee

RCW 42.17A.005
(7) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first:
(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office;
(b) Announces publicly or files for office;
(c) Purchases commercial advertising space or broadcast time to promote his or her candidacy; or
(d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.
JOHN THOMAS BREWSTER, PLS (WA # 44335)
SURVEY MANAGER / PRINCIPAL
WILSON ENGINEERING LLC
805 DUPONT STREET, STE. #4
BELLSHAGH, WA 98225

PROFESSIONAL QUALIFICATIONS:

Chief surveyor in public and private sector. Large-scale mapping and construction projects for highways, flood control districts, land development and utilities involving both conventional surveying and GPS technologies; Aerial photogrammetric control and hydrographic surveys. Proficient in conventional and GPS land and hydrographic survey technologies, including GPS network design and analysis. Extensive experience in bathymetric data acquisition, reduction, and analysis. Over 20 years' field experience with marine and river surveys. Certified Instructor of Land Surveying and Mapping Technologies, Bellingham Technical College (2009-2014); Current Adjunct Instructor, Boundary Law. Certified Flood Plain Manager (CFM) certification, active 2006-2009. Currently serving as the Land Surveyor's Association of Washington (LSAW) Executive Committee Secretary/Treasurer, and LSAW Foundation Board Director, and past President (2011-2013) Northwest Region LSAW.

EDUCATION:

Washington University in St. Louis, BA in Philosophy, 1988; University of Washington, 1988, misc. graduate studies; Bellingham Technical College, Survey Technician Program (1988-1989); Whatcom Community College, AutoCAD Design Coursework; Trimble GPS School, Workshops in GPS Control, RTK, and Geodesy.

REPRESENTATIVE PROFESSIONAL EXPERIENCE:

Riverine Survey Experience:


Lake Wenatchee/White River (2011)—Riverine/upland boundary survey and salmon enhancement design survey for Grant County P.U.D.

Methow River (2011) Riverine / upland Boundary survey and salmon enhancement design survey for Grant County P.U.D.


Chehalis River (2015)—0.5 river-mile survey for GeoEngineers/City of Centralia, WA. Tasks included riverine bathymetry, LIDAR data integration, and upland ownership analysis.

Hoquiam River and Wishkah River (2016)—17 river-mile survey for City of Hoquiam / KPFF. Tasks included riverine bathymetry, structural 3D scanning of seven (7) bridges, and upland ownership analysis.
Aquatic/Upland & DNR Lease Surveys of Record:


**Bellingham Waterfront General Binding Site Plan** (2017)—Industrial/Commercial Site Plan, Whatcom County A.F.N. 2017-0801912.


**Eastsound Water & Sewer Dist. Aquatic Lease** (2015)—DNR lease 51-073185, San Juan County ROS Bk.25, Pg.112.


Community Engagement:

**Bellingham Technical College Advisory Board**—(2006-Present) Current Board member, Geomatics and Survey Technologies Advisory Board.

**Land Surveyors’ Association of Washington Board of Directors**—(2010-Present) Current Executive Committee Secretary, former Northwest Region President and Director.

**LSAW (Philanthropic) Foundation**—(2011-Present) Director and Northwest Region representative.

PROFESSIONAL REFERENCES:

**Peter K. Brands, PLS, CFedS**  
Survey Manager, Principal  
pbrands@psssurvey.com  
Pacific Surveying & Engineering, Inc.  
1812 Cornwall Avenue, Bellingham, WA 98225  
Ph. 360.671.7387  fax 360.671.4685

**Adam Morrow, PLS**  
Survey Project Manager, Principal  
amorrow@psssurvey.com  
Pacific Surveying & Engineering, Inc.  
1812 Cornwall Avenue, Bellingham, WA 98225  
Ph. 360.671.7387  fax 360.671.4685

**Larry Steele, PLS**  
Larry Steele & Associates  
1334 King Street, #1  
Bellingham, WA 98229  
Ph. 360.676.9350

**Adam Fulton, PE**  
Director of Facilities  
Port of Bellingham  
PO Box 1677  
Bellingham, WA 98227  
Ph. 360.676.2500

**William A. (Bill) Haynes, PE**  
Ashton Engineering Inc.  
PO Box 5665  
Bellingham, WA 98227  
Ph. 360.510.7946

**Kathryn Schalk, PLS**  
Aquatic Land Surveyor  
Washington Department of Natural Resources  
1111 Washington Street SE  
Olympia, WA 98504-7030  
Ph. 360.902.1182
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name  Marvin

Last Name  Hoekema

Date  12/27/2017

Street Address  3263 Massey Road

City  Everson

Zip  98247

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  YES

Mailing Address  PO Box 678

Primary Telephone  360-595-7018

Secondary Telephone  Field not completed.

Email Address  mhoekema@mhoekema.com
### Step 2

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Flood Control Zone District Advisory Committee</td>
</tr>
<tr>
<td>Flood Control Zone District Advisory Committee</td>
<td>Geographic Area representative</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your...

   My family and I are partners in a dairy and crop farm (Evernook...
occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Land LLC) in the Everson area with most of our owned and rented land adjoining the Nooksack river. I am also a dairy business consultant (Dairy Decisions Consulting).

10. Please describe why you’re interested in serving on this board or commission

Participants in many of the tragic floods in our lifetimes It would not only a privilege to contribute to the flood planning process, but also offer unique insights into how the river has changed upstream flooding and bank erosion since the new Everson bridge has been installed.

References (please include daytime telephone number):

Dr. Jen Trout 410-698-8777 Mr. Harold Carbee 360-410-1644

Signature of applicant:

Marvin Hoekema

Place Signed / Submitted

Everson, WA

(Section Break)

Email not displaying correctly? View it in your browser.
MARVIN J. HOEKEMA, M.S.
PO Box 678
Everson, WA  98247
Phone: 360-595-7018 FAX: 559-553-8807
email: mhoekema@mhoekema.com

EDUCATIONAL BACKGROUND


- Washington State University, Pullman. B.S. Magna Cum Laude Animal Sciences, minor Agricultural Economics 1996. Courses included animal production, nutrition, physiology, and genetics.

EMPLOYMENT BACKGROUND

- Partner and Manager, Evernook Valley Milk LLC (2010-current)
- President, Dairy Decisions Consulting, LLC (2004-current)
- Business and Financial Coordinator, Department of Dairy and Poultry Sciences, University of Florida (1998-2000). This involves performing all data collection, processing, analysis, summary reports, and presenting the results. This also involved teaching Dairy Management Systems, a senior level dairy management class.
- Graduate Research Assistant, University of Florida (1997-1998)

PROFESSIONAL ORGANIZATIONS, CREDENTIALS, and AWARDS

- President (2006-2012) and Board Member (2008-2012), Friends of Animal Sciences-Washington State University.
- Past member of QuickBooks Pro Advisor program.
- Member of audit committee, Holstein Association USA, Inc. (2005-2008)
- Recipient of 2000 UF Institute of Food and Agricultural Science Interdisciplinary Research and Extension Team Award.
• Recipient of the 1997 H.H. Kildee scholarship presented by the National Dairy Shrine.
• Recipient, WSU President's Leadership and Service Award, 1995.

PROJECT ADMINISTRATION AND AUTHORSHIP

• Editor of Milk Market Watch newsletter and blog.
• Provided ongoing decision support, financial analysis, budgeting, and dairy development to several dairy and agribusiness clients in 9 states.
• Served as internal controller and CFO functions to support preparation of GAAP and market-based financial statements to support audit, review, and lender reporting requirements on an ongoing basis for several clients.
• IT support and system design experience.
• Feasibility analyses and business plans using self authored financial pro-forma software and algorithms. This includes stochastic model builds and reports. Especially skilled with @Risk™ simulation software
• Member of international consulting team (1 of 4) to address issues of Deregulation of Australian Dairy industry and lead author on ‘FUTURE FARMING SYSTEMS-OPTIONS FOR A DE-REGULATED MARKET’
• Developed, facilitated, and delivered financial planning workshops for service providers and farm business owners in 5 Australian states.
• Led research team to analyze factors affecting financial performance of Tasmanian (Australia) Dairy Businesses.
• Lead team to develop, facilitate, and deliver advanced business skills and decision practices to service providers and farms (Milk Business) in three Australian states across 3 phases of workshops across a 2 year timeframe.
• Lead development, administration, and consulting with DairyRisk Manager™, a stochastic risk positioning and hedging tool (2000-2004).
• Member, litigation support team, Dairy Strategies LLC (2000-2004).
• PhD Project joint research supervisor at University of Queensland, Australia.
• Invited speaker to 2001 Large Herds Conference, Australia.
• Keynote invited address at Fifth International Housing Conference of the American Society of Agricultural Engineers.

PUBLICATIONS

Available upon request
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
This is a public document: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name          Theresa
Last Name           Sygitowicz
Date                1/5/2018
Street Address      3031 Clipper Rd
City                Deming
Zip                 98244
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone   3605955035
Secondary Telephone Field not completed.
Email Address       thesyg@aol.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Flood Control Zone District Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please list dates: I was a one year appointment for Special Dist. This was about 5 or 6 years ago.</td>
<td></td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
</tbody>
</table>
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

*I am a retired health care worker/ farmer. * I have a lot of proven success experiences working on water issues in the So Fork Valley. Both sides of my family are considered by the community to be pioneer families in the area. My family has farmed in the valley for over 120 years, always along the river. * I currently service as an elected member of the Whatcom County Conservation Supervisor Board Member. I am President of the So. Fork Heritage Assoc. I am a member of the So Fork Watershed Education Committee. * I am a retired volunteer EMT/Fireman for WCFD #16. * over 40 years of committee service ( if necessary a further expansive list is available) * Live long resident of the valley. * Graduate of Mt Baker High School * Various college degrees.

10. Please describe why you’re interested in serving on this board or commission

The South Fork Valley needs to be represented by an person that has some historical background. I have a varied list of community members that I can call on for support. I believe in open and transparent government. I encourage others to also attend the meetings that I attend.

References (please include daytime telephone number):


Signature of applicant: Theresa Sygitowicz

Place Signed / Submitted: Clipper, WA

Email not displaying correctly? View it in your browser.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name:  Holly O'NEIL  Date: 01/04/18
Street Address:  3232 HILLSIDE RD
City:  Deming  Zip Code:  98244
Mailing Address (if different from street address):  POB 541, Deming, WA 98244
Day Telephone:  360.303.3217  Evening Telephone:  same  Cell Phone:  same
E-mail address:  holly@crossroads.pro

1. Name of board or committee—please see reverse:  ACME/VAN ZANDT FLOOD CONTROL SUBZONE ADVISORY COMMITTEE
   Also would like to serve on flood control zone management advisory committee.

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you are applying?
   (If applicable, please refer to vacancy list.)  yes  no

4. Which Council district do you live in?  One  Two  Three  Four  Five

5. Are you a US citizen?  yes  no

6. Are you registered to vote in Whatcom County?  yes  no

7. Have you ever been a member of this Board/Commission?  yes  no
   If yes, dates:  JAN 2014 - JAN 2016

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  yes  no
   If yes, please explain:  I FACILITATE MEETINGS FOR THE HEALTH DEPT AND THE IPR TASK FORCE

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid office in any jurisdiction within the county?  yes  no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
    I OWN AND OPERATE A SMALL (SINGLE PROPRIETOR) FACILITATION BUSINESS CROSSROADS CONSULTING. I HAVE STRONG SKILLS IN ENSURING FAIR AND OPEN PROCESS, COLLABORATION, CONSENSUS BUILDING, AND TRANSPARENCY & COMMUNICATIONS.

11. Please describe why you're interested in serving on this board or commission:
    I AM A RIVERFRONT PROPERTY OWNER AND HAVE BEEN FARMING AND DOING SMALL FORESTLAND MANAGEMENT SINCE 1989 HERE IN THE SOUTH FORK. I HAVE BEEN ACTIVELY PARTICIPATING IN FLOOD MANAGEMENT PLANNING, WATERSHED PLANNING, AND COMMUNITY EDUCATION ON RELATED ISSUES FOR MANY YEARS. REFERENCES

Signature of applicant:  [Signature]

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John Thompson  360.676-  AND Jan Smith  360.367-9917
Paula Harris  676-
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Scott E. Hulse
Date: 1 January 2018
Street Address: 6911 Holeman Avenue
City: Blaine
Zip Code: 98230
Mailing Address (if different from street address):
Day Telephone: 360 243 0745 Evening Telephone: 360 243 0745 Cell Phone: None
E-mail address: scottheulse@gmail.com

1. Name of board or committee-please see reverse: Flood Control Zone District Advisory Committee
2. You must specify which position you are applying for. Please refer to vacancy list.
   Special District Representative, Geographic Area Representative
3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) (x) yes ( ) no
4. Which Council district do you live in? ( ) One ( ) Two (x) Three
5. Are you a US citizen? (x) yes ( ) no
6. Are you registered to vote in Whatcom County? (x) yes ( ) no
7. Have you ever been a member of this Board/Commission? If yes, dates: 2016, 2017 (x) yes ( ) no
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? If yes, please explain: ( ) yes (x) no
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
   Education: BS Mine Engineering, BS Geological Sciences-Geophysics, MS Geological Sciences-Geophysics-Hydrology
   PhD Radiological Health Sciences-Health Physics, Registered Professional Engineer, Colorado Registration Number 22254
   Qualifications Related to Position: 20 years mine/geotechnical engineering, 20 years multidisciplinary project and program management, 8 years research and development characterizing risk from environmental transport and deposition of man-made radionuclides in soil. Member of Birch Bay Water and Resource Management Committee since February, 2012.
10. Please describe why you’re interested in serving on this board or commission: Our family has lived on Whitehorn Point along the southern boundary of Birch Bay since 1960. Storm water disposition and flooding are issues that affect our quality of life.
References (please include daytime telephone number): Mr. Peter Winterfeld 360 441 6833
Mr. Jack Westford 360 303 6596
Signature of applicant: Scott E. Hulse

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Ron Bronsema
Street Address: 8135 Northwood Rd
City: Everson
Zip Code: 98247
Mailing Address (if different from street address):
Day Telephone: 360-354-2978 Evening Telephone: Same
Cell Phone: 1360-961-7792
E-mail address: rb@dairy1.com

1. Name of board or committee—please see reverse: Flood Control Zone District A.C.

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) ☒ yes ( ) no

4. Which Council district do you live in? ☒ One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ☒ yes ( ) no

6. Are you registered to vote in Whatcom County? ☒ yes ( ) no

7. Have you ever been a member of this Board/Commission? ☒ yes ( ) no
If yes, dates: 1992-2010, 2012-2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ☒ yes ( ) no
If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ☒ yes ( ) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

11. Please describe why you’re interested in serving on this board or commission: Re-turn Flood AC to science based decisions, Update comprehensive Flood Hazard management plan.

References (please include daytime telephone number):
   Paula Harris 1-360-778-6285
   Jon Hutchins 1-360-778-6206

Signature of applicant: Ron Bronsema

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Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Kyle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Christensen</td>
</tr>
<tr>
<td>Date</td>
<td>11/20/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>422 Wilson Lane</td>
</tr>
<tr>
<td>City</td>
<td>Sumas</td>
</tr>
<tr>
<td>Zip</td>
<td>98295</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>360-325-5701</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:firemankyle23@hotmail.com">firemankyle23@hotmail.com</a></td>
</tr>
</tbody>
</table>

**Step 2**
1. Name of Board or Committee: Flood Control Zone District Advisory Committee

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Control Zone District Advisory Committee</td>
<td></td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>Yes</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Please describe your occupation (or former occupation if retired),</td>
<td>Mayor of Sumas. Volunteer firefighter for WCFD#14 in Sumas.</td>
</tr>
</tbody>
</table>
qualifications, professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

As the newly elected Mayor, I want to understand more about how a flood could impact our community. I want to be in the loop so that we can be proactive versus being reactive.

| References (please include daytime telephone number): | Daniel DeBruin - Sumas Police Chief - 360-815-5697 Ruben Hernandez - Sumas Utility Supervisor - 360-305-1777 |

| Signature of applicant: | Kyle Christensen |
| Place Signed / Submitted | 22 Wilson Lane, Sumas, WA |

(Section Break)

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Board and Commission Application

**Step 1**

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<table>
<thead>
<tr>
<th>Field Name</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Theresa</td>
</tr>
<tr>
<td>Last Name</td>
<td>Sygitowicz</td>
</tr>
<tr>
<td>Date</td>
<td>1/5/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>3031 Clipper Rd</td>
</tr>
<tr>
<td>City</td>
<td>Deming</td>
</tr>
<tr>
<td>Zip</td>
<td>98244</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>3605955035</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:thesyg@aol.com">thesyg@aol.com</a></td>
</tr>
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</table>

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Acme/VanZandt Flood Control Sub-Zone Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please list dates:</td>
<td>I was previously appointed to the Acme/VanZandt Sub Zone Advisory Committee. I served two terms. This was either 5 or 6 years ago.</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired),</td>
<td>* I am a retired health care worker/ farmer. * I have a lot of proven success experiences working on water issues in the So Fork Valley. Both sides of my family are considered by the</td>
</tr>
</tbody>
</table>
community to be pioneer families in the area. My family has farmed in the valley for over 120 years, always along the river. * I currently service as an elected member of the Whatcom County Conservation Supervisor Board Member. I am President of the So. Fork Heritage Assoc. I am a member of the So Fork Watershed Education Committee. * I am a retired volunteer EMT/Fireman for WCFD #16. * over 40 years of committee service ( if necessary a further expansive list is available) * Live long resident of the valley. * Graduate of Mt Baker High School * Various college degrees.

10. Please describe why you’re interested in serving on this board or commission

I enjoyed my past experience being on the Acme/VanZandt Sub Zone Advisory Committee. I was elected to be the Chair of the committee for all 6 years of my terms. I believe in open and transparent government. The Sub Zone had a long history of regular scheduled meetings, which I continued during my leadership. In the past few years this has changed. I do not believe that any board can be truly active about issues, while only having 3 or 4 meetings per year. I was asked by several community members to put forward my name for this committee again. I am only submitting my name, because of the support from a broad spectrum of my community. I look forward to serving on this board.

References (please include daytime telephone number):


Signature of applicant: Theresa Sygitowicz

Place Signed / Submitted Clipper, WA

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Jack Koop La _______________________________ Date: 11-27-17

Street Address: 850 Hamilton Rd _______________________________

City: Lynnwood, Wa ___________________________ Zip Code: 98264

Mailing Address (if different from street address): ___________________________

Day Telephone: 360-354-5728 Evening Telephone: ____________________ Cell Phone: 815-4360

E-mail address: noordah@frontier.com ___________________________

1. Name of board or committee--please see reverse: Lynnden Everson Flood

2. You must specify which position you are applying for. Please refer to vacancy list.

   Controller-Sub-Zone Advisory

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) ___________________________ ( ) yes ( ) no

4. Which Council district do you live in? ___________________________ ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ___________________________ ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ___________________________ ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission? ___________________________ ( ) yes ( ) no

   If yes, dates: 11-27-17 ___________________________

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ___________________________ ( ) yes ( ) no

   If yes, please explain: ___________________________

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ___________________________ ( ) yes ( ) no

   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

    Retired - Bobby Farmer
    Serve 12 yrs on board
    Ran for Re Commander - Some

11. Please describe why you’re interested in serving on this board or commission:

    Live in and need to know what’s happening. Keep my finger in the dike.

References (please include daytime telephone number): Reon Bresenow 961-7792

Red Vandenheyt 815-6147 ___________________________

Signature of applicant: ___________________________

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Board and Commission Application

Step 1

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Joel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Vande Hoef</td>
</tr>
<tr>
<td>Date</td>
<td>11/3/1985</td>
</tr>
<tr>
<td>Street Address</td>
<td>1959 Timon Rd</td>
</tr>
<tr>
<td>City</td>
<td>Everson</td>
</tr>
<tr>
<td>Zip</td>
<td>98247</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>3604108228</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:hoef62@gmail.com">hoef62@gmail.com</a></td>
</tr>
</tbody>
</table>

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>Name of Board or Committee</td>
<td>Lynden/Everson Flood Control Sub-Zone Advisory Committee</td>
</tr>
<tr>
<td>Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>Which Council district do you live in?</td>
<td>District 4</td>
</tr>
<tr>
<td>Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>Are you registered to vote in Whatcom County?</td>
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<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>I am a dairy farmer in Everson. Served on the Everson City Council for one and a half years. I have an Associate in Arts and Sciences from Whatcom Community College.</td>
</tr>
</tbody>
</table>
10. Please describe why you’re interested in serving on this board or commission

I farm along the river in this area and the Kam creek watershed.

References (please include daytime telephone number):

Field not completed.

Signature of applicant: Joel Vande Hoef

Place Signed / Submitted: Everson, WA

Email not displaying correctly? View it in your browser.
**TITLE OF DOCUMENT:**
Appointments to Climate Impact Advisory Committee

**ATTACHMENTS:**
Applications

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>Yes</th>
<th>No</th>
<th>Should Clerk schedule a hearing?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPA review completed?</td>
<td>Yes</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Ordinance 2017-080 was adopted establishing the Whatcom County Climate Impact Advisory Committee on December 5, 2017. The Whatcom County Council established the goal of 100% renewable energy use within County Operations and larger Whatcom County community, and directs the Whatcom County Climate Impact Advisory Committee to work diligently toward that goal.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**
1/16/2018: Introduced 6-0

**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.
**CLIMATE IMPACT ADVISORY COMMITTEE**
The Whatcom County Climate Impact Advisory Committee provides review and recommendations to the Whatcom County Council and Executive on issues related to the preparation and adaptation for, and the prevention and mitigation of, impacts of climate change.

11 Vacancies – 7 of the members will have previous work or educational experience in subjects including climate change, renewable energy development, energy conservation, energy sector, waste reduction and recycling, farming, food security, land use planning, municipal government and flood mitigation and planning. Elected officials and staff from the cities within the county are eligible and encouraged to participate as members.

Terms will be three years; the terms of members first appointed will be staggered so that five of the initial committee members shall be appointed for two years.

<table>
<thead>
<tr>
<th>Applicants:</th>
<th>Lee Laney</th>
</tr>
</thead>
<tbody>
<tr>
<td>John All</td>
<td>George Lawrence</td>
</tr>
<tr>
<td>William Angel</td>
<td>Jocelyn Leroux</td>
</tr>
<tr>
<td>Charles Barnhart</td>
<td>Laura McKinney</td>
</tr>
<tr>
<td>Tiffany Bell</td>
<td>Sean Mertens</td>
</tr>
<tr>
<td>Lynn Billington</td>
<td>Tim Miller</td>
</tr>
<tr>
<td>Kate Blystone</td>
<td>Rachael Mueller</td>
</tr>
<tr>
<td>John Bosche</td>
<td>Dana Oster</td>
</tr>
<tr>
<td>Ginny Broadhurst</td>
<td>Sandy Paris</td>
</tr>
<tr>
<td>Clara Jean Carmean</td>
<td>Jenny Rae</td>
</tr>
<tr>
<td>Francis Fitzgerald</td>
<td>Alex Ramel</td>
</tr>
<tr>
<td>Seth Fleetwood</td>
<td>Robert Riesenberg</td>
</tr>
<tr>
<td>Kristin Forck</td>
<td>Joyce Segal</td>
</tr>
<tr>
<td>Erin Fortenberry</td>
<td>Sharon Shewmake</td>
</tr>
<tr>
<td>Patrick Freeland</td>
<td>Lauren Turner</td>
</tr>
<tr>
<td>Treva Gabrish</td>
<td>Edward Ury</td>
</tr>
<tr>
<td>Derek Gremban</td>
<td>James Verburg</td>
</tr>
<tr>
<td>Eric Grossman</td>
<td>Colin Wahl</td>
</tr>
<tr>
<td>William Harman</td>
<td>Gabriel Westergreen</td>
</tr>
<tr>
<td>Jacob Hartsch</td>
<td>Sam Winters</td>
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<tr>
<td>C. Kenneth Heck</td>
<td>Jill MacIntyre Witt</td>
</tr>
<tr>
<td>Renee Holt</td>
<td>Nora Workman-Weaver</td>
</tr>
<tr>
<td>Tim Johnson</td>
<td></td>
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<tr>
<td>David Kershner</td>
<td></td>
</tr>
</tbody>
</table>
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

*THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.*

<table>
<thead>
<tr>
<th>First Name</th>
<th>John</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>All</td>
</tr>
<tr>
<td>Date</td>
<td>12/20/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>1802 Rainier Ave</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98229</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>2707911993</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:john.all@wwu.edu">john.all@wwu.edu</a></td>
</tr>
</tbody>
</table>

**Step 2**
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, Professor at WWU and Lawyer
10. Please describe why you’re interested in serving on this board or commission

I have a lot of experience in this area and want to serve my community as we adapt to future climate change.

References (please include daytime telephone number):

Steve Hollenhorst, Dean, Huxley College of the Environment - 360-650-3521

Signature of applicant: John All

Place Signed / Submitted: Bellingham, WA

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EDUCATION

THE UNIVERSITY OF ARIZONA
School of Social and Behavioral Sciences
Ph.D. - Geography and Regional Development
Minors: Anthropology, Global Change
(Two years coursework in the School of Renewable Natural Resources)
PhD Dissertation Title - International Utilization of Shared Water Resources: A Case Study of the Colorado River Delta and Upper Gulf of California, Mexico

Tucson, Arizona

THE UNIVERSITY OF GEORGIA
School of Law
Juris Doctorate, emphasis in International Environmental Law
Member, Georgia State Bar Association (inactive)
Graduate School
Institute of Ecology, Environmental Ethics Certificate
Franklin College of Arts and Sciences
Honors Program

Athens, Georgia

May 1994
1994 - Present
January 1994
1986-1987

DUKE UNIVERSITY
Trinity College of Arts and Sciences
Bachelor of Arts in History, Environmental Sciences

Durham, North Carolina

June 1991

PROFESSIONAL EXPERIENCE

Mountain Environments Research Institute, Western Washington University. Bellingham, WA.
Director and Research Professor, August 2015 – Present.
Duties: Develop and lead a research program examining human adaptation to climate change in mountain regions, community development and sustainability, environmental change, and land change science. Serve as a resource on mountain and extreme environments expedition planning and logistics. Lead student independent research projects, advise undergraduate and graduate students, teach courses when programmatic needs arise. WWU Community Engagement Fellow 2016-2017.

American Climber Science Program (ACSP), Nederland, Co
Executive Director: 2011 – Present.
Director, ACSP-Peru Expeditions: 2011 – Present
Co-Director, ACSP-Costa Rica Expedition: 2013/14
Director, ACSP-Nepal Expeditions: 2014
Duties: Manage the Program and lead research expeditions. Coordinate research activities of over ten scientists and an average of ten students per year. Organize logistics and acquire funding for all Program activities. Organize fundraisers, prepare web pages and other outreach through a variety of media, lead science expeditions to the Andes and the Himalayas. Notable Summits - Mt. Everest (8850 m) in 2010 via the North Col/Northeast Ridge in Tibet to collect environmental data and rock samples, Traversed Artesonraju, Peru (6025m) via the North Ridge/Southeast Face in 2011 to collect snow samples, and environmental data, Huascaran Sur (6768m) in 2011 to collect snow samples, and environmental data, crossed Costa Rica in 2013/14 from the Pacific Ocean to the Atlantic Ocean through the Talamancas as part of an environmental traverse.

Department of Geography and Geology, Western Kentucky University. Bowling Green, Kentucky.
Geography Department Program Leader, 2010 – 2013.
Associate Professor with Tenure, August 2008 – July 2016.
Assistant Professor. August 2002 – August 2008.
Duties: Teach biogeography, remote sensing, advanced GIS, environmental science, world regional geography, human geography, physical geography, global climate change, environmental ethics, environmental planning, natural resource management, stormwater management, and environmental law courses at both the undergraduate and graduate level. Organized and led the Human-Environmental Linkages Program (HELP). Conducted research on local and international environmental degradation, biogeography, resource issues, and climate change from a law/policy background using remote sensing and GIS tools.

Duties: Served as the Program Officer for an Initiative on Climate Variability, Environment, and Human Health (Co-Convened by WHO, WMO, FAO, and UNEP). Managed Logistics and provided background research to support the Joint Organizing Committee for the Sino - U. S. Center for Soil and Water Conservation and Environmental Protection. Local Director of the 1999 NOAA National Weather Service Climate Diagnostics Workshop with over 160 participants. Involved in the Sun-Climate Interactions program. Also responsible for the creation and maintenance of web pages, conducting literary and data reviews on climate variability, and preparing technical reports and figures for professional presentation and publication.

Teaching Assistant. 1996-1998
Research Assistant. 1994 - 1996

Monsanto Corporation. Arizona and Southwestern Georgia.
Duties: Conducted semi-structured interviews of farmers to ensure understanding and compliance with federal and proprietary regulations controlling the use of transgenic crops. Worked with local extension service and sales personnel in region-wide information dispersal.

Duties: Projects included sampling insect pests and biological control agents for pest management decisions, coordinating research projects with university personnel and cooperator farmers, analyzing research data, designing and implementing experiments to evaluate the efficacy of “biorational” insect control products and preparing written reports for corporate offices and for registration of products with EPA.

PUBLICATIONS

DOI: 10.4996/fireecology.130288764


PUBLIC PRESENTATIONS

Keynote Addresses


MTNCLIM 2014, Midway, Utah. September 18, 2014. Recent Environmental Changes and Effective Mountain Community Responses. Audience: 100 people

Western Kentucky University Freshman Convocation. Bowling Green, KY. August 17, 2014. Talk Title: Perseverance, survival, and persistence – overcoming obstacles and graduating in four years. Audience: 6500 people.

Sagarmatha World Heritage Site: Climate Change Implications for Biodiversity, Environment, and Livelihoods Special Workshop. Katmandu, Nepal. April 9, 2014. Climate Changes and Human Impacts Affecting the Sagarmatha National Park Region. Audience: 150 people (Note: Received a special award for this work and a large trophy from the British Ambassador and the Nepal Botanical Society.)

Invited Seminars and Workshops


517


Pathways to Sustainability Workshop. Panelist and Speaker. Western Kentucky University. Bowling Green, KY. April 17-18, 2015.

Interfaith Workshop on Earth Care. Panelist and Speaker. Western Kentucky University. Bowling Green, KY. April 10-11, 2015.


Environmental Change in the Mountains of the World and the American Climber Science Program. November 9, 2012. Western Kentucky University, Geography and Geology Seminar Series.


Research Methodology Training: GIS and Remote Sensing Applications for Natural Resource Management. February 22 – March 4, 2010. Tribhuvan University, Kirtipur, Kathmandu, Nepal. (Note: I was given a large statue by the class in thanks.)


TEACHING

Courses Taught
Western Washington University

Fall 2017  ESCI 392 Introduction to Global Change
Fall 2017  ESCI 439 Conservation of Biological Diversity
Summer 2017  ESCI 498D Ecology of the Peruvian Andes
Spring 2017  ENVS 201 Understanding Environmental Data and Information
Spring 2017  ESCI 397H Intro to Mountain Research
Spring 2017  ESCI 397P Mountain Permaculture Science
Winter 2017  ENVS 204 Human Geography
Winter 2017  ENVS 316 Mountain Environmental Policy and Development
Fall 2016  ENVS 201 Understanding Environmental Data and Information
Summer 2016  ESCI 498D Ecology of the Peruvian Andes
Spring 2016  ESCI 325 Fundamentals of Ecology
Spring 2016  ESCI 397H Introduction to Mountain Research
Winter 2015  ENVS 204 Human Geography
Winter 2015  ENVS 316 Mountain Environmental Policy and Development
Winter 2015  ENVS 341 Populations and Resources
Fall 2015  ESCI 435 Landscape Ecology
Fall 2015  ESCI 535 Advanced Landscape Ecology
Winter 2014  ENVS 450 US Environmental Policy
Winter 2014  ENVS 456 US and WA State Environmental Regulation
SERVICE ACTIVITIES

Professional

Member, International Union for the Conservation of Nature (IUCN), World Commission on Protected Areas (WCPA), Mountain Protected Areas Network. 2009 – Present
Organizing Committee Member and Program Officer, U.N. Conference on Climate Variability and Human Health, 1998 - 2003
American Association for the Advancement of Science, Committee Member for the Geology and Geography Section, 2004 - present
American Alpine Club, Official Representative to the American Association for the Advancement of Science, 2004 – present
American Climber Science Program, Executive Director, 2011 – Present
National Conservation Committee Member (Science Advisor), American Alpine Club, 2006 - Present
Rolex Explorers Club Grant Committee, 2017-present
Globe International Scientists Network, 2015 - present
State of Kentucky, Climate Change Response Committee, Member, 2013 - 2015
National Science Foundation Proposal Reviewer, Geography Section, 2003 - Present
Manuscript Reviewer, Environmental Management, 2005 – Present
Manuscript Reviewer, Remote Sensing of Environment, 2006 – Present
Manuscript Reviewer, Journal of Coastal Research, 2007 – Present
Manuscript Reviewer, Open Journal of Remote Sensing, 2010 – Present
Manuscript Reviewer, Environmental Monitoring and Assessment, 2011 – Present
America View Disaster Response Remote Sensing Volunteer, 2010 – present
Kentucky Spectral Library, Steering Committee, 2012 - 2015
Central Kentucky Cave Survey Board Member, 2002 - 2008
Nominated for the Board of Governors, North American Section, Society for Conservation Biology, 2004
American Association for the Advancement of Science Annual Meeting Symposium Proposal Reviewer (2006 – Present)

MEMBERSHIPS

Lifetime Fellow of the Explorers Club, New York City
American Association for the Advancement of Science
Association of American Geographers
American Geophysical Union
American Society for Photogrammetry & Remote Sensing
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name  William
Last Name   Angel
Date        12/8/2017
Street Address  656 Kirkview Place
City        Bellingham
Zip         98226

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone  360-255-9194
Secondary Telephone  360-296-5322
Email Address  wangel@co.whatcom.wa.us

Step 2
1. Name of Board or Committee: Other

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 2

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? Yes

If yes, please explain: I am an employee of the Whatcom County Health Department

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), 18-year employee of the Whatcom County Health Department as an Environmental Public Health Inspector Bachelors of Environmental Health Science Degree – UW School of Public
Health Completed climate change course work at WSU Extension - Whatcom County Developed professional expertise in current waste management operations, regulations, and resource recycling; including anaerobic digester and composter operations, biosolids and manure land applications, soil health and improvement and protection Maintain professional (regulatory) relationships with several agriculturally based businesses, and consultants in Whatcom County. Provide pollution prevention technical assistance for businesses and government entities Personal interest and action for school gardens, community gardens, farm to school programs, and climate science.

10. Please describe why you’re interested in serving on this board or commission

I want to ensure that our community makes best use of all available resources, tools, knowledge, funding, and citizen engagement to craft local strategies that will build resilience against climate change effects. I am connected professionally and personally with many of the local people engaged in resource conservation, reuse, and recycling, and I am familiar with the societal factors of sustainability and community resilience.

References (please include daytime telephone number):

Regina Delahunt, Director, Whatcom County Health Dept - 360-778-6005
Jeff Hegedus EH Supervisor, Whatcom Health Dept. 360-778-6044
Marnie Boardman, WA Dept of Health 360-236-3344
Chris Clark, Whatcom Conservation District 360-815-5359
Stephanie Harvey, Green Earth Technologies Composting 360-354-4936
Larry McCarter, Recycling and Disposal Services 360-384-8011
Troy Lautenbach, Lautenbach Industries Material Recovery 360-815-3222

Signature of applicant: Bill Angel

Place Signed / Submitted: Whatcom County Health Department, 509 Girard Street, Bellingham

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Application for the Whatcom County Climate Impact Advisory Committee - Additional information

Bill Angel, 656 Kirkview Place, Bellingham, WA 98226  360-255-9194

18-years with the Whatcom County Health Department as an Environmental Public Health Specialist

Bachelors of Environmental Health Science Degree –UW School of Public Health

Completed Carbon Masters, climate change science, course work and community service with WSU Extension - Whatcom County

Presented about the public health concerns of climate change to the educational conference of the WA State Environmental Public Health professional association – WSEHA. Myriad current and anticipated climate impacts were recognized and discussed for every field of public health (food, water, sewage, air quality, wastes, heat stress, fires, mental health, refugees, emergency response, changing disease patterns, and community resilience)

Developed professional expertise in current waste management operations, regulations, and resource recycling; including anaerobic digester and composter operations, biosolids and manure land applications, soil health and improvement and protection

Maintain professional (regulatory) relationships with several agricultural and resource recovery based businesses, and consultants in Whatcom County.

Provide pollution prevention technical assistance for businesses and government entities

Personal interests and actions for community climate resilience include; initiated one neighborhood community garden and two school gardens, flagship member of the Bellingham Farm to School Program, and continuing education about climate science, and the innovations that will be helpful in our process of transition to a clean energy economy
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

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| First Name | Charles |
| Last Name  | Barnhart |
| Date       | 1/9/2018 |
| Street Address | 2309 Utter St |
| City       | Bellingham |
| Zip        | 98225 |

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  *Field not completed.*

| Primary Telephone | 4159390632 |
| Secondary Telephone | 3606504423 |

Email Address  charles.barnhart@wwu.edu

**Step 2**
### 1. Name of Board or Committee
- Climate Impact Advisory Committee

### 2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
- Yes

### 3. Which Council district do you live in?
- District 2

### 4. Are you a US citizen?
- Yes

### 5. Are you registered to vote in Whatcom County?
- Yes

### 6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
- No

### 7. Have you ever been a member of this Board/Commission?
- No

### 8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
- No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

### 9. Please describe your occupation (or former occupation if retired), qualifications,
- Assistant Professor of Environmental Sciences, Western Washington University. Permanent faculty for Western's Institute of Energy Studies. Former member of Stanford University's Global Climate and Energy Project.
professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

We are facing severe climate, energy and water challenges this century. As a physicist, I have dedicated my career to mitigating these problems. By serving on this board I can have a direct impact on our community—going beyond academic reports and teaching classes. Together with the climate impact advisory committee we can ensure that Whatcom county remains resilient and positioned for success in the secure, clean, low-carbon energy future.

References (please include daytime telephone number):

Professor Andy Bunn, Western Washington University 360-650-4252
Professor Joel Swisher, Western Washington University 360-650-4424
Professor Adam Brandt, Stanford University 650-724-8251

Signature of applicant: Charles Barnhart

Place Signed / Submitted: WWU, Bellingham, WA
Charles J. Barnhart

**CONTACT INFORMATION**
Department of Environmental Sciences  
Huxley College of the Environment  
Western Washington University  
516 High St., MS9181  
Bellingham, WA 98225

**Faculty:** Institute for Energy Studies  
**Office:** (360) 650-4423  
**Email:** charles.barnhart@wwu.edu  
**WWW:** https://energy.wwu.edu/users/barnhac2  
**CV Date:** January 19th, 2017

**CURRENT POSITION**
Assistant Professor, Environmental Sciences, Western Washington University  
Snohomish PUD Professor, Institute for Energy Studies, WWU

**EDUCATION**
Postdoctoral Scholar (2014), Energy Resources Engineering, Stanford University  
Ph.D. (2010), Planetary Geophysics, University of California, Santa Cruz  
- Dissertation title: Modeling geologic phenomena related to water on Mars: post-impact hydrothermal systems, impact excavation, and valley network evolution

B.S. (2004), Physics, University of Washington, Seattle  
B.S. (2004), Astronomy, University of Washington, Seattle

**ACADEMIC EXPERIENCE**
**Western Washington University**  
September 2014 to Present  
*Assistant Professor–Environmental Sciences, Institute for Energy Studies*
- **Teaching:** Professor for ENRG/ESCI 380, ENRG/ESCI 480, ENRG 101 (*new preparation*), ENRG/ESCI 366 (*new preparation*), ENRG 370
- **Service:** 1) Initiated and moving forward with WWU-city of Bellingham community energy center. 2) Chair of Huxley College Community Affairs committee. 3) Permanent faculty for the Institute for Energy Studies. 4) Defense committee member: Mira Lutz. 5) Co-host weekly Science... Sort of podcast. 6) Institute for Energy Studies photographer. 7) Editor for BERQ, nature publishing group.
- **Research:** 1) Continued post-doctoral research into Net Energy Analysis and Life Cycle Analysis of renewable energy resources and resources for power grid flexibility.
- **Mentored two internship projects summer 2016:** Josh Ullrich (Snohomish PUD), Kyle Easton (ITEK solar)
- **Plan to mentor first graduate student, Aden Nevler, starting fall 2017.**

**Stanford University**  
November 2010 to June 2014  
*Postdoctoral Scholar–Energy Systems Analysis*
- **Teaching:** Lecturer for Energy 101, Energy and the Environment.
- **Service:** 1) GIS consultant, 2) Assessed energy needs of rural villages in India. 3) Referee for “Energy and Environmental Science”, “Energies”, “Journal of Geophysical Research”, “Icarus”, and “Geophysical Research Letters” scientific journals
- **Research:** 1) Material and Energetic requirements for grid-scale energy storage. 2) Energy systems analysis of wind and solar resources paired with energy storage. 3) Levelized cost of electricity analysis of technologies for power grid-flexibility. 4) GIS analysis of geological energy storage technological potential.

**TEACHING EXPERIENCE**
- (2017) WWU, Asst. Professor, Co-teach ENRG 370, Energy Science II
- (2015, 2016) WWU, Asst. Professor, ENRG/ESCI 480, Energy Applications
• (2007, 2008) UCSC, TA, EARTH 80G, Planetary Discovery
• (2003) UW, Tutor, Physics 121, Introduction to Calculus-based Mechanics

EMPLOYMENT HISTORY

• 2014-Present: Assistant Professor, Environmental Sciences, Western Washington University
• 2010-2014: Postdoctoral Scholar, Global Climate and Energy Project, Stanford University
• 2010-2010: Postdoctoral Scholar, NASA Ames Research Center, NASA Postdoctoral Program
• 2004-2010: Graduate Student Researcher, University of California, Santa Cruz
• 2004-2010: Teaching Assistant, University of California, Santa Cruz
• 2003-2004: Undergraduate Teaching Assistant, University of Washington, Physics tutorial section
• 2000-2004: Laboratory Technician, Targeted Genetics Corp., Seattle, WA

PUBLIC AND PROFESSIONAL SERVICE

• January 2016- Present: Member on the editorial board for Biophysical Economics and Resource Quality (Springer Nature).
• September 2015 - Present: Seeking to establish a community energy center
• September 2015 - Present: Huxley College Community Affairs Committee Chair
• September 2015 - Present: Huxley College Energy Use Audit
• May 2013 - 2014: Geophysics Consultant, Valhalla Energy-pumped hydro project in Chile
• September 2009 - Present: Weekly podcast “Science... Sort Of” http://www.sciencesortof.com
• December 2009 - May 2010: Graduate representative on faculty search committee, UCSC
• June 2008 - Present: Reviewer of articles submitted for publication in scientific journals
• November 2010 - June 2014: Reviewer research proposals submitted to GCEP

HONORS AND AWARDS

• 2010: Student Paper Award on behalf of the Planetary Geology Division of the Geological Society of America
• 2007-2010: NASA Graduate Student Research Fellow.
• 2006-2007: NASA Ames / University of California Aligned Research Fellow

RESEARCH GRANTS

• Dept of Energy–Shell Energy Pumped Storage Project submitted fall 2016
• Snohomish PUD Professorship Research Grant Awarded spring 2016
• WWU Huxley College Startup Grant
• Proposed: NSF-Environmental Sustainability: Meta-analysis of lifecycle energetic and material inputs to coal and natural gas electricity generation pathways.

PEER-REVIEWED PUBLICATIONS


In Preparation


Jones, W., Barnhart, C.J., in prep Energy and carbon expenditures for transporting PRB coal to China.


Invited NWHA Pumped Storage Workshop, Grid Level Storage Comparison, Portland, OR (Feb 2016)


Invited NSF Food-Water-Energy Nexus Workshop, Linfield, OR (Jan 2016)

LCA XV Conference, Vancouver, B.C. (October 2015)


LCA XIV San Francisco, C.A. (October 2014)


Invited Global Climate and Energy Project Research Symposium, October 12th, 2012

Invited Stanford University, Energy Resources Engineering departmental seminar, November 15th, 2011

Invited 2nd International Workshop on Martian Valley Networks, October 20, 2008
Letters of reference will be furnished upon request from the following professors and civil servants:

Andy Bunn  
Professor, Department of Environmental Sciences  
Western Washington University  
MS 9181  
516 High St.  
Bellingham, WA 98225  
andy.bunn@wwu.edu

Sally Benson  
Director, Global Climate and Energy Project (GCEP)  
Professor, Department of Energy Resources Engineering  
Stanford University  
71 Green Earth Sciences Bld.  
367 Panama St.  
Stanford, CA 94305  
smbenson@stanford.edu  
(650) 725-0358

Francis Nimmo  
Professor  
Room A219 EMS  
Dept. of Earth and Planetary Sciences  
University of California, Santa Cruz  
1156 High St.  
Santa Cruz, CA 95064  
fnimmo@pmc.ucsc.edu  
(831) 459 1783

Additional referees available upon request.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name  Tiffany
Last Name  Bell
Date  12/29/2017
Street Address  4634 Guide Meridian
City  Bellingham
Zip  98226
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  360-220-7391
Secondary Telephone  Field not completed.
Email Address  tenfoldfarm@gmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 3

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

Tiffany Bell-Resume.pdf

9. Please describe your occupation (or former occupation if retired), qualifications,

Field not completed.
professional and/or
community activities, and
education

10. Please describe why you're interested in serving on this board or commission

References (please include daytime telephone number):

Field not completed.

Signature of applicant: Tiffany Bell

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
Tiffany Bell
Bellingham, WA 98226
Phone: 360-220-7391 E-Mail: tenfoldfarm@gmail.com

Objective
A professional with over 15 years experience working in diverse government, consulting, business, and marketing environments. Effective manager of office operations utilizing Microsoft Office products, QuickBooks, and AccountEdge. Able to quickly and effectively develop positive working relationships. Looking to work with a company with a focus on local needs in Whatcom County.

Experience
Bell Homes LLC - Administrative Coordinator
07/2015- present
Provide confidential secretarial and administrative support in the construction industry, including scheduling, travel arrangements, screening, and telephone communications. Serves as a primary point of direct administrative contact and liaison with vendors, state agencies, and customers. Gather, update, reconcile, and maintain financial records. Assist with project development and planning to ensure efficient service. Compose and prepare written documentation and correspondence, screen and evaluate incoming and outgoing corresponded and prepare responses as needed. Perform miscellaneous job-related duties as assigned.

Ten Fold Farm LLC - Manager
02/2015-present
Responsible for marketing and sales of the farm’s vegetable, egg, and USDA meat products including attending farmer’s markets, special events, and community events. Designed and purchase marketing materials. Responsible for media relations including interviews with local newspapers, magazines and local news media. Responsible for all accounts payable, maintained financial records, profit projections and collections. Ensure compliance with all Federal and State laws and regulations.

Son-Rise Property Management Community Association Assistant 04/2014-06/2015
Assisted in managing a portfolio of Community Associations that included homes, townhomes, and/or condominiums. Assisted Board of Directors and homeowners with problem resolution. Communicated in person, telephone, or email to board members, homeowners and vendors regarding association community business. Assisted Community Association Manager in providing management services in compliance with the terms of the management contract. Reconciled all bank statements for the associations. Negotiated and contracted with vendors and general contractors for Community association needs.

Skills
Microsoft Office (Word, Excel, PowerPoint, Outlook), Internet Research, QuickBooks 2014 and QuickBooks Online, AccountEdge Pro

Volunteer
American Red Cross: Disaster Services
Lynden Farmers Market: President
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name Lynn
Last Name Billington
Date 1/9/2018
Street Address 401 N , Forest
City Bellingham
Zip 98225
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone 360-393-6917
Secondary Telephone Field not completed.
Email Address lynnbillington@comcast.net

Step 2
<table>
<thead>
<tr>
<th>Question</th>
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</tr>
</thead>
<tbody>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications,

I am a Professional Civil/Environmental Engineer registered in Washington with over 30 years of experience. I have worked for industry, in government and in private practice. I worked for the Northwest Clean Air Agency for 10 years prior to leaving...
professional and/or community activities, and education

them in 2010. Recently, I consulted with a focus on Climate Change & Sustainability in private practices and then worked part-time so I could spend more time with my children. I have volunteered in the community & schools using my expertise in the environmental field to educate. I have a MS and BS in Civil Engineering.

10. Please describe why you’re interested in serving on this board or commission

I believe I could provide expertise to this board and assist our community as we move forward in the Climate Impact area.

References (please include daytime telephone number):

Dennis McClerren (Cascade Law Group, Past EPA Region X Administrator & Director of Puget Sound Clean Air Agency) 206-292-6300 Alan Newman (Dept. of Ecology Environmental Engineer, Air) 360-407-6810 Sandy Paris (Lead Environmental Engineer, Phillip 66 Ferndale Refinery & NWCAA Advisory Council) 360-384-8375 Ginny Broadhurst, WWU Director of the Salish Sea Institute, past Executive Director and staff positions at Northwest Straits commission (NWSC). 360-650-4075 Bruce Barbou (Retired Dept. of Ecology Scientist) 360-441-1793 Terri White (Retired School Counselor - Personal reference) 360-715-8556

Signature of applicant: Lynn Billington

Place Signed / Submitted Bellingham, WA
LYNN BILLINGTON, PE
401 N. Forest, Bellingham, Washington 98225
(360) 393-6917
Email: lynnbillington@comcast.net

Skill Highlights
Critical thinking, problem solving, analytical, facilitation, training, coaching, communication, networking, collaboration, management, coordination, and humor

Education and Special Qualifications
- Masters in Civil Engineering, University of Alaska
- Bachelor of Science in Civil Engineering (Water Resources Emphasis), Oregon State University
- Registered Professional Engineer in Washington State (and previously in Alaska)

Employment

HERS
Providing civil and environmental engineering consulting on air, water and waste issues focused on climate change and sustainability.

SLR Consulting
Principal Engineer providing Environmental Engineering consulting expertise to air, water and waste projects including climate change pollutants & sustainability review for projects.
- Completed Prevention of Significant Deterioration (PSD) and State permitting for municipal utility upgrade so they could have cleaner power options and reduce all air pollutants.
- Provided waste & water expertise options for material disposal project for confidential client.
- Mentored junior staff on projects.

Northwest Clean Air Agency, Mt. Vernon, Washington
Director of Engineering
Directed and developed a team of engineers and scientists to provide air permits, inspected large industrial facilities for compliance, and developed the regional air emission inventory which included Climate change pollutants. Focused on providing permits that were easier to follow and useable in the field for complicated facilities. Developed standard operating procedures for permits and compliance practices and expanded the existing database to document compliance.
- Promoted sustainable best practices and collaboratively developed an agency Climate Change Plan for the region.
- Provided presentations on regulations, permitting, compliance, sustainability for the National Association of Clean Air Agencies workshops, Board of Directors, industry and trade groups.
- Provided technical assistance to industry and the public including on regulations.
- Acted as the agency’s representative with government agencies and programs such as county planning, public works department, Department of Ecology, EPA, & our Canadian counterparts.
- Responsible for department budgeting, contracting, hiring, performance evaluations, and training of staff.
- Organized strategic planning workshops for staff, Board Members and Advisory Board resulting in goals and strategic planning documents for Climate and Criteria Air Pollutants.
Shafer and Billington, Inc., Bellingham, Washington
President/Partner
Engineering consultant providing service that included:
- Clean Water Act and Safe Drinking Water Act projects (water and wastewater design modifications)
- Air Quality Permitting and Compliance,
- Oil Spill Response Plans,
- Resource Conservation and Recovery Act review including Solid and Hazardous Waste Sites
  Assisted with regulatory compliance audits and permitting. Project examples included a detailed
  report on oil field waste characterization, working with legal firm on environmental liability claims, and
  development of a guide books for air permit compliance.

BP Oil Refinery, Ferndale, Washington,
Environmental Manager
Managed and mentored staff and contractors to insure all areas within the refinery were in
compliance with Federal, State and local regulations. Implemented and updated compliance
programs including:
- Clean Water Act (NPDES and Stormwater permits)
- Safe Drinking Water Act
- Clean Air Act (Air Operating Permit Application and Refinery MACT implementation)
- Resource Conservation and Recovery Act (RCRA),
- State Model Toxics Control Act and Dangerous Waste Regulations,
- Oil Pollution Act (Spill Control and Contingency Plans)
Devised & executed pro-active, cost saving pollution prevention & waste minimization programs.
Permitted refinery projects interfacing with Federal, State and Tribal and local agencies and the
public. Developed written comments & presented testimony for new regulations. Recognized by
management for team building & training staff. Responsible for department budget & contractors.

BP Exploration (Alaska) Inc., Anchorage, Alaska
Senior Environmental Engineer and Field Engineer
Developed, implemented, and managed field-wide waste & water monitoring studies for compliance
with solid waste management regulations. Trained and supervised staff in monitoring well
installation and sampling techniques for a large monitoring program for the Prudhoe Bay Oil Field.
- Coordinated with agencies on projects and monitoring. Designed & implemented water quality
  studies relating to hazardous & solid waste sites investigations for compliance with regulations.
- Produced presentations and documents and for management and agencies on RCRA.
- Negotiated with agencies on conditions for permits on drinking water, wastewater, and solid
  waste and air quality for facilities and insured compliance with these permits.
- Closely coordinated with the State and public interest groups as the State Solid Waste
  Management Regulations were rewritten.
- Managed multi-disciplinary bioaccumulation study for industry & agencies examining effects of
  waste sites.
- Interfaced with Federal, State and local agencies and Tribes for project permits and issue
  resolution. Provided oral and written testimony to State & Federal legislatures.

Professional Memberships, Awards, Community Involvement
- American Society of Civil Engineers, Past President and VP of Seattle Section North Branch
- Past member of Pacific Northwest Air and Waste Management Association
- Volunteer (Bellingham High Chemistry class, Fairhaven Middle School, Happy Valley & Lowell
  Elementary and Children's Coop Preschool)
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name

Kate

Last Name

Blystone

Date

1/4/2018

Street Address

1600 D Street #101

City

Bellingham

Zip

98225

Do you live in & are you registered to vote in Whatcom County?

Yes

Do you have a different mailing address?

Field not completed.

Primary Telephone

3609617749

Secondary Telephone

Field not completed.

Email Address

kateblystone@gmail.com

Step 2

542
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications,
I currently work for the Pipeline Safety Trust as an outreach manager and I serve on the Whatcom County Planning Commission. I’ve worked in land use planning, public engagement, environmental policy and community.
professional and/or community activities, and education development for the last 15 years in public, private, educational, and non-profit sector positions. I was trained by NOAA in community-based climate adaptation program development and climate change mitigation and adaptation is a personal passion. I have a Master of Urban and Regional Planning degree from Eastern Washington University and I am adjunct faculty at Western's Huxley College of the Environment in the Urban Planning and Sustainable Development program.

10. Please describe why you're interested in serving on this board or commission

I've wanted to see the climate action plan updated for quite a while, but until this comprehensive plan update there hasn't been the will to do it. Meanwhile, we are already experiencing the effects of climate change in this county. I believe we have an obligation to plan wisely for future generations. I want to use my skills and experience in land use planning to update this plan and help Whatcom County become a state leader in responding to climate change and lessening our impact upon it.

References (please include daytime telephone number):
Crina Hoyer, 360.223.8678 Heather Flaherty, 360.224.7313
Nicole Oliver, 360.223.2230

Signature of applicant: Katie Blystone

Place Signed / Submitted: Bellingham, WA

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name John
Last Name Bosch
Date 1/2/2018
Street Address 6571 Lunde Rd
City Everson
Zip 98247
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone 360-398-2862
Secondary Telephone Field not completed.
Email Address johnbosche1@gmail.com

Step 2
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<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>I am an engineer in the wind and solar energy industries. I have worked in renewable energy since 1990, and have owned a consulting business since 1990 that has provided services to all of the major renewable energy developers and equipment</td>
</tr>
</tbody>
</table>
professional and/or community activities, and education

suppliers. I am on an international committee that writes standards for the wind energy industry and am considered to be an international expert in the field of renewable energy. My degrees are in mechanical engineering, but I have also taken courses in the field of meteorology and have a good understanding of climate change. In terms of community activities, I served on the Meridian School District school board from 2010 to 2017 and I continue to volunteer in the Meridian school district as the coach of the Meridian Middle School and Irene Reither Elementary School math clubs.

10. Please describe why you’re interested in serving on this board or commission

Since my term on the Meridian school board came to an end in 2017, I am interested in finding new ways to serve and be active in the Whatcom County community. In my opinion, service and leadership are very important to maintaining a thriving community here in Whatcom County. Since I have nationally and internally recognized expertise in renewable energy and meteorology, this commission seems like a good fit for me to be able to contribute to the well-being of our county.

References (please include daytime telephone number):

Tom Churchill - Superintendent, Meridian School District - 360-318-2151
Satpal Sidhu - Whatcom County Council - 360-305-4948
Steve Voorhees - CEO, Teichos Energy - 425-503-9253

Signature of applicant: John Bosche

Place Signed / Submitted: Everson, WA

Email not displaying correctly? View it in your browser.
John Bosche
6571 Lunde Rd.
Everson, WA 98247
Phone: 360-398-2862
E-Mail: john@chinookwind.net

PROFILE:
A skilled mechanical engineer, experienced in the wind energy industry, who is also a registered US patent agent.

EXPERIENCE:
Principal Engineer January 2001 – Present
Chinook Wind, Everson, WA
Developed a new business providing engineering consulting services to the wind industry. Services provided include wind turbine design, testing, and analysis, owner engineering, performance monitoring and evaluation, wind data collection and analysis, site selection, due diligence, and project management. Clients include project developers, wind turbine manufacturers, independent power producers, utilities, and government research laboratories.

US Patent Agent December 1991 - Present
Self Employed
Built and ran a small but profitable business as a registered US Patent Agent. Clients are from industry and academia and represent a wide variety of technologies.

Project Engineer February 1998 – January 2001
Global Energy Concepts, Kirkland, WA
Worked with clients in the wind industry on a variety of projects providing technical advice regarding power curve measurements, turbine commissioning, SCADA system planning, design, and installation, evaluation of wind turbine retrofit options, investigation of lightning damage and icing effects, and development of operation and maintenance strategies. Provided contract review and due diligence services to utilities and wind plant developers. Also served as Principal Investigator in a research project investigating methods for self-erection of wind turbines.

Senior Engineer February 1996 – February 1998
Dynamic Design, Tehachapi, CA
Provided engineering consulting services to the wind energy industry in California and to the National Renewable Energy Laboratory. A major focus of the work was field testing of wind turbines. Performed loads and dynamics tests on six turbines ranging in size from 100 kW to 500 kW. Contributed conceptual ideas and practical field experience to the design team working on the Wind Eagle, an innovative highly flexible wind turbine. Also provided services in modeling, analysis, evaluation, and documentation of wind turbine designs.

University of Texas at El Paso, El Paso, TX.
Assisted with several state and federally funded research projects in the area of wind energy. The research was in the areas of meteorology and site characterization and development of a variable speed rotor. Led a team developing a variable speed wind turbine and controller.

Project Engineer January 1991 - December 1993
Wind Harvest Company, Banning CA and Llwydcoed, South Wales
Built, tested and analyzed prototypes of three different models of the Windstar, an innovative vertical axis wind turbine. Installed a wind farm in South Wales, UK. Work in the UK involved wind site prospecting, meteorological data analysis, and negotiating land leases.

EDUCATION:
University of Texas at El Paso, El Paso, Texas
Master of Science, Mechanical Engineering, August 1996
Thesis topic was Control Strategy Options for Variable Speed Wind Turbines.

West Virginia University, Morgantown, West Virginia
Bachelor of Science, Mechanical Engineering, May 1989
John Bosche (cont.)

Past Consulting Clients:
Developers/Owners/Operators
BP Alternative Energy
Iberdrola
enXco
Windland
Energy Unlimited, Inc.
RES-USA
Sequoia Energy
Coastal Community Action Program
NextEra
SeaWest
Cannon Power Corp.
Dutch Energy
Exelon
Ridgeline Energy
Edison Mission Energy
First Wind
Invenergy
Infigen
Competitive Power Ventures
Element Power
Atlantic Power
Sun Edison
Duke Energy
Edison Mission Energy
EDPR
Everpower
InterGen
LS Power
Project Resources Corporation
Enel
GDF Suez

Wind Turbine and Component Vendors
GE Wind
Vestas America
Clipper Windpower
Ocean Wind Energy Systems
TPI Composites
Southwest Windpower
Suzlon Windpower
Wind Harvest Company
Valmont Industries

Consulting Services Provided:
Wind turbine power performance testing
Wind turbine structural testing
Wind turbine performance evaluation
Wind farm performance monitoring
Wind farm construction management
Wind turbine commissioning
Wind turbine component design
Meteorological test campaign design and implementation
Wind Resource Assessment
Wind site prospecting

Banks and Investors
BTMU
CoBank
Chevron Technology Ventures
Goldman Sachs
KeyBank
JP Morgan
Union Bank of California
Trust Company of the West
Credit Agricole
Dexia
Diamond Generation
Prudential Capital Group
Societe Generale
State Street Corp.
UniCredit
First Reserve
Mizuho
Inter-American Development Bank
BBVA
HSBC
Banorte
Santander
Bank of America – Merrill Lynch

Utilities
Sempra Generation
AECI
Bonneville Power Administration
Electric Power Research Institute
Wisconsin Public Service
Basin Electric
Constellation Energy
Energy Northwest
Avista Utilities

Other
AIG Insurance
Leidos
Black & Veatch
Sargent & Lundy
CH2M Hill
Luminate
Congressman Jerry McNerney
Town of Laurel, NE
U.S. Department Of Energy
National Renewable Energy Laboratory
Negotiation of land leases for wind sites
Appraisal of spare parts inventories
Economic feasibility studies
Proforma review
Contract review
Wind turbine technology review
Project due diligence review
Portfolio due diligence review
Expert witness report preparation
Draft and prosecute US patent applications
John Bosche (cont.)

Wind Turbines Worked On:
Acciona AW125/3000
AOC 15/50
Clipper C96
DeWind D8.2
Enron Z-50
Fuhrlander 2.5
Gamesa G87
Gamesa G97
Gamesa G114
GE 1.5 se
GE 1.5 sle
GE 1.6 xle
GE 1.6 100
GE 1.7 100
GE 2.3-107
GE 2.3-116
GE 2.5 MW
Kenetech MVS 33
Kenetech KVS 46
MHI-250
MHI-600
MHI 2.4/102
Micon 108
Nedwind N40
Nordex N80
Nordex N100
Nordtank 65
Repower MM92
Suzlon S88
Suzlon S97
Tacke 600e
Vestas V15
Vestas V27
Vestas V39
Vestas V47
Vestas V66
Vestas V90
Vestas V100
Vestas V110
Vestas V126
Bonus 65 kW
Bonus 1.3 MW
Siemens 2.3 MW
Siemens 3.0 MW
WEG MS4
Zond Z-40

Wind Industry Professional Service:
Board of Directors for Northwest SEED
Member of IEC Power Performance Testing Standard Committee
Chair of Green Power – Optimizing Wind Power O&M 2011
Session Chair for Windpower 2006
Session Chair for Windpower 2007
Member of Technical Committee for 2002 Global Windpower Conference
Wind resource assessment subcommittee of the Idaho State Wind Working Group

Publications:


Data: What We Need, Why We Need It, and How We Measure It: American Wind Energy Association Wind Resource Assessment Proceedings, September 2007


John Bosche (cont.)

Publications (cont.):


John Bosche (cont.)

Publications (cont.):


Presentations:

Wind Turbine Aerodynamics – West Virginia University, October 1996.
Fundamentals of Wind Energy, Gerson Lehrman Group, Boston, February 2007
Estimation of Annual Net Energy Yield at a Prospective Wind Farm, Presented to Various Banks, New York, June 2009
Wind Turbines 101, Presented to Chartis Insurance, July 2012
Power Performance Testing for Wind Farm Operations, Optimizing Wind Power O&M, Chicago, IL, Oct 2012
Optimizing Turbines and Components, Optimizing Wind Power O&M, Chicago, IL, Sept 2013
Opportunities In the US Wind Power Operations & Maintenance Service Sector, Gerson Lehrman Group, May 2016
Uncertainty in As-Built Versus Design Specifications of Wind Turbine Components, NREL, July 2016
Board and Commission Application

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First Name                      Ginny
Last Name                       Broadhurst
Date                            1/7/2018
Street Address                  2203 36th ST
City                            Bellingham
Zip                             98229
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone               360-325-3560
Secondary Telephone             Field not completed.
Email Address                   ginnybroadhurst@yahoo.com

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<td>Yes</td>
</tr>
<tr>
<td>If yes, please explain</td>
<td>I'm an employee at Western Washington University and my spouse is employee at the Community Boating Center.</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>GINNY BROADHURST 2018.pdf</td>
</tr>
<tr>
<td>9. Please describe your</td>
<td>I am currently the Director of the Salish Sea Institute at WWU.</td>
</tr>
</tbody>
</table>
occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

please see attached resume for background.

10. Please describe why you're interested in serving on this board or commission

I have worked on climate change and environmental issues regionally and would like to put that experience to work locally. I am interested in continuing to learn about adaptation and resilience strategies and find best ways to apply them in our community.

References (please include daytime telephone number):

Caroline Gibson, Director Northwest Straits Foundation, 360-733-1750
Dr Natalie Baloy, Asst Director Canada House Programs, WWU, 831-247-8136
Hilary Wilkinson, Principal, Veda Consulting, 360-319-3493

Signature of applicant: Ginny Broadhurst

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
GINNY BROADHURST
2203 36th St. Bellingham, WA 98229
360.325.3560  ginnybroadhurst@yahoo.com

Ginny is an experienced organizational leader with positive vision and excellent communication and collaboration skills focused on restoring the health of the Salish Sea

Highlights of Qualifications
Organizational leader creating policies, managing projects and providing vision and institutional frameworks to restore and protect Puget Sound marine waters and habitats

Employment

*Director, Salish Sea Institute at Western Wash University*
*Bellingham, WA*  present

Founding Director of Institute established to develop on-campus multi-disciplinary curriculum related to Salish Sea Studies, administer Salish Sea Ecosystem Conference and be a forum for discussions of transboundary environmental challenges.

*Executive Director, Northwest Straits Commission,*

Responsible for organizational operations including supervision of up to 6 staff and oversight of 100 volunteers in seven county-based advisory committees. Developed organizational strategic plan with consensus-based advisory board. Created budgets, work plans, sustainability plan and communications strategy. Worked with advisory boards and committees on key environmental policy decisions. Assigned job duties, assessed employee performance and maintained supportive environment for employees. Developed and maintained partnerships with agencies, tribes, elected officials and non-governmental organizations. Provided briefings and testimony at hearings and meetings. Worked with members of Congress and staff on reauthorization bills and funding strategies. Represented the organization at national and international conferences, local briefings and with natural resource leaders throughout the Salish Sea. Participated regularly with regional Puget Sound restoration management and advisory groups on issues such as climate change impacts, shoreline restoration and species recovery.

*Marine Program Manager, Northwest Straits Commission,*
*University of Washington* 2003-2007

Developed and carried out marine restoration projects in coordination with local marine resources committees and provided technical support to local projects. Participated in regional Puget Sound recovery work groups and planning efforts. Developed training events and materials. Produced newsletter articles and variety of written and oral reports. Provided regular communication between local volunteer committees and staff.

*Marine Protection Specialist, Puget Sound Action Team,*
*Office of the Governor, Olympia, WA* 1996-2003

Part of a team to develop the Puget Sound Management Plan. Worked with scientists and managers to identify key recommendations, facilitated meetings and communicated issues with

Developed recovery actions and policies for wetlands protection program in Puget Sound management plan. Communicated issues and proposed solutions to variety of stakeholders.

Lab Technician, Battelle Memorial Labs, Sequim, WA and Duxbury, MA 1987-1988

Performed toxicology studies, following established procedures in the laboratory and documented results.

Education
M.M.A., School of Marine Affairs, University of Washington, Seattle, WA
B.S., Environmental Science, University of New Hampshire, Durham, NH

Instructional classes

Co-instructor, How to Give an Ignite Presentation, Webinar training for participants of Salish Sea Ecosystem Conference, March 2016

Co-instructor, How to Explain Science, Share Data and Build Trust: Presentation Skills for Scientists and Public Officials for Washington Coastal Training Program, June 2015

Advisory Group Participation
Wildlife Diversity Advisory Group, WDFW (2016 – present)
Marine Resources Advisory Council (alternate) (2016-2017)
BC/WA Statement of Cooperation Work Group (2009-16)
West Coast Marine Debris Alliance Steering Committee (2014-16)
Ecosystem Coordination Board, Puget Sound Partnership (2009-16)
Puget Sound Rockfish Work Group, NOAA and WDFW (participant and facilitator)
Oil Spill Rule Advisory Committee, WA Department of Ecology (2011)
Executive Committee, Puget Sound Nearshore Restoration Project (2007-10)
Marine Protected Area Workgroup, WA Dept of Fish and Wildlife (2009)
Puget Sound/Georgia Basin Research Conference steering committee (2006-07)

Awards
Conservation Steward of the Year, CCA North Sound Chapter 2013

Move it Forward Award, Sustainable Path Foundation 2012

Magnuson Award, People For Puget Sound 2011
Selected Presentations


Session Co-chair, *Tackling ocean acidification in the Salish Sea: Six projects happening now to mitigate the impacts, adapt to changing conditions and strengthen resiliency of marine waters*. Salish Sea Ecosystem Conference, Vancouver, BC Canada


Speaker, *Meaningful local citizen engagement in marine resource protection*, Salish Sea Ecosystem Conference, Seattle, WA


Speaker, *Lessons Learned: Northwest Straits Initiative*, International Marine Debris Conference, Honolulu, HI

2010 Keynote Address, Univ of Washington School of Marine Affairs Graduation, Seattle, WA

Speaker, *Derelict Fishing Gear Removal in Puget Sound*, Fish and Wildlife Commission, Olympia, WA

Invited Speaker, *Northwest Straits Initiative Status Report*, Puget Sound Leadership Council, Mount Vernon, WA

Invited Speaker, *Derelict Fishing Gear Removal in Puget Sound*, National meeting of NOAA Sanctuary Advisory Councils Chairs, Port Angeles, WA

2008 Convener and Speaker: *Transboundary Derelict Gear Workshop*, Mount Vernon, WA

Keynote Speaker, *Citizen Stewardship*, NW Aquatic and Marine Educators, Friday Harbor, WA


Speaker, *Derelict Fishing Gear Removal in Puget Sound*, Marine Debris Information Forum, NOAA Marine Debris Program, Bethesda, MD

Speaker, *Citizen Stewardship as Part of Puget Sound Recovery*, AFS Meeting, Bellingham, WA

Invited Speaker, *Derelict Fishing Gear Removal in Puget Sound*, National Research Council Marine Debris Advisory Committee, Irvine, CA
Selected Publications


1999 Broadhurst, Ginny. Puget Sound Shoreline Stewardship Guidebook. Puget Sound Action Team, Olympia, WA (Reprinted multiple times by PSAT and King County)


**SCUBA certified**
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name          Clara Jean
Last Name           Carmean
Date                1/3/2018
Street Address      1113 Chuckanut Dr.
City                Bellingham
Zip                 98229
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone   360-733-2308
Secondary Telephone  360-527-5316
Email Address       stje.carmean@gmail.com

Step 2
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<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>Climate Impact Advisory Committee</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
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<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
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</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>COMMUNITY ACTIVITIES RELEVANT TO THIS COMMITTEE: Co-Chair of League of Women Voters of Washington Climate Action Toolkit Committee. The interactive toolkit can be found at: <a href="http://www.lwvwa.org/">www.lwvwa.org/</a> Former League of</td>
</tr>
</tbody>
</table>
Women Voters of Bellingham/Whatcom County Advocacy Chair: Guided 30+ volunteers in lobbying for League positions on eleven topics, from the Environment, to Healthcare, to Voter publicity. Wrote League statements and testified at Whatcom County, and Skagit County and Ecology EIS hearings, and wrote several EIS statements for the Washington State League of Women Voters. Worked on League Election Forums for the last four years. This year I worked with a group of three other League members to develop the unbiased questions used at all Forums and was one of two people screening and rewriting audience questions at the Mt. Baker High School Forum to assure that they were unbiased/civil. EDUCATION: BA in English with teaching certification (Bronze Tablet for top 2% scholastic achievement) and Honors MA in English/American Studies, University of Illinois at Champaign-Urbana (Elected to Phi Beta Kappa) EMPLOYMENT: Retired Whatcom Community College Faculty. Among my activities: Developed Writing Across the Curriculum and Interdisciplinary Studies programs (Team Taught Interdisciplinary Humanities and a team taught sequence integrating science, social science and humanities), leading to presentations at colleges within Washington State, at University of Texas, Austin and at the International Teachers of English conference in Heidelberg, Germany as well as a Humanities Association Award. Led faculty in development of Learning Outcomes in all disciplines in the College. Served as President and/or Chief Negotiator for the Whatcom Community College Federation of Teachers several times.

10. Please describe why you're interested in serving on this board or commission

Why I Would Like to Serve on the Environmental Impacts Advisory Committee Although not a scientist by background, my work as Co-Chair the League of Women Voters of Washington's Climate Action Toolkit committee has familiarized me with recent research, including that completed (and ongoing) by the Washington Department of Ecology and the University of Washington's Climate Impacts Group. This interactive Toolkit, designed to educate League members and their communities may be accessed at www.lwwwa.org/ Then click on "Climate Action Toolkit" in the right hand column. I was excited to learn that the county is seeking to review its ten year old Climate Action Plan including "climate change mitigation and impact prevention, adaptation, and preparation goals." This is precisely what one section of our interactive Toolkit was devoted to, although it obviously was broader than Whatcom County. When setting targets to reduce greenhouse gases and other climate change effects, the committee should review all related materials by the Department of Ecology and our outstanding research institutions on the predicted effects of...
Climate Change on Western Washington and Bellingham in particular and on how local government can best deal with them. Getting a grasp of federal priorities will also be important, but will be a bit more difficult: several of the federal documents we included in the League Toolkit, have been replaced by pages saying that the original postings are being revised. While Whatcom County will be affected by all aspects of climate change, rising/surging seas, ocean acidification, and changing heat and precipitation patterns, with attendant water distribution/equity problems (exacerbated by predicted continuing drier summers, less mountain snowpack and diminished glaciers) will be among the thorniest problems facing the county. A December, 2017 article in Nature reports that an unstable Antarctica could double current estimates of sea surge, increasing the urgency of taking action. We should examine all advice, especially of Washington scientific and governmental institutions, to determine the most effective preventative/mitigative actions: What actions should we be taking to protect vulnerable people, property, businesses and infrastructure? As to the county's water problems, perhaps Washington State University's two recent Water Symposiums, which I attended, may provide material and contacts to build on. I would like to see the county develop information exchange opportunities among our diverse citizenry and to hold sharing sessions to educate community members in all parts of the county on the impacts of climate change and of possible ways to mitigate/ adapt to them. All ideas should be listened to. My background as an educator and chief negotiator of several negotiated agreements between faculty and the Board of Trustees at Whatcom Community College (while maintaining cordial relations with then President Harold Heiner and Chairman of the Board of Trustees, Pat Hite) should help me work on the educational charge to the committee involving people with a variety of agendas, and, perhaps, sometimes hostile groups or individuals. My work on local League of Women Voters Candidate Forums for the past three years will also be helpful. Although I was out of the country for the first forums this year, I worked with three other League members on formulating the neutrally worded questions used at all of the forums and was one of two people at the Mt. Baker High School Forum rewording audience questions to make them meet the standards of civility. There is much research available on advances and practicality of renewable resources, which is being revised on an almost daily basis. Given current knowledge and scientific predictions, a key question is "Beyond what is already being done, what should the County be doing to encourage renewables, and how can we do more than give lip service to a just transition for displaced workers and
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References (please include daytime telephone number):

Jill Bernstein, former LWVBW/C president; current co-chair of the Incarceration Prevention and Reduction Taskforce. 360-595-2110 Heather MacKay Brown Director, FHB Consulting Services Inc. Lynden, WA; Water and Environment Policy Specialist 360-305-8255 Jayne Freudengerger Former LWVBW/C president; current program chair of City Club 360-734-528 Elizabeth Gross Retired Administrator for San Diego County’s Children’s Mental Health Division; Director of People for Lake Padden; Active in health care issues in the county. 360-303-7089

Signature of applicant: Clara Jean Carmean

Place Signed / Submitted 1113 Chuckanut Dr.

Email not displaying correctly? View it in your browser.
Why I Would Like to Serve on the Environmental Impacts Advisory Committee

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name francis

Last Name fitzgerald

Date 1/5/2018

Street Address 7501 glacier spr dr

City Glacier

Zip 98244

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? YES

Mailing Address PO box 520, maple falls, wa 98266

Primary Telephone 360-599-1408

Secondary Telephone 774-315-8580

Email Address davefitz7501@yahoo.com
### Step 2

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<tbody>
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<td>7. Have you ever been a member of this Board/Commission?</td>
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<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
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</table>

**You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions**

**Field not completed.**

9. Please describe your occupation (or former professional engineer (Wa PE #36680), 39 yrs experience in the Energy industry, now retired. BS and ME degrees in
Mechanical engineering from Rensselear Polytech inst. 16 technical papers, 5 US patents in this field.

I agree there is a need to transition from limited fossil fuels consumption to renewable and sustainable technologies. I also believe that the argument regarding "climate change" might not be the primary argument for this transition, but the transition must be made nonetheless. Locally, this implies a need to provide more EV recharging stations, coordinate with Canada on adding additional electric transmission lines from the upcoming BC Hydro site (now approved), and facilitating acceptance of new technologies associated with "demand management".

Field not completed.

Francis David Fitzgerald

Bellingham public library

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**Board and Commission Application**

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

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<th>Seth</th>
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</tr>
<tr>
<td>Date</td>
<td>1/8/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>1003 17th Street</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98225</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>3607391284</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>3607391284</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:Seth@openaccess.org">Seth@openaccess.org</a></td>
</tr>
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**Step 2**
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

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4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

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7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? Yes

If yes, please explain: I operate a law office in Fairhaven.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: Field not completed.

9. Please describe your occupation (or former): I am a lawyer. I previously served on the Whatcom County Council and the Bellingham City Council. I graduated from
occupation if retired), qualifications, professional and/or community activities, and education

Sehome High School in Bellingham. I did undergraduate at University of Washington and law school at Willamette University. I previously served as the chairman of the Greenways Advisory Committee. I am a trained member of the Climate Reality Project Leadership Corps, a founding member of the Climate Reality Project Bellingham Chapter, and a member of the Citizen Climate Lobby, Whatcom County Chapter. I was in Paris during COP21 when the historic Paris climate agreement was reached. I was a kayaktivist in Elliot Bay in Seattle and at St. John's bridge in Portland in the Summer of 2015 when we protested against the Polar Pioneer and arctic drilling by Shell.

10. Please describe why you’re interested in serving on this board or commission

I believe the effort to convert to clean energy is a necessity. I know from objective scientific evidence that burning carbon at present day amounts traps excessive heat in the atmosphere which warms the planet and kills life. I believe all governments, international, national, sub-national and local must do their proportionate share to address this crisis. I would like to help at the local level.

References (please include daytime telephone number):

Jill MacIntyre Witt Raymond Dellecker * Telephone numbers shall be forthcoming

Signature of applicant: Seth Fleetwood

Place Signed / Submitted Bellingham, Washington

(Section Break)

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Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<tr>
<td>Street Address</td>
<td>3123 Laurelwood Ave</td>
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<td>Secondary Telephone</td>
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<tr>
<td>Email Address</td>
<td><a href="mailto:kris1029@gmail.com">kris1029@gmail.com</a></td>
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**Step 2**
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
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   District 2

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   Yes

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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications,
   I have an M.Ed in Environmental studies from Huxley at WWU and spent the past 5 years working with the Community Energy Challenge as a program Assistant. I typically attend local events focused on environmental or conservation concerns.
professional and/or community activities, and education such as the electric car expo, rallies, Transition Whatcom, city/county/neighborhood meetings relevant to this subject.

10. Please describe why you’re interested in serving on this board or commission

My master’s focus was on affecting adult behavior for eco change. I’d be interested to hear what the county has planned and contribute my knowledge, experience, and opinions towards improving our climate impact plan.

References (please include daytime telephone number):

Ross Quigley, 360-734-5010 x

Signature of applicant: Kristin Forck

Place Signed / Submitted Bellingham, WA

Email not displaying correctly? View it in your browser.
Kristin Forck

Accomplishments

- 5+ years working with the City of Bellingham's water conservation program, Puget Sound Energy, Cascade Natural Gas, Sustainable Connections submitting efficiency rebates, outreach including Walk for Water day, Home & Landscape tours, and green drinks
- Networked and became a resource of energy efficient information in the five north counties of western Washington, working with homeowners, contractors and regional utilities.
- 10+ years office and administration experience, most with conservation or energy focus
- Produced job task guides for previous employers, describing in detail responsibilities and how-to's for positions.

Office Skills and Knowledge

Microsoft Office for MAC and PC including Word, Excel, Powerpoint, Quickbooks, Microx Accounting, File Maker Pro Advanced, general internet knowledge, general office skills

Professional Experience

CEC Program Assistant – Opportunity Council Bellingham, WA • April, 2012 – Present
- Work with contractors, homeowners and affiliates to process residential energy efficient projects for the Community Energy Challenge.
- Support CEC staff and ensure the program operates through daily, monthly, quarterly and annual tasks.
- Familiar with energy efficient measures, water conservation and renewable energies in western Washington.
- General office tasks including data entry, inventory, rebate processing with regional utilities, customer service, scheduling.

Outreach Associate - 3 Degrees Inc. Bellingham, WA • June, 2010 – August 2011
- Inform the public about Puget Sound Energy’s Green Power Program
- Help manager and provide leadership to other employees with outreach and courtesy knock campaigns.

Research Assistant – Western Washington Univ., Bellingham, WA • October, 2009 – June, 2010
- I researched and summarized information and newspaper articles relating to the Lake Whatcom Watershed, and entered the information onto an excel spreadsheet to be uploaded to a webpage later.

Office Assistant– Evergreen Sanitation, Lake Stevens, WA • June – September, 2009
- General office tasks including answering multi-line phones, scheduling appointments, copying, filing, customer service, and conducting lab water testing.

Education

Masters of Education in Environmental Studies – Western Washington University, Bellingham, WA • 2011
Bachelor of Arts in History and Philosophy of Science – University of Washington, Seattle, WA • 2005
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name             Erin
Last Name              Fortenberry
Date                   1/8/2018
Street Address         1918 Ponderosa Drive
City                   Bellingham
Zip                    98229
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone      3072236229
Secondary Telephone    Field not completed.
Email Address          elfortenberry@yahoo.com, gmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

Climate Impact Advisory Committee: Yes

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

Erin Fortenberry, Climate Impact Advisory Committee Letter.pdf

9. Please describe your occupation (or former occupation if retired), qualifications, See attached file.
professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

References (please include daytime telephone number):

Angela Seguel (360) 224-0138 (supervisor); Margaret Curtis (360) 303-5545 (family friend)

Signature of applicant: Erin Fortenberry

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
Application for the Climate Impact Advisory Committee

Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Occupation
I currently work as a consultant for Environmental Resources Management (ERM), a global company that provides services related to environmental compliance and sustainability to businesses and governments around the world. The majority of the work I do is as a technical writer for BP Cherry Point, where I help write and edit documents related to site safety and environmental policy. I meet with experts from different technical fields and consolidate their input to help produce documents that are easy to understand and which comply with industry and governmental standards. Previously I’ve worked as a writing center tutor, taught university classes in rhetoric, and as a Campaign Assistant for United Way.

Qualifications
As part of the Watershed Masters program through Washington State University, I learned from and worked with people in various sectors in Whatcom County (including loggers, biologists, farmers, and local business owners) to help improve watershed health. I’ve also taken classes in environmental science and policy, and published numerous articles on environmental issues, including interviews with environmental activists and journalists like Elizabeth Kolbert and Bill McKibben, and a feature article in Cascadia Weekly on stewardship of Bellingham Bay.

Through my varied work and education, I’ve gained an understanding of the need for coordination and cooperation between environmental and social advocacy groups, the public and private sectors, private citizens, labor advocates, and more to create and implement sustainable environmental policy.

Community activities
• Helped design, coordinate, and hold a public workshop on watershed health.
• Gave a talk at Whatcom Museum on ways individuals can engage in water conservation.
• Participated in a pilot project with Whatcom County government to seed native clams in Birch Bay.
• Worked with local high school students to survey an area of the Bellingham Bay shore for creosote.
• Worked with the Interfaith Coalition to serve food on a weekly basis to those in need.

Education
I received my BA in the Comparative History of Ideas from the University of Washington, where I learned a lot about the value of interdisciplinary work. I also have a Master’s Degree in Creative Writing and know the importance and efficacy of a well-crafted narrative in advocacy work.
Please describe why you’re interested in serving on this board or commission.
A few years ago I took a post-baccalaureate class in US Environmental Policy at Western. My final assignment was working with a group of my peers to assess the efficacy of the Washington State Growth Management Act. I found it fascinating to study the law itself, as well as how it had been implemented in counties across the state. During other parts of the class I also encountered the idea that public policy is unsustainable without the public’s backing. This further catalyzed my pursuit of writing as a profession—the idea that in order to successfully advocate for something, it must be made relevant to the lives of others. My genuine interest in others allows for meaningful dialogue and action, and I’d like to serve my community by putting these skills to use.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name: Patrick

Last Name: Freeland

Date: 12/27/2017

Street Address: 908 17th St.

City: Bellingham

Zip: 98225

Do you live in & are you registered to vote in Whatcom County?: Yes

Do you have a different mailing address?: Field not completed.

Primary Telephone: 8165917441

Secondary Telephone: 3606503286

Email Address: patrick.freeland@wwu.edu

Step 2
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
   Yes

3. Which Council district do you live in?
   District 1

4. Are you a US citizen?
   Yes

5. Are you registered to vote in Whatcom County?
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications,
   I currently work in education serving as an Academic Support Coordinator, and have worked concurrently to serve a public educator for Climate Change science and adaptation. I sit on the Northwest Indian College Tribal IRB, and have worked
previously with the Campus Community Coalition with WCC, BTC, WWU, & NWIC (the only interinstitutional board serving all four major colleges as well as city, county, and state health and service agencies). My resume contains highlights of key studies and programs I've either led or developed during my graduate studies, and most if not all focused on either climate change and/or natural resource management. I've also in the past had several leadership roles within student government and other decision making groups. My focus is on service to my community, with respect for my environment and the betterment of all.

10. Please describe why you're interested in serving on this board or commission

Climate change impact, policy, and adaptation, has been a key focus of mine for much of my academic and professional life. I believe that I would be able to utilize evidence, stakeholder participation/evaluation/assessment, coupled with comprehensive and systemic planning, in order to best serve Whatcom County while respecting the sovereignty of our neighboring tribal nations and the interests of our surrounding business, agricultural, and residential communities.

References (please include daytime telephone number):
Eddy Urry (206) 972-2001; Dr. Daniel Wildcat (785) 865-8428; Raymond "Studie" Red Corn (913) 636-9411; Christopher Kulesza (248) 990-4317

Signature of applicant: Patrick Austin Freeland

Place Signed / Submitted Bellingham, WA
Patrick Austin Freeland  June 22, 1983
pafreeland@nwic.edu • +1.816.591.7441 • patrickfreeland (Skype)
908 17th Street • Bellingham • Washington • 98225

Summary
I am committed to action to promote social and environmental justice through the advancement of professional and educational institutions through integration of plural knowledge systems, excellence in design, and human experience.

My work ethic stems from the values of Honor, Pride, and Respect, as a means to better myself and my community. My work utilizes interdisciplinary sciences, arts, and engineering as a means to improve human and environmental health, advancement, and understanding. I specialize in program management, social knowledge systems, intergovernmental policy, as well as media content analysis and marketing strategy.

I am a graduate of Haskell Indian Nations University and Purdue University, where my time was devoted to both academic excellence and civic engagement. I have served in several roles as an advisor, evaluator, project director, and program facilitator.

My research foci have been on perception and adaptation to climate change, educational experiential learning, and plural knowledge systems as a method of transdisciplinary understanding in order promote proactive change through community-based collaborative management. My personal focus has been on community advancement through adaptive management, social and physical media, and intercultural communication.

Education

Purdue University

Master of Science Degree in Ecological Sciences & Engineering

Focus on human dimensions of climate change and transdisciplinary studies as part of the Natural Resources Social Science Laboratory in the Department of Forestry & Natural Resources.

West Lafayette, Indiana 2011 – 2014

Haskell Indian Nations University

Bachelor of Arts Degree in Indigenous & American Indian Studies

Focus on history, law, art, and philosophy concerning American Indian and Alaska Native lifeways and contemporary issues, with research centered on climate change impacts in Indian Country.

Lawrence, Kansas 2009 – 2011

Associate of Arts Degree in Creative Writing

Focus on poetry, short stories, and English language as a communication medium and art form.

2006 – 2009

Experience

Western Washington University

Academic Support Coordinator, Student Outreach Services

The Academic Support Coordinator is a member of the Student Outreach Services Team who participates in a full range of retention efforts. The primary purpose of the Academic Support Coordinator is to facilitate academic advising/coaching, academic intervention, cultural/social integration, and outreach to traditionally underrepresented and non-traditional students. This position is responsible for providing academic support for American Indian and Alaska Native students to help students transition to Western, meet their goals, overcome personal challenges and achieve academic success.

Bellingham, Washington July 17 – present

Northwest Indian College

Director, TRIO Student Support Services

The Director has oversight of the TRIO Student Support Services program and is responsible for budget authority and grant management as well as program design and execution. The Director provides supervision, recruitment, and training of the program staff, and determines student eligibility and intervention strategies. Further responsibilities include service as a liaison between NWIC and partner institutions (such as the Campus Community Coalition) to identify opportunities for graduating students to enter graduate and professional programs and other community service opportunities.

Bellingham, Washington September '15 – July '17

Northwest Indian College

Academic & Career Advisor for Sciences

As an advisor, I worked with predominately American Indian and Alaska Native students within the Native Environmental Science discipline and provide necessary direction and mentorship to ensure adequate educational planning for the student’s intended program of study as well as providing assistance to students in understanding degree requirements, planning schedules, and monitoring satisfactory academic progress. Further duties included serving as Native Environmental Science faculty, with specific instruction in Climate Change, Political Ecology, and Indigenous Philosophies.

Bellingham, Washington September '14 – September '15
The Plural Knowledge System

Philosophy
Criticism of Western institutional knowledge often stems from similar criticisms of positivism and falsifiability. A focus on the emergent properties of traditional ecological knowledge, more specifically indigenous knowledge systems, can utilize multiple ways of knowing, allowing for intercultural incorporation of both empiricism and rationalism through intercultural social construction. Plural reconstruction as an analytical method incorporates several epistemologies, and limits cognitive dissonance and bias through practical conflict resolution.

Navigating the Tribal IRB Process

Outreach/Extension
The Belmont Report includes special considerations when dealing with research in American Indian/Alaska Native populations. While each tribe is supposed to review research and assess the beneficence and risk, in practice several tribes have neither a standing research ethics committee nor institutional review board (IRB). By utilizing multiple tools and audio/visual media, tribal members and non-tribal members alike can access knowledge which contains pertinent information and may also serve as a training platform for future native researchers interested in quickly understanding the design, purpose, and function of an IRB. Currently serve on the NWIC IRB for AIHEC and Lummi Nation & Swinomish Indian Tribal Community.

ESE Keystone Series

Facilitator/Marketing Director
Discussion-based series to address relevant interdisciplinary topics of High-Volume Shale Gas Extraction and the KeystoneXL Pipeline, drawing from interdisciplinary knowledge-bases within Purdue University. Combined scholarly literature review, within physical and social science disciplines, to inform discourse regarding public policy grounded in evidence and multiple perspectives that are otherwise mediated by popular press and political outlets. Facilitation includes open-space discussions, external media resources, and invited panelists representing diverse perspectives, to inform and encourage discussion amongst multiple interest groups and stakeholders.

Determining the Socially Optimum Price of Water

Environmental Policy Analysis
This study identifies and quantifies the externality of greenhouse gas emissions in the residential water supply and waste water treatment in West Lafayette and assigns an adjustment of the marginal price for water to reflect the costs of greenhouse gas (GHG) emissions. The summer and winter municipal supply and demand analysis was conducted as an econometric study based on consumption and price data supplied by Indiana American Water Company for residential use. The socially optimum price for water and waste water, based on EPA estimates of GHG production, was calculated to be $10.01 per 1000 gallons of water used, both for summer and winter.

AI/AN Perceptions of Climate Change in Newsprint

Media Content Analysis
Very little literature exists which details how climate change impacts Indian Country. This study investigates how US newspaper stories published from 1991 to 2011 present American Indian/Alaska Native (AI/AN) perceptions, and observations, of environmental changes resulting from climate change. Several specific risks, impacts, and vulnerabilities were documented, and observations of climate change from AI/AN perceptions were analyzed for content to identify three frames of perspective: pan-Indian, tribally-specific, and individual perceptions.

Water Balance & Adaptive Management in Water Crisis Cities

Transdisciplinary Analysis
Through a case study of Phoenix and Mexico City metropolitan areas, this project seeks to identify resiliency factors correlative to the available water supply. An ecouristorical context is utilized to identify how past climate changes and social pressures led to collapse. A water balance for each city was calculated to determine its hydrological footprint. This project also highlights how a water balance is also useful in city planning and water management systems.

650ppm: Climate Vulnerability Assessment of Costa Rica

Risk Analysis
This study seeks to identify and evaluate climate change impacts, risks, and vulnerabilities of Costa Rica using complex climate change model simulations and simpler modeling tools. Based on multiple projected emissions schemes, this study explores the policy, ethics, and methods to reduce carbon emissions (and consequence of business-as-usual action) utilizing several strategies including a corporate carbon tax, compounding restrictions based on corruption and social-iniquity indexes to protect poor and marginalized populations, and market-based emissions reduction instruments.
Deer & Sugar Creek Water Management Program  
Purdue University, W. Lafayette, IN
Facilitator/ Natural Resource Analysis  
Sep '11 – Nov '11
The Deer and Sugar Creek Working Group watershed management plan meeting was held at the Flora 4H Building in Flora, IN on October 19, 2011. The comments gathered during the meeting were comprised from stakeholder input from table discussions, questionnaires and a brief survey, to develop a local strategy for watershed management.

A Closer Look...  
Costa Rica
Editorial/Cultural Exchange  
May '11 – Jun '11
As climate changes lead to rising temperature and fluctuations in precipitation, the indigenous peoples of Costa Rica must find ways to adapt to novel events in both recorded and oral histories. I spent two weeks with the Bri Bri and Maleku peoples, living and learning with them in their respective environments. Part of the time I was learning about local ecosystems, while the rest of the time was spent helping the community to build gardens, construct schools and sanitary facilities, all the while sharing my own native culture and experience.

Operation: Get Better  
HINU, Lawrence, KS
Project Director/Facilitator  
Aug '10 – Jul '11
As a long-term Clinton Global Initiative commitment to action, Operation: Get Better was a crowd-sourced program to develop student-led wellness initiatives at Haskell Indian Nations University including: “The Big Idea” wall, fruit tree planting, campus clean-up, adopt-a-freshman program, music videos, and IT initiatives, as well as planting organic gardens and building sanitation facilities in indigenous communities in Costa Rica.

Student Senate  
HINU, Lawrence, KS
President  
Aug '10 – May '11
Served as Student Body President and was effective as the chair of the organization where students may serve their interest and govern those affairs that directly and primarily affects them: promoting leadership, academic growth, and excellence in affirming the rights of every student. Represented the student body in lobbying efforts in both state and federal governments. Sat on University Council and assisted with curriculum review and departmental assessment. Particular focus was on student retention, and reestablishing the effective governance of the student senate in accordance with its constitution while also reincorporating indigenous values and systems of governance.

Vice-President  
Aug '09 – May '10
Served as Student Body Vice-President and sought to promote legislation through formatting, while addressing the inter-generational trauma and distrust of documentation. Was effective in lobbying congress on behalf of the American Indian Higher Education Consortium, as well as for HINU and NSF. Further work was to reduce the amount of paper waste generated by the student government and establish internet-based tools and presence, as well as funding for student initiatives.

Haskell Environmental Research Studies Institute  
HINU, Lawrence, KS
Research Intern  
June '09 – July '10
Summer research experience based in conjunction with the National Science Foundation through Kansas EPsCoRP to conduct undergraduate research. Focus was on studying potential energy mitigation and changing paradigms in mobile information communication technologies. Engagement included the creation of digital resources such as a YouTube video and Google Docs presentations to practically illustrate the method in which mobile information can potentially reduce greenhouse gas emissions.

Wetlands Preservation Organization  
HINU, Lawrence, KS
President  
Aug '08 – May '09
As president of the Wetlands Preservation Organization, through collaboration with the Clinton Global Initiative University and the PowerShift conference, I was able to bring international awareness to the issue of the Kansas Department of Transportation plan to build a 10-lane highway through the middle of an ecologically, culturally, and hydrologically important wetlands south of the Haskell campus. I lead the continuation of the lawsuit against the Kansas Department of Transportation, as well as the Army Corp of Engineers. Also led several community events to bring awareness to the issue. Further work included community workshops to educate and practice wetlands management techniques, clean-ups, and also events which brought local artists and musicians together to focus on positive messaging concerning environmental issues.

Vice-President  
Aug '07 – May '08
Following the lead of fellow student leaders, I joined the WPO and served as vice president. Through collaboration with the University, was invited to speak at several environmental justice conferences to learn from other environmental groups on how to promote justice as well as raise awareness and membership.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name: Treva
Last Name: Gabrisch
Date: 1/8/2018
Street Address: 2316 E St.
City: Bellingham
Zip: 98225

Do you live in & are you registered to vote in Whatcom County?: Yes

Do you have a different mailing address?: Field not completed.

Primary Telephone: 3602201606
Secondary Telephone: Field not completed.
Email Address: trevacoe@gmail.com

Step 2
<table>
<thead>
<tr>
<th>1. Name of Board or Committee</th>
<th>Climate Impact Advisory Committee</th>
</tr>
</thead>
<tbody>
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<td>Yes</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 2</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
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<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
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<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>Yes</td>
</tr>
</tbody>
</table>

If yes, please explain: I work for the Nooksack Indian Tribe, and my husband works for the Lummi Indian Business Council. In 2016, I worked as an employee of Nooksack Tribe under a subrecipient agreement Whatcom County for ecosystem recovery planning.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: TCoe_ClimateImpactCmte.pdf
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Habitat Program Manager/Fisheries Biologist for Nooksack Indian Tribe, with: (1) M.S. in Fisheries and Aquatic Sciences from University of Washington; (2) over 18 years of experience in fisheries biology and salmon recovery, watershed restoration and management, and climate impacts and adaptation; and (3) familiarity with salmon recovery, floodplain management, and land use issues in Whatcom County.

10. Please describe why you’re interested in serving on this board or commission

As a mother of two, I am deeply concerned about the social, economic, and environmental impacts of climate change, and I am committed to supporting local efforts to transition to clean energy and build climate resilience.

References (please include daytime telephone number):

Elizabeth Hartsoch, (360) 305-5624. Lisa McShane, (360) 201-0779.

Signature of applicant:

Treva Coe Gabrisch

Place Signed / Submitted:

Bellingham, WA
TREVA COE

2316 E ST.  •  BELLINGHAM, WA  98225  •  (360) 220-1606  •  trevacoegmail.com

SUMMARY

• Strong professional background in fisheries biology and salmon recovery, watershed restoration and management, and climate impacts and adaptation.
• Familiarity with salmon recovery, floodplain management, and land use issues in Whatcom County.
• Personal interest in supporting local efforts to transition to clean energy and build climate resilience.

EDUCATION AND HONORS


RELEVANT WORK EXPERIENCE

• Habitat Program Manager/Fisheries Biologist. Nooksack Indian Tribe. July 1999 - present. Manage Tribe's salmon habitat restoration program, overseeing salmon and ecosystem recovery planning, habitat restoration project implementation, and habitat monitoring in Water Resource Inventory Area (WRIA) 1, the Nooksack Basin. Selected accomplishments include: (1) coordinated development of WRIA 1 Salmonid Recovery Plan, WRIA 1 Salmon Habitat Restoration Strategy, and associated technical ecosystem and salmon recovery planning documents; (2) currently leading assessment of vulnerability of salmon to climate change in the Nooksack River watershed; and (3) past and ongoing participation in numerous technical committees, including Floodplain Integrated Planning Team, WRIA 1 Instream Flow/Fish Habitat Technical Team, and WRIA 1 Salmon Recovery Staff Team.


• Laboratory and Research Cruise Assistant. U.C. Santa Barbara. March 1993 – September 1994. Supported research on Antarctic krill Euphausia superba for the Palmer Long Term Ecological Research program. Participated in three research cruises in the Southern Ocean, Antarctica, and performed associated laboratory work.

SELECTED PUBLICATIONS


OTHER

• Trained as Climate Reality Leader in Bellevue, June 2017.


• Attended 2013, 2015, and 2017 Northwest Climate Conferences.
Board and Commission Application

**Step 1**

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---

**First Name**

Derek

---

**Last Name**

Gremban

---

**Date**

1/9/2018

---

**Street Address**

2002 Larrabee

---

**City**

Bellingham

---

**Zip**

98225

---

**Do you live in & are you registered to vote in Whatcom County?**

Yes

---

**Do you have a different mailing address?**

Field not completed.

---

**Primary Telephone**

2698081300

---

**Secondary Telephone**

Field not completed.

---

**Email Address**

gremband2@gmail.com

---

**Step 2**
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? Yes

   If yes, please explain: I am currently employed as a process engineer at the BP Cherry Point refinery

   You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

   Field not completed.

9. Please describe your... My current occupation is a process engineer at the BP Cherry
Point Refinery. This job means that I sit on the ‘front lines’ so to speak of climate control. In my day to day job I am responsible for ensuring safe and environmentally compliant operations by monitoring & adjusting operations at the refinery. When done well people in my position can and do have a significant impact on climate change, for example: • During an upset I was able to quickly study process and environmental data and used unit knowledge to request changes which were able to cut emissions for this event in half. • Recommended process changes which can be made to minimize emissions from day to day operation through intimate unit knowledge and experience. • Study causes of recurring unit upsets and have been able to figure out how to prevent problems which are the largest source of emissions. Educationally I have a Bachelor’s degree in Chemical Engineering from Michigan State University. While at Michigan State I studied alternative energy and climate change and had one professor in particular who had a profound impact on my life and career. He taught me that every form of alternative energy has both its’ pros and cons and the careful study of both is the only way that our society as a whole will move forward and solve the greatest problem of our lifetime. For example he showed me that although capturing energy from waves seems free if it is not carefully implemented it can change the way the ocean’s function enough where it can be devastating to ecosystems. I am highly involved in our community and have a passion for doing everything I can to make this community as great as it can be. To help our community I am currently the lead chair of the Bellingham Kiwanis young professionals group which is a satellite of the main Kiwanis club. As lead chair I organize numerous service events per year supporting a wide range of community service organizations such as Lydia Place, Cloud Mountain farms, Salvation Army, ARC of Whatcom county, DVSAS, Opportunity council, RRAD amongst many others. Last year our organization donated several hundred hours of our time to help make the community a better place and I am so fortunate to have the opportunity to serve as the leader of this wonderful organization. I have recently started becoming more involved in local politics mostly by attending several county council meetings and speaking out on topics that are important to me. I am extremely excited about becoming more and more involved in what is going on and being a part of the process of improving quality of life in our community.

10. Please describe why you’re interested in serving on this board or commission

I have a strong personal conviction that my great purpose in life is to have a significant impact on what I believe to be the largest single challenge currently facing our society, that being global climate change. I have carefully picked my education,
work-place and interests to put me in a position where I can and do have a personal impact on climate change on a regular basis. I think the next step in my journey is to become more involved in alternative energy and climate change policy and regulation. I think my background sets me up perfectly to be successful as a part of this board because I understand how climate policy is implemented in the real world and so I think I can do a great job of helping to recommend change that will have a truly beneficial impact. I have a passion for smart climate control techniques that involve all parties from multiple perspectives and think that is the only way we will actually solve the great problems we face. I am ready to serve the community as a part of this board. I think my life events have built up to this, and can't wait to be considered.

References (please include daytime telephone number):

Pamela Brady, Public affairs BP Cherry Point 360-371-1519
Steve Mrazek, Environmental superintendent BP Cherry Point 360-526-4003

Signature of applicant: Derek Gremban

Place Signed / Submitted: Bellingham Washington

(Section Break)

Email not displaying correctly? View it in your browser.
Board and Commission Application

Step 1

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<table>
<thead>
<tr>
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<th>Eric</th>
</tr>
</thead>
<tbody>
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<td>Grossman</td>
</tr>
<tr>
<td>Date</td>
<td>1/5/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2117 Williams St</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
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<tr>
<td>Zip</td>
<td>98225</td>
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<tr>
<td>Primary Telephone</td>
<td>831-234-4674</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>360-650-4697</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:eric1grossman@gmail.com">eric1grossman@gmail.com</a></td>
</tr>
</tbody>
</table>

Step 2
1. Name of Board or Committee

| Climate Impact Advisory Committee | Yes |

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?

| Yes |

3. Which Council district do you live in?

| District 2 |

4. Are you a US citizen?

| Yes |

5. Are you registered to vote in Whatcom County?

| Yes |

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

| No |

7. Have you ever been a member of this Board/Commission?

| No |

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

| No |

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, experience publishing and communicating scientific findings to

| Research Geologist/Oceanographer (Ph.D.) with the U.S. Geological Survey (Department of Interior) who specializes in natural hazards, ecosystems, and climate change impacts. |
improve understanding of and planning for coastal processes and change (including the impacts of sea-level rise, storms and waves), changing river dynamics and associated fluvial sediment transport, and groundwater. Research Faculty in Geology Department of Western Washington University, member Skagit Climate Science Consortium, Washington Coastal Hazards and Resilience Network, participant/contributor to diverse climate change impact assessments including the 2012 National Academy of Sciences West US Coast Sea Level Rise Assessment, 2012 WA State Climate Change Adaptation Strategy, 2015 UW Climate Impacts Group State of Knowledge Climate Impacts and Adaptation in Puget Sound Report. Leader of the Washington Storm Surge Monitoring Network, a citizen science project documenting coastal change and helping to validate the USGS Coastal Storm Modeling System (PS-CoSMoS) to inform coastal vulnerability under projected sea-level rise, climate and land-use change.

10. Please describe why you’re interested in serving on this board or commission

Share knowledge and international to local insight on climate change impact pathways, established and emerging science, mitigation and adaptation strategies, along with guidance and opportunities for coordinated investments in land-use actions, including ecosystem protection/restoration, that can help reduce and mitigate natural hazards risk and enhance resilient climate change adaptation. Interest, capacity, and enthusiasm to work with diverse communities, agencies and decision makers to find mutually beneficial solutions for resilient ecosystems and economic growth.

References (please include daytime telephone number):

Scott Linneman, Professor WWU (360-650-3446); Paula Harris, Whatcom County Flood District (360) 778-8285

Signature of applicant: Eric Grossman

Place Signed / Submitted: Bellingham, WA
CURRICULUM VITAE - ABBREVIATED

ERIC EDWARD GROSSMAN, PH.D., Research Geologist, U.S. Geological Survey
Pacific Coastal and Marine Science Center and Research Assoc. Western Washington University
Dept. of Geology, 516 High St., MS9080, Bellingham, WA 98225; Ph: 360-650-4697; egrossman@usgs.gov

EDUCATION
Ph.D., JUNE 2001 Marine Geology and Geophysics, University of Hawaii
M.S., MAY 1997 Marine Geology and Geophysics, University of Hawaii
B.A., MAY 1989 Geography, University of California, Berkeley

PRINCIPAL RESEARCH
Coastal Processes Affecting Ecosystems, Coastal Climate Change Impacts/Assessments

CURRENT USGS RESEARCH PROJECTS
PI - USGS Multidisciplinary Studies of Coastal Habitats in Puget Sound: Large River Deltas
PI - USGS Sea Level Rise and Climate Change Impacts, Puget Sound Coastal Storm Modeling System

RELEVANT SCIENTIFIC PANELS-BRIEFINGS
National Research Council West Coast Sea-Level Rise Committee (June 2011)
Washington Coastal Hazards and Resilience Network (2012-present)
Skagit Climate Science Consortium (2009-present)
US EPA-Environment Canada Transboundary Indicators Project (2009-present)
Pacific Marine and Estuarine Fish Habitat Partnership Science Committee (2011-present)
Climate Impacts and Adaptation in Puget Sound (2015 Report contributor)

STUDENTS ADVISED

SELECT PUBLICATIONS RELATED TO LAND-USE AND CLIMATE CHANGE AND IMPACTS


Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name  William
Last Name  Harman
Date  12/15/2017
Street Address  2217 Walnut St
City  Bellingham
Zip  98225
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  425-766-6236
Secondary Telephone  360-927-4281
Email Address  wcaseyharman@hotmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
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<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications, and why you are interested in serving on the Climate Impact Advisory Committee. Please see attached resume. I'm a professional electrical engineering for the local electric utility. I work in power generation, and have experience and knowledge in the energy sector that will allow me to provide a unique voice in the climate impact...
professional and/or community activities, and education

advisory committee.

10. Please describe why you’re interested in serving on this board or commission

I grew up in Whatcom County. I graduated from Mt. Baker Highschool and now live and work in Bellingham. My parents, my wife’s parents and other family and friends live here. I love this city and this county and I want to see it thrive and be a place my children and grandchildren can live happily. I’m also passionate about energy in general, and power generation in particular. Climate and energy will continue to be a great societal challenge for us. I would be thrilled to use my knowledge and experience in traditional energy sources, renewable energy sources and power system operation to provide our local leadership with a well-rounded and carefully-considered perspective so they can better help our society meet that challenge.

References (please include daytime telephone number):


Signature of applicant: W. Casey Harman

Place Signed / Submitted Bellingham, WA

Email not displaying correctly? View it in your browser.
William Casey Harman, P.E.

2217 Walnut St.
Bellingham WA 98225
425.766.6236
wcaseyharman@hotmail.com

Objective: To share my knowledge and experience in the electrical energy utility sector with my community and together help create a better, cleaner and more sustainable future for our county.

Qualifications: I bring 10 years of experience in the local electric utility with specific expertise in Power Generation design, operation, maintenance and compliance. I understand the power grid fundamentals and the complexity that goes into ensuring the lights stay on all the time. I've worked with traditional generating resources like hydro-electric and thermal resources as well as modern renewable energy sources and battery storage systems. I understand the benefits and challenges with the increasing renewable resources in our power system. I think I can bring a unique, well rounded and knowledgeable voice to the Climate Impact Advisory Committee.

Experience
Puget Sound Energy: Power Plant Electrical Engineer, Bellevue/Bellingham WA (2008-Present)
Varied experience in power plant electrical engineering and project management for hydroelectric, thermal and wind power plants including:
- Experience in design and operation of power plant facilities – control systems, large electric equipment procurement and repair and electrical protection systems.
- Experience testing and modeling generators and generator control systems for use in power system studies.
- Expertise in generator compliance - ensuring generator design and operation align with national and regional reliability standards.
- Experience with battery storage facility design, construction and operation.
- Experience in electrical distribution: storm restoration and power quality
- Knowledge in overall electrical grid operation and generator operational requirements.
- Experience with design and requirements to connect new generators into the utility system.
- Some experience with microgrid and generator islanding operations.
- Familiarity with system energy needs, costs and operational requirements.

One year of short assignments in various engineering departments. Exposed to a wide variety of electrical and mechanical related working groups within Puget Sound Energy.

Licenses
Professional Engineer in Power Engineering

Education
University of Idaho
Master of Engineering, Electrical Engineering;
Power Systems Emphasis: System Protection, Rotating Machines
Washington State University: B.S. Mechanical Engineering

Awards
PSE Power Awards for effort on controls system upgrade and overvoltage investigation
PSE Star Award for compliance support during NERC audit

Organizations
IEEE, Power and Energy Society
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name  Jacob

Last Name  Hartsoch

Date  1/8/2018

Street Address  2323 Lynn St.

City  Bellingham

Zip  98225

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  Field not completed.

Primary Telephone  3602248627

Secondary Telephone  3602248627

Email Address  jacobhartsoch@yahoo.com

Step 2
<table>
<thead>
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<td>Jacob_Hartsoch_Resume.pdf</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>Resume and cover letter attached as a single PDF</td>
</tr>
</tbody>
</table>
professional and/or community activities, and education

10. Please describe why you're interested in serving on this board or commission

See attached

References (please include daytime telephone number):
Kelly Andrews, owner Fairhaven Health (425) 941-2692, Ethan Lynette COO Fairhaven Health (360) 296-2482

Signature of applicant: Jacob Hartsuch

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
WORK EXPERIENCE

Fairhaven Health, LLC 2014-09
Senior Software Architect

I span the software product life cycle for a small company. If it’s technical in nature and related to helping us to succeed and grow, my hands are in it. From a technical level, this includes iOS development, front and back end web development, embedded hardware development and troubleshooting, and whatever else needs to be done. If we don’t have the skills in-house, we open up the firehose and acquire them. From an enterprise level, I use my experience and judgement to help make good decisions on everything from architecture, tools, design, deployment strategies, etc. It’s a very good place to be and I work with some fantastic people.

PermanentPlanet.com 2016-11
Founder

Founded and built the world’s easiest carbon footprint calculator based on current research. The tool allows individuals and families to quickly determine their footprint and see instantly what changes really matter. The world needs us.

Qualnetics 2012-04
Head M2m Software Engineer

Software lead on in-vehicle telematics device from concept to commercial production. Proof of concept, drivers, architecture, communication optimization, data-driven test evaluation, etc. Patent granted 2017

Education Logistics, Inc 2000-02 - 2012-05
Head of Development-Mobile

Head of Development-Mobile Technologies at. (12 years 4 months) Managed the development of a prototype mobile GPS application into a suite of support products for the Education transportation industry. Successfully integrated outsourced software components with a combination of management, testing, and hands-on development to create a commercial product.

Harebl, Inc. 2006-09 - 2008-11
Statistical Modeling Consultant

Statistical Analysis and Market Modeling for a small arbitrage group. Created custom software for the real-time pricing and valuation of alternative markets using historical data.

Emerson Kennedy Consulting 1995-06 - 1999-12
Software Developer

Consulted on and off site solving unique software development problems for Seattle area companies: Addressed the problem of remote user administration during the rollout of Microsoft Office Server Extensions through a unique software process. Proof of concept design, research, and initial development of HTML-based CD Media browser for Microsoft Technet. Designed and optimized data format and retrieval around the limitations of CD Media at the time. Developed an algorithm-based dictionary parser for French, German and English Sierra Online Design and development of installation manager WRQ.

EDUCATION

Gonzaga University 1992 - 1996
B.Sc

Costello Poetry Award Recipient, Track and Field Coaches Award.

COMMUNITY

Greater Bellingham Running Club. Vice President.
WHY I'M INTERESTED IN THE CLIMATE IMPACT ADVISORY COMMITTEE

Dear County Council Members,

I believe I have a unique and valuable perspective to offer this committee and I'm extremely motivated to do this work.

I grew up in rural Montana, but have spent the last 13 years building a family and life here in Bellingham. In the last few years my wife and I have made a serious commitment to reducing our own climate impact and it's been incredibly satisfying. Some of the things we've done include commuting by bicycle, giving up vacation air travel, producing all of our power via solar, changing our diet, and generally consuming less. In our circle of friends, we are known and respected as mavericks in the climate change space and, frankly, if feels damn good.

I am also the founder of www.permanentplanet.com, an online carbon footprint calculator that allows families and individuals to easily determine their own footprint and, most importantly, evaluate what changes in their lifestyle would make the biggest impact. It's been shared by Bill McKibben at 350.org!

I built the online tool specifically for my family as we transitioned to a lower impact lifestyle. The research, data analysis, and healthy skepticism necessary for this work was right in my wheelhouse.

In short, I'm the guy to help juggle the data, science, and disparate incentives of all the interested parties and tease out where we can realistically spend our energy and resources to have the biggest impact. I am a pragmatic, get it done kind of leader who knows how to stay out of the weeds and focus on achievable results. Every committee needs a few of those and I'd love the opportunity to serve.

Thanks for your time,

Jacob Hartschoch
Bellingham, WA
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
C. Kenneth

Last Name
Heck

Date
1/5/2018

Street Address
500 Highland Drive

City
Bellingham

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360-733-2841

Secondary Telephone
360-305-0732

Email Address
kenheck73@gmail.com

Step 2
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
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<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
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<td>3. Which Council district do you live in?</td>
<td>District 1</td>
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<td>4. Are you a US citizen?</td>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, See resume
professional and/or community activities, and education

10. Please describe why you're interested in serving on this board or commission

I would like to contribute to my community, and think that global warming is one of the most important issues of our time. My background in the oil industry could be helpful.

References (please include daytime telephone number):

360-733-2841

Signature of applicant: C. Kenneth Heck

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
Resume for C. Kenneth Heck

Citizenship: U.S.  Contact:  Telephones:  (360) 733-2841 (home)

(360) 305-0732 (cell)

Date of Birth: 21 May 1941  Email kenheck73@gmail.com

Address:  500 Highland Drive, Bellingham, WA 98225


Education:  B.S. Chemical Engineering, San Jose State University, California  1964

M.S. Chemical Engineering, University of Colorado, Colorado  1965

Ph.D. Chemical Engineering, University of Colorado, Colorado  1968

Work Experience:

- Thirty years of engineering and research for Shell Oil Company from 1968 to 1998, as detailed below:
- Engineering research at Shell Development Co., Emeryville, CA, 1968 – 1971 (oil shale retorting, advanced fuels research, spray quenching process)
- Planning and economics in Shell Oil’s Corporate Planning, Houston, TX, 1971 – 1973 (energy forecasting, small car study, capital requirements in oil industry)
- Research Supervisor at Shell’s Westhollow Research Center, Houston, TX, 1973 – 1975 (managed group of metallurgists and corrosion scientists dealing with oil refinery and chemical plant problems)
- Process Engineering Manager at Shell Chemical’s Marietta, Ohio Plant, Belpre, OH, 1975 – 1979 (managed a group of plant chemical engineers and chemists in polymer processing facility)
- Research Manager at Westhollow Research Center, Houston, TX, 1979 – 1994 (managed polymers research group, and oilfield support research group)
- Retired in 1998
Volunteer Activities:

- Judging at Science Fairs — several years
- Creative Writing review for Fairhaven Middle School — several years
- Treasurer for Bellingham Unitarian Fellowship (church) for three years
- Member of Board of Directors for Bellingham Unitarian Fellowship for three years
- Coaching childrens’ sports (baseball, soccer, basketball) for several years

Other Activities and Interests: Reading, Walking, Gaming and Cinema, Travelling
NaDean Hanson

From: noreply@civicplus.com
Sent: Monday, January 08, 2018 1:41 PM
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson
Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name: Renee
Last Name: Holt
Date: 1/8/2018
Street Address: 1003 24th St #103
City: Bellingham
Zip: 98225

Do you live in & are you registered to vote in Whatcom County? Yes

Do you have a different mailing address? Field not completed.

Primary Telephone: 4255308800
Secondary Telephone: Field not completed.

Email Address: holtr3@wwu.edu

Step 2
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? Yes

   If yes, please explain
   My employer is Western Washington University.

   You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

   Resume-2.pdf

9. Please describe your occupation (or former)
   I am pursuing a Master’s degree in environmental policy and justice, and have studied issues related to climate change and
how this impacts vulnerable communities in particular. I am particularly interested in food access and systems, and plan to focus my own grad research on this issue within the Birchwood neighborhood. I am currently employed as a graduate teaching assistant at Western Washington University, where I have an opportunity to teach a variety of students enrolled in environmental studies and science majors. This role as an educator is crucial and has given me skills necessary as Whatcom County works to communicate goals, and educate the public on policies related to climate change. I am qualified for this position because of my educational experience and feel that I can provide a fresh, and new perspective on how to solve climate change issues within the county.

10. Please describe why you're interested in serving on this board or commission

Protecting the environment has been important to me for a long time, and as an undergrad student I learned the importance of working at the local level of government to address climate change. I am passionate about protecting our air, land, water and all of the people who rely on the environment for economic reasons, culture, or just for leisure. I would like to help the county shift toward clean energy and sustainable development, while listening to the concerns and ideas of people in our community, especially younger generations who will continue to be forced to deal with climate change.

References (please include daytime telephone number):

Jonathan Dymond - Assistant Director of Annual Giving and Phonathon at Western Washington University (360) 650-2562
Maria McLeod - Journalism Professor at Western Washington University; (360) 650-4270

Signature of applicant:

Renee Holt

Place Signed / Submitted

Bellingham, WA
Renee Holt

Bellingham, Washington

425-530-8800
holr3@wwu.edu

Skills

Public Relations skills including press releases, public service announcements, and knowledge of Adobe InDesign

AP Style

Customer service and ability to work both in teams and individually to meet deadlines

Experience

Western Washington University / Graduate Teaching Assistant
September 2017 - Present, Bellingham, Wash.

Experience with teaching students from diverse personal and academic backgrounds in Environmental Studies. Duties include encouraging critical writing and readings skills, grading assignments, leading discussion groups, and communicating with students.

YWCA Bellingham / Intern
June 2016 - September 2016, Bellingham, Wash.

Work with and assist women who are in need of transitional housing in Bellingham. Performed basic office work.

Western Washington University / Student Caller

Called alumni and parents of students to fundraise and maintain relationships with those connected to the university. Used customer service skills to communicate with a diverse group, and maintain confidential information such as addresses and credit cards.

Education

Western Washington University / MA in Environmental Studies
September 2017 - Present, Bellingham, Wash.

Concentration on Environmental Policy and Justice, research in food systems and justice through Huxley College of the Environment.

Western Washington University / BA in Political Science
September 2013 - June 2017, Bellingham, Wash.

Major in Political Science

Minors: Environmental Studies; Journalism (public relations emphasis).
Awards

The Western Front at Western Washington University:

1. Most Professional (daily section)
2. Best Online Reporter (online section)
3. Best Copy (copy desk)

National Honor Society, Advanced Placement Scholar and President's Award for Educational Excellence - Gold Award (Holy Names Academy - Seattle, Wash.)

Community Service

Imagine Children's Museum / Volunteer
Fall 2009 - Spring 2013, Everett, Wash.

Worked directly with community through museum events and in the art station. Also worked in back offices keeping records of items, organizing, cleaning and preparing art projects for the week.
Board and Commission Application

Step 1

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First Name  Tim

Last Name  Johnson

Date  1/4/2018

Street Address  2072 Academy Road

City  Bellingham

Zip  98226

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  Field not completed.

Primary Telephone  360-384-8368

Secondary Telephone  Field not completed.

Email Address  tim.johnson@p66.com

Step 2
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Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, & experience:

Environmental Team Leader at Phillips 66 Ferndale Refinery - manage waste and water compliance, natural resource and land use permitting. Volunteer board of directory for Whatcom County Habitat for Humanity. BS Biology - Eastern University,
professional and/or community activities, and education

10. Please describe why you're interested in serving on this board or commission

To support development of recommendations on climate policy, targets, and guidelines for our County that are: balanced; based upon credible science; reflective of the broad interests of County residents and businesses; and, providing careful consideration of impacts of such recommendations.

References (please include daytime telephone number):

John Andersen, 360-780-7129

Signature of applicant:

Tim Johnson

Place Signed / Submitted

Ferndale, WA

Email not displaying correctly? View it in your browser.
Board and Commission Application

**Step 1**

**Application for Appointment to Whatcom County Boards and Commissions**

**Public Statement**

*THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.*

<table>
<thead>
<tr>
<th>First Name</th>
<th>David</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Kershner</td>
</tr>
<tr>
<td>Date</td>
<td>1/9/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>3417 Sunrise Road</td>
</tr>
<tr>
<td>City</td>
<td>Lummi Island</td>
</tr>
<tr>
<td>Zip</td>
<td>98262</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>360-758-2113</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:davekershner@yahoo.com">davekershner@yahoo.com</a></td>
</tr>
</tbody>
</table>

**Step 2**
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications, I have conducted environmental research and evaluated policy proposals for not-for-profit organizations based in Seattle and Washington, D.C. My work has included policy analysis on energy and land use issues. For my masters degree, I...
professional and/or community activities, and education

conducted a policy analysis of the Electric Consumers Protection Act. I volunteer with the Nooksack Salmon Enhancement Association and Lummi Island Foundation for Education.

10. Please describe why you’re interested in serving on this board or commission

I believe we owe it to future generations to address climate change impacts and I would like to help the County respond and adapt to climate change. I have the time to devote to public service and believe that my experience and skills would help the commission achieve its goals as set forth by the Council.

References (please include daytime telephone number):

Alan Durning, Executive Director, Sightline Institute (206-447-1880) Arjun Makhijani, President, Institute for Energy and Environmental Research (301-270-5500) Grace Briskey, former board member, Lummi Island Heritage Trust (360-758-7125)

Signature of applicant: David Kershner

Place Signed / Submitted: Lummi Island, WA

(Section Break)

Email not displaying correctly? View it in your browser.
DAVID W. KERSHNER
3417 Sunrise Road • Lummi Island, WA 98262 • (360) 758-2113 • davekershner@yahoo.com

PROFESSIONAL EXPERIENCE

<table>
<thead>
<tr>
<th>Role / Experience</th>
<th>Organization / Position</th>
<th>Dates</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Research Fellow/Volunteer</td>
<td>Sightline Institute</td>
<td>Sept. 2010 to Present</td>
<td>Research the environmental impacts of energy infrastructure projects; contribute to blog posts about energy infrastructure and other topics affecting the Northwest.</td>
</tr>
<tr>
<td>Real Estate Investor</td>
<td>Kershner LLC</td>
<td>Dec. 2010 to Present</td>
<td>Own and manage real estate in Whatcom County.</td>
</tr>
<tr>
<td>Caregiver/Personal Assistant</td>
<td>Irvin Kershner (filmmaker, photographer)</td>
<td>May 2007 to Nov. 2010</td>
<td>Was Mr. Kershner’s principal caregiver and personal assistant, providing health advocacy, office management, and scheduling during a three and a half year battle with lung cancer.</td>
</tr>
<tr>
<td>Co-founder/Exec. Director/</td>
<td>Lummi Island Heritage Trust</td>
<td>Jan. 1998 to July 2007</td>
<td>Co-developed the organization’s business plan; managed two capital campaigns that raised $1.7 million for land acquisition projects; served as the second executive director; acted as principal liaison with government agencies; wrote and edited a quarterly newsletter and conducted environmental education tours on protected lands.</td>
</tr>
<tr>
<td>Senior Adviser</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Assistant</td>
<td>University of Michigan</td>
<td>Jan. 1996 to June 1997</td>
<td>Organized a speaker series for the Pew Fellows Program; acted as liaison between prospective students and the admissions committee; made recruitment calls.</td>
</tr>
<tr>
<td>Researcher/Project Coordinator</td>
<td>Institute for Energy and Environmental Research</td>
<td>Sept. 1992 to Feb. 1995</td>
<td>Researched and wrote publications on the environmental impacts of incineration and nuclear-weapons-related activities; provided copy editing assistance for two books published by MIT Press; organized a conference on plutonium issues in Washington, DC.</td>
</tr>
<tr>
<td>Information Coordinator</td>
<td>Ecology Center (Berkeley, CA)</td>
<td>Sept. 1990 to Sept. 1992</td>
<td>Responded to public inquiries for information; oversaw maintenance of a public access library; wrote articles and served as a guest editor for the organization’s monthly publication.</td>
</tr>
</tbody>
</table>

RELEVANT SKILLS

- Natural resource and environmental policy analysis
- Writing and editing blog posts, newsletter articles, and reports
- Project management for multiple not-for-profit organizations
- Use of a variety of web-based communication tools
- Organized, self-motivated, detail-oriented, and able to work under pressure

EDUCATION

<table>
<thead>
<tr>
<th>Institution</th>
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</tr>
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<tr>
<td>School of Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>Master of Science</td>
<td></td>
</tr>
<tr>
<td>Major: Resource Policy and Behavior</td>
<td></td>
</tr>
<tr>
<td>University of California, Berkeley</td>
<td>Aug. 1985 to June 1990</td>
</tr>
<tr>
<td>Bachelor of Arts, with honors</td>
<td></td>
</tr>
<tr>
<td>Major: Geography, concentration in environmental issues</td>
<td></td>
</tr>
<tr>
<td>Minor: Conservation &amp; Resource Studies</td>
<td></td>
</tr>
</tbody>
</table>

References Available Upon Request
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name  Lee
Last Name  Laney
Date  1/23/2018
Street Address  215 W Holly St Apt 240
City  Bellingham
Zip  98225
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  360-305-6029
Secondary Telephone  Field not completed.
Email Address  leeolaney@gmail.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>Yes</td>
</tr>
</tbody>
</table>

If yes, please explain: I am currently employed with the Home Improvement Department of the Opportunity Council, a community action agency operating primarily in Whatcom and Island Counties.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: 18Resume.pdf
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I work as a Home Energy Advisor with the Community Energy Challenge, which is a Community Energy Efficiency Program operating in Whatcom and neighboring counties. I have been in the Weatherization and Home Improvement Department of the Opportunity Council for 10 years. I hold Building Performance Institute certifications as a Building Analyst, Quality Control Inspector, Healthy Homes Evaluator. I also recently became a Certified Passive House Consultant with the Passive House Institute US (PHIUS).

10. Please describe why you’re interested in serving on this board or commission

Of the many challenges faced by current and future generations, climate change is the single biggest concern, and is linked to many other challenges by causation. The energy efficiency and renewable energy economies play a major role in reducing carbon emissions, and they also create local jobs and generate economic growth. I passionately believe that a built environment informed by advanced knowledge of building science lowers energy and carbon impact of buildings and has many side effects, including buildings and homes that are healthier for occupants and more durable in the long term.

References (please include daytime telephone number):

Ross Quigley, Home Improvement Department Director, Opportunity Council (360) 734-5121 x 103 Rose Lathrop, Green Building & Smart Growth Manager, Sustainable Connections (360) 647-7093 x 107 Matt Shaver, Owner, Foundation Restoration (360)220-0001

Signature of applicant: Lee Laney

Place Signed / Submitted: Bellingham, WA

(Section Break)

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Lee O. Laney
215 W Holly St #240, Bellingham, WA 98225  (360) 305-6029  
lee_laney@oppco.org

Relevant Experience

- **Opportunity Council, Community Energy Challenge** (Bellingham, WA)  
  *Home Energy Advisor*  
  - Home performance audits to implement improvements to indoor environment & energy/water efficiency  
  - Model energy performance & upgrades using Energy Performance Score (CakeSystems) and Optimiser  
  - Write job scopes and work specifications addressing problem areas and homeowner concerns  
  - Utilize database software for responsive customer service and to accurately report outcomes  
  - Technical support and consulting for contractors to promote and maintain QA and program consistency  
  
- **Opportunity Council, Weatherization & Home Repair** (Bellingham, WA)  
  *Project Coordinator*  
  - Diagnostic testing and visual inspection to assess building performance and energy efficiency  
  - Developed appropriate retrofit work scopes to improve home efficiency, health, and safety  
  - Coordinated among clients, in-house crews, and contractors to execute timely project completion  
  - Maintained detailed file documentation and reporting from initial assessment through job closure  
  
- **Opportunity Council, Building Performance Center** (Bellingham, WA)  
  *Lead Technician*  
  - Assisted in home assessments and developing weatherization job scopes  
  - Managed a crew of 1-3 to complete weatherization/rehabilitation projects  
  - Maintained relevant and timely documentation of job progress and material inventories  
  - Performed diagnostic testing to assess and report improvements in health, safety, & energy efficiency  
  
- **Panya Project** (Chiang Mai, Thailand), Permaculture Education Center emphasizing natural building, ecological agriculture, and restorative landscaping  
  *Founding Partner*  
  - Raised funds to acquire ten acres and set up infrastructure  
  - Designed and built environmentally responsive structures with locally sourced materials  
  - Managed subcontractors and volunteers daily on the work site  
  - Designed and installed energy-efficient irrigation, water catchments, and waste water systems  
  
Relevant Certifications

- Building Performance Institute (BPI) Healthy Homes Evaluator (2017)  
- BPI Quality Control Inspector (2017)  
- BPI Building Analyst (2009)  
- The Snell Group, Level 1 Thermal Imaging (2011)  
- EPA Lead Renovator (2010)

Other Work Experience

- **SUNY Maritime College** (Bronx, NY)  
  *Assistant Coach, Intercollegiate Sailing Team*  
  - Coached dinghy and offshore teams at practices and regattas along the Atlantic coast  
  - Maintained and supervised use of waterfront facilities, boats, and equipment  
  
  
  
  
  
  "

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• **Encinal Yacht Club** (Alameda, CA)
  **Junior Sailing Program Director**  
  *June 2004 – Aug 2006*
  Responsible for overall administration of instructional program with 130-150+ students (age 8-18) annually.
  - Managed all facets of program – curriculum, special events, scheduling, regattas, fleet maintenance
  - Managed staff of 6 full-time instructors
  - Increased overall enrollment & revenue by 13%, and high school program enrollment by 160%

• **Western Washington University, Lakewood** (Bellingham, WA)
  **Head Sailing Instructor, Operations Assistant, Desk Attendant**  
  *June 1999 – Nov 2001*
  1. **Sailing Instructor.** Managed a community youth sailing program
  2. **Operations Assistant / Attendant.** Facility operations, general maintenance, supervised equipment use

• **Research Corporation of the University of Hawaii** (Honolulu, HI)
  **Research Assistant, Department of Entomology**  
  *June – Aug 2001*
  - Assisted researcher in a study of arthropods inhabiting canopy of Hawaii papaya crop

• **Western Washington University** (Bellingham, WA)
  **Head Sailing Instructor, P.E. Department**  
  *April 1997 – July 2002*
  - Conducted relevant lectures; coordinated a team of 10 instructors

• **Research Corporation of the University of Hawaii** (Honolulu, HI)
  **Conference Assistant, College of Business Administration**  
  *Dec 2001 – Jan 2002*
  - Provided general support for Hawaii International Conference on System Sciences. Over 700 academic, government, and corporate research professionals; 50% non-US countries of origin
  - Extensive direct interaction on site with conference participants in a professional manner

**Software Proficiencies**

- Microsoft Word, Excel, Power Point
- FileMaker Pro
- SketchUp
- Adobe Design Suite

**Education**

- 2001 B.S. Environmental Science, emphasis in Terrestrial Ecology; Chemistry Minor. Huxley College of Environmental Studies, Western Washington University (Bellingham, WA).
- 2006 Permaculture Design Certificate, Permaculture Institute (Chiang Mai, Thailand)

**Other Certifications**

- US Sailing Level 1 (1996) and Level 2 (1997) certifications
- Adult & Child CPR / Standard First Aid

**Additional Experience**

- Western Washington University Sailing Team – 1997-2001: Competitor, Captain, & Volunteer Coach
- Northwest Interscholastic Sailing Association – 1999-2000: District Vice President

**Other Interests:** sailboat racing, surfing, art, music, hiking, camping, home-brewing

REFERENCES AND FURTHER EXPERIENCE PROVIDED UPON REQUEST
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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<table>
<thead>
<tr>
<th>First Name</th>
<th>George [Sandy]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Date</td>
<td>1/5/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>5780 Schickler Lane</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98226</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
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<tr>
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<td>Field not completed.</td>
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<tr>
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<td>3603052259</td>
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<td>Secondary Telephone</td>
<td>3603039284</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:sandy.george.lawrence@gmail.com">sandy.george.lawrence@gmail.com</a></td>
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</tbody>
</table>

**Step 2**
<table>
<thead>
<tr>
<th>1. Name of Board or Committee</th>
<th>Climate Impact Advisory Committee</th>
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<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
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<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
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<tr>
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<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

| 9. Please describe your occupation (or former occupation if retired), qualifications, | Stanford undergraduate, University of Missouri at Columbia medical school, University of California at San Francisco residency, 16 years full-time teaching medicine with main academic affiliation at UC Davis, minor appointment thru |

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

| 9. Please describe your occupation (or former occupation if retired), qualifications, | Stanford undergraduate, University of Missouri at Columbia medical school, University of California at San Francisco residency, 16 years full-time teaching medicine with main academic affiliation at UC Davis, minor appointment thru |

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

| 9. Please describe your occupation (or former occupation if retired), qualifications, | Stanford undergraduate, University of Missouri at Columbia medical school, University of California at San Francisco residency, 16 years full-time teaching medicine with main academic affiliation at UC Davis, minor appointment thru |
professional and/or community activities, and education

Stanford med school, followed by move to Bellingham 22 years go, with primary care and urgent care practice. Now retired from medicine but back to teaching, with for example completion of two seminar series for Western's ALL program and a ten seminar series last spring for Resources for Sustainable Communities. Several individual lectures in the geology department and an upcoming presentation in the Huxley speakers program.

10. Please describe why you're interested in serving on this board or commission

I have spoken in hearings both before the County Council and also the County Charter Commission about environmental issues, largely focused on the voluminous data relating the the changing climate. The data from the IPPC and multiple other sources strongly militate in terms of focus on renewable energy supplies, land use and population.

References (please include daytime telephone number):

Scott Linnemann, PhD in the geology department at Western (360) 650-3446 Multiple other references if needed.

Signature of applicant: George [Sandy] Lawrence

Place Signed / Submitted Bellingham, WA

Email not displaying correctly? View it in your browser.
Curriculum vitae

Identification: George [Sandy] Warren Lawrence
Axton Road Bed&Breafast, LLC
5775 Schickler Lane
Bellingham, WA 98226
Tel: [360] 398-9196 home
Tel: [360] 305-2259 cell
Email: sandy.george.lawrence@gmail.com

Birth: April 2nd, 1950
Minneapolis, Minnesota

Marital status: married with children
[wife] Barbara Jean Schickler, MSN, ARNP, CNM
Meghan, born 1981
Melissa, born, 1984
Yancey, born 1987

Undergraduate: '68-'72 Stanford University
Administrative Records
Encina Hall
Stanford, CA 94306-6076
Degree: BA in psychology

Medical school: '72-'77 University of Missouri at Columbia
School of Medicine
Office of Administrative Records
Columbia, MO 65211
Tel: [314] 882-6511
Degree: MD
'74-'75 fellowship in anatomy

Residency: '77-'80 University of California at San Francisco
Family Practice Residency Program
1001 Potrero Ave.
San Francisco, CA 94110
Completed accredited family medicine residency program
Tel: [415] 206-8200
Contact: Peter Sommers, MD [retired]

Practice sites: '80-'95 Scenic Faculty Medical Group, Inc., shareholder
Stanislaus Medical Center
Modesto Family Practice Residency Program
830 Scenic Drive
Modesto, CA 95350
Tel: [209] 558-7248
Contact: John Payne, MD [retired]

'96-'97 Chestnut Family Medicine
904 E. Chestnut Ave.
Bellingham, WA 98225
Tel: [360] 671-4400
Contact: Phil Andrews, DO [retired]

1 revised February 2014
Curriculum vitae

'97-'11 Walk-In Health Center
4029 Northwest Ave.
Bellingham, WA 98225
Tel: [360] 734-2330
Contact: John Knudsen, MD

Staff privileges:
Stanislaus Medical Center
900 Scenic Ave.
Modesto, CA 95352
Tel: [209] 558-7200
Contact: Peter Broderick, MD

Doctors Medical Center
Florida and Orangeburg
Modesto, CA 95350
Tel: [209] 522-1027
Contact: John Pfeffer, MD

Modesto City Hospital
later subsumed into Doctors Medical Center

Memorial Medical Center
1700 Coffee Rd.
Modesto, CA 95355
Tel: [209] 526-4500
Contact: Jay Wani, MD

St. Joseph Hospital
2901 Squalicum Parkway
Bellingham, WA 98225
Tel: [360] 734-5400
Contact: Ione Adams, MD

Research: 1974
research assistant in project involving injection of calf thymus into NZW/NZB mice, eliciting anti-ENA antibodies as a model of SLE
research assistant in study evaluating differential hyperglycemic responses to barbiturate and halothane anesthesia in rats
under auspices of Amnesty International, interview and examination of Central and South American refugee victims of political torture

'86-'95 principal investigator with Burroughs-Welcome, Syntex and other pharmaceutical companies, facilitating access to and use of drugs including zidovudine, ganciclovir, trimetrexate, interferon-alpha, pentamidine, spiramycin, fluconazole and didanosine – ten agents in all – in an HIV clinic population

Academic appointments: '80-'95 assistant, then associate clinical professor at the University of California at Davis while full-time faculty in the affiliated Modesto family medicine residency program

'82-'88 clinical instructor in Division of Family, Community and

revised February 2014

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Curriculum vitae

Preventive Medicine at Stanford, while serving as preceptor of PA students, volunteer faculty

Honors:

1983 commencement speaker, Stanford physicians assistant program

'83-'85 chair, newly established Department of Family Practice, Stanislaus Medical Center

'83-'90 chair, Infection Control Committee, Stanislaus Medical Center

'83-'95 founder and director, Hepatitis-HIV clinics, Stanislaus Medical Center

'86-'88 medical director, Stanislaus Community AIDS Project

'86-'87 medical staff president, Stanislaus medical Center

'88-'90 recipient of grant support from Area Health Education Center for HIV education of health care workers

'94-'95 member, Board of Directors, Visiting Nurse Association

second term as chair, Department of Family Practice, Stanislaus Medical Center, until departure from California

'08 publication of article entitled Side by Side in Home Power Magazine

Experiences:

1972 two months working in a Catholic mission in Guatemala, several later trips to Honduras, El Salvador, Costa Rica

'68-'70 Stanford tennis team, freshman team letter

'74-'78 marathons completed in Missouri, Oregon, Alaska, California

'66-'86 canoeing, kayaking, backpacking in Alaska, Florida, Minnesota, Wisconsin, California, Canada

'80-'91 energy efficient structure design, with owner-builder addition of three rooms to primary residence

'92-'94 completion of off-grid energy efficient home in Napa County

'96-now raising goats and chickens and an indigenous retail/wholesale tree farm

'99-'00 design and construction of combination art studio and garage

'06-'07 design and construction of shop with grid-intertie photovoltaic system

'08-'09 design and construction of barn with microturbine for power system

'09-now operation of bed and breakfast in our home

Community:

1975 six weeks elective medical student rotation in United Farm

revised February 2014
Curriculum vitae

Workers Union clinic in Delano, California

’78-’82 antinuclear organizing, active in both the Abalone Alliance and Physicians for Social Responsibility, giving lectures in San Francisco and the Central Valley of California
invited lecturer on attached solar greenhouses at Sunrise Energy Center of Modesto Junior College

’84-’87 workshop speaker on conscientious investment at an interdenominational camp

’87-’89 grand rounds presentations at Memorial Hospital-North, Emmanuel Hospital, Merced Community Hospital, Stanislaus Medical Center

’10-now multiple school and community and university talks concerning peak oil/energy, climate and other topics

Licensure:

Social Security 498-58-5854

’77-’00 California medical licensure G-037010

’91-’16 Washington medical licensure 28177

DEA registration BL7110973

UPIN A46913

Medicaid provider number 8186231


National Board of Medical Examiners 174270

ACLS recertifications: 1/99, 3/01, 6/03

Insurance:

’80-’95 Truck Insurance Exchange 99TA54973
4680 Wilshire Ave.
Los Angeles, CA 90051

’96-’11 Physicians Insurance CM1-002201-01
1730 Minor Ave., Ste. 1800
Seattle, WA 98101-1499

Professional:

Diplomate of National Board of Medical Examiners [inactive]
Fellow of the American Academy of Family Practice
Stanislaus Medical Society [inactive]
Whatcom Medical Society [inactive]

Post-retirement classes

2010 geology 101 WWU

revised February 2014
Curriculum vitae

<table>
<thead>
<tr>
<th>Year</th>
<th>Course</th>
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<td>2011</td>
<td>Macroeconomics</td>
<td>WWU</td>
</tr>
<tr>
<td>2011</td>
<td>Hominid evolution/primatology</td>
<td>WWU</td>
</tr>
<tr>
<td>2012</td>
<td>Entomology</td>
<td>WWU</td>
</tr>
<tr>
<td>2013</td>
<td>Microeconomics</td>
<td>WWU</td>
</tr>
<tr>
<td>2013</td>
<td>Climatology</td>
<td>University of Chicago</td>
</tr>
</tbody>
</table>

Post-retirement teaching

<table>
<thead>
<tr>
<th>Year</th>
<th>Course</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Seminar on energy systems + climate change for Alliance for Lifelong Learning at WWU</td>
</tr>
</tbody>
</table>
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name Jocelyn
Last Name Leroux
Date 1/8/2018
Street Address 2804 Mcleod Road
City Bellingham
Zip 98225
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone 9707565662
Secondary Telephone Field not completed.
Email Address jocelynleroux@gmail.com

Step 2
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Name of Board or Committee</strong></td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td><strong>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>3. Which Council district do you live in?</strong></td>
<td>District 2</td>
</tr>
<tr>
<td><strong>4. Are you a US citizen?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>5. Are you registered to vote in Whatcom County?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>7. Have you ever been a member of this Board/Commission?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</strong></td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: 
*Field not completed.*

**9. Please describe your occupation (or former occupation if retired), qualifications,**

For the past year and a half I have been working in various capacities for The Mountain Pact, an environmental advocacy non-profit. The Mountain Pact works with local elected officials and chambers of commerce in rural mountain communities.
professional and/or community activities, and education throughout the Intermountain West. We work to inform and enhance the voices of these communities in the federal climate, conservation, and public lands policy arena. My work with The Mountain Pact has included communications and outreach, as well as town recruitment and hiring. Working with The Mountain Pact has given me a developed understanding of the federal climate change conversation, and I would like to be able to apply what I have learned by working within my community to address this growing problem. Additionally, I am currently a candidate to receive my M.A. in Environmental Studies with a focus on Environmental and Water Policy from Western Washington University. Through this program I have been able to focus on the human factors related to climate change, conservation, and energy policies. Prior to beginning my masters candidacy at WWU I received training and education in ecological and biological field work. This background along with my background in environmental and climate change policies combined with my current focus at WWU provides me with a unique perspective with which to approach the duties of this advisory committee.

10. Please describe why you’re interested in serving on this board or commission

I am interested in serving on the Climate Impact Advisory Committee for a variety of reasons. It is important to address the need for preparation and mitigation of the prevention and adaptation to climate change impacts. Doing so at the local level is one of the best ways to address climate change impacts and I would like to be involved with Whatcom County’s efforts to do this. Having recently moved to Whatcom County I have the desire to become more involved with this community, and to help the county achieve the goals laid out by the Climate Action Plan. As discussed in my answer to the previous question, I have a unique background that would allow me to provide useful insight into how Whatcom County can best address the impacts of climate change. By working together at the local level we can accomplish a lot, and build solid momentum in a positive direction. I would like to be a part of this momentum.

References (please include daytime telephone number):
Diana Madson-(916)288-7580 Maddie Rehn-(970)389-5749

Signature of applicant: Jocelyn Leroux

Place Signed / Submitted: Bellingham, Washington
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Laura</td>
</tr>
<tr>
<td>Last Name</td>
<td>McKinney</td>
</tr>
<tr>
<td>Date</td>
<td>12/27/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>8990 Merganser Ct</td>
</tr>
<tr>
<td>City</td>
<td>Blaine</td>
</tr>
<tr>
<td>Zip</td>
<td>98230</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>3605437920</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>3602018595</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:laura.mckinney@alcoa.com">laura.mckinney@alcoa.com</a></td>
</tr>
</tbody>
</table>

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>My current employment is with Alcoa Corporation as the NW Government Affairs and Public Relations Director. I serve on a facility leadership team at Intalco charged with maintaining environmental compliance. In addition to my employment, I am</td>
</tr>
</tbody>
</table>
10. Please describe why you’re interested in serving on this board or commission

I am interested in serving on this Commission in order to represent the interests of industry working as conscientious stewards of the environment as well as providing hundreds of good family wage jobs in Whatcom County. In addition to my current employment, I am a resident of Whatcom County with great interest in protecting the beautiful area of the country that we live in and are charged to take care of.

References (please include daytime telephone number):

Ron Jorgensen, Intalco Plant Manager (360) 384 7584, Dr. Ron Spanjer, Blaine Superintendent, (360) 332-5881

Signature of applicant:

Laura L. McKinney

Place Signed / Submitted

Ferndale, WA
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name: Sean
Last Name: Mertens
Date: 12/29/2017
Street Address: 3900 Deemer Rd
City: Bellingham
Zip: 98226
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 2062510700
Secondary Telephone: Field not completed.
Email Address: seanmurphymertens@gmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 2

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications, I just finished up a stint as a seasonal Storm Water Maintenance Worker for the City of Bellingham. The bulk of my experience in regards to climate science and policy comes from my time spent studying at Western Washington
University. There I studied in depth policies including the economic mechanisms behind cap and trade and carbon taxes. I was also given a chance to look at city design, climate action plans, and the history of U.S environmental policy. I collaborated with UC Davis, PSE, and several other institutions to design an energy investment plan for Western. I have extensive research, economics, and policy experience. Outside of school I volunteer for trail restoration and spent the last 6 months working on Bellingham’s storm water management facilities which gave me a good look at the hands on mitigation of climate change we are already participating in. In my free time I read up on the latest environmental/sustainability news. I keep updated with the findings of the Intergovernmental Panel on Climate Change and have looked over the climate action plans of several cities including Bellingham. I have also reached out to local businesses to assist in reducing their footprint as part of my overall belief that we are all responsible for maintaining sustainable lifestyles. 2-3 times a month I write articles about our community for Whatcom Talk.

10. Please describe why you’re interested in serving on this board or commission

I am interested in serving on the Climate Impact Advisory Committee because I love my community and can think of no better way to service it than offer up my expertise on climate science and policy to help improve the goals and progress of the county. If anything, I am looking for an excuse to keep researching new methods of mitigation and management, so that I can pass this information onto those that can use it to influence positive change. I want to see the best for my planet, and the best for my community, and I think lending my mind to this committee is a great way to bring about that change.

References (please include daytime telephone number):

Tim McLaughlin: Armark, (360) 650-6851
Scott Brown-Davis: City of Bellingham, 360-778-7727

Signature of applicant: Sean Mertens

Place Signed / Submitted: Bellingham, WA
Sean Mertens  
3900 Deemer Rd 209 Bellingham, WA 98226 | (C) 206-251-0700 | seanmurphymertens@gmail.com

Professional Summary:
I am a highly motivated and passionate business orientated environmentalist looking to combine and utilize my love of sustainability with my acquired knowledge and experience. My work and volunteer experience has taught me the value of implementing sustainable practices in all levels of society while utilizing traditional business practices. I’ve always taken the steps to pursue what I’ve thought to be right and love nothing more than to be challenged and to be trusted with the responsibility to lead, direct, and manage.

Education:

B.A Business and Sustainability from Western Washington University; March 2016  
Projects: Clean Energy Investment Strategy for Western; Sustainable Consulting for Aslan Breweries; Efficiency Consulting with MicroK12, Marketing and Design for ProjectRENT.

AA in Integrated Studies from Cascadia Community College; June 2013

Experience

Warehouse/Delivery; MicroK12, Lynnwood, WA  
Summers of 2014-2015  
• Maintained clean and efficient loading bay  
• Drove a 24ft box truck throughout Western Washington  
• Loading shipments and assured each customers received exactly what they ordered  
• Met and interacted with a variety of receiving teams

Apparel Clerk: Fred Meyer, Bellingham, WA  
Aug 2016-June 2016  
• Quickly adapted to a diverse work culture  
• Perform duties beyond standards expected of new hire  
• Constantly volunteer to tackle tasks/problems outside of my station

Storm water Management: City of Bellingham, Bellingham, WA  
June 2017  
• Work with local stakeholders to preserve quality of storm runoff  
• Manage various city wide projects  
• Cooperate with a multi-departmental team

Additional Information:
• I performed a full footprint analysis and B-Corp Assessment, for Aslan Brewing LLC.  
• Worked with Puget Sound Energy, UW and U of C, and other stakeholders to design a complete renewable energy investment strategy for WWU  
• Adept with full Microsoft Suite and experience with Adobe CC  
• Working knowledge of several management techniques including Toyota Kata and Lean  
• Knowledge of accounting systems, QuickBooks, and business financial management and reporting
From: noreply@civicplus.com
Sent: Monday, January 08, 2018 11:01 PM
To: Ben Glassett; Jill Nixon; Suzanne Mildner; Kristi Felbinger; Dana Brown-Davis; Executive; NaDean Hanson
Subject: Online Form Submittal: Board and Commission Application

Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name: Tim
Last Name: Miller
Date: 1/3/2018
Street Address: 1525 Lakeway Place
City: Bellingham
Zip: 98229
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone: 3602011168
Secondary Telephone: 3603802119 x1002
Email Address: TMiller@FerndaleGS.com

Step 2
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   Yes

3. Which Council district do you live in?
   District 3

4. Are you a US citizen?
   Yes

5. Are you registered to vote in Whatcom County?
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications,
   I have over twenty-five years of experience in the power generation sector including engineering and facility management. My current occupation is Plant Manager of the Ferndale Generating Station in western Whatcom County.
professional and/or community activities, and education

<table>
<thead>
<tr>
<th>NAES Corporation (my employer) and PSE (plant owner) both operate diverse portfolios of power generation facilities including wind, solar, hydro-electric and thermal plants as well as electrical grid infrastructure, so I have a broad perspective and understanding of these technologies and their capabilities. Additionally I have served on several advisory committees for Bellingham Technical College helping to guide the respective educational programs going on 15 years. I have also been an active Board member of the Ferndale Chamber of Commerce for nearly 10 years.</th>
</tr>
</thead>
</table>

10. Please describe why you’re interested in serving on this board or commission

<table>
<thead>
<tr>
<th>I hope to support the Whatcom County Council and Executive in developing a practical approach to mitigating climate change.</th>
</tr>
</thead>
</table>

References (please include daytime telephone number):

<table>
<thead>
<tr>
<th>Satpal Sidhu</th>
</tr>
</thead>
</table>

Signature of applicant:

<table>
<thead>
<tr>
<th>Tim Miller</th>
</tr>
</thead>
</table>

Place Signed / Submitted

<table>
<thead>
<tr>
<th>Personal residence in Whatcom County</th>
</tr>
</thead>
</table>

(Section Break)
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name: Rachael
Last Name: Mueller
Date: 1/3/2018
Street Address: 1338 Puget St. #1
City: Bellingham
Zip: 98229
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 5412317204
Secondary Telephone: Field not completed.
Email Address: rachaeldmueller@gmail.com

Step 2
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
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<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

RMueller_CV_2018_climatecouncil.pdf

9. Please describe your occupation (or former occupation if retired), qualifications, & interest in response to the following questions:

I am a Physical Oceanographer who investigates the dynamics of how ocean heat is melting the Antarctic Ice Sheet. This research is important because the poleward transport of ocean heat has become both the primary driver of Antarctic mass loss...
and the primary source of uncertainty in predictions of the rate of future sea level rise. The ocean and ice interaction that I investigate occurs along the Antarctic coastline, beneath floating shelves of the ice sheets that extend hundreds of kilometers out to sea and link the atmosphere, ocean, and ice in a dynamic and integrated system that has been impacted by humanity and will impact our societies in the centuries to come.

10. Please describe why you’re interested in serving on this board or commission

I like helping communities grow stronger, together, by engaging in meaningful work and creating pathways that connect people to accurate information that can help foster right action. My experience working in four different scientific fields has helped me establish worldwide connections across multiple disciplines that I have utilized toward better understanding the nuances of climate change when they extend beyond my expertise. I’m keen to utilize this experience and these connections toward helping empower Bellingham toward growing its available resources, prosperity, community, innovation and leadership. We have all the pieces within our community to create positive impact, and I want to do my part in helping us utilize our strengths toward overcoming the adversities of climate change.

References (please include daytime telephone number):

Tyler Byrd: Byrd@redrokk.com; (360) 920-2462. Dan Mayhew: Mayhew.Dan@gmail.com; (541) 543-7283. Laurence (Laurie) Padman: Padman@esr.org; (541) 745-8196.

Signature of applicant: Rachael Mueller

Place Signed / Submitted: Bellingham, WA
Rachael Davida Mueller
(541) 231-7204
RachaelDMueller@gmail.com
RachaelMueller.com

EDUCATION
Ph.D. Oregon State University
Physical Oceanography
NASA Earth and Space Science Fellow (2007-2010)
Corvallis, OR 2007 – 2014
M.S. Oregon State University
Physical Oceanography
Corvallis, OR 2003 – 2006
B.A. University of Colorado
Mathematics
Boulder, CO 1996 – 2000

SKILLS
• Effective conflict mediation with ability to utilize active listening and Nonviolent Communication (NVC)
• Community-oriented thinker
• Strong ability to write concise, persuasive, clear, and targeted arguments for proposals, reports, journal articles, and science advocacy.
• Engaging speaker
• Skillful problem solver
• Successful grant proposal writer
• Numerical Modeler
• Data Analyzer in space and time
• Graphic designer & scientific illustrator
• Experienced researcher in observational oceanography, numerical modeling, paleoclimatology, geophysics (river discharge), and atmospheric chemistry.

PRESENTATION AWARDS
Invited speaker. West Antarctic Ice Sheet Workshop. Widbey Is., WA. 2017
NASA MPOWER Speaker Award. Awarded travel, accommodation and opportunity to give a presentation at the NASA Goddard Space Flight Center, Washington, DC. 2011
Best Student Oral Presentation. West Antarctic Ice Sheet Initiative Workshop. Raystown, PA 2010
Invited speaker. American Geophysical Union Fall Meeting. San Francisco, CA. 2008

FUNDING AWARDS
NASA ROSES proposal. Co-authored a successfully funded grant in support of a post-doctoral position with PIs Dr. James Cochran and Dr. Robin Bell of Lamont Doherty Earth Observatory, Columbia 2011
University.

**NASA Earth and Space Science Fellowship.** Awarded for “The mass balance of Antarctic Peninsula ice shelves, evaluated from radar and laser satellite altimetry and coupled ice/ocean models” at Oregon State University.  
**Oregon State University External Fellowship Tuition Scholarship.** 2007 – 2010  
**Oregon State University Graduate School Fellowship** 2007 – 2010  
**Supplemental Oregon Laurels Graduate Scholarship.** Merit-based tuition remission for the Spring quarter.

PEER-REVIEWED PUBLICATIONS (NÉE HILBERMAN)


OTHER PUBLICATIONS


CONFERENCE PRESENTATIONS


"The other guys" in "Waterworld": Ice shelf basal melt beyond plume dynamics. West Antarctic Ice Sheet (WAIS) Initiative Workshop. Lake Raystown, PA. Oral presentation (best student speaker award). 2008


PROFESSIONAL EXPERIENCE

Postdoctoral Researcher, Physical Oceanography, Earth & Space Research, Bellingham, WA. Sept. 2016 – present

Naturalist, Marine Biology, Maya’s Legacy Whale and Wildlife Tours, San Juan Island, WA. Summer – 2016

Rachael D. Mueller

Curriculum Vitae

Page 3 of 5

Core Faculty, Climate Studies and Writing, Explorations Academy High School, Bellingham, WA. Supervised by Daniel Kirkpatrick. Fall 2015

Owner and manager, The Corvallis Cottage, Corvallis, OR. Self-employed. 2011–2015

Doctoral Candidate, Physical Oceanography, Oregon State University, Corvallis, OR. Supervised by Drs. Laurence Padman and Eric Skyllingstad. 2007–2014

Research Assistant, Physical Oceanography, Earth & Space Research, Corvallis, OR. Supervised by Dr. Laurence Padman. 2011–2013

Graduate Research Assistant (funded through NASA fellowship), Physical Oceanography, Oregon State University, Corvallis, OR. Supervised by Drs. Laurence Padman and Dudley Chelton. 2008–2011

Research Assistant, Physical Oceanography, Earth & Space Research, Corvallis, OR. Supervised by Dr. Laurence Padman. 2006–2008

Graduate Research Assistant, Physical Oceanography, Oregon State University, Corvallis, OR. Supervised by Dr. William Smyth. 2003–2006


Research Assistant, Hydrology, Institute for Arctic and Alpine Research, Boulder, CO. Supervised by Dr. James Syvitski. 2001–2002

Research Assistant, Quaternary Paleoclimatology, Institute for Arctic and Alpine Research, Boulder, CO. Supervised by Drs. Anne Jennings and John Andrews. 1998–2000

RESEARCH CRUISE EXPERIENCE

R/V Nathaniel B. Palmer, Amundsen Sea, Antarctica. 2007
Research PI: Stanley Jacobs
R/V Thomas G. Thompson, Monterey Bay, CA. 2007
Research PI: Dr. Tim Cowles
Website: http://arg0.coas.oregonstate.edu/biooptics/projects/loc0/index.htm
Marion Dufresne, Greenland-Iceland-Norwegian Sea (Fremmer IMAGES V) 1999
Research PIs: Dr. Anne Jennings and Dr. David Anderson.

MEMBERSHIPS AND AFFILIATIONS

Aqyaplan-Niva 2016 – present
Earth & Space Research 2006 – present
Association for Polar Early Career Scientists 2007 – present
Mentoring Physical Oceanography Women to Increase Retention 2009 – present
American Association for the Advancement of Science 2014 – 2012
American Geophysical Union 2005 – present
American Meteorological Society  

SERVICES

General

Formerly Secretary and Class Representative. Currently Class Representative.

**B’HAMster’s Earth Science HUB**, 2017-present. Create and coordinate science lectures for the Bellingham community and anyone who wants to participate remotely via a Facebook live stream.  
https://www.meetup.com/BHAMstersEarthScienceHUB/

Scientific Community


**Student Advisory Committee** (Chair). 2004-2005.  
Led a group of eight students to enhance student’s academic and professional experience by working with graduate students, professors, our dean, and staff.  
- Organized a speaker series to host a diverse group of scientists (including Dr. Marcia McNutt, President elect at NAS and editor-in-chief of *Science magazine*) and OSU alumni to discuss careers paths in science and to motivate discussions.  
- Created a quarterly newsletter to distribute information from the seminar series, for those unable to attend, as well as to communicate the progress of objectives set by the advisory committee.  
- Co-organized weekly events for students aimed at increasing knowledge of research activities amongst students in an informal, social setting.
Board and Commission Application

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**

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**First Name** Dana

**Last Name** Oster

**Date** 1/8/2018

**Street Address** 239 N Garden St

**City** Bellingham

**Zip** 98225

**Do you live in & are you registered to vote in Whatcom County?** Yes

**Do you have a different mailing address?** *Field not completed.*

**Primary Telephone** 3605827807

**Secondary Telephone** *Field not completed.*

**Email Address** dana.oster4@gmail.com

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td></td>
</tr>
<tr>
<td>I was previously working as an environmental consultant in Vancouver BC as a coastal geomorphologist. Most of my work involved running technical projects collecting data for port, oil and gas, and local infrastructure clients. My technical</td>
<td></td>
</tr>
</tbody>
</table>
professional and/or community activities, and education

experience is focused on nearshore oceanography, coastal geomorphology, and water quality. I have experience as a project manager, and field supervisor organizing field data collection programs, and data processing and reporting. I have a masters of science in environmental science with a focus on coastal geoscience. My undergraduate and graduate school research focused on sea level rise and coastal resilience following severe storm events.

10. Please describe why you’re interested in serving on this board or commission

I recently moved to the Bellingham area and am looking to be involved in the local community. My interests are around coastal resource management, aquaculture and shellfish restoration, and climate change adaptation. My interests are focused on how to preserve the natural coastal environment and balance the local infrastructure and economic needs of the community when planning for climate change impacts and pragmatic methods to mitigate change. I think my technical background in coastal geomorphology and passion for policy and resource management will lend well to the committee. I am also a new member of the Whatcom community and am hoping to put down roots and continue to be involved in the community as I establish my career.

References (please include daytime telephone number):

Phil Osborne, former supervisor at Golder Associates, 604-354-7200, Phil_Osborne@golder.com Bill Dewey, Taylor Shellfish, 360-790-2330, billd@taylorshellfish.com

Signature of applicant: Dana Oster

Place Signed / Submitted Bellingham, WA
DANA J. OSTER
239 N Garden St, Bellingham, WA • 360-582-7807 • dana.oster4@gmail.com
LinkedIn: https://www.linkedin.com/in/dana-oster-90378a52/

Personal Profile
I am a coastal geomorphologist (M.Sc.) with over 5 years practical experience in environmental consulting in Vancouver, BC. I have been involved in a wide range of projects supporting data collection, analysis, and engineering design for port construction, infrastructure projects, and local projects working with aquaculture, coastal restoration, and climate impact assessments. My work experience has been primarily focused on coastal geomorphology, water quality, waste water treatment, coastal engineering, and nearshore oceanography, with additional work in fluvial, lacustrine, and estuarine environments. I have extensive experience with project design, management, logistics/coordination, and data analysis and reporting. I am interested in pursuing a career that integrates research with community engagement, resource management, restoration, and conservation.

Professional Career
Golder Associates Ltd. Coastal Geoscience Specialist
May 2012 - October 2017 Vancouver, BC Canada
Coastal geomorphologist and member of the coastal and surface water group in Golder. Responsibilities include project management, data collection, data analysis, reporting, 2D modelling, budgeting, proposal development, permit applications, coordination with local interest groups, first nations communities, and government agencies, management of coastal and oceanographic instrumentation, and mentorship of summer students. Project experience in coastal geomorphology, nearshore oceanography, water quality, coastal engineering, fluvial geomorphology, waste water treatment outfalls, and geotechnical. Primary client sectors include oil and gas, mining, infrastructure and sustainability for government agencies, aquaculture, and development.

University of Virginia Research Assistant and Teaching Assistant
September 2009 - May 2012 Charlottesville, Virginia
Instructed undergraduate students on laboratory and field techniques in introductory geology laboratory. Conducted original research involving project design, data collection, and analysis at the Virginia Coast Reserve Long-Term Ecological Reserve. Master’s thesis work employed the use of wavelet analysis of LiDAR data to examine the occurrence and coincidence of hurricane overwash events with large scale coastal morphology and vegetation reestablishment.

Bates College Hoffman Research Grant Recipient
May 2008 -June 2009 Lewiston, Maine
Conducted original research and data collection of the barrier beach system of a small pocket beach along the Maine coast as part of an honors thesis. The work included an intensive mapping and GIS program to monitor morphologic change, and project potential impacts of sea level rise to the region. The work included a community collaboration and outreach component. The Seawall Beach and Morse Mountain Conservation Area works alongside the Small Point Community to document ongoing change along the coastline and to hold community information meetings. Part of the research grant was to help establish a community archive that can continue to grow with future student research and community participation (https://sites.google.com/a/bates.edu/seawall-project/home).

Education
2009-2012 University of Virginia Masters of Science in Environmental Science
2005-2009 Bates College Bachelors of Science in Geology
Skills

- Excellent technical knowledge of Microsoft Office, Adobe InDesign and Illustrator, Arc GIS, MATLAB, and Blue Kenue.

- Excellent interpersonal skills and ability to work with a team to complete projects. Good public speaking and presentation skills.

- Field skills with RTK GPS systems, water quality instrumentation, wave and current instrumentation, tide gauges, real time monitoring stations, and oblique aerial photography systems.

Certificates

Basic Offshore Safety Induction and Emergency Training (BOSIET) • Marine Basic First Aid • H2S Awareness • Workplace Hazardous Materials Information System (WHIMS) • Managing Workplace Injury • Small Non-Pleasure Vessel Basic Safety (MED A3)

Publications and Presentations


Affiliations

Joint Health and Safety Committee- Worker Chair • Coastal Connection Vancouver • Skipper Otto’s Community Supported Fishery • APEG BC •Women in Aquaculture

Interests

Hiking • Running • Snowshoeing • Gardening • Cooking • Aquaculture • Hobby Farming
Select Project Experience

WATER QUALITY MONITORING
Geoduck Harvest Generated Turbidity Plume Monitoring for Taylor Shellfish; Multiple Sites, Puget Sound
I was involved on multiple projects working for Taylor Shellfish to monitor and assess turbidity plumes associated with geoduck harvests as part of their permitting process. We worked to design customized monitoring programs to measure ambient water conditions and harvest plume conditions at numerous sites. The work also included characterizing the hydrodynamics of the sites using field data collection and hydrodynamic modelling. My role was to coordinate directly with Taylor Shellfish staff for times and sites to conduct monitoring, and create monitoring systems, such as barge mounted oblique aerial photography systems to capture plume generation and progression during geoduck harvests.

Annacis Island Waste Water Treatment Outfall Diffuser; Delta, British Columbia
I was the project manager for a salinity and water density monitoring program in the Fraser River near Annacis Island. The work was conducted for Metro Vancouver to support designs for a new waste water treatment outfall. This site posed a unique challenge for meeting initial dilution zone requirements. The challenge is during low river flows in the winter, the salt wedge would progress up to the site. The presence of the salt wedge created a density gradient that would reduce vertical mixing of the outfall with the ambient water. I designed a data collection program to track and monitor the salt wedge presence at the site (or so we loving termed it, salt wedge hunting). My role included coordinating with Port of Vancouver staff to obtain permits to conduct sampling and install a temporary seabed frame at the project site. Additionally I designed the data collection program to help meet regulatory requirements to capture the worst case salt wedge conditions. The data collection included frequent conductivity, temperature, and depth (CTD) profiling at select locations, and installation of continuously monitoring salinity, temperature, turbidity, and current meters. I led the onsite data collection efforts, data analysis, reporting, and budget management.

Environment Canada Waste Water Outfall Dispersion Modelling; Multiple Sites, British Columbia
I assisted with data collection, review and support for outfall dispersion modelling for first nation's communities done on behalf Environment Canada. The project involved building an understanding of characteristics of wastewater management systems and to characterize most likely failure scenarios using a dispersion modeling approach. My role was to provide background metocean and environmental conditions as input to dispersion modeling calibration, verification, and production simulations.

D-Island Water Quality Monitoring System, Agip KCO; North Caspian Sea, Kazakhstan
Early in my career at Golder I took on a lead role in developing and maintaining an experimental near-real time air and water quality monitoring system installed on D-Island in the North Caspian Sea, Kazakhstan. The system was designed to meet regulation requirements for the offshore drilling and production site. I was responsible for system design, instrument selection, monitoring, maintenance, and operation of a near-real time water quality monitoring station. Monitoring included preparation of monthly reports of verified data, and ongoing data quality control. I provided on-site technical support for recovery, maintenance and field calibration of the station. I assisted with the certification and inspection of instrumentation and water quality station with the Kazakhstan governing agency. As I became more experienced I took on a role of providing onsite training and troubleshooting to local Kazakhstan office employees. Water quality parameters measured included: salinity, temperature, depth, turbidity, chlorophyll fluorescence, pH, oxidation-reduction potential, dissolved oxygen, hydrocarbons, and particulate size and concentration.
COASTAL MONITORING, RESTORATION, ENGINEERING

Fish Habitat Remediation and Design; Multiple Projects in British Columbia
I was involved in multiple projects in British Columbia to design wetland and fish habitat as part of remediation work for projects required to build habitat compensation. The scope of work included assessment of existing data, summary of design criteria, sea level rise assessment, 2D modelling of overwash and coastal erosion, and design and construction planning for complex habitat sites for salt marsh establishment and forage fish habitat. My work was collaborative with ecologists and biologists to create a habitat design of appropriate location and elevation to allow for establishment of local species, while maintaining elevations and grain sizes appropriate for the hydrodynamic conditions at site to ensure a design life of 25 years.

Rich Passage Wake Impact Study, Fast Ferries Program, Kitsap Transit; Puget Sound, Washington
The Rich Passage Wake Impact Study is a multiyear program that Golder has been involved in to support the study and monitoring of high speed ferry wake effects along shoreline properties and to communicate with communities and stakeholders. My role included beach photograph documentation to monitor beach sediment elevation relative to shore protections and bulkheads, gravel tracer monitoring, wake wave measurements, noise monitoring, and attending community information sessions. The data collection contributed to monitoring shoreline erosion during fast ferry trial runs.

University of British Columbia-Point Grey Cliff Erosion Study; Vancouver, British Columbia
The Point Grey cliff erosion study was undertaken on behalf of the University of British Columbia to provide a review of existing conditions of the cliff slope, and beach, potential implications of sea level rise, and to make recommendations toward mitigating the erosion using sustainable practices. I assisted with the study objectives which included desk based data review of geotechnical conditions, wave and wind climate, a water level and sea level rise analysis, and the design recommendations.

Small Craft Harbour- Effects Assessment of Breakwater on Wave Climate; British Columbia Coast
I was involved in a desktop evaluation of a timber breakwater for a small craft harbour. The work involved an assessment of functionality and effectiveness of the structure. The end result was to advise the local government on how to proceed with the breakwater and to create a flyer to inform the community of the recommendation. My role involved gathering and reviewing available literature, site specific data, and historical aerial photographs. The assessment included evaluation of nearshore wave conditions using fetch analysis, wave diffraction, attenuation estimates, summarizing recommendations, and flyer design.

Shoreline Assessment and Classification for Proposed Marine Offloading Facility; Prince Rupert, British Columbia
I conducted a shoreline assessment of a proposed marine offload facility site. The shoreline assessment consisted of grain size assessment and characterization of the intertidal foreshore. Some of the shoreline consisted of bedrock cliffs and inaccessible sites, so boat based monitoring methods and photogrammetric survey was used to capture the shoreline. The results of the photogrammetric survey was to characterize the slope stability and grain size of the project site, as well as classifying the shoreline.
NEARSHORE OCEANOGRAPHY AND LIMNOLOGY

Strait of Georgia Current Circulation Study at a Deep Water Waste Water Outfall; Vancouver, British Columbia
I was the project manager for a data collection program for Metro Vancouver to measure current circulation in the Strait of Georgia near a deep water waste water outfall in approximately 80 to 100 m water depth. My role included coordination with Canadian Coast Guard to issue notices of the temporary tautline mooring installation and data collection program. I led the field data collection, analysis, and reporting.

Multiple Liquefied Natural Gas (LNG) Terminal Investigations; Multiple Sites, Canada
I worked along the British Columbia coast (Howe Sound, Prince Rupert, Kitimat), and in Nova Scotia collecting meteorologic and oceanographic data for port and terminal design for proposed LNG facilities. Much of the work consisted of coordinating with provincial and federal government agencies to obtain permits to deploy monitoring stations, such as seabed mounted frames, tautline moorings, surface buoys, and meteorologic stations to measure wind, waves, currents, general water properties (temperature, salinity, turbidity, pH, dissolved oxygen, and chlorophyll-a), and surface sediment sampling. My role was through all phases of the program. I was involved in permit application, field logistics and coordination, first nations technical training, instrument calibration and procurement, safety planning, field collection, data processing, analysis and reporting, and project management and budgeting. Examples of some of the instrumentation I used are: RTK GPS, Acoustic Doppler Current Profiler (ADCP), Acoustic Wave and Current Profiler (AWAC), real time TRIAXYS wave and current buoy systems with satellite telemetry, water quality sensors (e.g. YSIs, RBRs, Seabird Electronics, JFE Advantech turbidity monitors), and ponar sediment samplers.

Lake Tanganyika South Block Physical and Biological Baseline Studies, Beach Petroleum; Tanzania
I worked as a field engineer for the physical baseline study data collection program to provide measurements of surface waves, currents throughout the water column, wind speed and direction, and water properties including conductivity, temperature, depth, turbidity, chlorophyll fluorescence, and photo synthetically active radiation within the Lake Tanganyika south block oil and gas exploration lease for Beach Petroleum. The program required the procurement, deployment, servicing, and recovery of two surface riding wave buoys and two multi-parameter tautline moorings in water depths of approximately 300 and 500 meters. I took on an extra role to repair damaged junction boxes for the solar panels that had been tampered with.
Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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<th>First Name</th>
<th>Sandy</th>
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<td>Paris</td>
</tr>
<tr>
<td>Date</td>
<td>12/22/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>415 Cove Road</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98229</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>YES</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>PO Box 30172, Bellingham, WA 98228-2172</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>360-384-8375</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:Sandy.Paris@P66.com">Sandy.Paris@P66.com</a></td>
</tr>
</tbody>
</table>
Step 2

1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 3

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former)
   Environmental Air Lead with >25 years experience in air permitting. BS Chemical Engineering from UC Berkeley. Nearly
35 years experience in the petroleum industry. Member of the Northwest Clean Agency (NWCAA) Advisory Council. Member of the Western States Petroleum Association (WSPA) NW Environmental Committee.

As part of the energy industry for nearly 35 years, I have an interest in a balanced approach to climate concerns, keeping both large and small industry/businesses viable with sound science.

Mark Buford, Director NWCAA 360-428-1617 ext 207; Jessica Spiegel, Senior Coordinator WSPA 360-352-4512

Sandy Paris

Ferndale, WA

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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<table>
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<tr>
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<th>Jenny</th>
</tr>
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<tbody>
<tr>
<td>Last Name</td>
<td>Rae</td>
</tr>
<tr>
<td>Date</td>
<td>1/8/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2912 Cottonwood Avenue</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98225</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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<tr>
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<td>3603194045</td>
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<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:jenny@chuckanutbuilders.com">jenny@chuckanutbuilders.com</a></td>
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Step 2
1. Name of Board or Committee
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   Yes

3. Which Council district do you live in?
   District 2

4. Are you a US citizen?
   Yes

5. Are you registered to vote in Whatcom County?
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   No

9. Please describe your occupation (or former occupation if retired), qualifications,
   I currently work as the Communications Director for Chuckanut Builders. Before working for, and helping start, Chuckanut Builders I was a founding member of Wild Whatcom. My inspiration and interest in both of these roles is addressing and

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Field not completed.
Professional and/or community activities, and education

fighting global climate change at a local level. At Chuckanut Builders our mission is to build a resilient, sustainable community by bolstering the local economy and embracing innovation. Identifying this focus gave us a framework and guide for our future work and community involvement. My role in meeting this mission is educating clients and the local building community about the impacts of residential building on climate change. I have a bachelor's degree in Environmental Studies at Evergreen State College and a Master's of Education and Non-profit Administration at Huxley College.

10. Please describe why you're interested in serving on this board or commission

Global climate change is an all pervasive issue and failing to address it in a comprehensive manner isn't an option. Climate change will impact every facet of our lives going forward. The potential to act on a local level, that goes beyond building and renovating energy efficient homes, feels both empowering and like an obvious next step for me professionally and personally. In addition to working at Chuckanut Builders I'm a mother, gardener and backpacker. We chose to raise our boys in Bellingham because of our love of nature and the community. I am committed to playing a role in safeguarding both, serving on this committee would help me do that.

References (please include daytime telephone number): Forest Chiavario; forest@chuckanutbuilders.com; 360-303-8114 Rose Lathrop; rose@sconnect.org; 360-647-7093

Signature of applicant: Jenny Rae

Place Signed / Submitted 1000 N. State St., Bellingham, WA

(Section Break)

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name Alex
Last Name Ramel
Date 8/15/1977
Street Address 616 n state street APT 1
City Bellingham
Zip 98225
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone 13603055079
Secondary Telephone Field not completed.
Email Address alexwramel@gmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

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Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, I currently work at Stand.earth as a Field Director working on engaging community members in climate and energy issues. I was the lead author of Bellingham’s GHG Inventory and Local Climate Action Plan which was adopted in 2007. I was an
professional and/or community activities, and education

adviser on the drafting of Whatcom County’s 2006 Climate Inventory and Action plan. As a Program Officer at ICLEI -- Local Governments for Sustainability, I helped more than a dozen other communities, including Phoenix and New York, develop greenhouse gas inventories and prepare plans to address climate change at the local level. From 2008 to 2015 I worked as Energy and Policy Director for Sustainable Connections. In that capacity I lead the development of the nation-leading Community Energy Challenge which was a partnership that included several local and regional governments and non-profits and which, to-date, has helped more than 2000 people and 500 businesses in NW Washington implement cost effective energy efficiency strategies.

10. Please describe why you’re interested in serving on this board or commission

I believe that local governments can make a big difference on climate change. I’ve spent a lot of time thinking and learning about this area, so I believe that I have a meaningful opportunity to contribute to this discussion in my community.

References (please include daytime telephone number):

Derek Long, Executive Director at Sustainable Connections.
360-303-7776
Todd Paglia, Executive Director at Stand.earth.
360-415-1500

Signature of applicant: Alex Ramel

Place Signed / Submitted: Bellingham, WA

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Board and Commission Application

Step 1

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First Name  Robert

Last Name  Riesenber

Date  1/19/2018

Street Address  1301 Thalen Dr

City  Lynden

Zip  98264

Do you live in & are you registered to vote in Whatcom County?  Yes

Do you have a different mailing address?  Field not completed.

Primary Telephone  3605104804

Secondary Telephone  3605104804

Email Address  bobriesenberg@comcast.net

Step 2
<table>
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<tr>
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<tr>
<td>If yes, please explain</td>
<td>Faculty, Whatcom Community College</td>
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<td>Field not completed.</td>
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<tr>
<td>9. Please describe your occupation (or former)</td>
<td>Residence: Lynden, WA Psychology faculty at Whatcom Community College since 1992 (retired full-time, now part-time).</td>
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Focus areas: Environmental Issues and Human Behavior; Sustainability, Mental Health Education; Ph.D in Psychology, University of Vermont MSW Social Work, Ohio State University (licensed clinical social worker in Washington state) BA in Psychology; University of Cincinnati Commissioned Officer, USPHS Indian Health Service, 1969-78 Grew up on family farm in Ohio

10. Please describe why you’re interested in serving on this board or commission

For 35 years I have been involved in education and research about the role of human behavior in environmental issues and sustainability. I love the natural beauty and ecosystems of Whatcom County. I have hiked and camped quite a bit in NW Washington. I grew up on a family farm in southwest Ohio. I am very fond of our agricultural lands, animals, and farming families in Whatcom County. (I like cows!) I care deeply about sustainability issues. I want to continue contributing to the quality of life for our descendents that is as good or better than the present. I have devoted 35 years to education about the role of human behavior in creating and addressing our environmental and sustainability issues. I have been deeply involved in sustainability efforts at Whatcom Community College including being the Sustainability Coordinator and Chair of our Sustainability Committee.

References (please include daytime telephone number):
Kathi Hiyane-Brown, President, Whatcom Community College, Phone 360-383-3330 Chuck Robinson, co-founder of Village Books, former Trustee of Whatcom Community College; Phone 360-319-6069

Signature of applicant: Robert D Riesenberg

Place Signed / Submitted 1301 Thalen Dr, Lynden Washington

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**Board and Commission Application**

**Step 1**

Application for Appointment to Whatcom County Boards and Commissions

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Joyce</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Segal</td>
</tr>
<tr>
<td>Date</td>
<td>1/5/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>3390 Aldergrove Rd.</td>
</tr>
<tr>
<td>City</td>
<td>Ferndale</td>
</tr>
<tr>
<td>Zip</td>
<td>98248</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>Do you have a different mailing address?</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Primary Telephone</td>
<td>6504306243</td>
</tr>
<tr>
<td>Secondary Telephone</td>
<td>6504306243</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:joyceck10@gmail.com">joyceck10@gmail.com</a></td>
</tr>
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</table>

**Step 2**
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 5</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
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You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

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<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>Retired with 45 years experience in Engineering and Technical Product Development. BS, Mechanical Engineering, MS electrical engineering. Certified Solar Energy Designer, North American Board of Certified Energy Practitioners (NABCEPT).</td>
</tr>
</tbody>
</table>
professional and/or community activities, and education

Lecturer at Church and University on renewable energy technology. KPU, Richmond BC, Sustainable Connections etc.

10. Please describe why you’re interested in serving on this board or commission

Concerned about the level of renewable energy in PSE service area and the information available on permitting and zoning for Solar and Wind in the county. electric Vehicles and Charging options.

References (please include daytime telephone number):

Kim Cooper, 650-931-7277, Sandra Gottschoch - sandraowrites@gmail.com-604-600-9532

Signature of applicant: Joyce K. Segal

Place Signed / Submitted: Ferndale, WA

(Section Break)

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name: Sharon
Last Name: Shewmake
Date: 5/19/1980
Street Address: 2414 C Street
City: Bellingham
Zip: WA
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: 3606504892
Secondary Telephone: Field not completed.
Email Address: sharon.shewmake@wwu.edu

Step 2
1. Name of Board or Committee  
   Climate Impact Advisory Committee

<table>
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<tr>
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<tbody>
<tr>
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<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
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<tr>
<td>3. Which Council district do you live in?</td>
<td>District 2</td>
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<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
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<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
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</tr>
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<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, | I am an economics professor at Western Washington University and a permanent faculty member of WWU's Institute for Energy Studies. My focus is on environmental economics, which is the main class I teach along with courses on urban |
professional and/or community activities, and education economics, the economics of climate change, and international energy policy. I have written papers on how much people are willing to pay for energy efficient housing, carbon labeling and transportation economics. I also volunteer with the Women in Energy Mentoring Network and the Women in Economics and Finance programs at WWU. Since moving to Bellingham, I have been a member of the Riveters Collective board as well as vice chair of the Lettered Streets Neighborhood Association.

10. Please describe why you're interested in serving on this board or commission

I am passionate about tackling climate change and deeply concerned that the actions we take are effective and cost-efficient. I believe economics has a unique perspective for looking at these questions and would like to apply the skills I bring as an economist to Whatcom County. I also think that service to Whatcom County Council could enhance my teaching and research.

References (please include daytime telephone number):

Andy Bunn, Professor at WWU (360) 650-4252, Joel Swisher Director of Institute for Energy Studies at WWU, (360) 650-4424, Beth Hartsoch, (360) 650-7376

Signature of applicant: Sharon Shewmake

Place Signed / Submitted: Bellingham, WA

Email not displaying correctly? View it in your browser.
Sharon Anne Shewmake  
Western Washington University  

EXPERIENCE

Department of Economics, Associate Professor  
2017-present
Department of Economics, Assistant Professor  
2013-2017
Western Washington University, Bellingham, Washington

PhD Program in Law and Economics, Post-Doctoral Researcher  
2010-2013
Vanderbilt University, Nashville, Tennessee
Courses Taught: Risk and Environmental Regulation II (graduate), Labor and Human Resources (graduate)

International Food Policy Research Institute (IFPRI),  
Summer 2007

National Center for Environmental Economics, Intern  
Summer 2006
Environmental Protection Agency, Headquarters Office, Washington, DC

Post, Buckley, Schuh & Jernigan, Inc, Environmental Scientist  
2002-2004

EDUCATION

Ph.D.  
Ag. and Resource Economics, University of California, Davis  
September 2010
"Can Carpooling Clean the Air? The Economics of Hybrid Cars, HOV Lanes and the Clean Air Act"

Bachelor of Arts  
Duke University, Durham, North Carolina  
Graduated with Distinction in Economics, May 2002
Major: Double major in Economics and Environmental Policy
Minor: Earth and Ocean Sciences

PUBLICATIONS

"Predicting Consumer Demand Responses to Carbon Labels" Ecological Economics,  
119, 168-180. 2015 (with Abigail Okrent, Lanka Thabrew and Michael Vandenbergh)

"Producer and Consumer Responses to Green Housing Labels" Economic Inquiry,  
53(1), January 2015, pp. 681-699. (with Kip Viscusi)


“The Impact of Bus Rapid Transit and Metro Rail on Property Values in Guangzhou, China” Transportation Research Record, forthcoming, 2014 (with Deborah Salon and Jingyan Wu)


REPORTS


WORKING PAPERS
Does the Flood Insurance Requirement Decrease Property Values? Before and After the Flood in Nashville, Tennessee (with Kyle Andelin) (submitted)
The Impact of HOV Lanes on Vehicle Miles Traveled
Energy Efficiency Scores and Housing Prices: Evidence from Bellingham, Washington

PRESENTATIONS
“Does the Flood Insurance Requirement Decrease Property Values?”
- Western Economic Association International, Honolulu, HI, Summer 2015
“Producer and Consumer Responses to Green Housing Labels”
- Department of Agricultural and Applied Economics, University of Georgia, August 2013
“Carbon Labeling for Consumer Food Goods”
- Western Economic Association International, Honolulu, HI, Summer 2015
- University of Sussex, Brighton, UK, Fall 2014
- World Congress on Environmental and Resource Economics (WCERE), Istanbul, Turkey Summer 2014
- American Law and Economics Association (ALEA) Annual Meeting, Nashville, TN May 2013
- Southern Economics Association (SEA) Annual Meeting, New Orleans, LA, November 2012
- University of California-Davis, Davis, CA, May 2012

"The Impact of HOV Lanes on Traffic Volume"
- Southern Economic Association, Washington, DC, November 2011
- Heartland Environmental and Resource Economics Workshop at University of Illinois, Urbana-Champaign, October 2011
- CU Environmental and Resource Economics Workshop, October 2011

"Hybrid Cars and HOV Lanes"
- Transportation Research Board, Washington, DC, January 2011
- World Congress on Environmental and Resource Economics, Montreal, Canada, Summer 2010
- Heartland Environmental & Resource Economics Workshop at Illinois, Urbana-Champaign, IL, October 2009
- 11th Occasional California Workshop on Environmental and Resource Economics, Santa Barbara, CA, October 2009
- Atmospheric Aerosols and Heath, UC Davis, October 2009
- Institute for Transportation Studies, UC Davis, October 2009
- Camp Resources XVI, Asheville, NC, August 2009
- University of California TSR&TP Conference, UC Berkeley, May 2009

"Vulnerability to Climate Change in South Africa’s Limpopo River Basin"
- Inaugural Conference of the Courant Research Centre ‘Poverty, Equity and Growth’ University of Göttingen, Germany, July 2009
- Pacific Development Conference, UCSD, March 2008

"Research Programs, Model-Building and Actor Network Theory"
- History of Economics Society Annual Meeting, University of Toronto, July 2004

GRANTS AND FELLOWSHIPS
Alfred P. Sloan Foundation, 2017-2019, "The Impact of Energy Efficiency on Housing Prices", $309,000 with Reid Dorsey-Palmateer and Phil Thompson
College of Business and Economics, Faculty Research Grant, WWU 2015
EAERE - FEEM - VIU Summer School in Resource and Environmental Economics
Courant Research Centre ‘Poverty, Equity and Growth’ Travel Grant to Göttingen, Germany
Pacific Rim Development Grant
Jastro Shields Research Grant
Atmospheric Aerosols and Health, UC-Davis
NSF Debating Science, University of Montana
Department of Agricultural and Resource Economics Fellowship, UC-Davis
Ben French Fellowship, University of California, Davis
University of California Washington Program Intern Award
Duke University, Nicholas School of the Environment Student-Faculty Research Grant
Duke University, Center for International Studies Summer Research Grant

PROFESSIONAL SERVICE
Executive Committee, Institute for Energy Studies, WWU, 2016-present
Faculty Search Committee Member for Department of Economics, WWU, 2015/2016
Dean Search Committee Member for College of Business and Economics, Western Washington University, 2015/2016
WWU Community Engagement Fellows 2015/2016
NARA Presentation on the Economics of Pollution and Climate Change
Women in Energy Mentoring Network, 2014-present
Department of Economics Commencement Representative, Spring 2015, Summer 2016
Faculty Search Committee Member for Institute of Energy Studies and Department of Economics, Western Washington University, 2014/2015
Faculty Research Writing Series, 2014/2015
Faculty Search Committee Member for Institute of Energy Studies and Department of Economics, Western Washington University, 2013/2014
President of Graduate Students Association, Agricultural and Resource Economics, UC Davis 2006-07

ADDITIONAL SKILLS
Experienced in using Stata, R, Matlab, Mathematica, GAMS, ArcGIS.
Proficient in spoken French, beginning Spanish and Setswana.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name  Lauren
Last Name  Turner
Date  12/18/2017
Street Address  4721 Parker St
City  Bellingham
Zip  98226
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  360-384-7888
Secondary Telephone  Field not completed.
Email Address  turnel16@gmail.com

Step 2
<table>
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<tr>
<th>Question</th>
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<tbody>
<tr>
<td>1. Name of Board or Committee</td>
<td>Climate Impact Advisory Committee</td>
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<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 4</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
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<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>Yes</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
</tbody>
</table>

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: 

Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, 

I graduated from the University of Washington with a degree in Chemical Engineering. I have a Professional Engineering license in Chemical Engineering as well. Since graduating, I have been working in the energy sector. In the energy sector, I
professional and/or community activities, and education have worked as an engineer in several different areas and my current roles is in the Environmental Department. I work as an Environmental Specialist focusing on air related limits and permitting. I love to volunteer with Habitat for Humanity and participate within the community when I have the chance.

10. Please describe why you’re interested in serving on this board or commission

As a resident of Whatcom county, I want to make sure that I help protect the community I live in, however possible. With my current position at work, I’m learning more and more about environmental regulations and have an interest in using my knowledge to help preserve the community. I enjoy volunteering and think that this position could be a good opportunity to serve the community.

References (please include daytime telephone number):

Kelsey Hammonds: 360-808-1255 Pete Gasior: 360-384-8378

Signature of applicant: Lauren Turner

Place Signed / Submitted Ferndale, WA

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name Edward
Last Name Ury
Date 1/8/2018
Street Address 204 Flora St.
City Bellingham
Zip 98225
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? YES
Mailing Address 2309 Meridian St. 98225
Primary Telephone 2069722001
Secondary Telephone Field not completed.
Email Address eddyu@re-sources.org
**Step 2**

1. Name of Board or Committee  
   Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?  
   Yes

3. Which Council district do you live in?  
   District 1

4. Are you a US citizen?  
   Yes

5. Are you registered to vote in Whatcom County?  
   Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  
   No

7. Have you ever been a member of this Board/Commission?  
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  
   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:  
*Field not completed.*

9. Please describe your occupation (or former)  
   As the Clean Energy Program Manager at RE Sources for Sustainable Communities, I advocate for policy and action to
accelerate infrastructural transition to sustain our energy needs from renewable, non-polluting sources. I serve on the Steering Committee for the statewide Alliance for Jobs & Clean Energy and help organize the local Blue-Green Waterfront Coalition. I've attended numerous conferences and summits focused on climate change and energy, including the COP23 in Paris. Two years ago, I read Whatcom County's 2007 Climate Protection and Energy Conservation Action Plan and observed that it was no longer up to date with the technologic and economic conditions of the present day. At that time, in the midst of also reviewing the County's Comprehensive Plan updates with an eye towards climate adaptation and sustainable energy, I suggested that the council establish a citizen advisory committee to review the 2007 plan, assess if our goals are being met, create an updated plan, and make policy recommendations to achieve the goals. Thankfully this idea is now being realized.

Already, the impacts of global greenhouse gas pollution are creating challenges for Whatcom County, which we can expect to be much more severe in the coming decades: droughts, forest fires, reduced snowpack and thus river flows, acidified shellfish beds, rising sea levels, and powerful storms. Climate change and ocean acidification pose challenges of the highest degree. Moreover, the imperative to move beyond fossil fuels presents an even greater challenge to Whatcom County in that refining petroleum is an anchor of our local economy. Forward-thinking planning in the county's jurisdiction is vital for adapting to the consequences of greenhouse gas pollution and predictable climactic changes. Going further, Whatcom County has potential to become an exemplary leader among worldwide efforts to make the clean energy transition swift, just, and equitable. The complexity of responding to climate change responsibly, for a municipal government, demands an accountable, collaborative public process. Though not an expert by any means, I have a broad foundational knowledge of issues around climate and energy, with a well-rounded network of change-makers in policy and alternative energy industries. I don't claim to have all the answers, but I'm adept at research and critical analysis. Through serving on the committee, I would aim to facilitate input from local stakeholders and outside experts, procure reports and guest presentations, seeking to find solutions where they exist. My priorities are to ensure that the committee's process is inclusive, productive, and ambitious.
Board and Commission Application

Step 1

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First Name James
Last Name Verburg
Date 1/9/2018
Street Address 856 Captain Bay Ct.
City Lynden
Zip 98264
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone (360)296-0692
Secondary Telephone (360)526-2317
Email Address jimvee85@msn.com

Step 2
1. Name of Board or Committee | Climate Impact Advisory Committee
---|---
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? | Yes
3. Which Council district do you live in? | District 4
4. Are you a US citizen? | Yes
5. Are you registered to vote in Whatcom County? | Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? | No
7. Have you ever been a member of this Board/Commission? | No
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? | Yes
   If yes, please explain | I am a full time employee at the BP Cherry Point Refinery in Blaine, WA.
   You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions | Field not completed.
9. Please describe your... | I am currently employed as an Environmental Engineer at the...
BP Cherry Point Refinery were I have worked for approximately ten years. In my first decade with the company, I have had a broad range of work experience including environmental compliance (multi-media), business analyst, and as a front line supervisor. In addition to permitting projects with a focus on air permitting, I have recently served on climate technical committees whose main focus is the Washington Clean Air Rule implementation. I also support the business on local, state and federal environmental rule development. I have lived in and worked in Whatcom Co. for a total of 23 years. I graduated from Western Washington University with a Bachelor of Science degree in chemistry. I spent the first ten years of my professional career at Intalco Aluminum in Ferndale. I currently reside in Lynden with my wife and eleven year old daughter. My daughter attends Lynden public schools. I also currently serve on the Lynden School District Health Curriculum Committee.

10. Please describe why you’re interested in serving on this board or commission

I would like to serve on the Climate Impact Advisory committee because I’m passionate about the great quality of life we enjoy in Whatcom Co., a place that I’ve called home for 23 years. Given my work experience outlined above with my work on climate issues in particular, I would provide a unique perspective to the committee, especially on technical aspects of policies. Thank you for your consideration.

References (please include daytime telephone number):

Pamela Brady. Ph: (360)371-1519

Signature of applicant:

James Verburg

Place Signed / Submitted

Blaine, WA

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Board and Commission Application

Step 1
Application for Appointment to Whatcom County Boards and Commissions

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First Name             Colin
Last Name               Wahl
Date                   1/8/2018
Street Address         1016 21st street
City                   Bellingham
Zip                    98225
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone      3603919881
Secondary Telephone    3603919881
Email Address          biowahl@gmail.com

Step 2
1. Name of Board or Committee: Climate Impact Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? Yes

3. Which Council district do you live in? District 1

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

Wahl_CV(1.8.2018).docx

9. Please describe your occupation (or former occupation if retired), qualifications, I currently work for the Tulalip Tribes Natural Resource Department as an Environmental Scientist. My position is primarily focused on reviewing, developing, and implementing the technical aspects of regional salmon recovery policy. Much
of our work on salmon recovery is focused on climate change, from sea level rise, to ocean acidification, flooding, and marine survival. I serve on the Snohomish Basin Salmon Recovery Technical Committee as Co-Chair. We recently published an issue paper on how climate change impacts salmon and salmon recovery strategies, and developed a number of adaptation strategies to address the anticipated impacts of climate change (see resume/CV). I also serve in a leadership position developing Tulalip Tribes Climate Change Adaptation Plan. We are currently in the early stages of drafting the plan. I am deeply familiar with regional climate change assessments, including the work of the Climate Impacts Group at the University of Washington, and many other regionally specific scientific reports related to climate impacts such as sea level rise, ocean currents, hydrology/flooding/drought, snowpack, wildfire, sediment transport, ocean acidification, marine food web dynamics, erosion, beach armoring, and water rights issues. I am familiar with other non-ecological impacts such as flood and stormwater management, infrastructure development, critical area ordinances, human health effects, and anticipated challenges and opportunities for agriculture. I would like to contribute more to my community. Thus far, my contributions have been limited to professional activities, as well as educational public presentations. This opportunity will be an ideal way for me to contribute locally in an impactful way. I have a bachelor's and masters degree in Biology from Western Washington University, where I studied biological impacts of land use on streams in Whatcom County. I think my scientific expertise and conservation values will add an important element to this committee.

10. Please describe why you’re interested in serving on this board or commission

Since completing graduate school at WWU I've enjoyed building a career with a number of tribal communities just south of Bellingham. Initially I started working for a tribe because tribes are a major employer in the natural resource field in the area, so the opportunity was simply available. I also did not want to leave my home in Bellingham. I greatly appreciate the opportunities the tribes have given me, as well as the wisdom they continue to teach, and values of community and conservation they continue to inspire. When we plan for managing natural resources, we plan 7 generations into the future. If our modern society in the greater USA would do this, we would be in a much better position to combat climate change and preserve the resources we all depend on. While these values may occasionally conflict with the drive for economic development at times, the economy, and the economic well being of the people of Whatcom County is compatible with native conservation values. I believe we can
develop our society with intelligence and foresight, so that our great grandchildren can thrive like our great grandparents. We are making steps in the right direction, and I would like to volunteer my education, knowledge, and experience to help guide us into the future. After working my way through two degrees and beginning to cultivate a successful career, I am ready and enthusiastic to serve my community in the capacity of a volunteer member of the climate impact advisory committee.

<table>
<thead>
<tr>
<th>References (please include daytime telephone number):</th>
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</thead>
<tbody>
<tr>
<td>Ryan Miller: Legislative Liaison, Tulalip Tribes 6406 Marine Dr, Tulalip, WA 98271 360-716-4632</td>
</tr>
<tr>
<td>Casey Ruff: Director of Harvest Management, Skagit River System Cooperative 11426 Moorage Way, La Conner, WA 98257 360.770.8964</td>
</tr>
<tr>
<td>Dr. David Hooper: Professor, Western Washington University Biology Building, Mail Stop 9160, Bellingham, WA 98225-9160 360.650.3649</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Signature of applicant:</th>
</tr>
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<tr>
<td>Colin Wahl</td>
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<tbody>
<tr>
<td>Bellingham, WA</td>
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</tbody>
</table>

Email not displaying correctly? View it in your browser.
COLIN M. WAHL
1016 21st Street, Bellingham WA, 98225
360.391.9881 - biowahl@gmail.com

ECOLOGIST / SCIENTIST / CLIMATE ADAPTATION SPECIALIST

Versatile, effective, and articulate scientific researcher with more than 8 years of experience studying, managing, and conservation natural resources in the Pacific Northwest. Talented and experienced statistician and data manager. Professional, amicable, and solution-oriented leader, problem solver, and communicator. Articulate technical writer, public speaker and enthusiastic educator with excellent communication and interpersonal skills catered to audiences with various interests and technical and nontechnical backgrounds.

EDUCATION

MASTER OF SCIENCE, BIOLOGY
Western Washington University, Bellingham, WA
“Patterns in Land Use, Riparian Forest, and Biological Stream Conditions in the Puget Lowlands of Western Washington”

BACHELOR OF SCIENCE, BIOLOGICAL ANTHROPOLOGY
Western Washington University, Bellingham, WA
“The Impacts of Paleolithic Peoples and Climate on the Pleistocene Extinction of North American Mega Fauna”

PUBLICATIONS


In progress – Tulalip Tribes Climate Change Adaptation Plan.

CAREER SUMMARY

TULALIP TRIBES, Tulalip, WA
ENVIRONMENTAL SCIENTIST (April 2016 – Present)
Reviewed and implemented regional salmon recovery policy. Served as co-chair of the regional technical advisory group. Began and organized development of the Tulalip Climate Change Adaptation Plan.

- Served as co-chair of the Snohomish Basin Salmon Recovery Technical Committee, reviewing and providing scientific technical guidance to policy makers about regional salmon recovery policy.
- Interim lead for the Tulalip Tribes Climate Change Adaptation Plan, organized and began development of the plan, and the diverse planning team for a large government organization. Currently serve as a leader on the team and expert on current and best available science on all aspects of climate change in the Pacific Northwest.
- Reviewed many different and contentious policy issues from climate change to critical area ordinances and the difficult and conflicting issue involving exempt wells and Hurst.
- Advised the Tulalip Executive on sea level rise projections and implications for planned economic and infrastructure development.
- Represent technical perspectives and provide technical advice to the Snohomish Watershed Forum.
- Attend local educational events to speak about climate change impacts and the unique perspectives and impacts to indigenous peoples of the PNW.
- Manage and/or apply for multiple federal and state grants and represent tribal interests in state funding allocations.
SAUK-SUIATTLE INDIAN TRIBE, Darrington, WA

FIELD COORDINATOR (November 2014 – April 2016)
Developed monthly schedules for environmental monitoring studies, supervised and coordinated a diverse group of four technicians, managed and updated GIS database and maps for knotweed eradication program.

- Supervised and managed a group of technicians with complicated backgrounds, cultural values, challenging personal problems, and work ethics.
- Coordinated technician assignments with the fish, wildlife, and water quality coordinators to fulfill field duties, including spawning ground surveys, eagle and amphibian surveys, elk trapping, darting, and collaring efforts.
- Collaborated with USGS geologists to monitor trends in sediment transport and river delta accumulation and implications with climate change.
- Updated the GIS database and field maps for the yearly summer knotweed eradication program. Produced new field maps for the 2015 season. Managed landowner relations and access permissions.

SKAGIT RIVER SYSTEM COOPERATIVE, LaConner, WA

SCIENTIFIC TECHNICIAN (May 2012 – November 2014)
Filled various and valuable roles participating in a variety of important research and monitoring studies addressing and analyzing management and conservation of salmon populations and habitat the Skagit River system and Whidbey Basin.

- Managed all aspects of the weekly Skagit River test fishery assessing the timing and strength of salmon runs, providing data for mid-season run forecast adjustments and contributing to a long term 30-year dataset of species-specific population variables.
- Conducted spawning ground surveys in main stem and tributary spawning grounds for stock-specific spawner abundance, redd counts, hatchery chinook stray rate, and coded wire tag recovery.
- Collected DNA from chum salmon to characterize genetic composition of threatened sub-populations.
- Implemented field research on migration patterns of juvenile salmon (particularly ESA-listed chinook) through near-shore, pocket estuary, and river delta rearing habitats.
- Safely and professionally piloted fishing and research boats in Skagit bay, delta, and all sections of the river, from the delta to the dams, in occasionally dangerous and often inclement conditions at all hours of the day and night.

SKAGIT RIVER SYSTEM COOPERATIVE, LaConner, WA

ELK TRAPPING COORDINATOR (January 2014 – April 2014)
Coordinated the inter-agency 2014 elk trapping effort. Established and monitored remote bait sites and trapping locations. Communicated and organized large diverse team of 20+ program directors, biologist, and technicians.

- Coordinated the trapping and radio-collaring effort for the co-managed Nooksack/North Cascade Elk herd.
- Lead and scheduled a diverse team of biologists and technicians from the Swinomish, Sauk-Suiattle, Upper Skagit, Stillaguamish, and Tulalip tribes, WDFW, WSDOT, DNR Seattle City Light, as well as numerous landowners and timber companies.
- Scoured remote forest service roads for sign of elk activity and identification of suitable trapping sites.
- Assembled trap transport and installation teams, and scheduled twice-daily radio transmitter trap checks and daily response teams to respond to captures and safely collar and/or release animals.

WESTERN WASHINGTON UNIVERSITY: Department of Biology, Bellingham, WA

SUCCESSFULLY DESIGNED AND IMPLEMENTED A COMPLEX SCIENTIFIC STUDY OF WHATCOM COUNTY STREAM HEALTH.

GRADUATE STUDENT AND TEACHING ASSISTANT (August 2008 – June 2012)

- Designed and implemented a complex ecological study to investigate the effectiveness of forested riparian buffers in mitigating watershed-scale impacts on stream biota in Whatcom County streams.
- Compiled a large and data set of benthic macroinvertebrate population composition and distribution, abiotic stream and water quality variables, and large, medium, and small scale geographic and land use information.
- Mastered complex and sensitive laboratory and field equipment, created and drafted standard operating procedures for analytical techniques still in use at the Hooper lab at WWU.
- Taught laboratory classes for undergraduate courses, organized field trips, evaluated and advised students.
- Collaborated with other graduate teaching assistants, professors, and laboratory and stock room coordinators to update, edit, and improve curricula and teaching methods. Also coordinated, advised, and mentored undergraduate teaching assistants.
PROFESSIONAL REFERENCES:

Ryan Miller: Legislative Liaison,
Tulalip Tribes
6406 Marine Dr, Tulalip, WA 98271
360-716-4632

Casey Ruff: Director of Harvest Management,
Skagit River System Cooperative
11426 Moorage Way, La Conner, WA 98257
360.770.8964

Dr. David Hooper: Professor,
Western Washington University
Biology Building, Mail Stop 9160,
Bellingham, WA 98225-9160
360.650.3649
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

*THIS IS A PUBLIC DOCUMENT:* As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

<table>
<thead>
<tr>
<th>First Name</th>
<th>Gabriel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Westergreen</td>
</tr>
<tr>
<td>Date</td>
<td>12/26/2017</td>
</tr>
<tr>
<td>Street Address</td>
<td>6196 Grouse Circle</td>
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<tr>
<td>City</td>
<td>Ferndale</td>
</tr>
<tr>
<td>Zip</td>
<td>98248</td>
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<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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<tr>
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<td>Primary Telephone</td>
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</tr>
<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
</tr>
</tbody>
</table>

Email Address: p66unitchair@usw12590.com

Step 2
1. Name of Board or Committee | Climate Impact Advisory Committee
---|---
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? | Yes
3. Which Council district do you live in? | District 5
4. Are you a US citizen? | Yes
5. Are you registered to vote in Whatcom County? | Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? | No
7. Have you ever been a member of this Board/Commission? | No
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? | Yes

If yes, please explain: I am an employee of Phillips 66, I am also the head of the Union for the facility and represent all of the Union members for that site.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions: Field not completed.
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am currently employed with Phillips 66 as an sulfur plant operator and have been doing that for nearly a decade now. I am the head of my Union for the facility and vice president of our local USW 12-590 based in Ferndale WA, our local also oversees Whatco at the Crude unloading facility located at the Phillips 66 site. As I am an elected official I do speak for the other hourly employees at the facility. I completed my high school education at Nooksack Valley High in 2003 and did some college credits towards a degree in computer science.

10. Please describe why you’re interested in serving on this board or commission

I am an elected representative for some of the workers that will be affected buy the transition to clean energy and can speak on behalf of those workers when talking about what a "just transition" would look like.

References (please include daytime telephone number):

Steve Garey - (360) 770-0510

Signature of applicant:

Gabriel Westergreen

Place Signed / Submitted

Ferndale WA

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Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

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First Name  Sam
Last Name  Winters
Date  1/22/2018
Street Address  3886 Hammer Drive
City  Bellingham
Zip  98226
Do you live in & are you registered to vote in Whatcom County?  Yes
Do you have a different mailing address?  Field not completed.
Primary Telephone  360-647-9531
Secondary Telephone  360-220-6411
Email Address  swinters@itekenergy.com

Step 2
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
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</tr>
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<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 3</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?</td>
<td>No</td>
</tr>
<tr>
<td>7. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>If yes, please explain</td>
<td>Employee of Itek Energy</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former)</td>
<td>10 years in the solar industry in Oregon and Washington. Journeyman Electrician, Solar installer and designer.</td>
</tr>
</tbody>
</table>
occupation if retired), qualifications, professional and/or community activities, and education

10. Please describe why you’re interested in serving on this board or commission

I would like to be involved in the decision making of our community. I am passionate about the environment and the betterment of our community.

References (please include daytime telephone number):

Kirk Haffner, Owner South Sound Solar - 360-352-7869
Dave McCarty - COO Itek Energy - 360-647-9531

Signature of applicant: Sam Winters

Place Signed / Submitted: Bellingham, WA

(Section Break)

Email not displaying correctly? View it in your browser.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Jill MacIntyre Witt
Street Address: 2231 Walnut St.
City: Bellingham
Zip Code: 98225
Mailing Address (if different from street address): 
Day Telephone: 360-201-3093 Evening Telephone: Same
Cell Phone: Same
E-mail address: jillmwitt@hotmail.com

1. Name of board or committee - please see reverse: Climate Impact Advisory Committee

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? 
   ( ) One  (X) Two  ( ) Three  ( ) Four  ( ) Five

5. Are you a US citizen?
   (X) yes  ( ) no

6. Are you registered to vote in Whatcom County?
   (X) yes  ( ) no

7. Have you ever been a member of this Board/Commission?
   ( ) yes  (X) no
   If yes, dates: 

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   (X) yes  ( ) no
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county?
   ( ) yes  (X) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education:

    Instructor, PE, Environmental Studies - WWU, Peace Corps Campus Representative - WWU; Certified Climate Reality Project Presenter, Leader, Mentor, Panelist, Speaker, Community Organizer - 350.org; M.A. Environmental Studies, WWU

11. Please describe why you’re interested in serving on this board or commission:

    I feel that my education and advocacy on climate change makes me well qualified. We need to urge government to take bold action on climate change and I can help by serving on this commission. (360)650-2894

References (please include daytime telephone number): Dr. Brooke Love, Asst. Professor, WWU, brooke.love.Dr. Gene Myers, Professor, Environmental Studies, WWU, gene.myers@wwu.edu

Signature of applicant: Jill MacIntyre Witt (360)650-4775

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Clare Mogelson, Natural Resources Policy Manager, City of Bellingham, clare.mogelson@cob.org (360) 778-7965
Jill MacIntyre Witt  
2231 Walnut Street, Bellingham, WA 98225  
jillm Witt@hotmail.com  360-201-3093

HIGHLIGHTED QUALIFICATIONS

- 25+ years of teaching experience in various educational settings
- 8 years of experience at Western Washington University as faculty, staff and student
- Curriculum development experience
- Mentoring professionals and students in climate justice work
- Experience in engaging and collaborating with many departments and colleagues at Western Washington University
- Results driven producer in business, teaching, coaching, community organizing and training with various age groups across the country and locally

EDUCATION

Masters of Arts in Environmental Studies, Huxley College of the Environment, Western Washington University (anticipated graduation - June, 2017)

Certified Climate Reality Project Presenter – The Climate Reality Project (San Francisco - 2012)

Bachelors of Science degree in Environmental and Systematic Biology, Minor in Psychology, and Deans List recipient, Cal Polytechnic State University - San Luis Obispo, CA (graduated 1989) and 4th year International Exchange student at Queensland University – Brisbane, QLD, Australia (1987)

ACADEMIC ACHIEVEMENTS AND SERVICE

Keynote Speaker – Climate Reality Leadership Corps Training (June, 2017)  
Author – “Climate Justice Field Manual” – WWU Masters Project available at climatejusticenow.earth  
Sustainability Fellows Participant – Western Washington University (January - June 2017)  
Masters Poster Presenter – Northwest Climate Conference (November, 2016)  
Sustainability Award Recipient – Western Washington University (December, 2015)  
Organizer – Climatefest (Climate Conference), Western Washington University (October, 2015)  
Faculty Club Adviser – Students for Renewable Energy (2010-present)  
Sustainable Action Plan Committee (2016-present)  
Huxley College Diversity Committee (2016-2017)  
WORK AND VOLUNTEER EXPERIENCE

Environmental Studies Instructor (ENVS 202) – Western Washington University (Spring Quarter, 2018)
- Teach ENVS 202 – Introduction to Sustainability course to around 150 students
- Utilize existing curriculum for the course
- Develop curriculum for the theme of the course which is Climate Justice

Environmental Studies Instructor (ENVS 400) – Western Washington University (Fall Quarter, 2017)
- Developed an Independent Study Project for a student titled “Climate Justice Media Project”
- Advised student at weekly meetings with design and implementation of his project
- Provided feedback and suggestions for the student to enhance his academic success

Physical Education Instructor – Western Washington University (2010-present)
- Teach physical education in 100 level courses through the Extended Education and Human Health and Development Departments
- Mentor student teachers during their teaching practicum courses and provide feedback to improve their lesson plans and teaching tactics
- Develop curriculum for new physical education courses

Peace Corps Campus Representative – Western Washington University (2011-present)
- Present information about Peace Corps service at fairs, in classrooms, club meetings, information presentations, panel discussions and organize special events
- Maintain top 3 national ranking for mid-sized universities
- Assist students with creating resumes, editing essays and filling out applications
- Train Campus Ambassadors on various campus activities for promoting Peace Corps

Presenter – Climate Reality Project (2012-present) (100+ presentations in 5 years)
- Create, organize and present climate change educational PowerPoint presentations at various locations (schools, churches, organizations) in Bellingham and surrounding communities

Mentor – Climate Reality Project (2013-present)
- Assist trainees at Climate Reality Leader Training and provide assistance through monthly conference calls, meetings and annual gatherings
  2013 – Chicago, IL
  2015 – Cedar Rapids, IA (Speaker on panel with Vice President, Al Gore)
  2015 – Toronto, Canada
  2016 – Houston, TX
  2017 – Denver, CO (Panelist on “Story of Change, Community Organizing”)

Community Organizer – 350 Bellingham (2010-present)
- Organize and lead citizens to action by planning and implementing local demonstrations including rallies, protests, marches and vigils on climate change with 350.org, through development of our local
chapter
- Collaborate with other local grassroots organizations to create and organize events that promote climate justice in our community
- Launch a city-wide campaign “Fossil Free Bellingham” to pass a resolution committing Bellingham to 100% renewable energy by 2030, with official public launch in 2018

**Campaign Organizer** – Bag It Bellingham Campaign (2011-2012)
- Created, managed, led, and directed Bellingham to reduce single-use bag use, resulting in a city bag reduction ordinance, removing single use plastic bags from all retail outlets with an exclusion to take out food

**Campaign Organizer** – 10:10 Campaign (2010)
- Created and managed national climate change campaign called 10:10 moving Americans to lower their carbon emissions 10% a year starting in 2010

**Camp Director** – Girls Go Green (2009)
- Created and implemented week long sustainability summer camp for girls ages 6-9
- Taught the participants ways to care for the earth more sustainably in regards to water, food, air, and transportation

**Founding Consultant and Director,** The Body Shop At Home™ - USA (2002-2009)
- Recruited, managed, trained, led and coached hundreds of team members to become at home consultants, sharing natural skin care products and helping customers learn about the Body Shop campaigns and how their purchases impacted social and environmental change
- Led trainings and workshops on sustainable business practices on monthly national phone calls and yearly conferences
- Empowered women to become successful business people and educators

**ADDITIONAL WORK AND VOLUNTEER EXPERIENCE**

**Planned events, edited book, and assisted** with work for Anita Roddick, Founder of The Body Shop® (2003-2007)

**Organized and implemented fundraising events** for many local, national and international organizations including local yearly elementary school auction (2000-2010)

**Taught, mentored, inspired and motivated youth** as a Counselor/Teacher in various educational settings - Italy and USA (1993-2002)

Assessed, designed and implemented health and water quality projects in the Peace Corps - Morocco, Africa (1990-91)

Published author with 2 essays in Stories with Grace, a bi-annual journal of personal essays

ACTIVISM AND AFFILIATIONS

Literacy Tutor, Blood Drive Organizer, Campaigner, CSA Farmer, Certified Youth Soccer Coach (20 years), Columbia Neighborhood Association Board Member, currently serving as Vice President and MNAC (Mayor Neighborhood Advisory Committee) Representative (9 years)

Affiliations: (Locally) The Lydia Place, Smart Trips, Re-Sources (Globally) Peace Corps, National Coalition to Free the Angola 3, anitaroddick.com, The Climate Reality Project, 350.org, Avaaz.org, Amnesty International
Jill McIntyre Witt  
2231 Walnut St.  
Bellingham, WA 98225  
January 8, 2018

RE: Application for Climate Impact Advisory Committee

Dear Whatcom County Reviewers of Committee Applications,

I am applying for a position on the Climate Impact Advisory Committee because I feel qualified to serve in this capacity with my educational background of a B.S. in Environmental and Systematic Biology and a M.A. in Environmental Studies. I recently completed my Masters at Western Washington University and created a Climate Justice Field Manual which can be downloaded for free at climatejusticenow.earth. What I have learned is that it is imperative that our governmental bodies (local, state and national) take bolder action on climate change.

I have had extensive training on climate education and advocacy with The Climate Reality Project and have a thorough depth of understanding on the topics related to climate change, including impacts and solutions. I am currently working with a team on a Fossil Free Bellingham Resolution which calls for 100% renewable by 2030, and this process which research into what over 60 cities are doing across the country is furthering my understanding of the scope of the solutions. I feel that I could make sound recommendations to the Council on policy and budget priorities as well and guidelines for addressing climate impacts. I can also recommend targets that put us on a path to a livable future, which it is essential to have a target to work towards that is based on the current science. Also, I can help with strategies on public engagement and effective climate communication for citizens. My references are listed below as they didn’t fit on my application clearly. Please see attached resume for qualification details.

Thank you for your consideration,

Jill McIntyre Witt  
M.A. Environmental Studies, Western Washington University  
Climate Reality Leader, Mentor, Speaker, Bellingham Chapter Chair  
350Bellingham Organizer

REFERENCES:

Dr. Brooke Love, Assistant Professor, Environmental Sciences, Western Washington University, brooke.love@wwu.edu, 360-650-2894

Dr. Gene Myers, Professor, Environmental Studies, Western Washington University, gene.myers@wwu.edu, 360-650-4775

Clare Fogelsong, Natural Resources Policy Manager, City of Bellingham, cfogelsong@cob.org, 360-778-7965
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name
Nora

Last Name
Workman-Weaver

Date
1/9/2018

Street Address
1 Lake Louise Dr. #16

City
Bellingham

Zip
98229

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360 483 9807

Secondary Telephone
Field not completed.

Email Address
nworkmanweaver@gmail.com

Step 2
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<thead>
<tr>
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<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>1. Name of Board or Committee</td>
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</tr>
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</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>2017_DEC_resume.pdf</td>
</tr>
<tr>
<td>9. Please describe your occupation (or former occupation if retired), qualifications,</td>
<td>Formerly employed at Itek energy as their marketing assistant and graphic designer. Recent graduate of Solar Energy International (SEI) in Colorado with Residential and Commercial Solar PV Professional Certificate. Planning to take</td>
</tr>
</tbody>
</table>
a micro-hydro course at SEI in May. Currently helping the Unist'ot'en Camp in B.C. to acquire a micro-hydro system. Also researching geothermal systems. Power Past Coal and oil volunteer since 2011.

10. Please describe why you're interested in serving on this board or commission

I feel that I have good experience and knowledge in the renewable energy sectors, which would benefit the committee. I have ideas about how to incorporate these in Whatcom County to help not only with climate impact but also improve grid stability, independence from outages, and powering economically challenged communities.

References (please include daytime telephone number):

Judith Akins, Chair of the Mount Baker Group of the Sierra Club. 360-982-8599. Eddy Ury, Clean Energy Program Manager, Re-Sources For Sustainable Communities. 206-972-2001

Signature of applicant: Nora Workman-Weaver

Place Signed / Submitted: Bellingham, WA
Nora Workman Weaver
1 Lake Louise Dr. / Unit 16 | Bellingham, WA. 98229
nworkmanweaver@gmail.com | 360.483.9807

PROFILE SUMMARY  Passionate about preserving the earth and ensuring that the world becomes a better place for generations to come. Self-starter, disciplined, dedicated, creative, and collaborative. Affable and courteous, enjoys working with clients and colleagues, utilizing a positive attitude. Proven skills in problem solving, with confidence that every issue has a solution. Excellent time management, conflict resolution, and communication skills. Professional email, and phone skills. Environmental activist for the past 15 years.

SKILLS  Excellent visual and written communication skills; proficient in Adobe CS, Microsoft Word. Enjoys public speaking; research; fine artist, professional graphic designer and illustrator, photography, videography, WordPress, light construction and furniture making.

OBJECTIVE  I am seeking a career change in the solar industry from graphic artist to installer and solar PV system designer, where I can apply my recent extensive solar training.

EXPERIENCE

May 2014 - September 2017
Itek Energy, Bellingham, WA. - Manufacturer of Solar PV.
Administrative Assistant / Receptionist / Marketing and Communications / Graphic Design and WordPress.

Administrative Assistant and Receptionist:
Interfaced with Itek customers, corporate entities, and government officials, vendors, and logistics. Phone. Email. Greeted guests. Answered the phone. General office assistance to associates.

Marketing, Communications, Graphic Design:
Graphics: Utilized my graphic art skills with the Adobe Creative Suite to update company business cards, Itek’s solar PV data sheets, and updated the web site in Word Press with new graphic images, and photos. Created and designed all of the web sliders on the Itek start page. I took some of the photos myself, including product shots of Itek solar modules. Created trade show booth, materials, banner, posters. Advertising graphics. Created an outdoor sign describing Itek’s community solar installation located on the Bellingham waterfront. Designed an acrylic “award” for best customers.

1982 - Present
Graphic Artist, Designer, Illustrator. Fine Artist.
Fine art painting for gallery shows and exhibits throughout the western United States; product package illustration for Wild Oats Markets; wine label design and illustration for various wineries; greeting cards, logo creation.
2010 – 2014
Greenhouse, Bellingham, WA.
Retail sales associate in a busy home furnishings store. Helped customers find products, create furniture special orders, and finish sales.

1991 - 1994
Jolly Miller Construction, Seattle, WA.
Office assistant and job site go-fer. Supported construction crews as they created zoo exhibits for the Woodland Park Zoo, and shotcrete hi-rise building foundations in downtown Seattle. Drove flat bed dump truck to pick up and deliver supplies to and from job sites.

EDUCATION


Completed Courses:
PV 101: Solar Electric Design & Installation (Grid-Direct)
PV 203: PV System Fundamentals (Battery-Based)
PV 201L: Solar Electric Lab (Grid-Direct)
PV 303L: Solar Electric Lab (Battery-Based)
PV 202: Advanced PV System Design & the NEC (Grid-Direct)
PV 303: Advanced Multimode & Microgrid Design

1981 - Burnley School of Professional Art, Seattle, WA. Graphic arts, advertising, branding, design.

VOLUNTEER WORK

• 2014 – 2016 Executive Committee Member of the Mount Baker Group of the Sierra Club-Washington State Chapter. As Secretary I was responsible for the newsletter.

• 2012 I was asked to proxy as State Committee woman to the Democratic Platform for Whatcom County. As such I was pivotal in the success of getting two anti-coal export terminal resolutions passed by the State Democrats at the June Convention in Seattle.

• As State Committee woman I also had the opportunity to craft my own resolution, Res. #114 entitled “Energy Self Sufficiency In Public Schools”, was passed unanimously at the Washington State Democratic Convention of 2012. You may read Res. #114 at https://www.wa-democrats.org/issues/energy-environment-and-climate-crisis

• 2011 - I cofounded a local all-volunteer film crew to create short videos on the issues and facts surrounding the Gateway Pacific Coal Export Terminal (GPT) project. This was my first time working with live action film. I created two videos explaining the projects impacts, my favorite can be viewed at https://vimeo.com/769001031. I filmed all of the “B” roll footage, created copy content, sound and all editing.
• 2010 – Present, I have been volunteering with the Sierra Club/Power Past Coal, and our local Bellingham RE Sources for Sustainable Communities with activist events concerned not only with GPT, but the other proposed coal and oil terminals in Washington, Oregon, and British Columbia.

**HOBBIES**

• Light Construction - I built my studio from the ground up almost by myself, including wiring the electrical wall sockets, lighting, and in-wall heater.

I also enjoy basic furniture making such as side tables, bed frame, and this dining table made from solar glass.

![Image 1]

• I enjoy hiking, horse back riding, wildlife watching, and road trips.

References provided upon request.

*Workman-Weaver*
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
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<tbody>
<tr>
<td>Originator:</td>
<td>SM</td>
<td>1/18/18</td>
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<tr>
<td>Division Head:</td>
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<td>Dept. Head:</td>
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<tr>
<td>Prosecutor:</td>
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<tr>
<td>Purchasing/Budget:</td>
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</tr>
<tr>
<td>Executive:</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:** Appointments to Executive’s Boards, Committees and Commissions

**ATTACHMENTS:** Listing of nominations for appointments and reappointments; Membership applications.

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

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

County Executive Jack Louws requests confirmation of his new appointments and reappointments to the boards and committees noted on the attached list. These appointments take effect on February 1, 2018.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

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

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
The following boards and committees have vacancies which are filled with appointments by the County Executive and confirmed by County Council.

**AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE COMMITTEE**
Nominated for appointment are Wendy Miller and Mark Challender.

**BEHAVIORAL HEALTH ADVISORY COMMITTEE**
Nominated for appointment is Ann Beck.

**BELLINGHAM WHATCOM COUNTY COMMISSION AGAINST DOMESTIC VIOLENCE**
Nominated for reappointment is Christina Kobdish; nominated for appointment is Michael Parker.

**BICYCLE/PEDESTRIAN ADVISORY COMMITTEE**
Nominated for reappointment is Anne Honrath; nominated for appointment are Brian Kennemer, Alan McConchie and Tom Goetzl.

**DEVELOPMENT STANDARDS TECHNICAL ADVISORY COMMITTEE (TAC)**
Nominated for reappointment are Dale Buys and Jeff Peterson.

**DEVELOPMENTAL DISABILITIES BOARD**
Nominated for reappointment are Russell Sapienza and Kathleen Harrigan.

**ETHICS COMMISSION**
Nominated for reappointment is Tom Goetzl.

**HOUSING ADVISORY COMMITTEE**
Nominated for reappointment are Debbie Paton, Paul Schissler and Emily O’Connor; nominated for appointment is Edward Moran, Jr.
Information only: The new Small Cities representative is City of Sumas Mayor Kyle Christensen.

**MARINE RESOURCES COMMITTEE**
Nominated for reappointment are James Hansen and Robert Seaman.

**NORTH SOUND MENTAL HEALTH ADMINISTRATION BOARD**
Nominated for reappointment is Mark McDonald.

**PARKS AND RECREATION COMMISSION**
Nominated for appointment is Brad VanderWerff.

**POINT ROBERTS COMMUNITY ADVISORY COMMITTEE**
Nominated for reappointment is Linda Hughes.
PUBLIC HEALTH ADVISORY BOARD
Nominated for reappointment are Sue Sullivan and Barbara Juarez.

PURCHASE OF DEVELOPMENT RIGHTS (PDR) OVERSIGHT COMMITTEE
Nominated for appointment are Heather MacKay Brown; Ronald Neely and Paul Schissler

RURAL LIBRARY BOARD (Whatcom County Library System)
Nominated for reappointment is Marvin Waschke.

VETERANS ADVISORY BOARD
Nominated for reappointment are Allan Jensen and John Mitchell; nominated for appointment are Wes Weston and Heather Mueller.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Wendy Miller
Street Address: 110 E. Victor St.
City: Bellingham
Mailing Address (if different from street address): 
Date: 10/29/17
Zip Code: 98225
Day Telephone: 
Evening Telephone: 
Cell Phone: 859.312.1078
E-mail address: miller.wa.828@gmail.com

1. Name of board or committee-please see reverse: 
   ADA compliance
   disabled i.e., mild Parkinson's

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you are applying? (If applicable, please refer to vacancy list.) 
   Yes ( ) no

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five
   Yes ( ) no

5. Are you a US citizen? 
   Yes ( ) no

6. Are you registered to vote in Whatcom County? 
   Yes ( ) no

7. Have you ever been a member of this Board/Commission? 
   Yes ( ) no

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? 
   Yes ( ) no

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? 
   Yes ( ) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.
    Community Health Worker @ C.A. Free Clinic
    Medical Librarian; Group Fitness Instructor for 50+ adults.

11. Please describe why you're interested in serving on this board or commission: To contribute to quality of life issues in Bellingham.

References (please include daytime telephone number): Donald Case-(859) 492-9184
    Kayla Anderson-(360) 599-0784; Elaine Cuss-(360) 733-4030 x1033

Signature of applicant: [Signature]

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Application for Appointment to Whatcom County Boards and Commissions

Public Statement

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name
Mark

Last Name
Challender

Date
12/30/2017

Street Address
3412 South Avenue

City
Bellingham

Zip
98229

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
3607399209

Secondary Telephone
Field not completed.

Email Address
Mark@challender.com

1. Name of Board or Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?

3. Which Council district do you live in?

District 3

4. Are you a US citizen?

Yes

5. Are you registered to vote in Whatcom County?

Yes

Americans with Disabilities Act (ADA) Compliance Committee

Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Retired Information Systems professional, previous school board member, long Time ski to Sea committee member, previous executive director of whatcom county council of governments, president of whatcom emergency communications group (amateur radio), approved emergency worker for whatcom unified emergency management and now a disabled person using a power wheelchair.

I want to volunteer to keep myself involved.

Field not completed.

10. Please describe why you’re interested in serving on this board or commission

References (please include daytime telephone number):

Signature of applicant: Mark Challender

Place Signed / Submitted Bellingham, wa
January 8, 2018

TO: Jack Louws, County Executive
FROM: Anne Deacon, Human Services Manager
RE: Nomination for Appointment to the Behavioral Health Advisory Committee

I am pleased to forward a nomination for the Behavioral Health Advisory Committee. This committee was formed by County Code, Chapter 2.44, and replaces two former committees, the Behavioral Health Revenue Advisory Committee and the Behavioral Health Advisory Board.

Ann Beck, a nominee for mental health recovery advocate, has a master’s degree in Social Work, multiple connections to networks and agencies that serve individuals with behavioral health challenges, and more than ten years of professional experience in the field of mental health. Ms. Beck has an Independent Clinical Social Work License as well as demonstrated success working with federal, state, regional, and local institutions and agencies. Her recent work with Whatcom County’s university students and with veterans in our community will provide crucial insight into these important populations. She has also worked with other key constituents, including individuals exiting the Whatcom County Jail and persons experiencing homelessness in our county. Her career has spanned many professional, academic, and clinical settings, where she has worked successfully with a wide diversity of individuals. I believe Ms. Beck will be a superb advisory board member.

Thank you for considering this nomination for appointment.
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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<table>
<thead>
<tr>
<th>First Name</th>
<th>Ann</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Beck</td>
</tr>
<tr>
<td>Date</td>
<td>1/7/2018</td>
</tr>
<tr>
<td>Street Address</td>
<td>2220 Franklin St.</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>Zip</td>
<td>98225</td>
</tr>
<tr>
<td>Do you live in &amp; are you registered to vote in Whatcom County?</td>
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</tr>
<tr>
<td>Do you have a different mailing address?</td>
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<tr>
<td>Primary Telephone</td>
<td>360-306-0220</td>
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<tr>
<td>Secondary Telephone</td>
<td>Field not completed.</td>
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<tr>
<td>Email Address</td>
<td><a href="mailto:annjbeck@gmail.com">annjbeck@gmail.com</a></td>
</tr>
<tr>
<td>1. Name of Board or Committee</td>
<td>Behavioral Health Advisory Committee</td>
</tr>
<tr>
<td>Behavioral Health Advisory Committee</td>
<td>Mental Health Recovery Advocate</td>
</tr>
<tr>
<td>2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
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<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
</tbody>
</table>
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

AnnBeckResume.pdf - attached

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education Assistant Director of Veteran Services at Western Washington University I also have a Masters in Social Work as well as a Clinical License in Social Work

10. Please describe why you’re interested in serving on this board or commission During my nine years in Whatcom County I worked briefly at Whatcom Counseling and Psychiatric Clinic with clients who were leaving the jail as well as at the Opportunity Council with people who were experiencing homelessness. In both those positions I was able to see how behavioral health greatly impacts a persons ability to function on a daily basis. In my current role I also work with behavioral health issues, but would like to do more in the community around this and this board seems like a great opportunity to do so.

References (please include daytime telephone number):

Greg Winter, Director of Opportunity Council 360-220-3788 David Brunnemer, Registrar, Western Washington University 360-650-7732 Anne Deacon, Human Services Manager, Whatcom County Health Department 360-778-6002

Signature of applicant: Ann Beck, MSW, LICSW

Place Signed / Submitted Bellingham, WA
ANN J. BECK, MSW, LICSW  
annjbeck@gmail.com · (360) 306-0220  
2220 Franklin Street, Bellingham, WA 98225

SOCIAL WORKER: SUPERVISOR
LICSW professional with 10 years experience in assessing client needs, case management, counseling and crisis intervention. Regularly develops case plans based on brief solution focused work and provides referrals to community resources. Responds appropriately in crisis situations using conflict mediation and de-escalation skills. Easily adapts to new situations and people as well as being very comfortable facilitating meetings and teaching youth and adult educational classes. Recognized by colleagues for ability to troubleshoot challenges and build morale in the office. Greatest strength is often seen as the ability to use sense of humor in an empowering way.

CORE QUALIFICATIONS

- Culturally competent  
- Experience working with federal, state, regional and local partners  
- Strong written and verbal skills  
- Proven quick thinking in a fast paced environment  
- Years of proven leadership, supervision and oversight with very low staff turnover rate  
- Experience working collaboratively with others as well as independently with minimum supervision  
- Capable of conducting community needs assessment  
- Experience working with vulnerable populations  
- Maintains a positive and professional work demeanor

EDUCATION

- Masters in Social Work December 2005  
  Tulane University, New Orleans, LA  
- Bachelors in Social Work May 2001  
  San Francisco State University, San Francisco, CA

LICENSES/CERTIFICATES

- LICSW Clinical license # LW60338535  
- ESA School Social Worker Certificate #480415R

WORK EXPERIENCE

Assistant Director of Veteran Services, July 2014-Present  
Western Washington University, Bellingham, WA

- Supervise full time staff employee as well as manage office with 5 VA work study positions  
- Regularly review federal and states laws to maintain WWU’s high standard of service to the veteran community  
- Conduct needs assessment of students using results to inform the development of program goals  
- Provide academic advising and crisis support to students in need  
- Develop and facilitate workshops available to campus community to promote inclusion and understanding of veteran’s needs at Western  
- Regularly meet with community partners to assess the needs of veterans in Whatcom County and create partnerships in programming when opportunities are available  
- Co-teach course in Human Services Dept on Suicide Issues within Special Populations  
- Present to the President’s Office and Board of Trustees when requested on issues veterans experience on campus

Support Services for Veterans Families Coordinator, October 2011-June 2014
Opportunity Council, Bellingham, WA
- Demonstrated competent case management by stably housing a high percentage of individuals at program exit
- Balanced program management while maintaining an active caseload, up to 20 clients at times
- Performed supervision duties to 3 staff and 2 MSW level interns connected to 2 different universities
- Exceled at coordination and facilitation of Financial Literacy and Renter Education course with a graduation rate increase 4 times that of previous course facilitators
- Monitored $150,000 Veterans program budget, exceeding required quotas
- Provided engaging training to staff around Motivational Interviewing, Goal Setting and Financial Literacy
- Competent file management and case progress verified by grant monitors

Housing Case Manager, March 2009-September 2011
Opportunity Council, Bellingham, WA
- Secured housing for individuals who have complex housing barriers such as felonies, mental illness, chemical dependency, and lack of income
- Successfully maintained caseload of up to 30 clients at times
- Supervised college level intern
- Competent file management and case progress verified by grant monitors
- Planned and facilitated children’s program within transitional housing program for survivors of domestic violence
- Regularly followed up on former clients to monitor exit outcomes

Boundary Spanner in Whatcom County Jail, September 2008-February 2009
Whatcom Counseling & Psychiatric Clinic, Bellingham, WA
- Assessed the needs of inmates and developed treatment plans prior to their release
- Completed psychiatric evaluations required by DSHS and diagnosed clients based on presenting issues
- Provided case management services to locate housing, acquire medication/prescriptions, and DSHS approved facilities for alcohol and substance abuse treatment
- Coordinated daily with public defenders and prosecuting attorneys in Whatcom County to secure alternate solutions for clients with mental health needs
- Provided monthly outreach to various service providers to explain the Boundary Spanner program

School Social Worker, December 2006-June 2008
Recovery School District, New Orleans, LA
- Facilitated five separate small groups throughout the school year with children of low-income households and pregnant teenagers
- Worked individually with students in mental health sessions, maintaining a caseload of up to 75 clients
- Developed and fundraised for the Student Support Fund providing money to pay for student uniforms and playground equipment for over 200 children

Psychosocial Trainer, April 2006-December 2006
Save the Children, New Orleans, LA
- Organized and facilitated training programs of 20+ people in highly structured play therapy for children dealing with trauma
- Led weekly stress management course and provided resources for coping with stress to caregivers of children in Gulf Coast area with groups of 10 -15 children in each class
- Co-designed and implemented hurricane preparedness program, which reached over 5000 children in the Gulf Coast area.
January 5, 2018

Executive Jack Louws
311 Grand Avenue
Bellingham, WA 98225

Dear Executive Louws,

The Bellingham-Whatcom County Commission Against Domestic Violence would like to inform you that Kathy McNaughton, Clinical Director at Catholic Community Services, will not seek reappointment when her term ends on January 31, 2018. Kathy has been an invaluable resource as a Commission member, taking part in our Whatcom County Fatality Review and providing the keynote address at a community vigil that shared our findings; and serving as a member of our Executive Committee.

We would like to recommend the following appointments/reappointments:

- The appointment of Michael Parker, Director of the Whatcom Homeless Service Center, to the Whatcom County Human Service Provider position for a full term, ending January 31, 2022. Michael’s work on housing and homelessness in Whatcom County will be a great resource to our Commission. His application is attached.
- The re-appointment of Christina Kobdish, Director of Planning and Development of Unity Care Northwest, serving in the Whatcom County Health Care Provider position, with a partial term ending January 31, 2018. We would like to nominate her for her first full term, ending on January 31, 2022. Christina currently serves as Vice Chair of the Commission.

We’d also like to provide the following updates, related to our membership roster:

- With Jon Komorowski’s retirement, Stark Follis will serve on the DV Commission for the Whatcom County Public Defender position, with no terms or term limits.
- With Chief Cook’s retirement, Chief David Doll will now serve on the DV Commission for the Bellingham Police Chief position, with no terms or term limits.
- Mike Riber, Bellingham DSHS/Community Service Office Administrator, has his term ending on January 31, 2018. He will continue with another term, with no term limits.

Feel free to let me know if you have any questions or comments about any of these recommendations or updates.

Sincerely,

Susan Marks
Director

Cc: Mayor Kelli Linville, City of Bellingham
Karen Goens, Whatcom County Human Resources
APPLY FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Michael J. Parker
Street Address: 2424 Ellis St.
City: Bellingham
Mailing Address (if different from street address): 
Day Telephone: 360-603-6181 Evening Telephone: 360-603-6181 Cell Phone: 360-603-6181 
Email address: michael.parker@whatcombhs.org

1. Name of board or committee—please see reverse: Bellingham-Whatcom County against Domestic Violence

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) Yes ( ) No

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

11. Please describe why you’re interested in serving on this board or commission:

Domestic Violence is a huge cause of homelessness and I want to serve this commission to bring that perspective and to help inform the OC from this Commission.

References (please include daytime telephone number): Grey Winter 360-220-3788, Anne Deacon 360-778-6094, Susan Marks (OV Commission) 360-318-5700

Signature of applicant: Michael J. Parker

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Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name

Anne

Last Name

Honrath

Date

1/3/2018

Street Address

2938 Madrona St

City

Bellingham

Zip

98225

Do you live in & are you registered to vote in Whatcom County?

Yes

Do you have a different mailing address?

Field not completed.

Primary Telephone

4147083589

Field not completed.

Secondary Telephone

Email Address

Annie.honrath@gmail.com

Bicycle/Pedestrian Advisory Committee

Yes

1. Name of Board or Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?

3. Which Council district do you live in?

District 2

4. Are you a US citizen?

Yes

5. Are you registered to vote in Whatcom County?

Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  
No

7. Have you ever been a member of this Board/Commission?  
Yes  
If yes, please list dates:  
Current, however my term expires on January 31, 2018.

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education  
Assistant Attorney General; current chair of this committee

10. Please describe why you’re interested in serving on this board or commission  
I am renewing my term that is expiring.

References (please include daytime telephone number):  
Field not completed.

Signature of applicant:  
Anne Honrath

Place Signed / Submitted  
Bellingham
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Brian

Last Name
Kennemer

Date
1/5/2018

Street Address
404 E Sunset Dr

City
Bellingham

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
3602012581

Secondary Telephone
3602012581

Email Address
brian.kennemer@live.com

1. Name of Board or Committee
Bicycle/Pedestrian Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 2

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

No

7. Have you ever been a member of this Board/Commission?

No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I have spent the last 20 years working in project management and software development consulting which has given me the ability to examine complex systems and processes and suggest improvements and work on implementing those improvements.

10. Please describe why you’re interested in serving on this board or commission

I raced bicycles in high school and college and took a too long break from the bike and have been riding about 100 miles a week for the last 8 months. I feel like this gives me a fresh perspective on as both an ‘old hand’ and a sort of ‘newcomer.’ A lot of improvements have been made to make walking/riding a safer and more effective alternative but I think there is much more to be done. I would love to be a part of improving our system.

References (please include daytime telephone number):

Schultzie Willows (360) 671-7663

Signature of applicant:

Brian Kennemer

Place Signed / Submitted

404 E Sunset Drive, Bellingham, 98225
Brian Kennemer, MCTS, Project MVP

*brian.kennemer@projectified.com*  
360.201.2581  
404 East Sunset Drive, Bellingham WA 98225

**Overview**

Brian Kennemer has 16 years of experience designing, deploying and supporting world-class enterprise project and portfolio management systems. He has been recognized by Microsoft as a thought leader around Project and Project Server by being named to both the Project MVP program but also the Microsoft Consulting Services Project Server Center of Excellence. He specializes in Project Server deployment design, reporting development, and custom application design and development team management. He has been the technical editor for more than 15 books and publications around Project and Project Server.

**Areas of Expertise:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Server design and deployment</td>
<td>Project VBA development</td>
</tr>
<tr>
<td>Project and Portfolio Management improvement</td>
<td>VB.Net Project COM Add-in Development</td>
</tr>
<tr>
<td>Project Scheduling</td>
<td>Business Process Analysis and Process Improvement</td>
</tr>
<tr>
<td>Application Design and Development Management</td>
<td>Excel Services Reporting Development</td>
</tr>
<tr>
<td>SQL Reporting Services Report Development</td>
<td>Nintex SharePoint/Project Server Workflow Design</td>
</tr>
</tbody>
</table>

**Awards and Certifications**

- Microsoft Certified Technical Specialist (MCTS): 70-177: Configuring Project Server 2010 and 70-178: Managing Projects with Project 2010

**Publications and Presentations**

- Microsoft ‘ThinkWeek’ paper on Internal Microsoft use of Project Server (favorably reviewed by Bill Gates.)
- Delivered “Executing a Multi-Instance, Multi-Version Project Server Migration” at the 2012 Project Conference.
- Co-Author and technical editor for Using Microsoft Project 2010 and 2013
- Microsoft Project 2010 Bible - Technical Editor, Wiley Publishing
- Microsoft Project 2007 and 2010 Inside Out - Technical Editor, Microsoft Press
- Microsoft Project Step by Step – 2003, 2007 editions - Technical Editor

**Work History**

<table>
<thead>
<tr>
<th>Company</th>
<th>Role</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projectified Consulting</td>
<td>Principal Project Server Architect</td>
<td>01/2004 – Present</td>
</tr>
<tr>
<td></td>
<td>Report development, custom VBA, project management consulting, technical editing and book authoring</td>
<td></td>
</tr>
<tr>
<td>DeltaBahn</td>
<td>Senior Project Server Architect</td>
<td>07/2011 – 09/2013</td>
</tr>
<tr>
<td></td>
<td>Project Server deployments, project and portfolio management consulting, report development, custom VBA and VB.Net development</td>
<td></td>
</tr>
<tr>
<td>forProject Technologies</td>
<td>Senior Architect</td>
<td>07/2010 – 07/2011</td>
</tr>
<tr>
<td></td>
<td>Project and Project Server deployment, reporting, VBA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Project Server deployments, member of the Project Server Center of Excellence, liaison between MCS and Project team for the beta of Project Server 2010.</td>
<td></td>
</tr>
<tr>
<td>Electronic Arts</td>
<td>Senior Project Management Trainer</td>
<td>01/2005 – 11/2005</td>
</tr>
<tr>
<td></td>
<td>Project management training and process improvement as well as Project Server deployment</td>
<td></td>
</tr>
<tr>
<td>QuantumPM</td>
<td>Senior EPM Consultant</td>
<td>04/2002 – 01/2005</td>
</tr>
<tr>
<td></td>
<td>Project Server deployment consultant for a leading Microsoft Project partner</td>
<td></td>
</tr>
<tr>
<td>Pacific Edge Software</td>
<td>Senior Program Manager</td>
<td>08/1998 – 04/2002</td>
</tr>
<tr>
<td></td>
<td>Supported, deployed and worked on the design team for a cutting edge project portfolio management solution.</td>
<td></td>
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</tbody>
</table>
Project Experience:

A Large California Health Care Company
Design and deploy new Project Server 2013 configuration and develop reports and workflows
University of Washington Medical Center
Develop reports and troubleshoot Project Server processes
A Large US Aerospace Company
Architected the conversion of a Project 2003-based program management solution to Project Server 2010. Included advanced reporting design, custom VBA and C# development and full architecture and design of a new program management system that is now the space sector standard.
Project Server, SQL Reporting Services (SSRS), Excel Services, VBA, C#, project management process consulting
A Large Utility and Energy Company
Develop and troubleshoot complex Project Server and SharePoint workflows using Nintex workflows.
A Top-3 US Television Network IT Department
Architected and deployed the project, resource and timesheet tracking system for the application development division of a major television network.
Project Server, SharePoint, SSRS, Excel Services, Project and portfolio management process consulting
A Large Upstream Oil and Gas Exploration Company
Developed several specialized VBA applications around the customers specialized revenue projection system.
VBA, SSRS
A Large US Oilfield Services Company
Designed and deployed the project tracking system for the facilities acquisition division of a major oilfield services company including PM processes, reporting and a SharePoint 2010 workflow system for change request approval routing.
Project Server, SharePoint, SSRS, workflow design, development team management, project and portfolio management process
A Major US Cable Company
Designed and deployed Project Server 2010 for evaluating and tracking IT system development including a sophisticated custom workflow solution for managing new project evaluation and development.
Project Server, SharePoint, Excel Services and SSRS, Project Server Workflow design, development team management, project management process design
A Major Metropolitan Police Department
Designed and deployed the integrated project tracking system used to manage the deployment of a large-scale video surveillance system.
Project Server, Excel Services, SharePoint system design, VBA development, SSRS, project\portfolio management consulting
Microsoft Human Resources IT
Designed a project portfolio management system using Project Server 2010.
Project Server, SharePoint, SSRS, Project Server workflow, Excel Services
Washington State Department of Revenue
Deployed Project Server system for tracking major system development and maintenance projects.
Project Server, Excel Services, SSRS, training, project management process improvement
Molina Healthcare
Designed and deployed Project Portfolio Server 2007 based portfolio management system.
Portfolio Server, portfolio management and project management process improvement
Mattel
Deployed Project Server including the development of a custom interface to SAP for integrating systems information into Project Server.
Project Server, project management process improvement, custom interface design, management of development team
Lowes
Troubleshooting and repair of an existing Project Server 2007 system for the Lowes corporate information systems division.
Project Server, troubleshooting, project management process improvement
Conoco Phillips North Slope
Designed and deployed an upstream oil and gas exploration facilities maintenance project tracking system.
Project Server, project management process improvement, VBA development, Excel and SSRS
Microsoft Information Technology
Master scheduling for a major internal SAP deployment
Project Server, Project 2007, project management, project and portfolio management process improvement
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Alan

Last Name
McConchie

Date
1/7/2018

Street Address
3817 Squalicum Lake Rd

City
Bellingham

Zip
98226

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
YES

Mailing Address
PO Box 28177, Bellingham WA, 98228

Primary Telephone
2063889675

Secondary Telephone
Field not completed.

Email Address
alan.mcconchie@gmail.com

1. Name of Board or Committee
Bicycle/Pedestrian Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 3

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
No

7. Have you ever been a member of this Board/Commission?
No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I work as a cartographer, making maps on a range of subjects for a variety of clients. Through this work, I have a good sense of the complex relationships between demographics, landuse, transportation networks, and other civic infrastructure. Knowing how to design and interpret maps and work with geographic data seems very relevant when it comes to advising on decisions about how invest in our pedestrian and bicycle infrastructure. I have a masters degree in Geography from the University of British Columbia, and an undergraduate degree in Computer Science and Mathematics from Lewis & Clark College in Portland, Oregon. I am a graduate of Sehome High School in Bellingham. I was born and raised in Bellingham, so I appreciate and understand the unique character of our region. But I've also lived and cycled in larger cities such as San Francisco and Vancouver that have more variety of bicycle and pedestrian infrastructure than we do here in Whatcom County. I look forward to taking what I've learned in other cities and finding ways that we can adapt it to the different needs of our county. I have been a member of the bicycle advocacy groups in San Francisco (SF Bike Coalition) and Vancouver (The HUB), and I recently joined the Walk Bike Bus Bellingham group. In other civic volunteering activities, I am the co-founder of FairVote Washington, a non-partisan electoral reform group. This gives me experience in knowing how local government works, and how it can discover innovative ways to serve its citizens more effectively and efficiently.

10. Please describe why you're interested in serving on this board or commission

Improving Whatcom's bike and pedestrian infrastructure is directly relevant to my life. As someone who lives in unincorporated Whatcom County (in the Squalicum Valley neighborhood, part of the 3rd council district) but who works in downtown Bellingham, I aspire to commute to work by bike as often as I can. But in practice, my ride can feel challenging and unsafe at times, and often I end up taking the car instead. I know first-hand the frustrations that prevent most people from even trying to ride bicycles on our roads. I consider myself only a moderately skilled cyclist (I'm not the type who's out every weekend racing 50 miles wearing spandex). I think I can be a voice for the large majority of the public who wants to bicycle more frequently (maybe for health reasons, or to help the environment, or just to save money) but doesn't feel confident or safe enough on our roads. By serving on the Bicycle/Pedestrian Advisory Committee, I'd hope to help make our county roads more inviting and easier to ride, thereby making it easier for more people to make biking and walking part of their daily lives.

References (please include daytime telephone number):
Cindy Madigan, 360-305-7951 Peter Willing, 360-592-0939 Flip Breskin, 360-671-4511

Signature of applicant:
Alan McConchie

Place Signed / Submitted
Whatcom County, Washington
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Tom

Last Name
Goetzl

Date
1/16/2018

Street Address
160 Highland Dr

City
Bellingham

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360-738-3559

Secondary Telephone
Field not completed.

Email Address
tom.goetzl@yahoo.com

1. Name of Board or Committee
Bicycle/Pedestrian Advisory Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 1

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I believe I have a resume on file already in connection with my application and selection for service on the County Ethics Commission.

(Retired Professor of Law)

10. Please describe why you're interested in serving on this board or commission

I'm especially interested in serving on this Advisory Committee because, in addition to enhancing and protecting the rights of bicyclists and pedestrians, I want to advocate for their corresponding responsibilities to protect themselves better. I suspect the former interests are advanced more than the latter, and they are co-equal in importance. All members of my family (self, wife and 13 yr old son) are both walkers and bicyclists.

References (please include daytime telephone number):

Dan Warner 360-650-3390 Charles Maxwell 360-201-1798

Signature of applicant: Tom Goetzl

Place Signed / Submitted Bellingham WA
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name: Dale
Last Name: Buys
Date: 11/9/2017
Street Address: 549 E Laurel
City: Bellingham
Zip: 98226
Do you live in & are you registered to vote in Whatcom County?: Yes
Do you have a different mailing address?: Field not completed.
Primary Telephone: (360)354-3687
Secondary Telephone: Field not completed.
Email Address: dale@recivil.com

1. Name of Board or Committee:
   Development Standards Technical Advisory Committee
   Construction Trade

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?: Yes

3. Which Council district do you live in?: District 3

4. Are you a US citizen?: Yes
5. Are you registered to vote in Whatcom County?  Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? Yes

If yes, please list dates: 2016 & 2017, I am requesting a 2nd term

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education I am a licensed professional engineer. I prepare designs in accordance with many municipal standards. As a consultant I often assist those municipalities with developing their standards.

10. Please describe why you’re interested in serving on this board or commission This is an area of my interest and expertise and would like to give back to my community by using my experience as a volunteer to help Whatcom County update their standards.

References (please include daytime telephone number): Rod Lamb 360-778-5858

Signature of applicant: Dale Buys

Place Signed / Submitted 423 Front Street Lynden WA 98264
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Jeff Peterson

Street Address: 1603 East Pole Road

City: Everett, WA

Mailing Address (if different from street address): 

Day Telephone: 

Evening Telephone: 

Cell Phone: 360-739-2384

E-mail address: jepeterson426@gmail.com

1. Name of board or committee-please see reverse:

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three

5. Are you a US citizen? ( ) yes ( ) no

6. Are you registered to vote in Whatcom County? ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission? ( ) yes ( ) no

If yes, dates: Jan 2010 - Jan 2014 & Interim member Jan 2015 - Jan 2016

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes ( ) no

If yes, please explain: See Attached

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

CHIEF INSPECTOR FOR WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, MAY 1990 - PRESENT. See Attached

10. Please describe why you’re interested in serving on this board or commission: See Attached

References (please include daytime telephone number): See Attached

Signature of applicant: Jeff Peterson

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1/07/2016
Jeff Peterson
Development Standards Technical Advisory Committee

Qualifications related to position: Licensed Professional Civil Engineer in Washington - License #33787 Expires: 2/24/2016
Technical Advisory Committee Member for two terms – Jan 2010 to Jan 2012 & Jan 2012 to Jan 2014, and ½ interim term Jan 2015 to Jan 2016

I have been employed with the Washington State Department of Transportation (WSDOT) for 26 years (17 years in Whatcom County). I work in a Project Engineer Office, which administers highway construction contracts. I am a supervisor of an inspection staff. My duties include the following:

- Ensure that the contractor performs work that is in compliance with WSDOT Standard Specifications and Plans.
- Develop solutions to design errors and/or changes that result from discrepancies between the contract and existing field conditions.
- Review proposed changes from the contractor to ensure that they are consistent with applicable WSDOT Standards and policies.

The experience described above would enable me to perform very similar reviews on proposed changes as they are applicable to Land Use Regulations and Comprehensive Plans for Whatcom County.

Describe why you are interested in serving on this commission: I would like the County Council and County Executive to have as much information as they need to prepare them for decisions on issues. My skills and abilities as a Civil Engineer, along with the experience described above, will enable me to review the technical aspects of how Land Use Regulations and Comprehensive Plans may or may not be affected by variances/changes as a result of proposed improvements. I believe that my experience and skills will enable me to provide open perspective on issues from an engineering standpoint, which will enable the County Council and County Executive to have access to complete information on these types of issues. As a result, they will be able to continue to make informed and accurate decisions related to Land Use Regulations and Comprehensive Plans.

I am an employee of WSDOT and therefore do some business with Whatcom County: One of my tasks in my current position with WSDOT requires that I perform field reviews with County inspectors of the condition of County roads before and after traffic detours have been utilized for the construction work on State highways. We agree on whether or not any damage has been done to the County roads as a result of a given detour. If there is damage, I work with the County inspector to determine the best course of action to make repairs to the damaged areas. Final decisions from WSDOT for the agreements that are administered with our office are made by my supervisor. These reviews occur approximately once per year.

References:
Chris Damitio, PE WSDOT Project Engineer - 360-788-7403
Jason Koreski, PE WSDOT Asst Project Engineer – 360-788-7410
Debbie & Jason Vanderveen - 360-354-1194
January 10, 2018

TO: Jack Louws, County Executive

CC: Suzanne Mildner

FROM: Jessica Lee, Developmental Disabilities Program Specialist

RE: Sapienza and Harrigan Re-appointment: Developmental Disabilities Advisory Board (DDAB)

I am pleased to recommend the re-appointment of current Developmental Disabilities Advisory Board (DDAB) members, Russ Sapienza and Kathleen Harrigan. Both have been consistent and enthusiastic contributors to the board since 2014 and have applied for second terms.

The board benefits from their skill and expertise and I look forward to continuing our work with them!

Thank you for considering their re-appointment to the DDAB.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Russell S. Sapienza
Date: 11/4/2017
Street Address: 1201 W. Garden St. Apt. A3
City: Bellingham WA
Zip Code: 98225
Mailing Address (if different from street address): P.O. Box 1508, Bellingham WA 98227
Day Telephone: 360-739-3189 Evening Telephone: Same
Cell Phone: 
E-mail address: sapienza64@yahoo.com

1. Name of board or committee—please see reverse: Developmental Disabilities Board

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No

If yes, dates: 11/2015 - 11/2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) Yes ( ) No

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

I have worked with DSS Buddy Walk for at least seven years. I am on the Whatcom County Board of Directors, I hold an Associate’s Degree in Liberal Arts from Cumberland County College (1984) and a Bachelor’s Degree in Psychology from Richard Stockton University, Galloway, NJ (1986).

11. Please describe why you’re interested in serving on this board or commission.

I have had work as a DD Tutor in New Jersey in the early 1990’s and I had a roommate in my undergraduate years who had Cerebral Palsy. I want to work to improve the lives of people with DD on a personal level.

References (please include daytime telephone number):

Pastor Kurt Stiegman (360-820-4167)
Anne Deccio (360-676-6724)

Signature of applicant: Russell S. Sapienza

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Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Kathleen

Last Name
Harrigan

Date
11/16/2017

Street Address
1006 Benson Lane

City
Lynden

Zip
98264

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360 550 2348

Secondary Telephone
Field not completed.

Email Address
kaharrigan@msn.com

1. Name of Board or Committee
Developmental Disabilities Board

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 2

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   Yes
   September 2014- current

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education
   Former Special Education teacher in Whatcom County for 18 years. Total Special Education instructor for over 29 years.

10. Please describe why you’re interested in serving on this board or commission
    I’ve been on the DDAB for the past three years and have enjoyed the people and process; therefore, I’d like to continue. I have worked with differently-abled students my entire career. I have a DD sister-in-law as well and like to keep current on policies and procedures affecting her.

References (please include daytime telephone number):
   Jessica Lee (360) 778-6047 Harriet Vernon (360) 354-5926

Signature of applicant:
   Kathleen Harrigan

Place Signed / Submitted
   Lynden, WA
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Tom Goetzl
Street Address: 160 Highland Dr
City: Bellingham
Mailing Address: MT
Zip Code: 98225
Day Telephone: (360) 738-3559
Evening Telephone: Same
Cell Phone: MT
E-mail address: Tom_goeztl@yahoo.com
1. Name of board or committee—please see reverse:
   Ethics Commission

2. You must specify which position you are applying for.
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
   (If applicable, please refer to vacancy list.)

4. Which Council district do you live in?

5. Are you a US citizen?

6. Are you registered to vote in Whatcom County?

7. Have you ever been a member of this Board/Commission?
   If yes, dates: 2014—present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected
   office in any jurisdiction within the county?

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community
    activities, and education.

11. Please describe why you’re interested in serving on this board or commission:
    Deeply concerned with ethical issues.

References (please include daytime telephone number):
   Charles Maxwell 360-201-1798
   Dan Warner 360-650-3392

Signature of applicant:

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available to the County Council, County Executive, and the public. All board and commission members are
expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these
expectations may result in revocation of appointment and removal from the appointive position.
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: __Debbie Paton__                                      Date: __April 14, 2015__
Street Address: __1111 Cornwall Avenue__
City: __Bellingham__                                         Zip Code: __98225__
Mailing Address (if different from street address): ________________
Day Telephone: __360-734-5121__     Evening Telephone: ________________     Cell Phone: __360-303-0794__
E-mail address: __debbie_paton@opcco.org__

1. Name of board or committee—please see reverse: __Housing Advisory Committee__
   Committee Member representing __Opportunity Council__

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? __X__ yes ( ) no
   (If applicable, please refer to vacancy list.) ____________________________________________

4. Which Council district do you live in? __X__ One ( ) Two ( ) Three

5. Are you a US citizen? __X__ yes ( ) no

6. Are you registered to vote in Whatcom County? __X__ yes ( ) no

7. Have you ever been a member of this Board/Commission? __X__ yes ( ) no
If yes, dates: ______________________________________

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? __X__ yes ( ) no
   If yes, please explain: ________________________________________________________________

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

   Administrator / Program Director at Opportunity Council, local Community Action agency

10. Please describe why you’re interested in serving on this board or commission: As an interested community member and social services provider in Whatcom County, I can provide valuable insight into local housing issues. I also have a broad understanding of housing services in Whatcom County including homeless services and housing preservation.
   References (please include daytime telephone number): __Dave Finet 360-734-5121 ext 316__

Signature of applicant: ____________________________________________

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name:  Paul Schissler  Date:  2/19/15

Street Address:  715 Wilson Avenue  

City:  Bellingham  Zip Code:  98225

Mailing Address (if different from street address):  

Day Telephone:  360-899-  Evening Telephone:  Same  Cell Phone:  Same

E-mail address:  PaulSchissler@Gmail.com for volunteer activities, projects.

1. Name of board or committee-please see reverse:  Whatcom County Housing Advisory Council

2. You must specify which position you are applying for.  Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?  
   (If applicable, please refer to vacancy list.)  
   (V) Yes  ( ) No

4. Which Council district do you live in?  (V) One  ( ) Two  ( ) Three

5. Are you a US citizen?  (V) Yes  ( ) No

6. Are you registered to vote in Whatcom County?  (V) Yes  ( ) No

7. Have you ever been a member of this Board/Commission?  (V) Yes  ( ) No
   If yes, dates:  2007-2013

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  (V) Yes  ( ) No
   If yes, please explain:  Paul Schissler Associates, Inc. contracts with County

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

As a Community Development Planner, I have worked on Public Interest Issues for over 30 years, for Private Non-Profits, Local Governments and Federal Agencies.

10. Please describe why you're interested in serving on this board or commission:

Housing Affordability is a particular interest of mine, and one area of extensive experience. My first assignment in 1985 was Housing Rehab Funding and Implementation at CDBG.

References (please include daytime telephone number):  
   Gary Winter  255-7012  Dave Frank  734-5731

Signature of applicant:  Paul Schissler

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APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Emily O'Connor
Street Address: 2504 Erie St.
Cty: Bellingham
Mailing Address (if different from street address):
Day Telephone: 360-671-7663
E-mail address: eoconnor@lydiaplaceno.org

Date: 2/9/15
Zip Code: 98226

Cell Phone: 360-201-7791

1. Name of board or committee-please see reverse: Whatcom County Housing Advisory Committee

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you are applying? (If applicable, please refer to vacancy list.)

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three

5. Are you a U.S. citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No

If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No

If yes, please explain: Lydia Place is a human service contract recipient

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Executive Director of Lydia Place currently, see resume for full description.

10. Please describe why you're interested in serving on this board or commission: I am committed to helping our community identify solutions to the problem of homelessness and shortage of affordable and low-income housing.

References (please include daytime telephone number):

Drew Betz 360-920-0015
Craig Dunn 619-234-7111

Signature of applicant: [Signature]

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Emily O'Connor, MSW
2504 Erie St.
Bellingham, WA 98226
(360) 201-7796
EmilyF21@hotmail.com

Education
- Master of Social Work, University of Washington, 2007
- Bachelor of Arts, Sociology, Western Washington University, 2004
- Bachelor of Arts, Political Science, Western Washington University, 2004

Skills & Qualifications
- Experience with policy, program development and implementation, and financial management
- Experience with grant writing, as well as federal and state grant monitoring and reporting
- Eight years of education and experience with issues of oppression, marginalization, and diversity
- Six years experience training, supervising, and managing individuals, groups, and volunteers
- Excellent communication skills, both written and verbal
- Proficient computer skills with programs such as word, excel, access, publisher, etc.
- Excellent financial planning and budgeting skills
- Experience with development, fundraising, accounting, and donor maintenance
- Excellent interpersonal and public speaking skills

Employment History

Executive Director, Lydia Place 04/12 – Present
Lydia Place is a 501c3 established in 1989 which works to end homelessness by providing transitional housing for homeless women with children and permanent supportive housing for homeless individuals and families. Responsible for overall management of the agency and programs including full fiscal management of the $500,000 annual budget, state and local contracts, billing, Board of Director relations, record keeping, financial and grant administration, human resources, personnel management, community relations, representing the agency on various committee’s and task forces, grant writing, and fund development, and program development, implementation and management.

Executive Director, Skagit Domestic Violence & Sexual Assault Services 11/08 – 3/12
Responsible for overall management of the agency and programs including full fiscal management of the $650,000 annual budget, more than fifteen state and local contracts, billing, Board of Director relations, record keeping, financial and grant administration, human resources, personnel management, supervision of 24-hour a day programs including an emergency housing, community relations, representing the agency on various committee’s and task forces, grant writing, and fund development, and program development, implementation and management.

CASA Coordinator, Whatcom County Juvenile Court Administration 03/08 – 3/09-Present
Responsible for overall development and implementation of Whatcom County’s new Court Appointed Special Advocate Program which trains and supervises volunteer Guardians ad Litem to advocate for the best interests of abused and neglected children in dependency cases. This includes policy development; assuring adherence to national accreditation standards; volunteer recruitment, training, and supervision; and overall program management. (Still employed by the Court as the program’s trainer)

Programs Administrator, Skagit Domestic Violence & Sexual Assault Services 12/07 – 11/08
Responsible for overall management of the state Grants to Encourage Arrest Program for the agency. This includes hiring and managing program staff and volunteers, overseeing volunteer recruitment and training, developing and implementing new programs, program evaluation, policy development, serving on various community and agency committees, grant writing and reporting, assisting with annual budgeting, coordinating with local law enforcement, developing and delivering trainings and presentations to partner agencies and community members, and providing direct services to victims, families, and youth.
Director, Whatcom Family YMCA, Barkley Child Development Center 07/07 - 01/08

Responsible for overall management of the Center including hiring and supervision of over 30 employees, implementation of best-practice models in programs, adherence to state licensing and reporting requirements, financial management and budgeting, daily operations, record keeping and program monitoring, and promoting the overall mission of the agency at the community level.

GTEAP Program Supervisor/Advocate, Skagit DV & SA Services 03/06 - 12/07

Legal Advocate, Domestic Violence & Sexual Assault Services of Whatcom County 11/05 - 3/06

On-Call Program Coordinator, DVSAS of Whatcom County 07/05 - 02/08

Children & Youth Program Coordinator, DVSAS of Whatcom County 08/05 - 03/07

Receptionist/Secretary, DVSAS of Whatcom County 07/04 - 03/06

References: Please notify me prior to contacting references

Dave Reynolds, Administrator, Whatcom County Juvenile Court 360-676-6780
Barbara Plumbo, Administrative Assistance, Whatcom County Juvenile Court 360-676-6780
Pamela Crume Former Executive Director, Skagit DVSAS
Ken Bergsma, Chief, Mount Vernon Police Department 360-336-6271
Memorandum

TO: JACK LOUWS, COUNTY EXECUTIVE
FROM: BARBARA JOHNSON-VINNA, HOUSING SPECIALIST, WHATCOM COUNTY HEALTH DEPARTMENT
DATE: DECEMBER 21, 2017
RE: NOMINATION FOR APPOINTMENT TO THE WHATCOM COUNTY HOUSING ADVISORY COMMITTEE

The Whatcom County Housing Advisory Committee (WCHAC) met this week on Tuesday, December 19th 2017 and voted unanimously to recommend that Ed Moran be approved for appointment to the WCHAC.

Ed Moran is a founding member of the Homeless Voices organization which strives to bridge the gaps between the agencies working on behalf of people experiencing homelessness and the individuals that their programs serve. Ed is a member of the Steering Committee of the Whatcom County Coalition to End Homelessness, where his perspectives both as a Veteran and as a previously homeless individual contribute key insights. As a Veteran and the homelessness representative for the WCHAC, Ed will be exceptionally well qualified to disseminate information to the homeless population and serve as a liaison to represent their needs and challenges on the WCHAC.

The Housing Advisory Committee enthusiastically supports the appointment of Mr. Moran and recommends that he be approved for appointment.

Barbara Johnson-Vinna
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: EDMUND T. MORAIR JR. Date: 11/17/2017
Street Address: 507 E. HOLLY ST #205
City: BECKLINGHAM Zip Code: 98225
Mailing Address (if different from street address): PO BOX 2044, 98227
Day Telephone: 360.441.6946 Evening Telephone: Cell Phone:
E-mail address: EMMORAN@YAHOO.COM

1. Name of board or committee - please see reverse: HOUSING ADVISORY COMMITTEE
2. You must specify which position you are applying for. Please refer to vacancy list.
3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? (If applicable, please refer to vacancy list.) YES ( ) NO
4. Which Council district do you live in? One ( ) Two ( ) Three ( ) Four ( ) Five
5. Are you a US citizen? YES ( ) NO
6. Are you registered to vote in Whatcom County? YES ( ) NO
7. Have you ever been a member of this Board/Commission? YES ( ) NO

If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? YES ( ) NO

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? YES ( ) NO

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

RECIPIENT ELECTRONICS TECH, PART TIME WEB DEVELOPER, GRANT WRITER, VOLUNTEER, ATTENDED UWW, BA IN 2014, MEMBER HOMELESS COALITION, CHAIR HOMELESS VOICE, RE AGENT 217@UNK.

11. Please describe why you're interested in serving on this board or commission:

I HAVE BEEN HOMELESS MYSELF AND NOW, AS A VOLUNTEER, I SEE THE NEED FOR LOW INCOME HOUSING EVERY DAY. I CAN PROVIDE DIRECT INSIGHT FROM THE HOMELESS COMMUNITY.

References (please include daytime telephone number): GARY DOLIN, VETERAN ADMIN, 360-255-209, ADRIENNE F Keating, OPP, COUNCIL, 360-603-0377

Signature of applicant: THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
TO: The Honorable Jack Louws, County Executive

THROUGH: Jon Hutchings, Director

FROM: Gary S. Stoyka, Natural Resources Manager
       Austin Rose, Planner I

RE: Marine Resources Committee appointment recommendations

DATE: January 4, 2018

There are currently three vacancies on the Marine Resources Committee (MRC). Applicant positions include: a Conservation/Environmental interest, a Recreational interest, and an Economic interest. The Executive’s Office forwarded three applications for the MRC to review which included: one application from Mr. Jim Hansen to fulfill a second term in a Recreational interest position, one application from Mr. Robert Seaman to begin his first full term on the MRC in a Conservation-Environmental interest position, and one application from Ms. Caitlin Martin for a new first term in a Conservation-Environmental interest position. A recommendation was requested from the Executive’s Office for the most appropriate applicant on file for the open positions.

The MRC recommends the appointments of Mr. Jim Hansen to continue to represent a Recreational interest and Mr. Robert Seaman to continue to represent a Conservation/Environmental interest to the MRC. Their commitment to education and outreach, monitoring projects, and policy recommendations are important assets to the committee. Ms. Caitlin Martin is not recommended to join the committee at this time due to lack of experience that would be complementary to MRC work. Ms. Martin will be contacted to discuss her interest in the MRC, and it is hoped she will consider serving on a subcommittee to gain experience with projects the MRC pursues.

The MRC does not have a recommendation for a candidate to fill the open Economic interest position at this time. The position will continue to be advertised on the MRC website and it is hoped that a suitable candidate will be identified as more applications are submitted and reviewed.

If you have any questions regarding this recommendation, please contact Austin Rose at extension 6286.

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Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
James

Last Name
Hansen

Date
11/7/2017

Street Address
2418 Keesling St

City
Bellingham

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
3606768014

Secondary Telephone
3604101991

Email Address
jh_mk1234@msn.com

1. Name of Board or Committee
Marine Resource Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
Yes

3. Which Council district do you live in?
District 2

4. Are you a US citizen?
Field not completed.

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

   No

7. Have you ever been a member of this Board/Commission?

   Yes

   Currently a member, seeking to re-apply for the position

If yes, please list dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

   No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

   Retired Watershed Restoration Program Manager, President, Nooksack Recovery Team, previously Flood Advisory Committee, NSEA Advisory Board, WRIA 1 Environmental Caucus.

10. Please describe why you’re interested in serving on this board or commission

    I’m interested in seeing improvements in nearshore and marine water quality and habitats

References (please include daytime telephone number):

    Barbara Brenner, Todd Donovan, Satpal Sidhu via Council Operations

Signature of applicant:

    Jim Hansen

Place Signed / Submitted

    Bellingham, WA
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Robert L. Seaman

Street Address: 251 W Raintree Dr.

City: Lynden

Mailing Address (if different from street address): ___________

Day Telephone: ___________ Evening Telephone: ___________ Cell Phone: 360-303-6373

E-mail address: rltseaman@people.power.com

1. Name of board or committee—please see reverse: ____________________________

2. You must specify which position you are applying for. Please refer to vacancy list.

   Marine Resource Committee

   Conservation/Environmental Enthusiast

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying? (If applicable, please refer to vacancy list.)

   yes ( ) no

4. Which Council district do you live in? ___________ One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? ____________________________

   yes ( ) no

6. Are you registered to vote in Whatcom County? ____________________________

   yes ( ) no

7. Have you ever been a member of this Board/Commission? ____________________________

   yes ( ) no

   If yes, dates: Nov 2010 – Jan 2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ____________________________

   yes ( ) no

   If yes, please explain: ____________________________

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ____________________________

   yes ( ) no

   You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education. ____________________________

    Retired from B&O Cherry Point Operations Dept

    Former commercial fisherman, licensed Capt/Boo, Former member of Tourism Cherry Water project

11. Please describe why you're interested in serving on this board or commission: ____________________________

    To continue working with my colleagues on the MRC by restoring the health of our Salish Sea

References (please include daytime telephone number): ___________

Brian Griesdal 360-720-1333

Lee Fins 360-220-0556 Scott Soberg 360-589-8352

Signature of applicant: ____________________________

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Memorandum

TO: JACK LOUWS, COUNTY EXECUTIVE
FROM: JACKIE MITCHELL, BEHAVIORAL HEALTH PROGRAM SPECIALIST, WHATCOM COUNTY HEALTH DEPARTMENT
DATE: DECEMBER 19, 2017
RE: NOMINATION FOR APPOINTMENT TO THE NORTH SOUND MENTAL HEALTH ADMINISTRATION BOARD

I am pleased to forward a nomination for reappointment to the North Sound Mental Health Administration Advisory Board.

Mark McDonald, a current member of the board, is a mental health recovery advocate and provides an important consumer voice to the board. As the North Sound Behavioral Health Administration undergoes significant administrative changes in the coming years, Mark will have an important role advocating as a representative for the people the organization is striving to serve.

Thank you for considering this nomination for appointment.

Jackie Mitchell
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Mark McDonald

Street Address: 1101 McKenzie Ave. #305

City: Bellingham

Mailing Address (if different from street address):

Day Telephone: 360-920-9445 Evening Telephone: Cell Phone:

E-mail address: N/A

1. Name of board or committee—please see reverse: North Sound Mental Health Administration

2. You must specify which position you are applying for. Please refer to vacancy list.
Mental Health Advocate

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
(x) yes ( ) no

4. Which Council district do you live in?
(x) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? (x) yes ( ) no

6. Are you registered to vote in Whatcom County? ( ) yes ( ) no

7. Have you ever been a member of this Board/Commission?
(x) yes ( ) no

If yes, dates: 3/26/13 — Present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) yes (x) no

If yes, please explain:

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? ( ) yes (x) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Current member of NS MHA Advisory Board

11. Please describe why you’re interested in serving on this board or commission:

To advocate for mental health consumers

References (please include daytime telephone number):

Jackie Mitchell 360-778-6048

Signature of applicant: Mark McDonald

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Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Brad

Last Name
VanderWerff

Date
12/28/2017

Street Address
128 Hilne Rd

City
Bellingham

Zip
98229

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360-920-8396

Secondary Telephone
Field not completed.

Email Address
bradwerff@gmail.com

1. Name of Board or Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?

3. Which Council district do you live in?
District 3

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Field not completed.
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  

No

7. Have you ever been a member of this Board/Commission?  

No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Brad VanderWerff.pdf - attached

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education  

I am a Turnaround Planner with BP. I have extensive industrial planning experience that can be used with Parks and Rec. I am a Lynden High School graduate and attended Northwestern college studying psychology and criminal justice

10. Please describe why you’re interested in serving on this board or commission  

As a life long Whatcom County resident, I have had the privilege of enjoying many of our wonderful parks. And now as a grandfather, I want to make sure we have the same caliber of parks for my grandchildren to enjoy.

Field not completed.

References (please include daytime telephone number):

Signature of applicant: Brad VanderWerff

Place Signed / Submitted Bellingham, Wa
Brad VanderWerff  
BP Turn Around Head Planner  
360-920-8396 Cell  
360-526-3894 Office  
bradwerff@gmail.com

SUMMARY OF QUALIFICATIONS:  
Ability to lead, train and maintain an enthusiastic team.  
Proven skills to deliver a successful Turnaround safely, on time and budget.  
Facilitate and be directly involved in all safety incidents, HAZOPS and mitigations.  
Self-motivated, productive, organized and efficient work habits.

EXPERIENCE:  
Operations:  
1993-1996; Coker Operator  
• Full rotational operator through 7 different duty stations.
1996-2004; Calciner/Boiler House Operator.  
• Full rotational operator through 7 different duty stations.  
• Developed a working knowledge all aspects of Boiler house operations.
2004-2005; Operations Foreman, Calciner Unit.  
• Leadership position. Managing a crew of 7, reporting to Shift Supervisor.  
• Responsible for payroll, training, day to day operations of unit.  
• Responsible for products being on spec and shipments on schedule.

BP Marketing:  
2005-2006 Coke Marketing  
• Part of team marketing Calcined Coke to worldwide markets.

Training Department:  
2006-2008; Roll out Control of Work Permitting Program.  
• Refinery wide Permitting Program in efforts to safely execute operational and maintenance job tasks.

Planning:  
2008-2009; Operations commissioning Manager 6&7 Boiler Project.  
• Lead operations team to commission and start up new 600# steam boilers.
2009- Present; Turnaround Head (Senior) planner.  
• Facilitates communication and works closely with various refinery departments to develop/justify unit turnaround work scope, schedule, and budget.  
• Develops, and/or leads the development of detailed, safe, cost effective, multi-craft construction execution plans and schedules for each individual unit turnaround work scope item.  
• Performs constructability reviews. (Review projects to minimize potential problems during TAR. IE., Limitations of access for work to be conducted, Compatibility of materials, Coordination of trades, Sequencing of tasks and project scheduling).  
• Incorporates individual work scope plans to create an overall unit turnaround resource (manpower and equipment) loaded schedule. Responsible and accountable to communicate overall integrated plan to all affected work groups.
• Manages the safe execution of Tar activities. Ensures that construction activities comply with applicable legal, regulatory, site and corporate policies and procedures.
• Ensures that overall turnaround construction completion sign-off plans are in place.
• Works with Execution leads to develop, review, and maintain overall project schedules, milestones, cost estimates, trends, and project controls for turnaround activities.
• Prepares daily logs to document actual turnaround work progress, scope and productivity.

Education and Training:
Education: 2.5 years Northwestern College. Psychology Major.
Member of refinery safety committee.
Fire Team Member.
Fire Team Safety Officer.
Hazardous Material Incident Commander.
High angle rescue team.
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name                         Linda
Last Name                          Hughes
Date                               12/15/2017
Street Address                     #23-1728 Edwards Drive
City                               Point Roberts
Zip                                98281
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone                  360-306-4638
Secondary Telephone                Field not completed.
Email Address                      lhughespointbob@gmail.com
1. Name of Board or Committee      Point Roberts Community Advisory Committee
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes
4. Are you a US citizen?            Yes
5. Are you registered to vote in Whatcom County? Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  

No

7. Have you ever been a member of this Board/Commission?  

Yes

If yes, please list dates:  

January 2016 to present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education  

Currently I am a Customer Service Manager for an online clothing manufacturer located in Blaine Washington, and am also an employee of Whatcom County Fire District 5, as the District Recording Secretary. I have served on the PRCAC for one term, and have also served on other committees in Point Roberts, such as Point Roberts Park and Recreation District #1 (current Chairperson), Point Roberts Dollars for Scholars (Past President - no longer on the Board), and the Point Roberts Artisan Guild (re-joining this Board in 2018)

10. Please describe why you’re interested in serving on this board or commission  

I have enjoyed my term as an At-Large Committee member of PRCAC, and truly feel this Committee is the most important one in our community. I have acted as the Recording Secretary of PRCAC since I joined the committee. We are currently working on some very important projects that I would like to stay involved with, such as the Point Roberts Solid Waste Initiative, in collaboration with Whatcom County Health Department, and also the review and potential project planning for use of the Point Roberts TBD funds, in collaboration with Whatcom County Public Works.

Please consider re-appointing me to this At-Large position. I am committed to fair representation of our community’s needs and concerns, and sincerely feel that I am a qualified and experienced candidate, well-suited for this position.

References (please include daytime telephone number):  

Joel Lantz, 360-244-1942  
Jeff Christopher, jchristopher@shaw.ca  
David Gellatly, david@kordlyn.com  
Chief Christopher Carleton, 303-589-5565  
Tracy Aiken, 604-306-3813  
Fadi Samaha, 360-510-9456  
Pam Sarkissian, 604-551-0288  
Gregg Thompson, 513-289-0141

Signature of applicant:  

Linda C Hughes

Place Signed / Submitted  

Point Roberts, WA
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Sue

Last Name
Sullivan

Date
12/11/17

Street Address
2910 McLeod Road

City
Bellingham

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
3603039662

Secondary Telephone
3606506512

Email Address
sue.sullivan@gmail.com

Public Health Advisory Board

1. Name of Board or Committee
   - PHAB position

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
Field not completed.

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  
No

7. Have you ever been a member of this Board/Commission?  
Yes
If yes, please list dates:  
Jan 2014-Dec. 2017

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions:

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education  
The Director of Environmental Health and Safety at WWU develops and implements campus safety and training programs and acts as consultant in all environmental health and safety activities. I support on-going compliance with chemical, biological and radioactive materials regulations and state license requirements. I have a BA in Environmental Science, a MBA and have been involved with PHAB for the last three years.

10. Please describe why you’re interested in serving on this board or commission  
The PHAB is in an interesting position to help influence policy that can make a difference in our community’s health and safety. Our continued focus on young children and their families is a topic that is near and dear to my heart. I do recognize that emerging events may change that focus and feel grateful for the opportunity to work with my colleagues on PHAB and the Health Department to help make informed recommendations.

References (please include daytime telephone number):  
Field not completed.

Signature of applicant:  
Sue Sullivan

Place Signed / Submitted  
Bellingham, WA
Application for Appointment to Whatcom County Boards and Commissions

**Public Statement**
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| First Name | Barbara |
| Last Name | Juarez |
| Date | 1/10/2018 |
| Street Address | 1400 King St Suite 104 |
| City | Bellingham |
| Zip | 98229 |
| Do you live in & are you registered to vote in Whatcom County? | Yes |
| Do you have a different mailing address? | Field not completed. |
| Primary Telephone | 360-647-9480 |
| Secondary Telephone | 13603937879 |
| Email Address | barbara@indianhealthboard.org |

1. Name of Board or Committee
   **Public Health Advisory Board**

   Tribal or Ethnic Minority representative

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county? No

7. Have you ever been a member of this Board/Commission? Yes

If yes, please list dates: 2016-2017

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am the Executive Director of the Northwest Washington Indian Health Board since 2013. I have worked in the health field for the past 38 years, primarily serving the Native American Population in Whatcom County.

10. Please describe why you’re interested in serving on this board or commission

I am a current Public Health Advisory Board Member and my first term expires at the end of this month. I believe I have been an active member and would be honored to serve one additional term.

Field not completed.

References (please include daytime telephone number):

Field not completed.

Signature of applicant:

Barbara Juarez

Place Signed / Submitted

Bellingham
Memorandum

TO: Honorable Executive Louws;

FROM: Chris Elder, Planner II

DATE: January 23, 2018

SUBJECT: Update on designated positions on PDR Oversight Committee and Staff

Recommendation of Purchase of Development Rights Oversight Committee applicants Heather MacKay Brown, Ronald ‘Burr’ Neely, and Paul Schissler

At the November 11, 2017 PDR Oversight Committee meeting, a motion was approved to re-designate current committee member Jen Glyzinski from the Non-farmer, Unincorporated position to the Real Estate/Banker position. Jen is a practicing real estate professional therefore the designated Real Estate/Banker position seemed more appropriate given her qualifications. This would provide a vacancy in the non-farmer unincorporated committee position.

Staff would like to recommend Heather MacKay Brown to fill the Non-farmer, Incorporated position on the Purchase of Development Rights Oversight Committee. This position is being vacated by long-time committee member John Gillies. Heather has a keen understanding of agricultural, ecosystem, and related land use challenges and opportunities in Whatcom County and has expressed a strong interest in contributing her knowledge, skills, and enthusiasm to work of the PDR Oversight Committee. Her application and resume demonstrate the significant knowledge and experience she has related to the work of the PDR Oversight Committee. She has been attending committee meetings fairly regularly as a member of the public and we would be pleased to have her join the committee as an official member.

Staff would like to recommend Ronald ‘Burr’ Neely to fill the Non-farmer, Unincorporated position on the Purchase of Development Rights Oversight Committee. Burr has moved to Whatcom County within the past year and has expressed an interest in participating in the local land use conversation especially as it relates to preservation of the working agricultural landscape. His experience in historic land uses will provide valuable insight on the committee as we discuss current and future land uses. His application demonstrates a relevant knowledge base and a commitment to participating in community service. He has attended a PDR Oversight Committee meeting as a member of the public and we would be pleased to have Burr join the committee as an official member.
Staff would like to recommend Paul Schissler to fill the Farm-supporting Business role on the Purchase of Development Rights Oversight Committee. Paul has previously served 2 terms on the PDR Oversight Committee and took his required one year off from committee before reapplying. Paul has a wealth of experience in developing and implementing creative farm support programs and initiatives that aim to support farmers and achieve food system goals. His participation on the PDR Oversight Committee will be a valuable asset to the committee.

Thank you for receiving this update and for your consideration of Heather MacKay Brown, Ronald ‘Burr’ Neely, and Paul Schissler for membership on the Purchase of Development Rights Oversight Committee.
Application for Appointment to Whatcom County Boards and Commissions

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First Name
Heather

Last Name
MacKay Brown

Date
1/7/2018

Street Address
863 Main Street

City
Lynden

Zip
98264

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360-305-8255

Secondary Telephone
Field not completed.

Email Address
heather@fhb3.com

1. Name of Board or Committee
Purchase of Development Rights Oversight Committee

Position applied for -
Non-farmer in incorporated city

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 4

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?
   No

7. Have you ever been a member of this Board/Commission?
   No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?
   Yes
   I am joint owner of FHB Consulting Services Inc, which was the contracted project lead for the Whatcom County Agriculture-Watershed Pilot project. The project was completed in 2016. FHB Consulting Services has not done business with Whatcom County since 2016.
   mackaybrown_short-cv-dec-2017.pdf - attached

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education
   Professional qualifications and activities, experience and education are described in the attached summary. Community activities include membership of the Bellingham/Whatcom League of Women Voters (member for four years, currently serving as Board Secretary 2018-2018) and the Back Country Horsemen of Washington (member of Whatcom County chapter for four years).

10. Please describe why you’re interested in serving on this board or commission
   As a Whatcom County resident, I appreciate the value of our agricultural resource lands in supporting our local economy as well as our environment. My professional work has provided me with a better understanding of the challenges and opportunities associated with maintaining a viable agricultural land base in Whatcom County, where there many other competing demands for land and water. I would like to use my time and expertise to help protect the agricultural resource base and our diverse agricultural economy for current and future generations.

References (please include daytime telephone number):
   Henry Bierlink, Ag Water Board, Lynden 360-354-1337 Alyce Werkema, C Street, Lynden 360-354-4397

Signature of applicant:
   Heather MacKay Brown

Place Signed / Submitted:
   Lynden, Washington
Key Qualifications and Experience

- Specialist expertise in the development of policy and regulatory tools for sustainable management of water resources. Experience in development of catchment-based water quality management strategies, and integrated land and water management strategies.
- Experience in the management of large multi-disciplinary scientific, technical and policy programs in the water and environment sectors, including design, execution and financial management.
- Expertise in public participation, facilitation and mediation of negotiation processes related to water resource management and environmental issues.
- Specialist expertise in the development and derivation of instream water quality criteria for protection of aquatic ecosystems.
- Several years research experience in marine and estuarine hydrodynamics, marine and estuarine ecology, and water quality management in the coastal zone.
- Diverse international teaching experience at tertiary level, including undergraduate, post-graduate and professional training.
- Experience in waste management and disposal in the industrial environment.

Selected professional experience

Presently (since October 2017): Adjunct Professor, Faculty of Land & Food Systems, University of British Columbia.

Presently (since 2007): Director, FHB Consulting Services, Lynden, USA (www.fhb3.com). Responsible for corporate financial management, contract and project management, and execution of specialist consulting projects related to environmental and water policy. The corporation also provides specialist services in geostatistical modeling and mineral resources management.

2017: Preparation of management plans for the Sumas, South Lynden, Bertrand and Drayton Watershed Improvement Districts in Whatcom County.

2012-2016: Project lead for the Whatcom County Agriculture-Watershed Pilot Project, a research effort funded by a National Estuary Program grant to Whatcom County through the Washington Department of Commerce. The project has explored quantitative tools to help measure, recognize and account for voluntary actions that go above and beyond what is required by regulation, and that can generate benefits for agricultural and watershed functions. As project lead, I managed a large and diverse team of specialist consultants in addition to coordinating work on the project by technical staff of the project partners: Whatcom County Planning & Development Services and Public Works, Washington Fish & Wildlife, the Whatcom Conservation District and Whatcom Farm Friends (now the Ag Water Board). My responsibilities on this project have included assisting with preparation of the original grant application, writing of grant applications for additional resources, preparation of budgets and workplans, invoicing, contract management, presentations and discussions with elected officials, senior State agency staff and Tribal staff, Watershed Improvement Districts and other agricultural stakeholders, and members of the public.
http://www.co.whatcom.wa.us/2260/Agricultural-Watershed-Pilot-Project

2006-2012: Chair of the Scientific and Technical Review Panel (STRP) of the Ramsar Convention on Wetlands, Gland, Switzerland www.ramsar.org . The STRP is a subsidiary body of the Convention, responsible for providing scientific and technical guidance to the Conference of the Parties, the Standing Committee, and the Ramsar secretariat. As STRP Chair, I also participated in development of joint work programs with subsidiary scientific bodies of other biodiversity-related Conventions and multi-lateral environmental agreements, including for example the Convention on Biodiversity, the Convention on Migratory Species, CITES and the UN Framework Convention on Climate Change.

support; institutional development; policy management; water law and governance; transboundary river basins; biodiversity and environmental functioning; environmental governance. Most WRC research programs are conducted through universities and tertiary education institutions in South Africa or in partnership with international research organisations.

2001-2002: Post-doctoral research fellow in the Centre for Water in the Environment at the University of the Witwatersrand www.wits.ac.za, working on analysis of water policy and design of capacity building strategies for natural resources policy development and implementation.

1996-2000: Assistant Director: Water Policy and Senior Specialist Scientist in the Chief Directorate: Scientific Services, Department of Water Affairs and Forestry (DWAF), South Africa. www.dwaf.gov.za My responsibilities included: development of regulatory tools for implementation of water and environmental policy and legislation; management of related research projects and research scientists; establishment of line function business procedures for policy implementation; strategic planning and capacity building to support implementation; training of DWAF personnel and service providers in aspects of new water policy and legislation; provision of specialist advice on related issues to the Director-General and Minister; liaison with national and international stakeholders.

**Education and professional training**

*University education:*
- Post-doc studies (water resources management policy) Monash University, Melbourne, Australia 1994
- PhD (Physical Oceanography) University of Port Elizabeth, South Africa 1994
- MSc (Physical Oceanography) University of Port Elizabeth, South Africa (cum laude) 1988
- BSc Hons (Physics, Hydrology) Rhodes University, Grahamstown, South Africa 1986
- BSc (Physics, Applied Math) Rhodes University, Grahamstown, South Africa 1983

*Professional training:*
- Grant Writing I and II (Whatcom Community College Continuing Education)
- Ecological & Environmental Mitigation Banking: The Creation, Purchase & Sale of Mitigation Banks (The Seminar Group, Seattle)
- Beachwatchers/Watershed Masters of Whatcom County (Washington State University Extension Office)
- Certificate in GIS Fundamentals, University of Washington
- Governance of Extractive Industries, United Nations Institute for Training & Research (UNITAR)
- Biomonitoring in North West streams, Streamkeeper Academy, Everett WA
- Critical chain project management. Eli Goldratt Institute, South Africa.
- Negotiation skills. Serfontein & Assoc, South Africa
- Waste load allocations for surface waters. Water Research Commission, South Africa
- Statistical design of water quality monitoring networks. Colorado State University

**Computer skills:**
- Microsoft Word, Excel & Powerpoint, Microsoft Project, Visimap, OneNote, Evernote.
- Geographic Information Systems including mapping using ArcMap and spatial data analysis using ArcGIS tools.
- Experience in using a range of statistical & numerical analysis and modelling packages for environmental, hydrological and water quality data analysis, reporting and presentation: Statistica, Statgraphics, StatPro, QualIIE, WQStat, Pitman, HeatSource, TTools.

**Languages**
- English: fluent (first language)
- French: basic speaking, good listening & reading

**Publications**
A full list of scientific and technical publications is available on request.
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
Ronald

Last Name
Neely

Date
1-8-18

Street Address
5030 Potter Road

City
Deming

Zip
98244

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
YES

Mailing Address
PO Box 925, Deming, WA 98244

Primary Telephone
(907)978-9684

Secondary Telephone
Field not completed.

Email Address
burrley@yahoo.com

1. Name of Board or Committee

Position applied for -

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 3

4. Are you a US citizen?
Yes
5. Are you registered to vote in Whatcom County?  
No

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?  
No

7. Have you ever been a member of this Board/Commission?  
No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?  
No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions  
Field not completed.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education  
I am currently a historic preservation specialist with expertise in evaluating and assessing historic landscapes and historic districts, including agricultural landscapes. I regularly engage with multiple stakeholders in public consultation processes regarding the consideration of development impacts on historic land uses and current land use planning. I have previously served on the Fairbanks North Star Borough (county) historic preservation commission as vice-chair. I have an M.A. (2002, University of Alaska Fairbanks) in cultural resource management with over 20 years experience identifying, evaluating, and mitigating impacts on historic buildings and landscapes.

10. Please describe why you’re interested in serving on this board or commission  
We are new to the area and actively finding opportunities to participate more in community service functions. I’m interested in the overall conservation and preservation of the agricultural landscape in Whatcom County, and in the various mechanisms used to achieve maintenance of an active and resilient farming community.

References (please include daytime telephone number):  
2. Chris Elder, Planner, 360-778-5932

Signature of applicant:  
Ronald Neely

Place Signed / Submitted  
Bellingham, WA
Application for Appointment to Whatcom County Boards and Commissions

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First Name
Paul

Last Name
Schissler

Date
1/22/2018

Street Address
714 WILSON AVE

City
BELLINGHAM

Zip
98225

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
3602018900

Secondary Telephone
3602018900

Email Address
paulschissler@gmail.com

1. Name of Board or Committee
Purchase of Development Rights Oversight Committee

Position applied for:
Farm supporting business representative

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 1

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

   No

7. Have you ever been a member of this Board/Commission?

   Yes

   If yes, please list dates:

   I served prior terms until I was term-limited off the committee in early 2017.

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

   Yes

   If yes, please explain

   I am principal of Paul Schissler Associates, Inc., a small private consultancy that occasionally has had a contract to provide services to Whatcom County government. Currently, PSAI does not have a contract with the County. The prior contracts PSAI has had with the County have been unrelated to farmland protection.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

Schissler background info.pdf – attached

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

   My professional career includes over thirty years of experience in public interest community development planning, project design, funding, and implementation, specializing in public interest projects where funding may be a key challenge. My work has included a professional interest in farming and food system improvements, including providing affordable access to land and capital for food production, providing federal CDBG funding for on farm infrastructure for wholesale growers with low income in Whatcom and Skagit County, and readiness to use community land trust (CLT) methods to make land available long-term at reasonably affordable annual costs.

10. Please describe why you’re interested in serving on this board or commission

    I have a long-standing interest in the issues around farmland protection, having served as a volunteer on the PDR Advisory Committee that designed the County’s original PDR program, and having served on prior occasions as a volunteer on the PDR Oversight Committee.

References (please include daytime telephone number):

Chris Elder, 360 778-5932

Signature of applicant:

Paul Schissler

Place Signed / Submitted

Bellingham, WA
Summary of experience:

Over thirty years of experience in public interest community development planning, project design, funding and implementation, specializing in public interest projects where funding may be a key challenge. PSAI has provided a wide range of services for cities, counties, tribes, special purpose governments and nonprofit organizations. Grantsmanship and program development have earned Paul Schissler Associates a solid reputation, with over $60,000,000 in grant funding secured for Northwest Washington projects during the past twenty-five years.

Examples of community development planning projects include:

✓ Doing business as Paul Schissler Associates, Paul has been a planning consultant since 1994, helped cities, counties, tribes and nonprofits with development and financing problems related to utilities, streets and bridges, parks and open space, land acquisition, habitat restoration, housing affordability and planning.

✓ As Kulshan Community Land Trust co-founder and first Executive Director for ten years, led the creation of a community land trust focused on affordable access to land and capital for homeownership and other community needs in Whatcom County. KulshanCLT operates as a community housing development organization and has grown to over 100 homes, now permanently affordable for homebuyers with low income.

✓ After graduating with honors from Huxley College in 1982, Paul worked as the assistant planner for the Swinomish Indian Tribal Community government for six years, with assignments that included water quality protection, utility planning and finance, housing rehabilitation, community facility funding, and forestry under the direction of the Swinomish Tribal Senate and General Manager/Planning Director Nicholas Zafaratos.

✓ As a WWU student in 1981, Paul was the Coordinator of the Associated Students Recycle Center that provided volunteers and trucks to help start the first voluntary, curbside recycling program in Washington, and in 1982, Paul became a co-founder of RE Sources for Sustainable Communities née Bellingham Community Recycling.

✓ As a neighborhood activist in the late 1980s, Paul co-founded the neighborhood nonprofit corporation, Fairhaven Neighbors, to protect and enhance neighborhood character in response to the potential impacts of the urbanization and the development of the Alaska Highway Ferry terminal on the Fairhaven waterfront.

✓ As Opportunity Council Community Services Director in the early 1990s, Paul helped to grow the primary care clinic from 1.5 exam rooms into the medical/dental services it offered from the St. Joseph Hospital South Campus. Other responsibilities included securing funding for and managing housing and services for homeless families, the Community Resource Center, childcare related services, and the elder care ombudsman service.

✓ In 2004, Paul co-founded and served as president of the board of the Northwest Community Land Trust Coalition, a nonprofit corporation providing support and training to CLTs in the Pacific Northwest.

Employment:

✓ Paul Schissler Associates, Inc., Principal, public interest planning consultancy, 1994 to the present
✓ Kulshan Community Land Trust, Whatcom County, WA, 1999 co-founder and Executive Director, 2000 to 2010
✓ Opportunity Council Community Services Director, Whatcom/Island/San Juan County, WA, 1990 to 1994
✓ Swinomish Indian Tribal Community Assistant Planner, Swinomish Reservation, WA, 1984 to 1990
✓ Environmental Internship Program, Bellingham, WA, Fairhaven 1990 Project Manager, 1983 to 1984

Education:

✓ Huxley College of the Environment, Western Washington University, B.S. Environmental Planning, 1982
✓ Washington Community Development Academy, first graduating class, 1994
✓ Northwest Community Land Trust Academy, inaugural capacity building institute, Seabeck, WA 2006
Mr. Jack Louws, Whatcom County Executive  
311 Grand Avenue, Suite 108  
Bellingham, WA 98225 

Dear Executive Louws:

As you may recall, Marvin Waschke has been serving in Position #2 on the WCLS Board of Trustees since 2013. His first term on our board ends January 31, 2018. Marv has indicated his interest in serving a second term and the Board Personnel Committee and entire Board enthusiastically recommends his re-appointment, as discussed at their November 21 meeting.

Mr. Waschke has been serving as our Board Chair for several years now and ably leads meetings, invites public comment, and keeps the agenda moving forward smoothly. He is a member of the Finance Committee responsible for reviewing all invoices and budget projections. He regularly attends Services Committee meetings as well. He has served as liaison to the Whatcom County Library Foundation for two years. He lives on the property that was homesteaded by his great-grandfather at the end of Waschke Road and is an active user of the Ferndale Library. He has been a positive and engaged member of our board.

If confirmed, Mr. Waschke's second term would run from February 1, 2018 through January 31, 2022. Thank you for considering his re-appointment.

Sincerely,

Christine Perkins  
Executive Director
Application for Appointment to Whatcom County Boards and Commissions

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First Name
Marvin

Last Name
Waschke

Date
11/14/2017

Street Address
5438 Waschke Road

City
Bellingham

Zip
98226

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
360 384 4419

Secondary Telephone
425 269 5592

Email Address
Marvin.Waschke@WCLS.org

1. Name of Board or Committee
Rural Library Board

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 4

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes

6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid
No
elected office in any jurisdiction within the county?

7. Have you ever been a member of this Board/Commission?

Yes

If yes, please list dates:

2014-1/31/2018

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

Retired. Senior Principal Software Architect, CA Technologies, a divisional vice president level position in a Fortune 500 corporation. I have been involved with libraries my entire life. I got my first Whatcom County Library card in 1955. I have worked in libraries as a part-time student, a full-time technician, and as a volunteer. I worked in the software industry as a developer, designer, architect, and manager for three decades. I have two published books or enterprise computer architecture and one on personal cybersecurity and hold three patents on aspects of enterprise computing. Education: Ferndale High School, 1967 University of Chicago, Bachelor of Arts, 1971 University of Chicago, Master of Arts, 1973 University of Chicago, admitted to PhD Candidacy, 1974 Washington State Apprenticeship and Training Council, Journeyman Carpenter Certificate, 1982 Western Washington University, Bachelor of Science, Computer Science, 1987.

10. Please describe why you’re interested in serving on this board or commission

I have an abiding interest in public libraries and the welfare and growth of Whatcom County. I am a 4th generation Whatcom County (North Bellingham) resident. Although I have worked and studied all over the United States and the globe, I have continuously maintained residence and voting registration in Whatcom County and I now live on the family homestead dairy farm. I want to contribute to the future of the county as best I can. Like many industries, libraries face disruption and turmoil as the digital revolution transforms the way information is exchanged and disseminated locally, nationally, and globally. Libraries play an important role in maintaining the cohesion, educational standards, and quality of life of the communities they serve. I believe my experience as a dairy farmer, in the construction trades, and as a software engineer uniquely qualify me to continue to help the Whatcom County Library System through this transformation and ensure that the benefits to the taxpayers of the library district are optimized. I’ve served on the WCLS board for 3 years and I wish to continue to contribute. During that time, I have seen WCLS garner several national awards. Most importantly, in a time when library circulation has been flat or declining nationally, WCLS has increased both its digital and paper circulation. These are the achievements of an extraordinarily dedicated and talented staff which I would be very proud to continue to support as a trustee.

References (please include daytime telephone number):

Christine Perkins, Director, WCLS, 1-360-305-3601 Nicole Terpstra, Attorney, Lynden, 360-318-9300

Signature of applicant:

Marvin G. Waschke

Place Signed / Submitted

5438 Waschke Road, Bellingham, WA 98226
TO: Jack Louws, County Executive
FROM: Elizabeth Harmon-Craig, Veterans Specialist
DATE: January 3, 2018
RE: Nominations for Appointment to the Veterans’ Advisory Board for 2018

Four positions on the Veterans Advisory Board are currently vacant. Two of the vacancies are from current board members whose initial terms have ended and the board members have applied for a second term. These board members are Mr. Al Jensen and Mr. John Mitchell. The board recommends both of these gentlemen for a subsequent term.

Two positions on our Veterans Advisory Board (VAB) are currently vacant due to an expiry of a member’s term (Mr. David Scattum) and a resignation due to relocation out of state (Dr. Lisa Kirk-Brown.) This office would like to recommend COL (R) Wes Weston and Ms. Heather Mueller for appointment to the VAB to fill these vacant positions.

COL (R) Weston is a Whatcom County native who retired from the Marine Corps in 2010 and resettled his family in Ferndale, WA. He runs several personal businesses along with volunteering in leadership positions for multiple organizations. He is currently the Vice Chair of the Marine Corps League and The Whatcom County Toys for Tots Coordinator. He started his own non-profit, FOURBLOCK, in conjunction with Western Washington University. FOURBLOCK is a veteran readiness program that prepares veterans to enter the business world.

Ms. Heather Mueller is a disabled navy veteran and 2017 graduate of Western Washington University. She is the Regional Navigator Program Coordinator at Whatcom Alliance for Health Advancement and a well know veteran’s advocate. Ms. Mueller founded the Whatcom County Women’s Veteran Group and works with Federal Legislators to enact changes in how the Department of Defense handles Military Sexual Trauma.

Both COL Weston and Ms. Mueller bring a breadth of experience and diverse background to our Veterans Advisory Board. Their input will be essential in planning future programs for Whatcom County veterans.

Thank you for considering these recommendations for appointment.
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name          Allan
Last Name           Jensen
Date                11/20/2017
Street Address      7168 Ashley Ct
City                Ferndale
Zip                 98248
Do you live in & are you registered to vote in Whatcom County? Yes
Do you have a different mailing address? Field not completed.
Primary Telephone   360-384-5419
Secondary Telephone 360-739-1269
Email Address       asjen@comcast.net

1. Name of Board or Committee
Veteran's Advisory Board

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? Yes

3. Which Council district do you live in? District 5

4. Are you a US citizen? Yes

5. Are you registered to vote in Whatcom County? Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

No

7. Have you ever been a member of this Board/Commission?

Yes

If yes, please list dates:

January 2017 - January 2018 - partial term

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education


10. Please describe why you're interested in serving on this board or commission

As a veteran and a member of the American Legion I want to work to improve assistance to our local veterans through this board. I have served one year of a partial term and am asking to be appointed to remain on the board.

Field not completed.

References (please include daytime telephone number):

Field not completed.

Signature of applicant:

Allan Jensen

Place Signed / Submitted

Bellingham Washington
Application for Appointment to Whatcom County Boards and Commissions

Public Statement
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First Name
John

Last Name
Mitchell

Date
12/11/2017

Street Address
33 Strawberry

City
Bellingham

Zip
98229

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
YES

Mailing Address
PO Box 28791, Bellingham WA 98228

Primary Telephone
360-393-8176

Secondary Telephone
360-733-1700

Email Address
JMLtchell@Brooksmfg.com

1. Name of Board or Committee
Veteran’s Advisory Board

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?
Yes

3. Which Council district do you live in?
District 3

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

No

7. Have you ever been a member of this Board/Commission?

Yes

If yes, please list dates:

7/23/13 to Present

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

Field not completed.

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am a 20yr Veteran of the US Army, four years active duty in Germany, and 16yrs as a reservist. I have deployed to both Bosnia and Iraq as a reservist from Whatcom County. Currently I am the Technical Director of Brooks Manufacturing in Bellingham.

10. Please describe why you’re interested in serving on this board or commission

As both an active duty and reserve veteran who has deployed and served overseas I have a keen interest in veteran issues and would like to contribute to the community’s support of our veterans.

References (please include daytime telephone number):

Ward Nelson, (360) 306-0524

Signature of applicant:

John Mitchell

Place Signed / Submitted

Bellingham WA
Application for Appointment to Whatcom County Boards and Commissions

Public Statement

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First Name
Wes

Last Name
Weston

Date
12/22/2017

Street Address
2735 Douglas Rd

City
Ferndale

Zip
98248

Do you live in & are you registered to vote in Whatcom County?
Yes

Do you have a different mailing address?
Field not completed.

Primary Telephone
813.416.3579

Secondary Telephone
Field not completed.

Email Address
wsweston06@gmail.com

1. Name of Board or Committee

2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying?

3. Which Council district do you live in?
Field not completed.

4. Are you a US citizen?
Yes

5. Are you registered to vote in Whatcom County?
Yes

Veteran’s Advisory Board

Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?

No

7. Have you ever been a member of this Board/Commission?

No

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?

No

You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education

I am a retired Marine Corps Colonel and Service Disabled Veteran Small Owned Business providing consulting services in developing and deploying alternative and renewable energy solutions for military Installations and operational forces. I am an avid volunteer, serving in multiple organizations: Bellingham Whatcom County Toys for Tots as the Coordinator (second season); Red Cross as a Volunteer and Instructor; Associate Instructor at WWU for FOURBLOCK, a non-profit veteran readiness course; Junior Vice Commandant for the Marine Corps League; and as a member of the American Legion where I serve as a public speaker, on request and as available. I am a graduate of WWU, Command and General Staff College, and a Level 2 Acquisitions Professional. I live in sunny Ferndale Washington with my lovely wife Teresa, and we have four children.

10. Please describe why you’re interested in serving on this board or commission

Ever since retiring from the Marines in 2010, I have been interested in helping not only my local community, but also my fellow veterans. This is why I joined the Marine Corps League, American Legion and became an instructor for FOURBLOCK. Still, more remains to be done. My interest in this position is to make an impact serving veterans in our community as a committee member.

References (please include daytime telephone number):

AI Seaton 360.978.3667; Lacey Shoemaker 360.929.6193; Monica McNeal 206.852.4559; Kevin Murphy 360.306.0691; Sharon Reese 206.707.3448

Signature of applicant:

Wes S Weston

Place Signed / Submitted

Ferndale, WA
Summary  30+ years of experience in progressively challenging leadership positions. Managed multi-million dollar industrial, commercial, and residential facilities. Extensive experience leading large, diverse organizations of professional and multi-trade skilled personnel in the U.S. and abroad, to include during emergency and crisis situations. A leader with a reputation for teamwork and achieving consistently superior results. Leadership and management experience include:

- Energy Advisor
- Facilities Management
- Logistics
- Emergency Management
- Resource Management
- Project Management

Accomplishments

Energy Advisor  Formed and led 30 FTE global team in providing alternative and renewable energy solutions to DoD. Support program resulted in reducing operational costs of base operations, improving energy security by identifying and reducing vulnerabilities and meeting or exceeding federal and service energy and water reduction mandates.

Facilities Management  Managed 2,800 facilities valued at over $3 billion. Developed 7 year Master Plan, approved zoning, new growth, and recapitalization. Introduced/Championed Lean Six Sigma - reduced 75% of work order processing, streamlined supply chain and reduced repair time by 15%.

Logistics  United States and international experience in management of multi-modal supply chain. Developed load plans for thousands of tons of sealift and airfield cargo. Managed logistics nodes at airfields and seaports under challenging conditions and time constraints.

Emergency Management  Assessed, planned, and responded domestically and internationally. Operated under extreme conditions restoring security and distribution. Trained foreign governments in emergency response. Involved in multiple scenario disaster preparedness and response.

Resource Management  Managed $18.9 million annual maintenance budget, effectively triaging competing priorities. Implemented Energy Star, residential and commercial recycling initiatives, and refit of USMC base internal and external lighting netting a savings of over $500K per year.

Project Management  Oversight and management of $900 million in new commercial and residential construction. Approved design reviews and insured projects met cost, schedule and performance parameters. Insured customers were informed of project and repair status and satisfied with facilities.
Work History

Owner, XEROSIX, Ferndale, WA 2017-present
Senior Consultant providing insight and solutions to Department of Defense (DoD) operations and infrastructure challenges to include addressing physical and cybersecurity challenges. Understands international and domestic trends affecting DoD operational deployment, facilities management and energy. Conducts and leads detailed gap analyses, deriving innovative solutions that advance mission while considering financial impact. Consultant for logistics optimization: reducing the operational footprint of deployed forces through technology, analytics and recommendations to Training, Tactics, and Procedures (TTP).

Independent Consultant, MBO Partners, Ferndale, WA 2016-2017
Senior Advisor to DoD for facility management, alternative and renewable energy and facility related cybersecurity solutions. Focus on improving readiness, reducing cost of operations and cybersecuring infrastructure and facilities. Consultant for logistics optimization- reducing the operational footprint of deployed forces through technology, analytics and recommendations to Training, Tactics, and Procedures (TTP).

Lead Associate, Booz Allen Hamilton, Ferndale, WA 2010-2016
Analyze, design, develop, and implement strategic solutions for energy security and resource conservation for US government. Responsible for standing up and leading four teams (30 personnel total) deployed to East Coast, West Coast and Pacific regions. Managed work flow, quality of support deliverables, financials and client relationships with GS-15 and above regional clients. Forward deployed teams developed strategic communication plans, behavior change and training programs to improve awareness of energy usage at all levels for a population of 500,000. Recommended through modeling and analysis a regional funding prioritization for energy reduction projects and renewable energy investment to mitigate energy security risk, meet federal mandates and reduce the cost of installation facility.

Director of Installations and Logistics, 29 Palms, CA 2007-2010
City Manager equivalent for a diverse professional staff and trades organization of 750 employees providing full range of services and infrastructure support to a community of 23,000. Managed 2,800 active facilities to include 25 BEQs (dormitories) and 1,600 single family homes. Helped champion and develop COOP Plan and participated in emergency response exercises. Developed plans to receive 5,000 displaced personnel during CA wildfires and senior officer on base for response to Swine Flu outbreak.

Deputy Director of Logistics, Tampa, FLA 2004-2007
Team lead for a senior staff of 40 experts analyzing and resolving major facilities, utilities, logistics and supply related issues in support of over 200,000 personnel in 27 different countries. Coordinated facility assignment and management, vehicle and equipment maintenance; supply chain management; multi-national logistics; contracting and replenishment of millions of tons of critical munitions, food, water and fuel. Taught and facilitated the development of Emergency Management plans to diverse groups.
Commanding Officer, Camp Lejeune, NC 2001-2004
Formed and led a 300 person organization, providing vision and strategic direction. Led collaborative planning efforts and training activities for special operations missions including Humanitarian Operations and Disaster Relief. Developed responsive, customer focused support capabilities and mentored staff, building a cohesive team of mid-grade and junior leaders that successfully deployed to Kosovo, Djibouti, Kenya, Bahrain, United Arab Emirates and to hostilities in Iraq. Provided humanitarian relief projects in Kosovo (running water to remote village), repaired schools in Kenyan and conducted health and dental clinics.

Previous work experience includes: Deputy Director of Logistics, with 3 years of experience in managing government programs and policies at a major acquisition program. Developed total Life Cycle Management plan with innovative, cost effective Supply Chain Management solutions. Formed and facilitated GOV and private sector planning teams that developed maintenance and supply support strategies that achieved millions of dollars in savings. Two deployments to Somalia: participated in the planning and support of the international relief effort. Held safety and hazardous material management positions: drafted SOPs, inspected, trained staff.

Education:
B.A. Political Science (Public Law), Western Washington University
Level 2 Program Manager, Defense Acquisition University
Command and General Staff College
Certified Energy Management, AEE CEM course
Emergency Management (21 courses completed), FEMA
Mass Care Training and Logistics Training, Red Cross

Volunteer:
Toys for Tots Lead Coordinator, Whatcom County, WA
Associate Instructor, FOURBLOCK, Veteran Transition Course
Logistics Coordinator, Volunteer Mobilization Center, Whatcom County, WA
GOV Liaison and Logistics, Red Cross, Bellingham, WA
Public Speaker, American Legion
Junior Vice Commandant, Marine Corps League

Professional Associations:
Military Officers Association of America
American Legion
Marine Corps Association
Marine Corps League
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Heather M. Mueller

Street Address: 3245 Bennett Dr

City: Bellingham

Zip Code: 98225

Mailing Address (if different from street address): ______________________________________________________________________________________

Day Telephone: __________________ Evening Telephone: __________________ Cell Phone: 980-989-1075

E-mail address: heather.mueller86@gmail.com

1. Name of board or committee—please see reverse: Veteran’s Advisory Board

2. You must specify which position you are applying for.
   Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) (x) yes ( ) no

4. Which Council district do you live in? ( x) One ( ) Two ( ) Three ( ) Four ( ) Five

5. Are you a US citizen? (x) yes ( ) no

6. Are you registered to vote in Whatcom County? (x) yes ( ) no

7. Have you ever been a member of this Board/Commission? (x) yes ( ) no

If yes, dates: ______________________________________________________________________________________

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? (x) yes ( ) no

If yes, please explain: No financial interest, but I do work at a local non-profit

9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected office in any jurisdiction within the county? (x) yes (x) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

____________________________________________________________________________________________________________________________________________________

____________________________________________________________________________________________________________________________________________________

11. Please describe why you’re interested in serving on this board or commission:

I have a great interest in advocating for Veteran’s, particularly in the realm of health.

____________________________________________________________________________________________________________________________________________________

References (please include daytime telephone number): ______________________________________________________________________________________

Signature of applicant: Heather M. Mueller

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Ann Beck
Assistant Director of Veterans Services
Ann.Beck@wwu.edu
360-650-4324

Nicolas Jensen
Development Associate & Navigator Program Manager at Whatcom Alliance for Health Advancement
ntjensen@hinet.org
360-631-8564

James Lindsey
Supportive Services for Veteran Families
jlindsey@kcas.org
360-929-8866
Heather Mueller
3245 Bennett Drive
Bellingham, WA 98225
360-969-1075  heather.mueller86@gmail.com

QUALIFICATIONS SUMMARY

- Passionate military Veteran with a strong desire to continue to serve the community
- Experience and knowledge of local community services outreach and public speaking, gained through education, internship, military and previous employment
- Ability to work both independently and in a group; Accountable to goals and timelines
- Strong verbal and written communication skills, effective working relationship skills with diverse individuals acquired in military service and internship with Whatcom County Health Department
- An active advocate for highly vulnerable populations, as emphasized in internship and education
- Competent and experienced in basic office management, record keeping and computer skills
- Possesses reliable transportation and ability to be flexible in terms of schedule

EDUCATION

Bachelor of Arts in Humanities and Social Sciences, Political Science, Minor: Women, Gender and Sexuality Studies, Western Washington University, Bellingham, WA, March 2017, GPA: 3.23/4.0

Program emphasis: focus on diverse and most vulnerable populations, violence, sexual assault, Court System, Veteran populations, Health issues

RELATED COURSEWORK

Urban Politics  Health Policy  Politics of Development
Politics of Inequality  Teaching Internship  Independent Study-Women Veteran
Women & Politics  Special Topics in Health  Race, Politics & Public Policy

RELEVANT EXPERIENCE

Regional Navigator Program Coordinator, Whatcom Alliance for Health Advancement (WAHA), Bellingham WA, August 2017- Current
- Manage and Coordinate over 100 Health Insurance Navigators in five counties of the Puget Sound area, in accordance with the Washington State Healthcare Authority
- Led Whatcom County Outreach for health insurance open enrollment and health education, advocating for rural communities, low income, immigrants, and other uninsured groups
- Advocated for local Veterans, taking it upon myself to become a trusted resource and liaison for Veterans and health care workers
Human Resources Intern, Whatcom County Health Department, Veteran's Specialist, Bellingham WA, January 2017-March 2017
• Advocated for homeless individuals and adapted to clients' needs on a case-by-case basis, including individuals with severe disabilities
• Met with local politicians such as Representative Rick Larson to advocate for victims of military sexual trauma
• Connected highly vulnerable adults with multiple circumstances with resources such as housing, food assistance, health care, substance abuse treatment, VA disability filing, and social security/disability compensation and locating employment
• Kept complete confidentiality while working with a diverse population and ensuring zero tolerance for discrimination

MILITARY EXPERIENCE AND TRAINING

Legal Assistant, NAS Whidbey Island, WA, January 2013- February 2014
• Maintained military and civilian legal records of approximately 1000 personnel with zero discrepancies
• Performed as solitary advisor to Legal Officer and Commanding Officer of Fleet Readiness Center Northwest
• Researched variety of rulings and laws, in both military and civilian law (including civil and criminal justice systems), honing ability to read and understand legal vocabulary
• Communicated appropriately and professionally with wide range of individuals

Mechanic-Aviation Life support, NAS Whidbey Island, July 2009- January 2013
Petty Officer in U.S. Navy
• Maintained and ensured the integrity and safety of aviation ejection seats and aviation life support systems and explosives
• Supervised the safety training and documentation of over 200 military personnel, in reference to aviation ordinance, explosives and ejection seats
• Briefed pilots and aircrew on the life support systems and maintained them with the highest regard to quality assurance and zero errors
• Secret Security Clearance
• Kept meticulous records of all maintenance performed, ordered and maintained multi-million-dollar aircraft according to military standards
• Volunteered as military SAPR- Sexual Assault Prevention and Response Program

Residential Service Provider, Ida Sheltered Industries Inc. (ISI), Battle Creek, Iowa, November 2008-July 2009
• Assisted developmentally disabled persons, including those with active mental health and chemical dependency issues with in home care, cleaning, personal care, employment, social issues
• Maintained regular records and documentation of all activities with prompt submission
• Maintained confidentiality and abided by HIPPA regulations
Amend the Urban Fringe Subarea Plan and make related amendments to the Whatcom County Comprehensive Plan and Whatcom County Zoning Code (Title 20).

ATTACHMENTS:

1. Memorandum
2. Draft Ordinance with Exhibits A, B, and C
3. Planning Commission Findings

Amend the Urban Fringe Subarea Plan, Whatcom County Comprehensive Plan, and Whatcom County Zoning Code (Title 20). The proposed amendments to the Zoning Code relate to the following zoning districts: Urban Residential Medium Density, Urban Residential Mixed, Gateway Industrial, Light Impact Industrial, and Heavy Impact Industrial.

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.
January 17, 2018

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

FROM: Matt Aamot, Senior Planner

THROUGH: Mark Personius, Assistant Director

RE: Urban Fringe Subarea Plan and Related Amendments
   (PLN2017-00001)

Whatcom County Comprehensive Plan Policy 2L-2 is to “Retain and periodically
review the adopted Subarea Plans” including the Urban Fringe Subarea Plan. The
Urban Fringe Subarea Plan was adopted in 1997 and amended in 1999, 2004, and
21, 2017 initiating review and update of the Urban Fringe Subarea Plan, related
provisions of the Whatcom County Comprehensive Plan, and the Whatcom County
Zoning Code.

County staff worked with City of Bellingham staff over a four month period on
developing the proposed changes to the Urban Fringe Subarea Plan, County
Comprehensive Plan, and County Zoning Code. Some of the proposed changes to
the Subarea Plan include:

- Modifying the boundaries of the Subarea to match the Bellingham Urban
  Growth Area (UGA), so that the subarea no longer includes rural and
  agricultural lands in the vicinity of the UGA (pp. 6, 31, and 32).

- Modifying Policy 1.12 to reflect current City of Bellingham policy regarding
  extension of public water and sewer outside city limits (p. 8).

- Deleting Policy 1.15, which requires transfer of development rights for
  rezones that increase residential densities (p. 9).

- Identifying comparable city zoning for different areas (pp. 10, 12, 14, 16, 17,
  19, 22, 24, 25, and 27).

- Deleting Policy 2.17, which requires City impact fees for development located
  in the UGA, outside city limits (p. 13).

- Deleting the General Manufacturing (GM) text and policies because there is
  no longer any GM zoning in the Urban Fringe Subarea (pp. 21-22).
• Modifying Policy 4.32 by inserting a reference to WCC 8.34 relating to disclosure of airport noise (p. 26).

• Inserting new Policy 4.33 encouraging the City of Bellingham to adopt airport/land use compatibility rules applicable to properties around the airport (p. 27). This concept was suggested by the Port of Bellingham and will become even more important if the City annexes property adjacent to the Bellingham International Airport.

• Inserting text acknowledging the existence of Recreation and Open Space zoning within the Urban Fringe Subarea (p. 27).

• Updating criteria for evaluating UGAs (pp. 29-30).

• Deleting “Comprehensive Plan Land Use & Official Zoning” maps from the Subarea Plan (pp. 33-48). Land use designations already exist in the Whatcom County Comprehensive Plan and zoning maps.

• Deleting the “Analysis and Rationale for Adjusting Bellingham’s 1985 Urban Service Area” that was originally from the 1997 Urban Fringe Subarea Plan (pp. 49-66). Some of these areas have been annexed, some are in the current UGA, and some were not included in the UGA.

• Deleting the “Five Year Periodic Review” section (pp. 66 and 67). The Growth Management Act now requires periodic review of all UGAs every eight years (RCW 36.70A.130).

• Updating the “Comprehensive Plan Amendments” section that relates to both the state mandated 8-year review and amendments proposed by individual property owners (pp. 67-69).

• Updating the implementation section (pp. 69-70).

• Deleting several other sections, including sections relating to the interlocal agreement, design standards, Guide Meridian Improvement Plan, creative development techniques, and plan revisions (pp. 70-72).

The proposed amendments update the Subarea Plan for consistency with the Whatcom County Comprehensive Plan, Whatcom County Zoning Code, and City of Bellingham policy. The amendments also propose deleting policies that may be in conflict with state law. Finally, the amendments propose deleting information that is outdated or no longer necessary. The Whatcom County Planning Commission held a public hearing and issued recommendations on this matter on January 11, 2018.

Thank you for your review and consideration of the proposal. We look forward to discussing it with you.
ADOPTING AMENDMENTS TO
THE URBAN FRINGE SUBAREA PLAN,
WHATCOM COUNTY COMPREHENSIVE PLAN,
AND WHATCOM COUNTY ZONING CODE

WHEREAS, The Whatcom County Council initiated (docketed) the proposed amendments for further review in March 2017; and

WHEREAS, The Whatcom County Planning Commission held public meetings and issued recommendations on the proposed amendments; and

WHEREAS, The County Council considered Planning Commission recommendations; and

WHEREAS, The County Council hereby adopts the following findings of fact:

FINDINGS OF FACT

Background Information

1. The subject proposal consists of amendments to the:
   a. Urban Fringe Subarea Plan;
   b. Whatcom County Comprehensive Plan Policy; and
   c. Whatcom County Zoning Code (Title 20).

2. The Whatcom County Comprehensive Plan was updated in August 2016 (Ordinance 2016-034). This update included the county-wide urban growth area (UGA) review. The existing Bellingham UGA was retained in this process. The Urban Fringe Subarea Plan update involves review of the text, goals, policies, and maps of the Subarea Plan. However, the Subarea Plan update is not intended to re-open the UGA review process completed in 2016.

3. The Whatcom County Comprehensive Plan states “... The next Urban Fringe Plan update will only include the Bellingham UGA ...” (p. 2-24). Therefore, the Urban Fringe Subarea Plan boundary is being modified to match the Bellingham UGA boundary. The Urban Fringe Subarea will no longer include Rural and other lands outside the UGA.


State Environmental Policy Act

6. A Determination of Non-significance was issued by the SEPA Responsible Official on September 29, 2017.

Comprehensive Plan/Subarea Plan Approval Criteria

7. The criteria of WCC 2.160.080, summarized below, must be satisfied in order to approve a comprehensive plan amendment.

- The amendment conforms to the requirements of Growth Management Act (GMA), is internally consistent with the county-wide planning policies and is consistent with any interlocal planning agreements.

- Further studies made or accepted by the department of planning and development services indicate changed conditions that show a need for the amendment.

- 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:
  - The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the Comprehensive Plan.
  - The anticipated effect upon 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.
  - Anticipated impact upon designated agricultural, forest and mineral resource lands.

- The amendment does not include or facilitate spot zoning.

- Transfer of development rights may be required if an urban growth area is expanded.
Subarea Plans

8. The GMA, in a section entitled “Optional Elements,” states that a comprehensive plan may include, where appropriate, subarea plans, each of which is consistent with the comprehensive plan” (RCW 36.70A.080(2)).

9. The Western Washington Growth Management Hearings Board has stated that:

... Subarea plans are optional elements of a comprehensive plan. While a jurisdiction has discretion to utilize subarea plans, RCW 36.70A.080(2) requires that subarea plans be consistent with the comprehensive plan and are subject to the goals and requirements of the GMA. Subarea plans are, as the prefix “sub” implies, a subset of the comprehensive plan of a jurisdiction and they typically augment or amplify policies contained in the comprehensive plan. There is no GMA requirement that a subarea plan contain all the mandatory elements required by RCW 36.70A.070. ... (Campbell v. San Juan County, Case No. 09-2-0014, Final Decision and Order, January 27, 2010).

10. The Urban Fringe Subarea Plan is an optional element that Whatcom County has chosen to include, at the County’s discretion, in the County’s Comprehensive Plan.

Intergovernmental Coordination / Public Participation

11. GMA planning goals are set forth in RCW 36.70A.020. The GMA citizen participation and coordination planning goal is to “Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts” (RCW 36.70A.020(11)).

12. County and City of Bellingham staff met over a four month period (April – August 2017) to discuss proposed changes to the Urban Fringe Subarea Plan, related changes to the Whatcom County Comprehensive Plan, and related changes to the Whatcom County Zoning Code.


Urban Growth

15. GMA planning goal # 1 is to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner” (RCW 36.70A.020(1)). Under the GMA, urban growth areas have been designated pursuant to RCW 36.70A.110.
16. County-wide Planning Policy F-11 states “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.”

17. County-wide Planning Policy F-12 states “. . . 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.”

18. The Whatcom County Comprehensive Plan contains goals and policies supporting the Bellingham Urban Growth Area designation including Goal 2U and Policies 2U-1 through 2U-10.

19. The Bellingham UGA was adopted by the Whatcom County Council in 1997, when the Comprehensive Plan was originally adopted pursuant to the GMA (Ordinance 97-023).

20. The Bellingham UGA was reduced in size in the 2009 UGA review (Ordinance 2009-071).

21. The Bellingham UGA was retained in the 2016 UGA review (Ordinance 2016-034).

22. The amended Urban Fringe Subarea Plan includes a map of the existing Bellingham UGA, which is consistent with the UGA boundaries in the Whatcom County Comprehensive Plan.

**Low Density Sprawl**

23. GMA planning goal # 2 is to “Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development” (RCW 36.70A.020(2)).

24. The Whatcom County Comprehensive Plan, Urban Fringe Subarea Plan, and Whatcom County Zoning Code protect land from sprawling low-density development because:

   a. The Whatcom County Comprehensive Plan encourages net densities of 6 to 24 dwellings/acre in Bellingham (Goal 2P).

   b. In the Lake Whatcom Watershed, urban residential zoning in the Bellingham UGA allows one dwelling/five acres if public water and sewer are available. When public water and sewer are not provided, the maximum density is one dwelling/ten acres.

   c. Outside the Lake Whatcom Watershed, urban residential zoning in the
Bellingham UGA may be developed at urban densities if public water and sewer are provided. When public water and sewer are not provided, the maximum density is one dwelling/ten acres.

**Transportation**

25. GMA planning goal # 3 is to “Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans” (RCW 36.70A.020(3)).

26. County-wide Planning Policy J-2 states that “Whatcom County jurisdictions shall encourage alternative modes of transportation to the single occupancy vehicle. . .”

27. Transportation planning is primarily addressed in the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea Plan Policy 1.6 is to “Promote development that supports and enhances efficient public transportation and an intermodal transportation system.” Additionally, other policies in the Urban Fringe Subarea Plan address transportation issues in a variety of land use designations in the Subarea.

**Housing**

28. GMA planning goal # 4 is to “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” (RCW 36.70A.020(4)).

29. County-wide Planning Policy G-2 states that “The county and the cities shall plan for a range of housing types and costs commensurate with their affordable housing needs.”

30. Housing is primarily addressed in the Whatcom County Comprehensive Plan. Urban residential zones in the UGA allow a variety of densities and housing types upon provision of public water and sewer. However, Urban Fringe Subarea Plan Policy 1.3 is to “Provide opportunities for a diversity of housing types in the Urban Growth Area.” The City of Bellingham generally does not extend public water and sewer outside city limits. Therefore, higher density housing in the Bellingham UGA typically occurs after annexation.

**Economic Development**

31. GMA planning goal # 5 is to “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” (RCW 36.70A.020(5)).

32. County-wide Planning Policy I-7 states:

   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.

33. Economic development issues are primarily addressed in the Whatcom County Comprehensive Plan. However, the Urban Fringe Subarea contains policies relating to commercial, industrial, and airport zones to facilitate economic opportunities in the Bellingham UGA.

Property Rights

34. GMA planning goal # 6 states that “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” (RCW 36.70A.020(6)).

35. The Attorney General’s Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property (December 2015) has been reviewed by legal counsel and no warning signals that are associated with the takings analysis have been identified for the subject amendments.

Permitting

36. GMA planning goal # 7 states “Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability” (RCW 36.70A.020(7)).

37. Permitting issues are primarily addressed in the Whatcom County Comprehensive Plan on a county-wide basis.

Resource Lands and Industries

38. GMA planning goal # 8 is to “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(8)).
39. County-wide Planning Policy I-9 states:

   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.

40. The Urban Fringe Subarea Plan boundary is being revised to match the
    Bellingham UGA boundary. There are no designated agriculture, forestry, or
    mineral resource lands within the revised Urban Fringe Subarea boundary.

Open Space/Recreation/Fish & Wildlife

41. GMA planning goal # 9 is to “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” (RCW
    36.70A.020(9)).

42. County-wide Planning Policy H-1 states:

    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.

43. Open space, recreation, and fish & wildlife habitat are primarily addressed in
    the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea
    Plan Policy 1.16 is to “Promote a coordinated effort to identify and prioritize
    interconnected natural areas and features for preservation to protect water
    quality and provide habitat, recreation, open space and wildlife corridors.”

Environment

44. GMA planning goal # 10 is to “Protect the environment and enhance the
    state’s high quality of life, including air and water quality, and the availability
    of water” (RCW 36.70A.020(10)).

45. County-wide Planning Policy N-1 states:

    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.
46. The environment is primarily addressed in the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea Plan Policy 1.16 is to “Promote a coordinated effort to identify and prioritize interconnected natural areas and features for preservation to protect water quality and provide habitat, recreation, open space and wildlife corridors.”

Public Facilities

47. 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)).

48. County-wide Planning Policy D-3 states “Cities shall develop a plan to provide urban level water and sewer services within their Urban Growth Areas. . . “

49. The City of Bellingham, Water District 2, Water District 7, the Lake Whatcom Water and Sewer District and several other purveyors currently plan and provide water service to various parts of the UGA. The City of Bellingham plans water service for unserved parts of the UGA, but physical service is typically provided after annexation.

50. The City of Bellingham and the Lake Whatcom Water and Sewer District currently plan and provide sewer service to various parts of the UGA. The City of Bellingham plans sewer service for unserved parts of the UGA, but physical service is typically provided after annexation.

51. The City of Bellingham Fire Department provides service inside the city limits. Fire Districts 4, 8, South Whatcom Fire Authority, and North Whatcom Fire & Rescue currently serve the Bellingham UGA.

52. The Bellingham, Meridian, and Ferndale School Districts serve the UGA.

53. Capital facility planning for water, sewer, fire protection, and schools is primarily addressed in the Whatcom County Comprehensive Plan (Chapter 4 and Appendix E – Whatcom County 20-Year Capital Facilities Plan). However, Urban Fringe Subarea Plan Policy 1.5 is to “Direct urban growth and development into areas where City public water and sewer services are available or can be readily provided.”

Historical and Archaeological

54. GMA planning goal # 13 is to “Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance” (RCW 36.70A.020(13)).
55. The historical and archaeological resources are addressed in the Whatcom County Comprehensive Plan.

Accommodation of Growth

56. RCW 36.70A.110(2) indicates that the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period in the UGA.

57. RCW 36.70A.115 indicates that Counties and cities shall ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including commercial, industrial, medical, governmental, educational and institutional uses.

58. State rules relating to the GMA indicate that the land capacity analyses required under RCW 36.70A.115 are primarily to take place at the periodic UGA reviews that counties and cities undertake every eight years. However, land capacity estimates are recommended during review of other comprehensive plan and development regulation amendments, if they increase or decrease allowed densities (WAC 365-196-325(1)(b) and (d)).

59. A land capacity analysis for the Bellingham UGA was conducted at the time of the 2016 Comprehensive Plan update/UGA review demonstrating that it can accommodate allocated population and employment growth.

60. The Urban Fringe Subarea Plan update will not increase or decrease allowed densities. Therefore, a new land capacity analysis is not required.

61. The Comprehensive Plan update/UGA review was completed in 2016. The Urban Fringe Subarea Plan update is intended to provide consistency with the Whatcom County Comprehensive Plan. The Urban Fringe Subarea Plan update is not intended to re-open the UGA review process.

Interlocal Agreement

62. The *Interlocal Agreement Between the City of Bellingham and Whatcom County Concerning Planning, Annexation and Development within the Bellingham UGA* was approved by both jurisdictions in April 2012.

63. The Interlocal Agreement states:

Whatcom County will review the UGA in accordance with the schedule in RCW 36.70A.130 to ensure that the UGA can accommodate the urban growth projected to occur in the 20-year planning period established by the Whatcom County Comprehensive Plan. The County
and City will collaborate throughout the UGA review process. The City will submit recommendations to the County in accordance with the schedule for joint County and City review of the UGA and the County will consider the recommendations prior to making any changes to the City’s UGA. . . (Section 2.C, pp. 4 and 5).

64. Whatcom County, in consultation with the City of Bellingham, concluded the UGA review process in August 2016 with the adoption of Ordinance 2016-034. Pursuant to RCW 36.70A.130, the next UGA review must occur by 2024. This Urban Fringe Subarea Plan update is not intended to re-open the UGA review process.

65. The Interlocal Agreement states "For residential zoning districts in annexation areas, the City agrees to adopt appropriate urban densities consistent with the State GMA, City Comprehensive Plan, the Urban Fringe Subarea Plan and the overall density goals of the County Comprehensive Plan (Section 3.E, p. 8).

66. Comparable city zoning is identified for residential areas in the Urban Fringe Subarea Plan.

Further Studies/Changed Conditions


68. The periodic update of the Whatcom County Comprehensive Plan was completed in August of 2016 (Ordinance 2016-034) in accordance with RCW 36.70A.130. The Whatcom County Comprehensive Plan provides direction for land use policy in Whatcom County. Subarea plans are to be consistent with the comprehensive plan (RCW 36.70A.080). The subject amendments to the Urban Fringe Subarea Plan provide consistency with the Whatcom County Comprehensive Plan.

69. Some of the information in the Subarea Plan has become outdated or unnecessary. For example, some of the Bellingham UGA has been annexed and there is no longer General Manufacturing zoning within the UGA. Additionally, it is no longer necessary to include City of recommendations from the 1997 Subarea Plan two decades later in an updated Subarea Plan.

70. A new Interlocal Agreement was approved by Whatcom County and the City of Bellingham in 2012. Additionally, Whatcom County Comprehensive Plan Policy 2U-5 addresses reviewing and updating the Interlocal Agreement. Therefore, it is not necessary to address the Interlocal Agreement in detail in the Subarea Plan.
Public Interest

71. It is in the public interest to amend the Urban Fringe Subarea Plan in order to:

   a. Eliminate inconsistency with the Whatcom County Comprehensive Plan;
   b. Eliminate inconsistency with the Whatcom County Zoning Code and maps;
   c. Eliminate inconsistency with City of Bellingham policy; and
   d. Delete outdated and unnecessary information.

Spot Zoning

72. The Whatcom County Zoning Code defines illegal spot zoning as follows:

   "Illegal spot zoning" means a zoning action by which a smaller area is
   singled out of a larger area or district and specially zoned for a use
   classification totally different from, and inconsistent with, the
   classification of surrounding land and not in accordance with the
   Comprehensive Plan. Spot zoning is zoning for private gain designed to
   favor or benefit a particular individual or group and not the welfare of
   the community as a whole (WCC 20.97.186).

73. There are no proposed rezones associated with the Urban Fringe Subarea Plan update.

Transfer of Development Rights for Expanding UGAs

74. There are no UGA expansions associated with the Urban Fringe Subarea Plan update.

Zoning Text Amendments

75. WCC 20.90.050 indicates that proposed zoning amendments must be
    evaluated in relationship to the goals and policies of the Whatcom County
    Comprehensive Plan.

76. The subject proposal includes text amendments for the following zoning districts:

   a. Urban Residential Medium Density (URM);
   b. Urban Residential Mixed (UR-MX);
   c. Gateway Industrial (GI);
d. Light Impact Industrial (LII); and

e. Heavy Impact Industrial (HII).

77. Whatcom County Comprehensive Plan Goal 2D is to “Refine the regulatory system to ensure accomplishment of desired land use goals in a fair and equitable manner.”

78. The text amendments in the URM and UR-MX zones include eliminating requirements imposing City of Bellingham impact fees on development in the UGA. This amendment recognizes that the County would have to conduct the analysis, and adopt an ordinance, as required by RCW 82.02.050-.110 prior to imposing City of Bellingham impact fees in unincorporated areas. In order for any impact fees to be fair and equitable, they must meet the requirements of state law.

79. Whatcom County Comprehensive Plan Goal 1A is to “Ensure that government activities, regulations and policies are transparent, accountable and easy to understand.”

80. The text amendments to the GI, LII, and HII zones are primarily housekeeping amendments. These amendments recognize that maps will be deleted from the Subarea Plan. They also replace the term “Urban Fringe Subarea” with “Bellingham Urban Growth Area” as it is a more descriptive term that may provide the public with a better sense of where the regulations apply. These amendments should make the zoning code a little easier to understand.

CONCLUSIONS

1. The Urban Fringe Subarea Plan and Whatcom County Comprehensive Plan amendments are consistent with the approval criteria of WCC 2.160.080.

2. The Whatcom County Zoning Code amendments are consistent with the Comprehensive Plan.
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. Amendments to the Urban Fringe Subarea Plan are hereby adopted as shown on Exhibit A.

Section 2. Amendments to the Whatcom County Comprehensive Plan are hereby adopted as shown on Exhibit B.

Section 3. Amendments to the Whatcom County Zoning Code (Title 20) are hereby adopted as shown on Exhibit C.

Section 4. Adjudication of invalidity of any of the sections, clauses, or provisions of this ordinance shall not affect or impair the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

ADOPTED this ______ day of ________________, 2018.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

________________________  __________________________
Dana Brown-Davis, Council Clerk        Rud Browne, Chairperson

APPROVED as to form:

________________________  __________________________
Civil Deputy Prosecutor          Jack Louws, Executive

( ) Approved    ( ) Denied

Date: ___________________________
Exhibit A

Urban Fringe Subarea Plan Amendments (2018)

Whatcom County Planning Commission Recommendations
January 11, 2018
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Including the portion of Bellingham’s Northern Urban Growth Area

I. Comprehensive Land Use Planning

Introduction

Rationale: The Introduction includes information that is already
addressed in the Whatcom County Comprehensive Plan, outdated, or
unnecessary in a subarea plan.

A. Statutory Authority

Statutory authority for county comprehensive land use planning is
established in the Washington State Planning Enabling Act, RCW 36.70 in
which it is stated that "each planning agency shall prepare a comprehensive
plan for the orderly physical development of the county or any portion
thereof." The 1984 Urban Fringe Subarea Comprehensive Plan that was
developed in response to this authority, as well as in recognition of the
principle that Whatcom County land use decisions should be made in a
coordinated and responsible manner by both the public and private sectors;
envisioned a review and update of the Plan every five years. Subarea planning
recognizes the diversity of communities, life styles and interests in Whatcom
County. It affords citizens a more direct influence in the planning for their
particular community.

B. Required and Optional Elements

The Planning Enabling Act RCW 36.70A and the Growth Management Act;
provide counties with a list of required and optional elements to include in their
Comprehensive Plan. Required elements include a Land Use Element indicating
the distribution, location, and extent of the uses of land for agriculture,
timber production, housing, commerce, industry, recreation, open spaces,
public utilities, and public facilities. Plans should also include provisions and
standards for population densities, building intensities, estimates of future
population growth, protection of quality and quantity of ground water used for public water supplies, and review drainage, flooding, storm water runoff, & Puget Sound water quality. Other required elements are housing, capital facilities, utilities, rural lands, and transportation. Optional elements include conservation, solar energy, and recreation.

In addition to these elements, counties must classify, designate, and preserve agricultural, forestry, and mineral resource lands of long-term significance. The Urban Fringe Subarea Plan is the Land Use Plan for the Subarea and Bellingham's Urban Growth Area.

6. **Definition and Application**

The Whatcom County Comprehensive Plan is defined as an official public document to be utilized by both the public and private sectors as a policy guideline for making orderly and desirable decisions concerning the future use of land in the county. The plan has been formulated by the Whatcom County Planning Commission and is comprehensive, general and long-range in nature. Comprehensive, in that it encompasses major geographic areas of the county and the functional elements that bear on physical development; general, in that it summarizes major policies and proposals and is not, by statute, a detailed regulation; and long-range, in that it not only addresses current issues, but also anticipated problems and possibilities of the future.

The purpose of this subarea plan is to foster a responsible process of land-use decision-making. The goals, policies and land-use plan map contained herein serve to update and amend the Whatcom County Comprehensive Plan, particularly the 1984 Urban Fringe Subarea component of the Whatcom County Comprehensive Plan.

**D. Subarea Planning Concept**

Because of the county's diverse physical and cultural make-up, the Planning Commission elected to divide the western one-third of the county into ten logical geographic areas denoted as "subareas." These geographic areas were delineated to address various land-use related issues that appeared to be unique to particular areas of the county. The criteria utilized by the Commission to delineate the subarea boundaries include natural and physical features; political subdivisions, such as special purpose districts (sewer, water, fire, school, etc); existing land-use patterns; and the presence of a city or town (where applicable) to act as a nucleus for the area. Thus, subareas are planning units determined through the application of criteria and considered as a practical means of revising the Comprehensive Plan in a consistent orderly fashion.
E. Whatcom County Planning Process

The Whatcom County comprehensive planning process is defined as a continual program of evaluating goals, conducting various land-related studies, and then utilizing such goals and studies to fashion a balanced and practical set of land use policies and proposals for the future use of land in our county. Stated differently, the planning process serves as a blueprint for the logical development of the comprehensive plan, as well as the formulation of effective implementation tools.

The process describes, through a logical sequence, the various land-use-related factors that must be considered to effect the formulation of responsible and meaningful land-use policies and proposals. These factors concern the following: the definition of county-wide goals; the inventory and analysis of land use, community facilities and utilities, transportation facilities and environmental resource characteristics; the forecasting of population levels and the county’s economic vitality; the comprehension of issues, both technical and citizen-related; the development of policies to resolve and/or address the relevant issues; and the transformation of policies into the plan map and attendant implementation tools.

The planning process is continual. It involves not only the formulation of the comprehensive plan document and its implementation through the application and use of various regulatory tools, but also continual monitoring and periodic updating. The success of the planning process in Whatcom County relies heavily upon the county’s ability to keep the major components of the plan current. Thus, the plan should be updated every five years by the Planning Commission and such revisions should adhere to the various sequential stages of the planning process. Issues in the Bellingham Urban Growth Area should continue to be addressed through joint-planning efforts.

F. Implementation and Plan Format

The implementation of this updated Comprehensive Plan will be accomplished by several different actions. The Comprehensive Plan Map designations will be revised in accordance with recommendations made in response to issues and public input. This document comprises the policies that correspond to the Comprehensive Plan Map designations. A revised zoning map will be prepared to correspond to revised Comprehensive Plan Map designations. Revisions to uses and specific regulations in the zoning ordinance may also be made in response to revised goals, policies, and issues specific to the Urban Fringe Subarea. In addition to the above, an Interlocal Agreement between Bellingham and Whatcom County, governing policies and procedures for annexations, utility extensions, and development in the Northern Urban Growth Area will be adapted. The Interlocal Agreement can be revised in the future to reflect changes needed in response to changing conditions.
The results of this planning process will become two separate published documents: 1) a component of Whatcom County's Comprehensive Plan with recommendations for County zoning designations in Bellingham’s Northern Urban Growth Area of the Urban Fringe Subarea, future Bellingham zoning designations after annexation, and policies and zoning designations for areas outside Bellingham’s Northern Growth Area; and 2) a component of Bellingham’s Comprehensive Plan which will also include urban Growth Areas in the Lake Whatcom Subarea, and Chuckanut Lake-Samish Subarea. An Action Plan section of this Plan lists specific future actions to address issues that are important to the Subarea.

II. Existing Goals and Policy Framework

A. Growth Management Act (GMA)

The State Legislature adopted the Growth Management Act (GMA) in 1990 and 1991, requiring jurisdictions in the fastest growing areas of the state to update their comprehensive plans in accordance with GMA-stated goals. This legislation was intended to recognize that uncoordinated and unplanned growth poses a threat to the environment, to sustainable economic development and to the health, safety and high quality of life enjoyed by residents of this state. Planning under GMA needs to occur in a coordinated and comprehensive manner drawing on the cooperation of related jurisdictions. Consistent with this directive, the City of Bellingham and Whatcom County have coordinated efforts through the Urban Fringe planning process to produce decisions on appropriate future land use patterns and urban growth boundary for approximately 6,000 acres of county land in the Urban Fringe Subarea.

Rationale: The future land use patterns and urban growth area boundary are adopted in the Whatcom County Comprehensive Plan. The existing Urban Fringe Subarea Plan covers the Bellingham UGA and adjacent lands. However, the Whatcom County Comprehensive Plan states ". . . The next Urban Fringe Plan update will only include the Bellingham UGA . . .” (p. 2-24). Therefore, the Rural and Agricultural areas will no longer be addressed in the Subarea Plan and the plan no longer covers 6,000 acres.

B. County-wide Planning Policies

As a required element of by the Growth Management Act, county-wide planning policies have beenare to be adopted by Whatcom County with concurrence by all cities. In compliance with this requirement, Whatcom County, Bellingham, and the other incorporated cities in Whatcom County adopted a set of The County-wide Planning Policies which establish a county-wide framework for developing and adopting city and county comprehensive plans and assure that city and county plans are consistent.

Rationale: The GMA requires the legislative authority of a county to adopt county-wide planning policies in cooperation with cities (RCW 35.70A.210(2)). The GMA does not require adoption by cities.
C. **Whatcom County Comprehensive Plan: Visions for Bellingham Goals**

The Whatcom County Comprehensive Plan sets the boundaries of the 10 urban growth areas (UGAs) in Whatcom County, including the Bellingham UGA. The County, in coordination with the cities, conducts the UGA review as part of the Comprehensive Plan update required by the GMA every eight years. The Whatcom County Comprehensive Plan also contains text, goals, and policies relating to the Bellingham UGA. As part of Bellingham’s Comprehensive Plan Update process, a Visioning process was undertaken which resulted in the Bellingham City Council adopting a set of goals to guide growth and development. These goals are included, by reference, as part of this Plan in the interest of promoting consistency as dictated by the Growth Management Act. Called Visions for Bellingham, these goal statements provided the basis for the production of the 1995 Bellingham Comprehensive Plan.

*Rationale:* The Whatcom County Comprehensive Plan provides direction for land use in the County, including in the Urban Fringe Subarea. The Visions for Bellingham document is more than 20-years old and, therefore, need not be referenced in the Subarea Plan.

D. **Urban Fringe Subarea Plan – Geographic Area**

The Urban Fringe Subarea Plan applies to the Bellingham UGA. This Subarea Plan does not apply to land outside the UGA boundaries.

*Rationale:* The Whatcom County Comprehensive Plan states "... The next Urban Fringe Plan update will only include the Bellingham UGA . . ." (p. 2-24). Therefore, the Rural and Agricultural areas around the UGA will no longer be addressed in the Urban Fringe Subarea Plan.

III. **Population Forecasts/Land Supply**

Projections of future population size are an essential component of land use planning. As required by GMA, the Washington State Office of Financial Management developed a 20-year population projection for Whatcom County. These population projections and an analysis of the capacity of land presently zoned for urban-residential development help determine additional land supply needs for the next 20 years of growth. By incorporating population forecasts into the planning process, Whatcom County and the City of Bellingham will ensure, as much as possible, that future needs for employment, transportation, affordable housing, utility, parks and other amenities will be met within the planning period. Population and employment projections are adopted in the Whatcom County Comprehensive Plan.
IV. **Comprehensive Urban Fringe Subarea Plan Designations and Policies**

A. **General Policies Applicable to the Urban Fringe Subarea and Bellingham's Urban Growth Area**

The following list of policies is intended to facilitate ensure cooperation between Whatcom County and the City of Bellingham in directing and managing urban and rural development in the Urban Fringe Subarea. In adopting these policies, both jurisdictions agree to:

1.1 Provide for land uses in the Subarea--and--Bellingham's Northern--Urban Growth Area that conform to the Growth Management Act, Whatcom County Comprehensive Plan, Goals, Visions--for--Bellingham, and County-wide Planning Policies and other agency plans that consider the provision of urban services to the planning area.

1.2 Promote the integrity and character of each neighborhood planning area within Bellingham's Northern--Urban Growth Area. Encourage and provide opportunities for a maximum degree of citizen participation in the governmental planning and decision making process.

1.3 Provide opportunities for a diversity of housing types in the Urban Growth Area.

1.4 Direct new high density residential, commercial and industrial development to appropriate zoning districts, toward existing urban development and along major transportation routes to support land use and transportation plans.

1.5 Direct urban growth and development into areas where existing City public water and sewer services utilities and services are available or can be readily provided, expanded.

1.6 Promote development that supports and enhances efficient public transportation and an intermodal transportation system.

1.7 Maintain and update, as appropriate, the adopted interlocal agreement between Whatcom County and the City of Bellingham. Adopt an interlocal agreement that sets agreed--upon--development--standards within Bellingham's Urban Growth Area, and which may include application of such standards as the City of Bellingham's design and development standards and guidelines and impact--fee ordinances to all development in the Urban Growth Area. Such agreements shall undergo a full citizen involvement process.

*Rationale:* The interlocal agreement between Whatcom County and the City of Bellingham was updated in 2012. It is effective through the year 2022. Whatcom County Comprehensive Plan Policy 2U-5 addresses reviewing and updating the interlocal.
1.8 Cooperate and coordinate with the City of Bellingham, special districts, and other governmental agencies to ensure efficient provision of a full range of urban services in the Urban Growth Area.

1.9 Continue joint City and County site plan review for all new residential, commercial, industrial, and Airport Operations development in the Urban Growth Area.

1.10 Recognize that the City of Bellingham will be the primary provider of urban services and facilities within its designated urban growth area.

1.11 Permit development concurrent with public facilities and services needed to support that development.

1.12 Consistent with the-adopted City policy, areas in Bellingham’s UGA will be eligible to receive city water and sewer service upon annexation or as otherwise allowed by the Bellingham Municipal Code, only in the following two circumstances:
   1. Upon annexation to the City; or
   2. Prior to annexation, the City Council will consider requests to extend utilities only if the proposed development uses the County’s transfer of development rights (TDR) program to purchase or otherwise transfer development rights from the Lake Whatcom Watershed to designated development rights from the Lake Whatcom Watershed to designated receiving areas.

Rationale: Bellingham Municipal Code (BMC) 15.36.010 indicates that the City only provides new water and sewer service after annexation, with a few exceptions. The BMC formerly allowed water and sewer extensions in the UGA, outside city limits, if TDRs were utilized. However, the TDR exception was repealed by Ordinance 2011-05-025, which was adopted by the Bellingham City Council in 2011.

1.13 Minimize land use conflicts in the Urban Growth Area through the use of appropriate buffering mechanisms, design standards, and locational criteria, and by promoting compatibility between land uses, especially among residential, commercial, industrial and Airport Operations designations.

1.14 Designate appropriate zones within the Urban Growth Area as receiving areas for transfer of development rights from the Lake Whatcom watershed in order to promote increased densities within the Urban Growth Area and decrease densities within the watershed to help protect water quality.
1.15 Require the purchase of transfer of development rights from the Lake Whatcom watershed in order to rezone property to increase residential densities.

Rationale: RCW 82.02.020 states in part:

. . . no county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. . .

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat. . .

Staff consulted with the Whatcom County Prosecuting Attorney’s Office, who provided the opinion that requiring the purchase of TDRs in exchange for a rezone would constitute a fee or charge on a “reclassification of land” (rezone) and, therefore, is not allowed under this state law. Additionally, the exception for “voluntary agreements” does not apply to reclassifications of land.

1.16 Promote a coordinated effort to identify and prioritize interconnected natural areas and features for preservation to protect water quality and provide habitat, recreation, open space and wildlife corridors.

1.17 Unincorporated areas added to the City’s UGA in the future should be pre-zoned by the City.

Rationale: The City of Bellingham recommended this policy in an e-mail of August 30, 2017.

B. \textbf{Land-Use-Zoning} Designations, Locational Criteria and Policies

Urban Residential Designations

Urban Residential - Density

2.1 The Urban Residential \textit{zoningplan} designation (UR) is located in Bellingham’s Urban Growth Area and can be urbanized at such time that a full range of urban services can be efficiently provided. The primary purpose of the Urban Residential designation is to promote an orderly
transition from rural land uses and densities to urban land uses and densities. **Comparable City zoning for the Urban Residential designation is Residential, Single.**

**Rationale:** The Whatcom County Comprehensive Plan does not include an “Urban Residential” land use designation, although there is an “Urban Residential” zoning designation.

2.2 The rationale underlying the Urban Residential zoning designation is to reserve certain land in the UGA (urban growth areas of cities) for future urban purposes and encourages interim uses that are complementary and compatible with future urban densities and services. The designation intends to encourage the responsible growth of urban areas by assuring that a full range of urban services is available to support urban level densities.

2.3 **Locational Criteria**

Areas Appropriate for Urban Residential zoning designation include the following:

2.3.1 Land areas **in adjacent to the City of Bellingham UGA or the Urban Service Area** that are of sufficient size to adequately accommodate the projected demands for residential and associated uses, transportation and public uses, for the twenty year planning period.

**Rationale:** Multiple zoning districts provide land for the 20-year planning period, not just the UR zone.

2.3.2 Land areas where a full range of urban services presently exists or can be economically and efficiently provided in the planning period. near future. 

2.3.3 Areas that contain an adequate supply of vacant land suitable for urban development.

2.3.4 The boundaries of the Urban Residential designation should be well defined, logical, provide a physical “sense of community” and be capable of being expanded to accommodate additional urban growth as the need arises.

2.3.5 The Urban Residential zoning district **allows urban density development (outside the Lake Whatcom Watershed) is implemented** when a full range of urban services are provided. In areas where such services do not exist, the maximum density is one dwelling unit per ten acres.

**Rationale:** The UR zone does not allow new urban development in the Lake Whatcom Watershed even if public water and sewer are available in the UGA. One dwelling/five acres is allowed in the UR zone in the Watershed if public water and sewer are available (WCC 20.20.252).
2.4 The Urban Residential designation is intended to be urban with urban uses and services and is to promote an orderly transition from rural land uses and densities to urban land uses and densities.

2.5 The predominant land use pattern within the Urban Residential zoning designation should be residential, allowing single family residential, neighborhood scale commercial in specific designated areas, parks and other public uses.

2.6 The Urban Residential designation allows three (3) dwelling units per acre within the Lake Whatcom watershed and adjacent to Bellingham Bay. The designation allows six (6) dwelling per acre in the Seaview area adjacent to Bellingham Bay and in the Dewey Valley east of Hannegan Road.

Rationale: The Zoning Ordinance establishes the densities in various areas. The Urban Residential zone normally allows urban densities when public water and sewer are available. However, the maximum density is one dwelling/five acres in the Lake Whatcom Watershed if public water & sewer are available. If public water & sewer are not available, the density is one dwelling/ten acres (WCC 20.20.252).

2.7 Consideration should be given to design standards for development in the Urban Residential designation. Wetland systems and sensitive areas should be preserved and incorporated into the development site design plan. Access shall be provided on residential streets.

Rationale: Design standards for residential subdivisions in the UR zone are contained in WCC 20.20.310. Wetlands are now regulated by the Critical Areas Ordinance.

2.8 Existing mobile home parks will be allowed to remain as non-conforming uses. New mobile home parks may develop at underlying density of the zone. Citing standards should be developed to allow for location of mobile home parks and subdivisions in the future.

Rationale: The Urban Residential zoning district does not allow new mobile home parks.

Urban Residential - Medium Density

2.9 The Urban Residential Medium Density zoning designation (URM) is located in Bellingham's Urban Growth Area and can be developed at allowed urban densities upon provision of annexation or with annexation agreements in place. The designation is intended to be developed with a full range of urban services. The designation should provide for affordable housing types such as apartments, townhouses, condominiums, mobile home parks, subdivisions and other compatible non-residential uses, with minimum net density of 10 dwelling units per acre and a maximum
The designation promotes an orderly transition from low density uses to higher density urban uses where predominantly residential uses complemented by compatible neighborhood scale recreation and commercial services are appropriate.

2.11 Locational Criteria

2.11.1 The URM zoningdensity classifications of six to twenty-four units per acre should be applied to areas in the Urban Growth Area that are either adjacent to existing or planned residential developments containing similar density levels or adjacent to existing or planned commercial or light industrial developments.

2.11.2 Higher density developments should be located to take advantage of good access to public transit that is sustainable over the long term, arterial routes of travel, and commercial services and employment centers.

2.12 The predominant land use pattern includes single family detached dwelling units, apartments, condominiums, rooming houses, mobile home parks and retirement and convalescent centers, parks and other public uses.

2.13 For those URM areas currently served by sewer and water, a mix of housing types and densities is encouraged consistent with the adopted zoning Plan for the Urban Growth Area.

2.14 A mix of housing types and range of densities within the URM designation is encouraged particularly in areas close to industrial, commercial and other urban employment centers, adjacent to arterials and major connector streets, and where there is access to transit, parks and other recreational areas.

2.15 Special consideration should be given to site design for all development in the Urban Residential Medium designation. Specific wetland systems and sensitive environmental areas should be preserved and incorporated into the development site design plan consistent with City ordinances. Access should be from residential roads.

Rationale: Design standards for residential subdivisions in the URM zone are contained in WCC 20.22.310 and facility design standards are in WCC 20.22.651. Wetlands are now regulated by the Critical Areas Ordinance.
2.16  This designation also provides a receiving area for transfer of development rights credits.

Rationale: The Urban Residential Medium Density (URM) zoning district states “In the Urban Fringe Subarea, this district serves as a zoning overlay for the purpose of designating a receiving area for transfer of development rights credits . . .” (WCC 20.22.012). However, later on in the URM text, it states: “Areas designated in the Comprehensive Plan and assigned a URM-24 zone district in the Urban Fringe Subarea, are considered receiving areas . . .” (WCC 20.22.669). Only the URM-24 zone allows for increased density based upon TDRs. However, there are no longer any URM-24 zones in the Urban Fringe (Bellingham UGA). Therefore, URM zone does not function as a TDR receiving area in the Bellingham UGA at the current time.

2.17  The City of Bellingham’s design and development standards and guidelines and impact fee ordinances shall apply to all development in the Bellingham Urban Growth Area.

Rationale: The County would have to conduct the analysis, and adopt an ordinance, as required by RCW 82.02.050-.110 prior to imposing impact fees in the URM zone. Additionally, the City of Bellingham generally does not extend public water and sewer outside city limits. Therefore, urban density residential development typically does not occur until after annexation. The Subarea Plan is a policy document, rather than a regulatory document. Therefore, “should” has been substituted for “shall.”

2.18  In order to develop at densities greater than ten dwelling units per acre, areas designated for provisional rezone to URM-24 all of the following must occur:

- Property owner(s) shall prepare a site plan showing the design and layout of proposed lots, multi-family structures, road and pedestrian connections to adjacent parcels, delineated wetlands, and protected critical areas, buffers and open space.

- Property owner(s) shall purchase or transfer sufficient development rights from the Lake Whatcom Watershed to achieve the requested density increase, based on the TDR ratios established in the Whatcom County Code.

- Property owner(s) shall comply with City of Bellingham design and development standards and guidelines, including residential multi-family design standards and any other conditions imposed by the City of Bellingham through approved Utility Service Zone Extension Agreements.
• Property owner(s) shall apply to the County for a site-specific rezone pursuant to Chapter 20.90 WCC in conjunction with submittal of a subdivision or binding site plan application for the subject parcel or parcels.

Rationale: There are no URM24 zones in the Bellingham UGA. Therefore, this section should be deleted.

Urban Residential - Mixed Use

2.192.18 It is the purpose of this zone designation to provide an orderly transition from rural to urban development by limiting densities and uses until services are available and then to provide for mixed uses in a manner that encourages a range of densities and dwelling unit types and pedestrian access to convenience shopping and jobs while maintaining an overall single family character and property values for the neighborhoods created within this designation. Comparable City zoning for the Urban Residential - Mixed designation is Residential, Single.

2.202.19 Locational Criteria

Areas appropriate for Urban Residential - Mixed (UR-MX) zoning designation include the following:

2.20.1 Land areas within the City of Bellingham's UGANorthern Urban Growth Area that are of sufficient size to adequately accommodate the projected demands for residential, commercial, transportation and public uses, for the twenty-year planning period.

Rationale: Multiple zoning districts provide land for the 20-year planning period, not just the UR-MX zone.

2.20.2 Land areas where a full range of urban services presently exists or can be economically and efficiently provided in the planning period, near future.

2.20.3 Areas that contain an adequate supply of vacant land suitable for urban development.

2.21 Commercial uses will be clustered in a single center which is no larger than (2) two acres, excluding areas used for multi-family. The commercial uses should not exceed 2,500 square feet per building.

2.22 This designation also provides a receiving area for transfer of development rights credits.
2.23 The Urban Residential - Mixed (UR-MX) zoning designation is located in Bellingham's UGANorthern Urban Growth Area and can be developed at allowed densities upon provision of annexation or with annexation agreements in place. The designation is intended to be developed with a full range of urban services. The designation should provide for affordable housing types such as apartments, townhouses, condominiums, subdivisions and other compatible non-residential uses; with a net density of at least 6 dwelling units per acre as the lowest allowable single family density.

2.24 Multi-family dwelling units shall not comprise more than 25% of the total dwelling units in one development proposal.

2.25 Special consideration shall be given to site design for all development in the Urban Residential - Mixed designation. Specific wetland systems and sensitive environmental areas shall be preserved and incorporated into the development site design plan consistent with City ordinances.

Rationale: Design standards for the UR-MX zone are referenced in WCC 20.24.653. Wetlands are now regulated by the Critical Areas Ordinance. They are also addressed in WCC 20.24.161(3)(e)).

2.26 Residential development should be located within walking distance of transit stations, designated commercial centers, parks and recreational areas, and other employment centers where appropriate.

Rationale: This change will provide greater consistency with WCC 20.24.010.

2.27 Neighborhood centers allow a mix of commercial, professional office, day care, and residential uses. Establishment of neighborhood commercial centers requires conditional use permit approval. Once a site has been approved, the full range of permitted uses shall be allowed.

Rationale: A neighborhood center requires a conditional use permit in the UR-MX zone pursuant to WCC 2.24.161. Other uses, such as single family residences, may also be located on the site of a neighborhood center. However, depending on the circumstances, this may require further review by the hearing examiner (i.e. for change of the site plan or subdividing the land).

2.28 Establishment of mobile home parks requires conditional use permit approval.
2.29 Commercial development should occur in nodes. Linear strips will be
discouraged.

2.30 Businesses in theneighborhood centers will have their fronts located
on arterial or collector streets; or located adjacent to a public square
or neighborhood park; and beare no less than one-half mile from an
existing or approved commercial center or other commercial use or
zone. Proposed similar center or other commercial area or zone.

Rationale: This language provides greater consistency with the existing
language in WCC 2.24.161(2).

2.31 Neighborhood Ccenters should be visible and accessible to pedestrians
from the streets and clearly defined through lighting, landscape,
landmarks, and/or open space.

2.32 Parking for neighborhood centers will be located at the rear of the
buildings with access from alleys or side streets.

Rationale: The UR-MX zone applies this language to neighborhood
centers (WCC 2.24.161(3)).

Commercial Designations

3.1 The Urban Fringe Subarea Comprehensive Plan provides two types
ofcommercial zoning designations in the Urban Growth Area, and
addresses the needs and opportunities for the City of Bellingham, the
Urban Growth Area, and larger regional area. The policies and locational
criteria for land zoned within a commercial designation, applies only to
land within the Bellingham Urban Growth Area.

Rationale: The proposal is to amend the Urban Fringe Subarea Plan
boundary so that it coincides with the Bellingham UGA boundary.
Therefore, the above statement is no longer necessary.

General Commercial

3.2 The General Commercial zoning designation is intended to provide
a broad range of retail goods and services that will benefit a large trade
area commensurate with demand. The designation also intends to
facilitate safe and efficient circulation systems, provide methods to
attain compatibility with surrounding noncommercial areas, and promote
site design that will efficiently use available commercial land. Building
design should take into account aesthetic and compatibility concerns.
The General Commercial designation is implemented by the General
Commercial zone. Comparable City zoning for the General Commercial
designation is Commercial, Planned.

Rationale: The Whatcom County Comprehensive Plan does not include
a "General Commercial" land use designation, although there is a
"General Commercial" zoning designation.
3.3  **Locational Criteria**

Areas appropriate for the General Commercial designation should conform to the following criteria:

3.3.1  Parcels that are served by arterials and/or collectors.

3.3.2  Parcels that have the potential of being served by urban level of service.

3.3.3  The designation should be located where there is a public need.

3.4  Whatcom County acknowledges existing patterns of commercial uses within the Urban Fringe Subarea. To provide for additional future commercial development, certain areas are designated General Commercial allowing a range of commercial uses including sales and servicing of vehicles, mobile homes and boats; eating and drinking establishments; professional office, service and retail establishments; commercial indoor and outdoor recreation; commercial wholesaling; multi-family dwellings; and public uses that are necessary for the function of the designation.

3.5  Ensure compatibility between General Commercial developments and the surrounding residential areas by identifying **citing performance, design**, and development standards.

3.6  Encourage the location of new commercial development in proximity to other existing commercial uses, or oriented to serve part of a planned development.

**Neighborhood Commercial**

3.7  The primary purpose of the Neighborhood Commercial zone is to provide convenience goods and services to the surrounding neighborhoods. Neighborhood Commercial areas are generally located near in residential areas. **The Neighborhood Commercial designation is implemented by the Neighborhood Commercial zone.** Comparable City zoning would be Neighborhood-Commercial, Neighborhood.

**Rationale:** The Whatcom County Comprehensive Plan does not include a "Neighborhood Commercial" land use designation, although there is a "Neighborhood Commercial" zoning designation.

3.8  **Locational Criteria**

Areas suitable for the Neighborhood Commercial designation should conform to the following criteria:
3.8.1 Parcels are served by arterials or collector streets. The designation is centrally located to the neighborhood it would serve.

3.8.2 The designation does shall not exceed five (5) acres.

3.8.3 The designation is to be located on property where ownership patterns and land parcelization is conducive for development.

3.9 The Neighborhood Commercial designation provides convenience goods and services to surrounding neighborhoods of urban residential densities. and should be discouraged in rural areas.

Rationale: The proposal is to amend the boundaries of the Urban Fringe Subarea Plan to match the Bellingham UGA. The Rural Comprehensive Plan designation will no longer be within the boundaries of the Urban Fringe Subarea.

3.10 Ensure compatibility between neighborhood commercial developments and the surrounding residential areas by identifying and applying citing performance, design, and development standards.

**Industrial and Airport Designations**

4.1 The Urban Fringe Subarea Comprehensive Plan provides four five types of industrial and airport zoning designations: Heavy Impact Industrial, General Manufacturing, Light Impact Industrial, Gateway Industrial, and Airport Operations in the Urban Growth Area. These designations, and addresses the needs and opportunities for the City of Bellingham, the Urban Growth Area, and the larger regional area. Each designation intends to meet a range of industrial needs. The policies and locational criteria for land zoned within an industrial designation, applies only to land within the Bellingham Urban Growth Area.

Rationale: There is no longer any General Manufacturing zoning in the Bellingham UGA. Additionally, there is a pending proposal to annex the remaining Gateway Industrial zoning district into the City of Bellingham. If this annexation is approved by the City Council, the Gateway Industrial text, goals, and policies will be deleted.

**Heavy Impact Industrial**

Intent Statement:

4.2 The underlying rationale of the Heavy Impact Industrial zoning designation in the Urban Fringe Subarea is to acknowledge existing heavy industrial uses situated in proximity to Bennett Drive, Marine Drive, and Roeder Avenue; to endorse a diverse economic base; and
to attain compatibility between industrial activities and adjoining residential land uses.

4.3 **Locational Criteria**

Areas appropriate for the Heavy Impact Industrial designation should conform to the following criteria:

4.3.1 Parcels that are generally flat, well drained, with sufficient soil bearing capacities.

4.3.2 Parcels within the existing Heavy Impact Industrial designation with sufficient land to provide buffers to non-industrial uses.

4.3.3 Proximity to transportation corridors (including direct access to identified truck routes not requiring the use of residential streets) and opportunities for interconnecting transportation modes (rail, truck routes, water and air) and urban services including sewer, water, storm drainage, fire and police protection and labor supply pools.

4.4 The Heavy Impact Industrial zoning designation takes advantage of truck, rail, freeway, air and water transportation access as well as proximity to potential labor pools. A full range of urban services should be available to the heavy industrial areas including sewer, water, storm drainage, and police and fire protection. The Heavy Impact Industrial area is implemented by the Heavy Impact Industrial zone. Comparable City zoning is Industrial, Planned. This zoning will ensure that uses allowed by Whatcom County zoning (Urban Fringe Subarea Heavy Impact Industrial and Light Impact Industrial) will be allowed as outright permitted uses, subject to appropriate development standards. Commercial uses, that are not accessory to the primary industrial use, will be prohibited.

**Rationale:** The Whatcom County Comprehensive Plan does not include a Heavy Impact Industrial (HII) land use designation, although there is a HII zoning designation. Some land uses in the HII zone require a conditional use permit and are not outright permitted uses. The HII zone allows certain commercial uses that are incidental to the primary industrial uses.

4.5 It is the policy of Whatcom County to evaluate the short and long range impacts to existing public facility, utility and transportation systems resulting from industrial development. If it is determined that industrial development will cause financial and physical impacts which exceed the scheduled capital improvement programs of various systems, Whatcom County will shall request industrial users to financially participate in the costs of upgrading these said systems.
4.6 Whatcom County should work with the City of Bellingham to manage and improve direct truck access to and from the HII area which minimizes truck traffic flows in adjacent and surrounding residential areas situated in the county and city.

4.7 Whatcom County **will shall** encourage the appropriate governmental authorities, including the Northwest Clean Air Agency, Air-Pollution Authority; Department of Ecology and Environmental Protection Agency, to monitor pollution control and nuisance abatement. Whatcom County should assure that the design and location of industrial development will include consideration of pollutant sources and abatement methods, as well as environmentally sensitive and critical areas which may be situated in or in proximity to the industrial area. The location, development, expansion and operation of industries should move toward minimizing pollution of all forms and its impact on other areas.

4.8 When practical, Whatcom County encourages industrial operations to take place within enclosed structures with the intent of minimizing potential light, glare, odors and noise impacts to adjoining residential uses.

4.9 Because the HII areas adjoin existing and planned residential areas situated in Whatcom County and the City of Bellingham, it is necessary to move toward obtaining mutual compatibility with these said residential areas. To obtain mutual compatibility, it is the policy of Whatcom County to permit those existing uses and future uses which will minimize hazards, pollution, nuisances and odors to surrounding residential areas. The following uses will not be permitted in the Heavy Impact Industrial zoned zoning district situated in the Urban Fringe Subarea: manufacturing and processing of asbestos and products derived therefrom; petroleum refining and the primary manufacture of products derived directly therefrom; primary manufacturing of rubber, plastics, chemicals, paper, and primary metal industries. **Light Impact Industrial uses shall be allowed in Areas 1A, 1B, and 1C of the Shoreline Industrial Area.**

**Rationale:** The Whatcom County Zoning Code establishes where light impact industrial uses may be located in the HII zone.

4.10 With the intent of fostering and promoting compatibility with surrounding residential land uses both in the county and the City of Bellingham, it is the policy of Whatcom County to require industrial users to provide a buffer which is situated on industrial land and adjoins the aforementioned residential areas. **Said The buffer may alternately be provided off-site by written agreement in the form of a deed restriction on the off-site parcel that runs with the land and that shall be filed with**
the County Auditor. The off-site buffer agreement will be written so that it may be revised or rescinded in the event that land uses or zoning designations are changed in such a way that the buffer becomes no longer necessary.

4.11 Because certain existing industrial users are located adjacent to Bellingham Bay and use the shoreline or water transport for a portion of their operation, it is the policy of Whatcom County to require consistency with the Whatcom County Shoreline Management Program for proposed industrial uses or the expansion of industrially related uses which are proposed within the jurisdictional area of the Program.

General Manufacturing

4.12 The General Manufacturing designation intends to provide fully serviced urban areas for industrial activities which are less intensive than the County’s Heavy Impact Industrial uses, but may be more intensive than Light Impact Industrial uses. General Manufacturing uses include manufacturing, fabrication, processing and distribution of finished products, which will have a minimal impact on surrounding non-industrial land use areas. General Manufacturing operations may function independently or other industrial areas or may supplement the operations of Light-Impact Industrial or Heavy-Impact Industrial areas.

4.13 Locational Criteria

Areas appropriate for the General Manufacturing designation should conform to the following criteria:

4.13.1 Parcels that are generally flat, well drained, with sufficient soil bearing capacities. Areas of steep slopes, wetlands, and environmentally sensitive areas are not appropriate for general manufacturing activities.

4.13.2 The size of General Manufacturing areas should be between twenty (20) and several hundred acres commensurate with public need.

4.13.3 Proximity to transportation corridors, rail, freeway, air service, public transit, urban services and direct access to identified truck routes.

4.13.4 Sufficient land to provide buffers between industrial operations and adjoining residential areas.

4.14 The General Manufacturing designation takes advantage of truck, rail, freeway and/or air transportation access, as well as proximity to potential labor pools. A full range of urban services should be available to General
Manufacturing area. The General Manufacturing designation is implemented by the General Manufacturing zone. Comparable City zoning is Industrial, Planned, uses limited to those in the General Manufacturing zone.

4.15 The General Manufacturing zone allows uses related to manufacturing, fabrication, processing and distribution of finished products and non-product uses such as warehousing, and storage facilities, whereby industrial activities will have a minimal impact on surrounding non-industrial areas.

4.16 To minimize the impact of development on adjacent residential areas, screening and landscaped buffers are required.

4.17 Truck traffic should be directed away from residential and rural areas.

Rationale: There is no longer any General Manufacturing zoning in the Bellingham UGA.

Light Impact Industrial

4.18 The underlying rationale of the Light Impact Industrial zoning designation is to supply supplies a reasonable amount of land for light impact industrial uses which are dependent upon proximity to other industries; are dependent upon an urban labor supply; will promote efficient public and private expenditure and will be compatible with surrounding non-industrial areas. The Light Impact Industrial designation is implemented by the Light Impact Industrial zone. Comparable City zoning is Industrial, Planned and/or Institutional, Planned. At the time of annexation, the City will determine what uses within the Industrial, Planned designation are appropriate for specific LII areas.

Rationale: The Whatcom County Comprehensive Plan does not include a “Light Impact Industrial” land use designation, although there is an “Light Impact Industrial” zoning designation.

4.19 Locational Criteria

Areas appropriate for the Light Impact Industrial zoning designation should conform to the following criteria:

4.19.1 The Light Impact Industrial designation should consist of a number of parcels of sufficient size to accommodate zoning zone and buffer requirements. Said buffer may be provided off-site by written agreement in the form of a deed restriction on the off-site parcel that runs with the land and that shall be filed with the County Auditor. The off-site buffer agreement will be written so that it may be revised or rescinded in the event that land uses or zoning designations are changed in such a way that the buffer is no longer necessary.
4.19.2 Parcels that are generally flat, well drained, with sufficient soil bearing capacities. Areas of predominantly steep slopes, wetlands, and environmentally sensitive other critical areas are not appropriate for Light Impact Industrial activities zoning districts.

4.19.3 Proximity to major transportation corridors, international transportation routes with all-weather access capability, and proximity to urban services.

4.19.4 Sufficient land to provide buffers between industrial operations and adjoining residential areas.

4.20 The Light Impact Industrial designation allows a range of uses related to industries which do not emit smoke, glare, noise, vibrations, odors and other nuisance factors which create unacceptable off-site impacts.

4.21 Part of the The area bounded by Slater Road, the Burlington-Northern railroad tracks and Silver Creek has been annexed is designated Light Impact Industrial because of existing industrial uses, and services provided by the City of Ferndale. Whatcom County will not permit expansion of the UGA in this area this industrial zone to ensure protection of Silver Creek, maintain the rural character of the surrounding area, and preserve a natural buffer area between the Cities of Ferndale and Bellingham.

Gateway Industrial

Whatcom County's economy is significantly influenced by its proximity to Canada and the large population in Vancouver, B.C., and this role is anticipated to continue in the future. The I-5 corridor and the Bellingham International Airport function as gateways into Whatcom County and the City of Bellingham. It is through these gateways that travelers form their first impressions of the community. To augment the positive impact of international markets, it is desirable to provide a reasonable supply of land for a variety of light industrial uses that would be attractive to travelers using the major international traffic corridors. The Gateway Industrial zoning district limits uses in this zone to those appropriate for a light industrial park setting. In order to foster the economic vitality of the area, commercial uses are also allowed within ¼ mile of a full freeway interchange; however, the design standards and buffering requirements included in the Gateway Industrial zoning text are intended to limit commercial uses to uses designed to serve the airport, industrial users, adjacent residential areas and the travelling public, and are compatible with a light industrial park setting.

Rationale: The Whatcom County Zoning Code (WCC 20.65) defines the land uses allowed in the Gateway Industrial zone. A wider range of commercial uses are allowed within ¼ mile of a freeway interchange, but some commercial uses are also allowed more than ¼ mile from a freeway interchange.
Light industrial parks frequently are large land areas that are master planned for aesthetic and functional compatibility, but can be composed of small tracts of land in different ownerships, whereby industrial uses occur independently but under overall design standards. To take advantage of the opportunity to present a positive business image of Bellingham and Whatcom County to travelers and because of the relatively small parcel sizes in the area, standards for site, landscaping, building, and signage design have been made integral parts of the comprehensive plan and are included in the Gateway Industrial zoning text, rather than being adopted as part of a master plan by an individual developer.

4.22 The Gateway Industrial designation is intended to provide concentrated areas, located in proximity to major transportation corridors that will present a favorable image of Bellingham and Whatcom County to travelers. In addition, in areas immediately adjacent to full freeway interchanges, uses that serves the traveling public are provided. The designation intends to facilitate safe and efficient circulation systems, provide methods to attain compatibility among mixed uses, and promote site design that is visually compatible with surrounding areas, including the Bellingham International Airport. The underlying rationale of the Gateway Industrial designation is to supply a reasonable amount of land for industrial developments during the current planning period. Urban services must be available and will be extended in an efficient and rational growth pattern. The Gateway Industrial designation is implemented by the Gateway Industrial zone. Comparable Bellingham zoning is Industrial, Planned, with provisions of County Gateway Industrial.

**Rationale:** The Whatcom County Comprehensive Plan does not include a "Gateway Industrial" land use designation, although there is a "Gateway Industrial" zoning designation. Supplying adequate land for industrial development over the 20-year planning period is achieved by designating multiple city and County industrial zoning districts, not just through the Gateway Industrial District in the County. The City of Bellingham recommends deleting "with provisions of County Gateway Industrial" because City zoning will be applied, and the City will determine appropriate land uses, upon annexation.

4.23 **Locational Criteria**

Areas suitable for the Gateway Industrial designation should conform to the following criteria:

4.23.1 Proximity to major transportation corridors, Bellingham International Airport, transportation routes with all-weather access capability, and proximity to urban services.
4.23.2 Public water, sewer, on-site storm water drainage, and sufficient fire and police protection should either be presently available or should be feasibly provided during the planning period.

4.23.3 Proximity to potential labor pool.

4.23.4 Sufficient land to provide buffers between industrial operations and adjoining residential areas.

4.24 The Gateway Industrial designation should use limited areas having industrial access and traveler visibility in a manner that promotes the long range economic vitality of Bellingham and Whatcom County. Uses should be directly related to the access opportunities, or in certain areas, serve the traveling public.

4.25 The Gateway Industrial designation should enhance and maintain the natural and economic resources of Bellingham and Whatcom County through land use patterns that avoid linear strip development, while providing for safe and efficient vehicular movement, by requiring that individual sites are designed in a clustered or concentrated form of development instead of lining the road frontage. In addition, site design standards are contained within the zoning text to aid in the compatibility of mixed uses and the visual harmony with the surrounding areas.

Airport Operations

The Bellingham International Airport originated in 1940 as a single runway and developed into a three-runway configuration in 1941 when the Army Corp of Engineers supervised its construction with national defense funds. In 1947, the airport transferred ownership from the federal government to Whatcom County and in 1957 from the County to the Port of Bellingham.

The federal government recognizes Bellingham International Airport as an integral part of the national aviation system and has supported development at the airport over the years through a variety of programs and projects including land acquisition; runway and taxiway construction and maintenance; lighting systems; crash/fire/rescue building construction; airport planning and others which have allowed the airport to expand and meet the traveling needs of a growing population. The Comparable City designations are Institutional and Planned-Airport Operations.

4.26 The primary purpose of the present designation—Airport Operations zoning designation—is to provide sufficient area for existing and future regional airport operations to serve the interest of Whatcom County. The District should be located and implemented consistent with the goals, objectives and policies of the appropriate subarea comprehensive plan. The District should accommodate regional airport facilities and be served
by adequate public services. The District should provide uses related to the operation of an airport. Other uses should be consistent with allowed only upon land designated by the Bellingham International Airport Master Plan. Port’s Master Plan.

4.27 Locational Criteria

4.27.1 The Airport Operations (AO) District is located and implemented consistent with the goals, objectives and policies of the Subarea Comprehensive Plan.

4.27.2 The AO District should accommodate regional airport facilities and be served by adequate public services.

4.28 Whatcom County and the City of Bellingham encourage the Port of Bellingham to work closely with the Federal Aviation Administration to comply with federal laws relating to airport noise and enforce Public Laws 96-193 (the Aviation Safety and Noise Abatement Act) and 90.411 (noise certification provisions prescribed for new subsonic aircraft) as well as to continue to develop operational procedures to minimize noise generated by general aviation activity at the airport.

Rationale: Public Law 96-193 (the "Aviation Safety and Noise Abatement Act of 1979") and Public Law 90-411 ("Control and Abatement of Aircraft Noise and Sonic Boom," approved in 1968) were adopted many years ago. Sometimes federal laws are amended over time, so a general reference has been inserted above.

4.29 Encourage buffer greenbelts around the Airport Operations (AO) District to minimize impacts of noise generated by general aviation activities at the airport.

4.30 Whatcom County and the City of Bellingham recognize the existing and planned orientation of runways at the Bellingham International Airport. To minimize hazard and nuisance adjacent to and in the vicinity of the airport, land uses and densities should be compatible with airport uses.

4.31 Residential development is discouraged in the day-night average sound level (Ldn) of 65+ noise exposure contours as mapped in the Bellingham International Airport Master Plan. Builders are encouraged to include adequate sound insulation for residential structures located close to the airport.

4.32 Whatcom County will promote disclosure of airport noise through implementation of WCC 8.34. Whatcom County shall require plat language including a "hold harmless" agreement concerning the normally expected activities and noise associated with airport operations for
proposed subdivisions which are situated within the projected Ldn 65 noise-exposure contour. These “hold harmless” agreements shall be included in property deeds for parcels situated within the projected Ldn 65 noise-exposure contour.

**Rationale:** The County Zoning Ordinance and the Land Division Regulations do not require such “hold harmless” agreements. However, WCC 8.34, entitled “Airport Disclosure,” was adopted by the County Council in 2005 as part of a package of airport/land use compatibility planning measures under the GMA. WCC 8.34 requires building permits, short plats and discretionary development permits for within one mile of the runway to contain a disclosure statement about airport noise.

**4.33 Encourage the City of Bellingham to adopt airport/land use compatibility rules applicable to properties in the vicinity of the airport.**

**Rationale:** The Port of Bellingham, in an e-mail of 6/8/2017, requested policy language to address land use/compatibility for land uses in the City of Bellingham. The above policy would encourage the City to address this issue, although it is not as specific as the language suggested by the Port.

**Recreation and Open Space**

The primary purpose of the Recreation and Open Space zoning designation is to ensure the continued public provision of a variety of services, optimizing public investments, conserving recreation and open space resources and uses, and promoting compatibility between public functions and surrounding land uses. Comparable City zoning for the Recreation and Open Space designation is Public.

**Rural**

See Whatcom County Comprehensive Plan for Goals and Policies relating to Rural lands.

**Agriculture**

See Whatcom County Comprehensive Plan for Goals and Policies relating to Agricultural lands.

**Rationale:** The Whatcom County Comprehensive Plan addresses Rural and Agricultural goals and policies. Additionally, the Comprehensive Plan states “... The next Urban Fringe Plan update will only include the Bellingham UGA ...” (p. 2-24). Therefore, the Rural and Agricultural areas around the UGA will no longer be addressed in the Urban Fringe Subarea Plan.
V. Urban Growth Area

A. Urban Growth Areas Defined

Under the Growth Management Act (GMA), cities and counties are required to designate areas where urban growth is encouraged and areas where urban development is discouraged. Urban growth, as defined by the GMA,

"refers to 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 such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, ... (RCW 36.70A.030(19))."

The purpose of designating urban growth areas is to promote compact urban development; ensure efficient use of land resources; and facilitate the economic provision of urban services. Urban growth areas should include areas and densities sufficient to provide for the urban growth that is projected to occur in the next twenty years. Urban growth requires urban levels of service, including: storm and sanitary sewer systems, domestic water systems, transportation, fire and police protection, public transit, schools, parks and other public utilities associated with urban areas.

Since the intent of the GMA legislation is to ensure concurrency of certain facilities and services with projected growth and development, urban growth should be located first in areas already characterized by urban growth. These areas should have existing public facilities and service capacities to serve the development of the area. Second, urban growth should be located in areas that will be served by a combination of existing and planned public facilities and services; and finally in areas adjacent to areas characterized by urban growth, where adequate public facilities and services are not presently available.

Compliance with the GMA requires cities to complete an analysis of the availability and need of land within and adjacent to its boundary for natural resources, open space, housing, commerce, industry, transportation and the location and need for public facilities and services. The City of Bellingham in cooperation with Whatcom County has analyzed these needs to identify areas appropriate for inclusion in the City’s Urban Growth Area. The City and County will work together to direct the rate, amount, type, timing and location of urban growth.

Rationale: The GMA requires counties to periodically review their comprehensive plans and UGAs to ensure they can accommodate the urban growth projected to occur in the county for the succeeding twenty-year period (RCW 36.70A.130(3)). Whatcom County and the cities worked together in a coordinated and consistent manner to develop a land capacity analysis and review and, as needed, update their comprehensive plans and UGAs in 2016. The GMA requires the next UGA review by 2024. The subarea plan update is not intended to undertake a new UGA review process.
B. Factors Affecting Urban Growth Areas

Land use development in the City of Bellingham and adjacent urban areas is the result of a variety of economic, social and physical variables. The direction, type, and timing of growth are influenced by the topography, environmental constraints, market conditions, the extension of services including sewer and water, and the development of transportation systems.

In evaluating the areas adjacent to the City limits, a number of assumptions were made and specific criteria reviewed. Some of the primary assumptions include the following:

1. The City of Bellingham’s Urban Service Area, established in 1985 is the logical area for the major portion of the City’s Urban Growth Area to the north;

2. The Urban Service Area is characterized by urban growth and is partially to fully served with City sewer and water;

3. Some annexations occur prior to the extension of services and development;

4. As population in urbanized areas increases, demands for public facilities and services also will increase;

5. Bellingham will continue to be a primary public facility and service provider; there is a need to require development to pay impact fees in urban growth areas;

6. Some areas outside the Urban Service Area are characterized by urban development.

Rationale: The above assumptions are from the 1997 Urban Fringe Subarea Plan. It is not necessary to include these historical assumptions in the updated Urban Fringe Subarea Plan.

The criteria used for evaluating Bellingham’s urban growth areas are based on an analysis and evaluation of the following:

1. GMA requirements;
2. Whatcom County Comprehensive Plan provisions relating to UGAs and UGA Reserves;
3. Population and employment projections;
4. Land supply needs for residential, commercial, industrial, and
recreational developments;

5. Urban service capacity, including sewer, water, and other infrastructure;

6. Existing and proposed future plans-recognizing consistency and compatibility with existing local and regional policies including GMA-goals, County-wide Planning Policies, and the City of Bellingham Comprehensive Plan; Visions for Bellingham Goals;

7. Protection of wetlands and associated systems, sensitive environmental other critical areas, and open space;

8. Impact on designated Resource Lands;

9. Existing land use; and

10. Requests for specific zoning by property owners.

VI. Bellingham Urban Fringe Subarea Planning Area Maps

The Bellingham Urban Fringe Subarea is divided into 16 planning areas; these areas have been divided up into such planning areas based on their geographic regions having similar features such as topography, land uses, infrastructure, service capacity, critical areas, and stream corridors. The Bellingham Subarea planning area maps implements zoning code designations which will achieve Comprehensive Plan goals.

Rationale: The Whatcom County Comprehensive Plan establishes basic land use designations and the Whatcom County Zoning Code establishes specific zoning designations throughout the county. There is no need to have a third set of maps in the subarea plan for designations that already exist on the zoning map. Therefore, only a map showing the new subarea boundaries is included below.
- Bellingham Urban Fringe Subarea

![Bellingham Urban Fringe Subarea diagram]

Rationale: The Urban Fringe Subarea currently includes Rural and Agriculture lands adjacent to the Bellingham UGA. However, the Whatcom County Comprehensive Plan states "... The next Urban Fringe Plan update will only include the Bellingham UGA..." (p. 2-24). Therefore, the Urban Fringe Subarea boundary is being updated to match the Bellingham UGA boundary, as shown on the map above.
NOTE: Delete "Bellingham Urban Fringe Subarea" map and Maps 1-16 below.
Comprehensive Plan Land Use & Official Zoning Map

-Exhibit A
Map #15
Samish Crest Residential Planning Area

Legend

- Land Use and Official Zoning Boundary
- City Limits

*Note: Where numbers are in (), numbers refer to planned densities pursuant to the 1997 Bellingham Urban Fringe Subarea Plan.
VII. Analysis and Rationale for Adjusting Bellingham’s 1985 Urban Service Area

Introduction

Urban Growth Areas

As required by the Washington Growth Management Act (GMA), and County-wide Planning Policies, projected population for the next 20-year planning period must be accommodated in urban growth areas. The City of Bellingham, in cooperation with Whatcom County, is evaluating the appropriateness of expanding or contracting its present Urban Service Area in defining an appropriate Urban Growth Area. The purpose of designating urban growth areas is to promote compact urban development, reduce urban sprawl, and ensure efficient use of land and financing of urban facilities and services to meet the needs of the projected population during the 20-year planning period.

**Rationale:** Whatcom County, in consultation with the City of Bellingham, completed the GMA-required UGA review in 2016. During that review process, the Bellingham City Council recommended maintaining the existing UGA boundary. The County Council concurred with this recommendation and did not modify the UGA boundary in the 2016 UGA review. The GMA requires review of UGAs every eight years. The City of Bellingham and Whatcom County are not considering changes to the UGA at the current time.

The criteria for evaluating those areas outside the existing urban service area are based on an analysis and evaluation of the following:

- Adopted policy and visions statements
- Population projections
- Land supply, including residential, commercial and industrial
- Existing plan and zoning designations
- Existing land use and ownership patterns
- Environmental opportunities and constraints
- Transportations systems
- Availability and capacity of urban services and facilities and concurrency requirement
- Property owners requests

**Rationale:** Criteria for evaluating UGAs are included earlier in this Subarea Plan.

Fourteen smaller areas within the three Urban Fringe Subarea Analysis Areas have been identified and evaluated according to the criteria above for possible inclusion in Bellingham’s Urban Growth Area. Map 18 shows the areas evaluated.
Rationale: The Whatcom County Comprehensive Plan and Official Whatcom County Zoning Map contain land use designations for the entire County, including the Bellingham UGA. The text below, which includes the recommendations in the 1997 Subarea Plan, is no longer needed in the Subarea Plan.

Marine Drive/Airport Analysis Area

Five areas have been identified in the Marine Drive/Airport Analysis Area for evaluation as possible areas for inclusion in Bellingham’s Urban Growth Area. A description of the area, zoning, and existing services and uses are provided. Advantages and disadvantages to inclusion in Bellingham’s Urban Growth Area are listed below, followed by a specific recommendation from the Bellingham City Council.

Area A:

This area is located west of the Urban Service Boundary, generally in the vicinity of Marine Drive and Bancroft Road, and adjacent to Bellingham Bay. The area is zoned Rural-Residential (RR1) one dwelling unit per acre. The topography is generally flat to rolling hills sloping in a southerly direction. Dense forests, pasture land, wetlands, and marshes predominate along the Bay. The area is primarily rural in character with scattered low density single family development on larger parcels, with a pocket of residential development approaching urban densities, primarily in the Bancroft subdivision. The Smith-Garden is located south of Marine Drive and east of the Bancroft subdivision. Water District #2 and Fire District #8 serve the area.

Advantages/Disadvantages

1. Advantages

   a. Inclusion of this area would mean an increase in the land supply for residential development.

   b. The Bancroft Road area is more urban in character than adjacent areas.

   c. Soils have a rapid permeability and high seasonal water table and are poor filters for septic effluent; public sewer could reduce any ground water contamination.

2. Disadvantages

   a. Much of the area is rural in character and located away from urban development centers.

   b. The Bellingham International Airport noise and clear zone acts as a
barrier between the urban areas of the City and this area.

e. Urban residential densities are not appropriate abutting airports because of noise and flight-paths.

d. Fire and police service constraints resulting from inadequate roadways in the areas, the barrier created by the Bellingham International Airport and travel distance from existing fire facilities for extension of urban level fire protection services.

e. Increased demand on existing City facilities and services would require new facilities and upgrading of existing facilities and services.

f. Local opposition to being part of Bellingham's Urban Growth Area.

**Bellingham City Council Recommendation**

This area should not be included in Bellingham's Urban Growth Area.

**Area B**

The area is located west of Bellingham International Airport, north of Marine Drive and in the general vicinity of Country Lane, Curtis and Wynn Roads. The area is zoned both Rural (R2A) one dwelling unit per two acres, and Rural Residential (RR1) one dwelling unit per acre. The topography is generally flat. Dense forested areas, wetlands, marshes, and pasture land make up the bulk of the area. It is rural in character with scattered low density single family development. The Burlington Northern Railroad borders the area on the southwest and the Airport separates this area from the urban centers of the City. Water District #2 and Fire District #8 serve the area.

**Advantages/Disadvantages**

1. **Advantages**

   a. Inclusion of this area would mean an increase in the land supply for residential development.

   b. Some property owners desire inclusion in Bellingham's Urban Growth Area.

   c. a. Soils have a rapid permeability and high seasonal water table and are poor filters for septic effluent; public sewer could reduce any ground water contamination.

2. **Disadvantages**
a. Much of the area is rural in character and located away from urban development centers.

b. The Bellingham International Airport acts as a barrier between the urban areas within the City and this area.

c. Urban residential densities are not appropriate abutting airports because of noise and flight path patterns.

d. Fire and police service constraints resulting from inadequate roadways in the area, the barrier created by the Bellingham International Airport, and travel distance from existing fire facilities for extension of urban level fire protection services.

e. Increased demand on existing City facilities and services would require new facilities and upgrading of existing facilities and services.

f. Some local opposition to being part of Bellingham’s Urban Growth Area.

Bellingham City Council Recommendation

This area should not be included in Bellingham’s Urban Growth Area.

Area C.

This area is located adjacent to Slater Road and across from Ferndale’s City limits. Sunset Creek is the area’s southeast boundary and the Burlington Northern RR is the western boundary. The area is characterized by industrial development and is within Ferndale’s proposed Urban Growth Area; it is served by the City of Ferndale. The area is considered an anomaly since it is within the Urban Fringe Subarea and Bellingham’s sphere of influence. The area is zoned Light Impact Industrial and is approximately 19 acres. The topography is fairly flat with shrubs and bushes and some trees along the creek.

Advantages/Disadvantages

1. Advantages

a. Inclusion of this area in Bellingham’s Urban Growth Area would add to the city’s folio of industrial land.

2. Disadvantages

a. City utilities are not available.

b. Fire and police service constraints resulting from distance from existing City facilities.
c. The area is within Ferndale's proposed Urban Growth Area and is served by the City of Ferndale.

d. Separation of Urban Growth Areas is required by the County-wide Planning Policies.

**Bellingham City Council Recommendation**

This area should not be included in Bellingham's Urban Growth Area.

**Area D**

This area is located east of Interstate 5, adjacent to Slater Road on the south, and Pacific Highway on the east. It abuts Bellingham's Urban Service Area boundary at the Port property on Pacific Highway. The area is approximately 30 acres and is currently zoned General Commercial. In 1989, a concomitant agreement was entered into between the property owners and Whatcom County to control land uses in the vicinity of the airport and ensure compatibility with airport activity, now and in the future.

The topography is fairly flat. Some forest-covered areas are located to the back of the lots and provide a backdrop for several businesses including a sign and custom awning shop, antique mall, auto repair shop and carpet sales and some low-density single family residential development. The area has been partially cleared for commercial development. An ARCO service station and mobile-home sales business are adjacent to Slater Road. Fire District #8 serves the area.

In 1996, this area was analyzed in Bellingham's Supplemental Environmental Impact Statement (SEIS) along with other property extending east from this area to Northwest Drive and south from Slater Road to Stuart Road. The SEIS proposal evaluated the addition of approximately 889 acres to the City's proposed urban growth area as industrial, and to change the proposed land designation for 139 acres from Urban Residential (UR4) to industrial. The 30 acres would remain commercial. In 1997, Bellingham City Council recommended adding this commercial area, identified as Area #3 in the SEIS, to Bellingham's Final Urban Growth Area.

**Advantages/Disadvantages**

**1. Advantages**

a. Inclusion of this area into the City's Urban Growth Area would enable the City to participate in the joint land use planning for the area and have greater control of development following annexation.

b. The designation is urban and recognizes existing commercial
developments:

c. The area fronts on Interstate 5 and takes access from Pacific Highway, a major transportation corridor linking Bellingham's northern industrial and commercial areas with other regional transportation corridors to the north.

d. Urban development is already established in this area.

e. Joint land-use planning would increase the effectiveness of interlocal agreements made for the area.

f. There is property owner support for sewer and water services.

g. Bellingham has the capacity to serve the area with sewer and water.

2. Disadvantages

a. Increased demand on existing City facilities and services will require an upgrade in some existing City facilities and services.

b. City services could intensify and exacerbate a commercial strip at the entrance to the City.

Bellingham City-Council Recommendation

This area should be included in Bellingham’s Urban Growth Area.

Area E:

The area is located adjacent to Pacific Highway and east of Interstate 5. The larger portion of the area is zoned Light Impact Industrial and two smaller lots are zoned Rural (R2A). Topography is fairly flat. Some of the area is forest covered. Several intermittent drainage channels flow through the property into Bear Creek which feeds into Silver Creek watershed. There are some wetlands which serve as natural retention for the Silver Creek watershed. Uses include Olivine incinerator facility, Motor Trucks, a church, and CPS Allwaste. The City provides water to Olivine. Sewer service is not provided.

This area has been incorporated into the Pacific Highway North (Industrial/Commercial) Area (Map 4b) in Bellingham’s proposed Urban Growth Area. Identified as planning Area 2, this area has existing urban development, fronts on Interstate 5, and is adjacent to Pacific Highway, a major transportation corridor linking Bellingham’s northern industrial and commercial areas with urban areas further north.

Advantages/Disadvantages
1. Advantages

a. Inclusion of this area into the City's Urban Growth Area would enable the City to participate in the joint land-use planning for the area, and have greater control of development following annexation.

b. The area is located between two sections of the Urban Service Area Boundary (AO to the north and LII to the south).

c. Urban development is already established in the area.

d. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

e. Inclusion of this area, along with adjacent areas, would provide a more regular Urban Growth Area boundary.

2. Disadvantages

a. Increased demand on City facilities and services will require an upgrade in some existing City facilities and services.

Bellingham City Council Recommendation

This area should be included in Bellingham's Urban Growth Area as planning Area 2, Pacific Highway North (industrial/commercial) Area of the Marine Drive/Airport Analysis Area. (see MAP 4B) The recommendation is based in part on: 1) public testimony at the November 24, 1996 Public Hearing on Bellingham's Urban Growth Area; 2) analysis of Bellingham's industrial land supply; 3) a need for industrial zoned land in this area adjacent to three major transportation corridors; 4) proximity to Bellingham International Airport; 5) desire of some property owners with adjacent industrially zoned land; 6) larger parcels under one ownership; and 7) the City's SEIS analysis.

I-5/Guide Meridian Analysis Area

Four areas have been identified in the I-5/Guide Meridian Analysis Area for evaluation as possible areas for inclusion in Bellingham's Urban Growth Area. A description of the area, zoning, and existing services and uses are provided. Advantages and disadvantages to inclusion in Bellingham's Urban Growth Area are listed, followed by a specific recommendation from the Bellingham City Council.

Area F:

This area is located adjacent to the City's urban service area north of
Bellingham in the vicinity of Northwest Avenue and Aldrich Road. Larrabee Road forms part of its southern boundary. The area is adjacent to a portion of the Cordata Business Park PUD, scheduled for annexation to the City of Bellingham in 1997. The area is zoned Rural (R2A) and (R5A). The topography is generally flat to rolling hills, sloping in a south westerly direction. Dense forests and wet areas associated with Bear Creek and Silver Creek are found within the site. Characterized by single family residential development, some home occupations and small commercial businesses are along Northwest and Aldrich Roads. Water is provided in part by individual wells and the City of Bellingham. Fire District #8 serves the area.

**Advantages/Disadvantages**

1. Advantages
   
   a. Inclusion of this area into the City’s Urban Growth Area would enable the City to participate in the joint land use planning for the area.
   
   b. The area is adjacent to one of the City’s rapidly urbanizing areas, and has City water.
   
   c. Request by some property owners to be included in the City’s Urban Growth Area.
   
   d. Proposed extension of future Horton Road and construction of an east/west connector will provide better circulation for this area.
   
   e. There are some pockets of urban development already established in the area.
   
   f. Joint land use planning for the area will increase the effectiveness of interlocal agreements made for the area.
   
   g. Inclusion of some properties would provide a more regular boundary.
   
   h. City ordinances and enforcement may provide greater protection of the Bear Creek corridor, Silver Creek tributaries and associated wetlands.
   
   i. Inclusion of some property would increase the land supply for residential development.
   
   j. Recognition of ownership pattern would allow Foxglove Fields development on the dry land portion of their ownership.

2. Disadvantages
   
   a. Some property owners are opposed to inclusion in Bellingham’s Urban...
Growth Area:

b. Increased demand on existing City facilities and services will require an upgrade in some City facilities and services.

Bellingham City Council Recommendation

The R2A area should be included in Bellingham's Urban Growth Area as Area 2, Northwest Aldrich Residential Area of the I 5/Guide Meridian Analysis Area. (see MAP 8)

Area G:

This area is located north of the City, adjacent to the Urban Service Area, and is referred to for identification purposes as Cordata North. Smith Road is its northern boundary. The area is currently zoned Rural (R10A) which allows 1 dwelling unit per ten acres. The topography ranges from fairly flat to rolling hills. The area is primarily pasture land and has been used for commercial agricultural operations. The average parcel size is greater than ten acres and existing residential density is less than or equal to one dwelling unit per ten acres. The area has wetlands associated with Bear Creek and its tributaries which traverse and drain the site. The area is approximately 600 acres and is presently being farmed.

Advantages/Disadvantages

1. Advantages

a. Inclusion of this area in the City’s Urban Growth Area would enable the City to participate in the joint land-use planning for the area.

b. Sewer and water services could be extended to provide for development.

c. The area is under one ownership and is master-planned. A development proposal exists, which if reviewed and approved would provide additional land for residential development.

d. Request by the property owner to be included in the Urban Growth Area.

2. Disadvantages

a. The area is rural in character and is presently being farmed.

b. The City of Bellingham does not have services available to this area.

c. This land is less suitable for inclusion in Bellingham's Urban Growth Area at this time than some other areas evaluated in terms of distance to urban services and cost to provide the full range of urban services.
d.- Local opposition from adjacent rural property owners and residents to being part of Bellingham's urban growth area.

e.- Increased demand on existing City facilities and services would require new facilities and upgrading of existing facilities and services.

f.- Development constraints resulting from wetland systems on the property.

g.- Inclusion of this area in Bellingham's UGA would lead to an irregular boundary.

Bellingham City Council Recommendation

This area should not be included in Bellingham's Urban Growth Area. This area should be reconsidered during the periodic review in five years.

Area H:

This area is located north of the City, adjacent to the Urban Service Area and includes parcels on both sides of Guide Meridian in the vicinity of Kelly Road. The topography of the area is generally flat with some gently rolling hills. The area has both pastures and portions are forest-covered. Some wetlands and tributaries are associated with Spring Creek which traverses the area. Much of the area has been already cleared for development. The area is currently zoned Rural (R5A) allowing one dwelling unit per five acres. There are existing home occupations, cottage industries, and other businesses operating along Guide Meridian. Water service is provided by Deer Creek Water Association. Fire District #8 serves the area west of Guide Meridian, and Fire District #4 serves the area east of Guide Meridian.

The Bellingham City Council recommends this area be included in the city's Northern Urban Growth Area based in part on: 1) public testimony at the November 25, 1996 public hearing on Bellingham's Urban Growth Area; 2) analysis of Bellingham's vacant industrial land supply and projected demand; 3) the analysis in the city's SEIS; 4) existing mix of industrial and commercial uses in the area; 5) proximity to one of Bellingham's rapidly growing urban areas; 6) location of the area on a major transportation corridor; and 7) proximity to City utilities. The Expansion Area comprises approximately 242 acres, and is shown on Map 10, Guide Meridian/Mixed Use Area.

Advantages/Disadvantages

1.- Advantages
a. Inclusion of this area in the City’s Urban Growth Area would enable the City to participate in the joint land-use planning for the area.

b. The area is a gateway to Bellingham from the north and is an important area of influence for the City.

c. Increasing traffic volumes and congestion generated by Bellis Fair and adjacent commercial and industrial development along Guide Meridian has impacted this area. Because the Urban Service Boundary is irregular in this area, an opportunity exists to create a more regular boundary and limit urban sprawl and strip development patterns along Guide Meridian.

d. The area is adjacent to one of the City’s rapidly urbanizing areas.

e. Request by some property owners to be included in the City’s Urban Growth Area.

f. Proposed extension of an east/west connector would provide better circulation for this area. The City should participate in the planning of this facility and its intersection with Guide Meridian.

g. Some urban development is already established in the area.

h. Inclusion of property designed for industrial development meets identified need for developable industrially-zoned land.

i. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

j. City ordinances and enforcement may provide greater protection for Spring Creek and associated wetlands.

2. Disadvantages

a. Increased demand on existing City facilities and services would require some new facilities and upgrading of some existing facilities and services.

Bellingham City Council Recommendation

This area should be included in Bellingham’s Urban Growth Area as Area 2, Guide Meridian Mixed-Use Area of the I-5/Guide Meridian Analysis Area. (See Map 10).

Area 1:

This area is located northeast of the City, adjacent to the Urban Service Area, extending approximately 1700 feet east of Guide Meridian. Access to the
existing dwelling units is off Guide-Meridian at Kellogg and East Bakerview Road. The topography of the area is generally flat to rolling hills with slopes up to 15 percent. The area is generally rural in character with scattered single family residential development. The Calvary Temple Church property is located in this area. The area has both pasture and dense forested areas associated with the Spring Creek corridor. Spring Creek traverses part of the area and drains the area to the southwest. The area is currently zoned Rural (R5A) allowing one dwelling unit to five acres, and comprises approximately 229 acres.

This area includes the existing platted residential lots off of James Street north of East Bakerview Road, including Gooding Avenue, Frances Avenue, King Avenue, and Montgomery Road know as King Mountain. The area also includes the area west of James Street to the Calvary Temple property. The area provides a forested backdrop for the City of Bellingham and view lots for residential development. The area is currently zoned RR2 and R5A. The terrain is hilly with some slopes ranging from 15% to 40%. A portion of King Mountain. The extension of Kellogg Road through this area has been identified as a needed improvement to link Bellingham’s regional retail/commercial area with James Street and areas east. The City of Bellingham took over former Water District #9 and currently provides water to the area. Fire District #4 serves the area. A fire station is located at the southwest corner of James Street and East Bakerview Road.

This expansion area has been enlarged to include property at the crest of King Mountain, and property east of James Street and north of East Bakerview Road, based in part on: 1) analysis of Bellingham’s land supply; 2) existing urban residential development in the area; 3) existing utilities; 4) a need to improve transportation circulation in the area, and 5) desire for a more even and logical Urban Growth Area.

Advantages/Disadvantages

1. Advantages

   a. The area is within Bellingham’s sphere of influence and adjoins a rapidly growing commercial, industrial and high density residential area of the City. Increasing traffic volumes and congestion generated by Bellis Fair and adjacent commercial and industrial development along Guide Meridian impacts this area.

   b. Request by some property owners to be included in the City’s Urban Growth Area.

   c. Proposed extension of Kellogg Road to James Street would provide better circulation for the area and larger vicinity, and would be partially provided by the Calvary Temple Church.
d. The area has pockets of urban development close to employment centers at Kellogg Road, Meridian Street, and Bakerview/Hannegan industrial.

e. Inclusion would provide a more regular boundary.

f. City ordinances and enforcement may provide greater protection for the Spring Creek and associated wetlands and environmentally sensitive areas.

g. An opportunity exists to provide park land and open space between two developed areas.

h. Water is provided by the City of Bellingham.

i. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

j. Request by some property owners to be included in the City's Urban Growth Area.

2. Disadvantages

a. Increased demand on existing City facilities and services would require some new facilities and upgrading of some existing facilities and services.

Bellingham City Council Recommendation

This area should be included in Bellingham's Urban Growth Area as Area 1, King Mountain Residential Area which is situated in both the I-5/Guide Meridian and Squalicum Creek Analysis Areas. (see MAP 12).

Squalicum Creek Analysis Area

Five areas have been identified in the Squalicum Creek Analysis Area for evaluation as possible areas for inclusion in Bellingham's Urban Growth Area. A description of the area, zoning, and existing services and uses are provided. Advantages and disadvantages to inclusion in Bellingham's Urban Growth Area are listed, followed by a specific recommendation.

Area 3.

This area is located on both sides of Hannegan Road north of the existing Urban Service Area boundary in the vicinity of the Mount Baker Motor Cycle Club. The terrain is generally flat adjacent to Hannegan Road and has been cleared. Baker Creek traverses the area. Queen Mountain lies to the northwest of the area. The area is currently zoned R5A. The East Bakerview/Hannegan Industrial site is to the south of this area and is zoned for general manufacturing and light impact industrial uses.
Bellingham City Council is recommending inclusion of this area in the city's Northern Urban Growth Area based in part on: 1) public testimony at the November 24, 1996 public hearing on Bellingham's Urban Growth Area; 2) an analysis of Bellingham's industrial land supply; 3) an analysis of this area in the city's SEIS; 4) proximity to existing industrially zoned areas and development in the adjacent area; 5) location of the area on two major transportation corridors (i.e. Hannegan and Bakerview Roads); and 6) proximity to City utilities. The Expansion Area comprises approximately 200 acres, and is identified as Area 5, on Map 14, Bakerview/Hannegan Industrial Area.

Advantages/Disadvantages

1. Advantages

a. Inclusion of this area in the City's Urban Growth Area would enable the City to participate in the joint land use planning for the area.

b. Joint land use planning for the area would increase the effectiveness of interlocal agreements made for the area.

c. This area could provide additional land for industrial development and expansion of adjacent industrial uses.

d. Existing urban development in the area.

e. Request by some property owners to be included in the Urban Growth Area.

f. City ordinances and enforcement may provide greater protection for the Spring Creek and associated wetlands and environmentally sensitive areas.

2. Disadvantages

a. Increased demand on existing City facilities and services would require some new facilities and upgrading of some existing facilities and services.

b. Inclusion of properties adjacent to Hannegan would create a somewhat irregular Urban Growth Area Boundary.

Bellingham City Council Recommendation

This area should be included in Bellingham’s Urban Growth at this time.
Area L

This area is located north of Dewey Valley Road and within the Urban Service Area. The terrain is generally flat along Mount Baker Highway, but drops off with slopes ranging from 0 to 15% toward the northwest. Pastures, forested areas, and some wetlands are associated with Squalicum Creek tributaries and Toad Creek. The area is generally rural in the valley with low-density single-family development. Some of the area is urban in character adjacent to the ridge along Mount Baker Highway.

Questions have been raised regarding the appropriateness of keeping the Dewey Valley in Bellingham's Urban Growth Area. There are some advantages for retaining this area in Bellingham's Urban Growth Area and some disadvantages. Two options are recommended for consideration:

Advantages/Disadvantages

1. Advantages

a. Inclusion of this area in the City's Urban Growth Area would enable the City to continue to participate in the joint land-use planning for the area.

b. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

c. Some areas are characterized by urban development along Mount Baker Highway and are close to employment centers at Bakerview/Hannegan industrial and Sunset Mall.

d. The area provides an opportunity for open space planning.

e. Water is provided by the City of Bellingham along Mount Baker Highway.

f. Exclusion of this area would provide more support for adding other areas that are more suitable for urban development and easier to serve.

2. Disadvantages

a. Urban development would be inconsistent with existing rural pattern of development and character of the area.

b. Increased demand on existing City facilities and services would require an upgrade in some existing City facilities and services.

Bellingham City Council Recommendation

Retain the area in Bellingham's Urban Growth Area at the existing zoning designation and density, and provide development standards to protect the
sensitive environmental areas in the valley, including requiring clustering and setbacks from creeks.

**Area M:**

This area is located at the intersection of Mount Baker Highway and Britton Road in the vicinity of the BPA transmission lines. This area is approximately 18 acres and is zoned Rural-5A. Much of the area has been cleared and some commercial, industrial and non-conforming development exists.

**Advantages/Disadvantages**

1. **Advantages**

a. Inclusion of the entire intersection of Mount Baker Highway and Britton Road in the Urban Growth Area and the rezone to Neighborhood Commercial would allow the City to participate in the joint planning of the area.

b. It may be appropriate to recognize existing development in the area through inclusion of the area in Bellingham's Northern Urban Growth Area.

c. The area may be appropriate for a neighborhood-commercial development to serve a growing residential area and high school population.

d. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

e. Water is provided by the City of Bellingham along Mount Baker Highway.

f. Request by some property owners to be included in Bellingham's Urban Growth Area as commercial.

2. **Disadvantages**

a. Increased demand on existing City facilities and services will require an upgrade in some existing City facilities and services.

b. Increased traffic impacts at the intersection of Mount Baker Highway and Britton Road.

**Bellingham City Council Recommendation**
This area should be included in the Urban Growth Area as **Area 1, Britton/Baker Residential Area** of the Squalicum Creek Analysis Area. *(See Map 16)*

**Area N:**

This area is located northeast of the Urban Service Area boundary in the vicinity of Emerald (Toad) Lake. Toad Lake is situated on the northwest slope of Squalicum Mountain and has grades of 45%. The area is characterized by steep slopes facing west and ranging from 15% to over 40%. Much of the area is densely forested. About 200 acres in the westerly portion of this area are accessed from Emerald Lake Road at Britton Road. The southeastern portion of the area is accessed from Toad Lake Road. Toad Lake Creek drains the area. Low density single family residential development characterizes this area, with a mix of vacation cabins, mobile homes and what appears to be assorted non-conforming structures in the immediate vicinity of the lake. Soils are generally not suitable for septic systems.

As part of the Bellingham’s 1994 Final Environmental Impact Statement on the City’s 20-year growth alternatives, this area was evaluated for possible inclusion in Bellingham’s Northern Urban Growth Area. Because of its steep slopes, narrow winding roads, and access constraints for fire and police protection vehicles; the City Council’s recommendation is to leave this area in the county and not include it in Bellingham’s Urban Growth Area. Development capacity of the area does not support the cost of new facilities and services.

**Advantages/Disadvantages**

1. **Advantages**

   a. Inclusion of this area in the City’s Urban Growth Area would enable the City to participate in the joint land-use planning for the area.

   b. Joint land-use planning for the area would increase the effectiveness of interlocal agreements made for the area.

   c. The area provides an opportunity for open space planning.

2. **Disadvantages**

   a. Urban development would be inconsistent with existing rural pattern of development and character of the area.

   b. Increased demand on existing City facilities and services will require an upgrade in some existing City facilities and services. Development capacity of the area does not support the cost of new facilities and services.
c.—Development is separated by terrain from major urban development centers.

d.—Growth is not anticipated to occur in this area.

e.—Fire and police service constraints resulting from inadequate facilities, distances from existing facilities and roadways in the area.

**Bellingham City Council Recommendation**

This area should be included in Bellingham’s Five-Year Review.

**VIII. Five-Year Periodic Review**

In order to assure sufficient flexibility in Bellingham’s Northern Urban Growth Area, and to respond to land supply and demand changes, the City and Whatcom County should review certain areas identified in this plan on a priority basis. At such time that a need for more land is justified by updated land supply, demand studies, and other planning criteria, including: changed conditions, availability and capacity of urban services, including sewer, water, and other infrastructure, transportation systems, land use and ownership patterns, property owner requests, environmental opportunities, and others, these areas would be considered.

Four areas have been identified for consideration during Bellingham’s Five-Year Periodic Review. These areas, shown on Map 19, have a number of factors in common, including:

- These areas are adjacent to the existing Urban Service Area and recommended Urban Growth Area.

- These areas are within a larger urbanizing area or influence area.

- Environmental opportunities may exist for park and trail development.

- Some of these areas already have City water.

- Some of the property owners have requested to be included in the Urban Growth Area or to be zoned for urban development.

- Conditions around these areas may change during the next five years in such a way as to contribute to their potential designations within Bellingham’s Urban Growth Area.

- These areas have the capacity for logical expansion of existing or similar neighboring land uses.
Rationale: The GMA requires a county-wide review of all UGAs every eight years. The last review was completed in 2016 and the next review will be conducted by 2024. Additionally, UGA Reserves are now the areas slated for future consideration for UGA status. These areas are shown on the Whatcom County Comprehensive Plan map on a county-wide basis.

IX. Comprehensive Plan Amendments

The Urban Fringe Subarea Plan is a policy document that is used to guide the land use decisions affecting both the private and public sectors of the subarea. For the plan to function as an effective decision-making document, it must be flexible enough to weather changes in public attitudes, developmental technologies, economic forces, and legislative policy.

The plan envisions two general types of plan amendments, which will be conducted in accordance with the County’s Public Participation Plan. The first type is a review conducted every eighty-five years. The GMA requires a periodic review of comprehensive plans every eight years to ensure that, among other things, UGAs have sufficient area and densities to accommodate the projected urban growth over the 20-year planning period. In association with this periodic review, new population and employment growth projections are formulated, a land capacity analysis is conducted, capital facility plans are updated, and UGA boundaries are reviewed. During the eight year review, the City of Bellingham issues recommendations on whether or not to expand the UGA. The County Council adopts updates to the Whatcom County Comprehensive Plan, including any changes to the UGA boundaries. The Urban Fringe Subarea Plan text, goals, and policies may be updated concurrent with or after the Whatcom County Comprehensive Plan update. This Periodic Review should re-examine the land use plan, including a re-evaluation of goals; updates of land-related elements; the reaffirmation of land use policies; proposals, and neighborhood planning areas within Bellingham’s Urban Growth Area; land supply and demand analysis; and consideration of urban development needs. It is the responsibility of both the Bellingham and Whatcom County Planning Commissions and Planning staff as well as the people of the subarea to initiate and participate in such a review.

To assure sufficient flexibility in the urban growth area and to respond to land supply and demand changes, the City of Bellingham and Whatcom County shall review certain areas identified in this plan on a priority basis. These “priority areas” shall receive first consideration for inclusion in Bellingham’s Urban Growth Area when a need for more land is justified by updated land supply and demand studies.

The second type of amendment is that proposed and initiated by private property owners. The land uses illustrated on the Land Use Plan Map are the result of the application of the plan’s goals and policies.
However, it is reasonable to assume that private property owners may introduce land use proposals that conflict with the plan map or policies of the plan itself. In such instances, an individual or agency may propose an amendment to the plan. Private applications for petitions for amendment of the Comprehensive Plan amendments addressed to either the Whatcom County Planning Commission or the County Council shall be processed in accordance with the procedures in the Whatcom County Code, statutory procedure for adoption or amendment of comprehensive plans. Plan amendments proposed initiated by either the public or private sector which would alter or expand the Bellingham UGA Urban Growth Area for the City of Bellingham shall require an amendment to the Whatcom County Comprehensive Plan and are reviewed by both the City of Bellingham and Whatcom County. The Bellingham City Council will issue a recommendation prior to a final decision by the Whatcom County Council, jointly processed by Bellingham and Whatcom County Planning Departments, Planning Commissions, and Councils.

Individual applications for Comprehensive Plan amendments, rezones, and zoning text amendments shall be made in writing in accordance with forms supplied by Whatcom County. Applications shall be accompanied by an Environmental Checklist pursuant to the Washington State Environmental Policy Act (SEPA) and Whatcom County SEPA rules; appropriate fees as specified in the Whatcom County Fee Ordinance; maps and property information as specified on the application forms; and the names and addresses of the owners of property within 300 feet of the proposed amendment.

The steps in processing an amendment are: 1. schedule a Planning Commission public hearing; 2. publish legal notice in local newspaper at least 10 days before the hearing, mail notice to surrounding property owners, and post notice on the property at least 12 days before the hearing; 3. Planning staff report and recommendation to Planning Commission, approximately one week before the hearing; 3. Planning Commission public hearing; 4. Planning Commission recommendation forwarded to County Council; and 5. final Council action.

Rationale: Comprehensive Plan and rezone procedures are set forth in the Whatcom County Code and Public Participation Plan.

All proposed amendments to the plan, plan map, and implementing zoning maps and regulations shall conform to the following criteria:

1. The amendment request shall conform with applicable Washington State laws governing Comprehensive Plan amendments.

2. The amendment request shall conform with the goals of the subarea plan.
3. The amendment request shall be consistent with the policies of this plan, the County-wide Planning Policies and the policies of the other elements and components of the Whatcom County Comprehensive Plan.

4. The amendment request shall be compatible with the existing and planned surrounding land uses.

5. The amendment request shall not result in unmitigated detrimental impacts to existing transportation systems.

6. The amendment request shall not place uncompensated burdens upon existing or planned service capabilities.

7. The amendment request shall demonstrate a land use need which is currently not met by this plan.

8. The proponents of a rezone have the burden of proving that conditions supporting the existing zoning have substantially changed since the original zoning or most recent amendment; or that there was an error of fact made in the existing zoning designation.

9. A proposed rezone must bear a substantial relationship to the general welfare of the community.

10.1. A site-specific rezone that grants a discriminatory benefit to one group to the detriment of its neighbors or community at large must provide sufficient public advantage to outweigh said detriment.

Rationale: Approval criteria are set forth in the Whatcom County Code.

X. Implementation and Action Plan

The policies in this Plan are implemented by the Whatcom County Zoning Code and maps prior to annexation. After annexation, City of Bellingham Comprehensive Plan policies and regulations will apply. Recommended zoning are intended to work toward consistency with achieving county-wide land use planning goals and the particular issues which surfaced during the planning process for the Urban Fringe Subarea. Some of the policies, however, need to be implemented by other means if the area is to develop in the manner desired. Also, there are some processes under way which will not be completed before the update of this plan. This Action Plan provides an opportunity to respond to the results of those processes without the necessity to completely revise the comprehensive plan. For example, the Guide Meridian corridor is presently under study. The results of that study may indicate the need for some changes in the Guide Meridian Improvement Plan and a
need for design standards and performance-driven zoning along some parts of
the Guide in the Subarea.

This section proposes activities which should be pursued by the public and
private sectors no later than two years following the adoption of this
comprehensive plan update:

1. **Re-Negotiate and Update the Interlocal Agreement Between
Bellingham and Whatcom County**

Following the 1984 adoption of the Urban Fringe Subarea Comprehensive
Plan, Bellingham and Whatcom County entered into an interlocal agreement
in 1985. This was a constructive move toward addressing issues of timing and
requirements for urban service and annexation in the designated Urban
Reserve area as well as intergovernmental coordination in processing
development permits. As part of the requirement for interlocal cooperation
established in the Washington State Growth Management Act, Whatcom
County anticipates adoption of general interlocal agreements between the
County and the incorporated cities prior to adoption of this plan update.
Any needed fine-tuning revisions should be undertaken within one year after
adoption of the plan. The revised Interlocal Agreement will address such issues
as balancing City and County revenues and expenditures when considering
annexations, dealing with impacts of annexations on special district
governments, coordinating city/county development and design standards for
projects that will be processed without requiring annexation and the timing and
phasing of future annexations.

**Rationale:** The interlocal agreement between Whatcom County and the
City of Bellingham was updated in 2012. It is effective through the
year 2022. Whatcom County Comprehensive Plan Policy 2U-5
addresses reviewing and updating the interlocal.

2. **Design Standards**

An issue that keeps coming up in the Urban Fringe Subarea is the lack of
development design standards that deal with the appearance of commercial
and industrial areas. The Guide Meridian corridor is a highly visible entrance
to both Whatcom County and Bellingham and as such has a responsibility for
creating a favorable first impression of our community. Consideration should
be given to creating a design overlay district in this and possibly other
areas where appearance is of importance to the economic vitality and
future livability of the community.

**Rationale:** Only Light Impact Industrial zoning remains along the Guide
Meridian in the Bellingham UGA (outside city limits). There is a pending
annexation of this area. The City of Bellingham does not currently have
design standards for industrial zones.
3. **Guide Meridian Improvement Plan**

The Guide Meridian Improvement Plan was adopted in 1985 and is both a component of the Urban Fringe Subarea Comprehensive Plan and a land use regulation for a special district. Its purpose is to assure that traffic concerns are adequately considered as development occurs in this corridor and as the State of Washington continues its program of upgrading this State highway. The plan originally applied to an area approximately one-eighth mile wide between the Bellingham City Limits and approximately one-eighth mile north of Horton Road. The need for updating this document stems from several sources. The City of Bellingham has annexed most of the affected area on the west side of Guide Meridian. Implementation of the Plan on a site by site basis has been inconsistent, varying with County permit administration staff. Also, development has proceeded at an accelerated pace in this area and traffic safety and congestion continue to be concerns. The Plan originally projected certain traffic volumes for the corridor to the year 1995. The traffic volume projected for 1995 was actually exceeded in 1992. The Whatcom county Council of Governments is presently coordinating a land use and access study of the Guide Meridian corridor in conjunction with Bellingham, Whatcom County and the Washington State Department of Transportation. Recommendations concerning future land use and access should be incorporated into any update of the Guide Meridian Improvement Plan.

**Rationale:** The majority of the area covered by the Guide Meridian Improvement Plan (all but about 10 acres) has been annexed by the City of Bellingham. The Guide Meridian Improvement Plan was repealed in 2016 (Ordinance 2016-035).

4. **Creative Development Techniques**

There are various alternatives for development regulations that have not been fully utilized by Whatcom County or Bellingham. These alternatives are generally intended to provide greater flexibility in land use than conventional zoning while at the same time preserving property rights, speeding up the permitting process, assuring environmental protection, and maintaining a liveable community. Creative techniques include such things as residential cluster options, planned unit developments, special area plans, performance zoning, and transferable development rights. In order to fully address the land use issues affecting the subarea and to fully implement the comprehensive plan, consideration needs to be given to using some or all of these techniques.

**Rationale:** Some of these techniques already exist in the Whatcom County Zoning Ordinance. Others may not be applicable because urban density residential development typically occurs after annexation, when public water and sewer are provided.
5. **Plan Revisions in Response to the Whatcom County Comprehensive Plan Process and the Designation of Urban Growth Areas**

As the Whatcom County Comprehensive Plan process is completed, revisions to the policies and designations in the portion of the subarea designated for rural and agricultural land uses may be indicated. Also, the subarea plan may need to be adjusted to reflect the designation of urban growth areas.

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**Rationale:** The Whatcom County Comprehensive Plan update process was completed in 2016. The Comprehensive Plan now states "... The next Urban Fringe Plan update will only include the Bellingham UGA..." (p. 2-24). Therefore, the Rural and Agricultural areas around the UGA will no longer be addressed in the Urban Fringe Subarea Plan. There were no changes to the UGA in the 2016 Update.
Exhibit B
Whatcom County Comprehensive Plan Amendments

Amend the Bellingham Urban Growth Area section of the Whatcom County Comprehensive Plan as follows:

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.

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. 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 Bellingham UGA.

Urban Fringe Subarea Plan

The Whatcom County Comprehensive Plan, along with the Urban Fringe Subarea UFS Plan, provides the policy framework for addressing the impacts and opportunities of growth in Bellingham’s UGA. Together, these plans address 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. They 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. Urban Fringe Subarea 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.

Goal 2U: Evaluate every eight years or as necessary Bellingham’s Urban Growth Area to determine if the UGA is sufficient in size to accommodate twenty year growth projections, provide an adequate supply of affordable housing, industrial, commercial and recreational development and recognize historical development patterns and commitments for service.
Policy 2U-1: Consider new data, research and public participation when conducting the UGA review.

Policy 2U-2: Periodically update procedures for joint city/county review of development proposals in the UGA prior to annexation.

Policy 2U-3: Work with Bellingham to identify and establish a system of neighborhood parks, greenbelts and open space to serve the urban growth area as it develops.

Policy 2U-4: Review land supply analysis and consider appropriate urban growth area boundaries consistent with the Growth Management Act and Countywide Planning Policies.

Policy 2U-5: Review and update the interlocal agreement with Bellingham, prior to expiration of the current interlocal agreement, 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: 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-10: 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.

Amend the Urban Growth Area Reserve section of the Whatcom County Comprehensive Plan as follows:

**Bellingham Urban Area**

The south Yew St. and the south Caitac areas have been designated as Urban Growth Area Reserves. Prior to redesignating 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 redesignating 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. **UGA Reserve areas should retain rural zoning until such time the unincorporated area is placed in the UGA.**
Exhibit C
Whatcom County Zoning Code Amendments

Urban Residential Medium Density (URM) District

Amend the URM District (WCC 20.22) as follows:

20.22.012 Transferable development rights overlay.

In the Urban Fringe Subarea, this district serves as a zoning overlay for the purpose of designating a receiving area for transfer of development rights credits pursuant to Chapter 20.89 WCC. (Ord. 2004-021 § 1, 2004).

Rationale: TDR receiving areas are addressed in 20.22.669 below.

20.22.665 Bellingham Urban Growth Area.

(1) The city of Bellingham's design and development standards and guidelines and impact fee ordinances shall apply to all development in the Bellingham Urban Growth Area.

Rationale: The County would have to conduct the analysis, and adopt an ordinance, as required by RCW 82.02.050-.110 prior to imposing impact fees in the URM zone. Additionally, the City of Bellingham generally does not extend public water and sewer outside city limits. Therefore, urban density residential development typically does not occur until after annexation.

2) Areas designated in the Urban Fringe Subarea Plan for provisional rezone to UR with density as high as 24 units per acre may be developed when all of the following occur:

(a) Property owner(s) shall prepare a site plan showing the design and layout of proposed lots, multifamily structures, road and pedestrian connections to adjacent parcels, delineated wetlands, and protected critical areas, buffers and open space.

(b) Property owner(s) shall purchase or transfer sufficient development rights from the Lake Whatcom watershed to achieve the requested density increase, based on the TDR ratios established in the Whatcom County Code.

(c) Property owner(s) shall comply with city of Bellingham development standards, residential multifamily design standards, and any other conditions imposed by the city of Bellingham through approved utility service zone extension agreements.
(d) Property owner(s) shall apply to the county for a site-specific rezone pursuant to Chapter 20.90 WCC in conjunction with submittal of a subdivision or binding site plan application for the subject parcel or parcels. (Ord. 2004-021 § 1, 2004).

Rationale: There are no areas designated for “provisional rezone” in the Urban Fringe Subarea. Therefore, the provisions above can be deleted.

20.22.669 Transfer of residential development rights.

Areas designated in the Comprehensive Plan and assigned to The URM-24 zoning districts in the Urban Fringe Subarea, are considered receiving areas for transfer of development rights from the Lake Whatcom watershed sending area. (Ord. 2004-021 § 1, 2004).

Rationale: The only URM24 zone in the County is in the Birch Bay UGA (there are none in the Urban Fringe Subarea). Pursuant to WCC 20.89.052(2), development rights from any sending area may be transferred to receiving areas in Birch Bay.
Urban Residential Mixed (UR-MX) District

Amend the UR-MX District (WCC 20.24) as follows:

20.24.050 Permitted uses

.052 Single-family attached dwellings; provided, that public sewer, water and, where identified by the appropriate Comprehensive Plan policies, stormwater collection and detention facilities serve the site, not more than four units are attached, and the number of dwelling units conforms to the density requirements of the district. However, additional multifamily development shall not be allowed within the UR-MX Zones identified on Map 2 of the Urban Fringe Subarea Comprehensive Plan.

Rationale: According to the County Zoning Code definitions, “Single-family attached dwelling” means a group of two or more single-family dwelling units, each on a separate lot of record, which are joined to one another by a common party wall, but having separate outside entrances, and for the purposes of this code include townhouses (WCC 20.97.421, underlining added). Additionally, “Multifamily development” means two or more dwelling units on one lot except as provided in WCC 20.40.103 for agricultural housing (WCC 20.97.265, underlining added). Single family attached dwellings are defined differently than multifamily development, and there is no overlap between the two. Therefore, it is unnecessary to state that multifamily developments are prohibited (in a certain area) in a section of the code that does not address multifamily dwellings in the first place. Additionally, there is already a prohibition on multifamily dwellings in this area in WCC 20.24.132(3)).

20.24.130 Administrative approval uses.

.132 Duplex and multifamily dwellings subject to the following limitations and the developer has conducted at least one neighborhood meeting prior to application for the purpose of hearing neighborhood concerns and suggestions regarding the proposal. Where being developed in an existing neighborhood characterized by residential development at densities of one dwelling per acre or greater, the uses listed in this section shall be administered as conditional uses rather than administrative approval uses; and are subject to the same criteria, requirements, bonuses and restrictions as if they were administrative approval uses:

(1) Duplex and multifamily dwelling units do not comprise more than 25 percent of the total dwelling units allowed for the entire site.

(2) Duplex and multifamily dwelling units are constructed at the same time as, or after, at least 50 percent of the single-family units in an approved development.

(3) Multifamily development shall not be allowed within the UR-MX Zones located southeast of the Bellingham International Airport identified on Map 2, Bennett Drive Residential Area of the Urban Fringe Subarea Comprehensive Plan.
Rationale: Map 2, which included the Bennett Dr. area southeast of the Airport, is proposed for deletion from the Urban Fringe Subarea Plan. Therefore, a written description of this area has been inserted above.

20.24.653 Bellingham Urban Growth Area.

In the Bellingham Urban Growth Area, the city of Bellingham’s design and development standards and guidelines and impact fees shall apply. (Ord. 2004-021 § 1, 2004; Ord. 2001-023 § 1, 2001; Ord. 97-046 § 2, 1997).

Rationale: The County would have to conduct the analysis, and adopt an ordinance, as required by RCW 82.02.050-.110 prior to imposing impact fees in the UR-MX zone. Additionally, the City of Bellingham generally does not extend public water and sewer outside city limits. Therefore, urban density residential development typically does not occur until after annexation.

20.24.700 Transfer of residential development rights.

.710 Areas designated in the Comprehensive Plan and assigned a The UR-MX Zone Districts, with the exception of the UR-MX District located southeast of the Bellingham International Airport, Bennett Drive Residential Area designated on Map 2 of the Urban Fringe Subarea Plan, are considered receiving areas for transfer of development rights from any sending area or base zone which has been established as linked to these areas. (Ord. 2016-035 § 1 (Exh. A), 2016; Ord. 2004-021 § 1, 2004; Ord. 2001-023 § 1, 2001; Ord. 98-083 Exh. A § 66, 1998; Ord. 97-046 § 2, 1997).

Rationale: Map 2, which depicted the Bennett Dr. area southeast of the Airport, is proposed for deletion from the Urban Fringe Subarea Plan. Therefore, a written description of this area has been inserted above. Additionally, the only UR-MX zoning districts in existence at the current time are located within the Bellingham UGA. Pursuant to WCC 20.89.052(1), only development rights from the Lake Whatcom watershed may be transferred to the Bellingham UGA.
**Gateway Industrial (GI) District**

Amend the “Permitted Uses” section of the Gateway Industrial District (WCC 20.65.050) as follows:

.055 The following uses within one-quarter mile of a freeway interchange; except, that where this boundary divides a single parcel up to 10 percent of the area of a parcel that lies outside of this boundary may be included within it for the purposes of lot coverage and open space provisions:

(1) Retail shops; provided, they do not exceed 10,000 square feet per shop in the Bellingham UGA Gateway Industrial District west of Interstate 5 and north of Airport Way, and west of Bennett Drive and south of Airport Way, shown on Map 3 of the Urban Fringe Subarea Plan (Planning Areas 1 and 2, identified on Map 6 of the 1997 Urban Fringe Subarea Plan). Retail shops in other Gateway Industrial areas shown on that map may not exceed 35,000 square feet per retail shop.

(2) Tourist information centers.

(3) Post offices.

(4) Repair garages, and towing services when based at a service station.

(5) Banks and/or bank machines.

(6) Hotels and motels.

(7) Indoor or outdoor commercial recreational facilities.

Rationale: There is only one Gateway Industrial zoning district remaining in the Bellingham UGA, so it is not necessary to describe the location of this district.

**20.65.400 Height limitations.**

Maximum building height shall not exceed 35 feet; except, that an additional foot in height is allowed for each one-foot increase in setback in the yard adjoining the interstate highway up to 45 feet in the Bellingham Urban Growth Area Gateway Industrial areas designated on Map 3 of the Urban Fringe Subarea. Height of structures, where applicable, shall also conform to the general requirements of WCC 20.80.675. (Ord. 2016-035 § 1 (Exh. A), 2016; Ord. 2013-057 § 1 (Exh. A), 2013; Ord. 99-040 § 1, 1999; Ord. 99-033 § 1, 1999).

Rationale: There is only one Gateway Industrial zoning district remaining in the Bellingham UGA, so it is not necessary to describe the location of this district.
20.65.450 Site design.

Within the Gateway Industrial areas, designated on Map 3 of the Urban Fringe Subarea Plan, in the Bellingham UGA, individual sites shall be designed in a clustered or concentrated form of development instead of lining the road frontage. (Ord. 2016-035 § 1 (Exh. A), 2016; Ord. 99-040 § 1, 1999).

Rationale: There is only one Gateway Industrial zoning district remaining in the Bellingham UGA, so it is not necessary to describe the location of this district.

20.65.550 Buffer area.

When a parcel situated within this district adjoins an Urban Residential, Urban Residential Medium Density, Rural or Residential Rural District, side and rear yard setbacks shall be increased to 25 feet. In the Bellingham UGA, Gateway Industrial District west of Interstate 5 and south of Airport Way, and west of Bennett Drive and less than 470 feet north of Airport Way, shown on Map 3 of the Urban Fringe Subarea Plan (Planning Areas 2 and 3, identified on Map 6 of the 1997 Urban Fringe Subarea Plan), buffer areas shall be increased to 100 feet for commercial or industrial projects which exceed 5,000 square feet of floor area in one building or complex or generate more than 50 vehicle trips per day. Said area shall be landscaped consistent with the requirements of WCC 20.80.345. Use of buffer areas and setbacks for bicycle and pedestrian trails is encouraged. (Ord. 2016-035 § 1 (Exh. A), 2016; Ord. 99-040 § 1, 1999; Ord. 99-033 § 1, 1999; Ord. 89-117, 1989).

Rationale: There are no County Urban Residential, Rural, or Residential Rural zoning districts adjacent to the Gateway Industrial zoning district. There is only one Gateway Industrial zoning district remaining in the Bellingham UGA, so it is not necessary to describe the location of this district.
Light Impact Industrial (LII) District

Amend the “Administrative approval uses” section of the Light Impact Industrial District (WCC 20.66.130) as follows:

.131 An adult business enclosed within a building, when located in a city’s urban growth area; provided, that:

(1) The building that contains the adult business and signs relating to the business are not within 1,000 feet of any of the following:

(a) The outside boundary of any parcel that already contains a public school, private school, or day care;
(b) The outside boundary of any parcel that already contains a church or other house of worship;
(c) An existing public park;
(d) The outside boundary of any parcel that already contains a public library;
(e) A residential or rural zoning district (including Urban Residential, Urban Residential Medium Density, Urban Residential-Mixed, Residential Rural, Rural one dwelling/two acres, Rural one dwelling/five acres, and Rural one dwelling/10 acres and residential zones within the city limits);
(f) Interstate 5 or a state highway; or
(g) The outside boundary of any parcel that already contains another adult business.

(2) Directional signs permitted under WCC 20.80.470 are not subject to the 1,000-foot buffer of subsection (1) of this section.

(3) Adult businesses are prohibited within the Light Impact Industrial Zone located southeast of the Bellingham International Airport and north of Alderwood Avenue, shown on Map 3 of the Urban Fringe Subarea Plan.

(4) An adult business shall not sell, provide or allow performances, films, publications, or other activities that are prohibited by state law or county ordinance.

(5) Planning and development services shall send a notice of the proposal to all owners of property within 1,000 feet of the external boundaries of the subject property at least 15 calendar days prior to the decision date. Public notice shall be published in the newspaper of record at least five calendar days prior to the decision date. This is in addition to the requirement of WCC 20.84.235(2). (Ord. 2016-035 § 1 (Exh. A), 2016; Ord. 2001-038 § 2, 2001).

Rationale: There is only one Light Impact Industrial district in the Bellingham UGA that is both southeast of the airport and north of Alderwood Ave. Therefore, it is not necessary to refer to a map (which is proposed for deletion).
Amend the “Prohibited uses” section of the Light Impact Industrial District (WCC 20.66.200) as follows:

.203 In the Bellingham Urban Growth Area Urban Fringe Subarea the following uses are prohibited: petroleum refinery and the primary manufacturing of products thereof, primary manufacturing and processing of rubber, plastics, chemicals, paper, asbestos and products derived thereof, and primary metal industries. (Ord. 2016-011 § 1 (Exh. L), 2016; Ord. 99-078, 1999; Ord. 99-070 § 2, 1999).

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this prohibition applies.

Amend the “Performance standards” section of the Light Impact Industrial District (WCC 20.66.700) as follows:

20.66.708 Appearance.

New facilities developed in the Bellingham Urban Growth Area Urban Fringe Subarea shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and such uses shall not change the essential character of the same area. (Ord. 99-078, 1999).

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this regulation applies.
**Heavy Impact Industrial (HII) District**

Amend the “Permitted uses” section of the Heavy Impact Industrial District (WCC 20.68.050) as follows:

.064 Uses allowed in the Light Impact Industrial Zone as permitted uses, WCC 20.66.100, shall be permitted outright within the Heavy Impact Industrial District in the Bellingham UGA shown on Map 1 of the Urban Fringe Subarea Plan.

Rationale: There are three Heavy Impact Industrial zoning districts in the Bellingham UGA, all of which are shown on Map 1 (which is proposed for deletion). Therefore, it is not necessary to describe the location of this district using a map.

Amend the “Conditional uses” section of the Heavy Impact Industrial District (WCC 20.68.150) as follows:

.152 Uses allowed in the Light Impact Industrial zone as permitted uses, WCC 20.66.100, subject to the following:

1. Outside of the Bellingham Urban Growth Area Urban Fringe Subarea, approval shall be supported by a finding by the hearing examiner that allowing the use will not limit the supply of land available to meet the demand for future heavy industrial uses.

2. Filing of a deed restriction acknowledging that heavy industrial uses are the preferred uses in the zone and agreeing not to protest proposed heavy industrial uses allowed in the zone in accordance with Chapter 20.68 WCC, and to refrain from legal action against any heavy industrial use in compliance with the regulations of WCC Title 20 and any conditions of approval which might have been proposed.

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this regulation applies.

Amend the “Prohibited uses” section of the Heavy Impact Industrial District (WCC 20.68.200) as follows:

.203 In the Bellingham Urban Growth Area Urban Fringe Subarea the following uses are prohibited: petroleum refinery and the primary manufacturing of products thereof, primary manufacturing and processing of rubber, plastics, chemicals, paper, asbestos and products derived thereof; and primary metal industries. (Ord. 2016-011 § 1 (Exh. L), 2016; Ord. 99-078, 1999; Ord. 99-070 § 2, 1999; Ord. 91-075, 1991).

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this regulation applies.
Amend the “Buffer area” section of the Heavy Impact Industrial District (WCC 20.68.550) as follows:

.552 To implement the buffer requirements of this district, minimum setbacks for heavy industrial buildings and accessory structures shall be established consistent with the following options:

(1) If a planting screen is not provided by the industrial user and no natural vegetative screening exists, the minimum setback(s) shall be 660 feet, as measured from the edge of the district boundary. The setback area may be used for security roads, parking, or open space.

(2) If natural sight-obscuring and dense vegetation exists, the minimum setback(s) shall be 250 feet, as measured from the district boundary; provided, that a minimum width of 50 feet of natural vegetation is retained. The remainder of the setback(s) may be used for security roads, parking, or open space.

(3) If a 50-foot buffer planting screen is established, pursuant to WCC 20.80.345, the minimum setback(s) shall conform to the setback requirements of WCC 20.80.200, as measured from the district boundary. In addition, security roads may be situated within the minimum buffer setback; provided, that the 50-foot wide buffer planting is established.

(4) When a parcel situated within this district is located within the Bellingham Urban Growth Area Fringe Subarea and adjoins an Urban Residential District or residential district within the city limits, setbacks for heavy industrial buildings and/or uses shall be increased to 100 feet and landscaped in accordance with the requirements of WCC 20.80.345.

(5) In no case shall the northern and western boundaries of the Cherry Point Heavy Industrial area not contiguous to another industrial zone be less than 660 feet, nor the natural vegetation removed except for parking and security or protective uses in accordance with Heavy Impact Industrial Policy 1.05 of the Cherry Point-Ferndale Subarea Comprehensive Plan.

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this regulation applies.

Amend the “Performance standards” section of the Heavy Impact Industrial District (WCC 20.68.700) as follows:

20.68.708 Appearance.

New facilities developed in the Bellingham Urban Growth Area Fringe Subarea shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and such uses shall not change the essential character of the same area. (Ord. 99-078, 1999).

Rationale: The term “Bellingham Urban Growth Area” is a more descriptive term that may provide the public with a better sense of where this regulation applies.
WHATCOM COUNTY
PLANNING COMMISSION

Urban Fringe Subarea Plan,
Whatcom County Comprehensive Plan,
and Zoning Amendments

FINDINGS OF FACT AND REASONS FOR ACTION

Background Information

1. The subject proposal consists of amendments to the:
   a. Urban Fringe Subarea Plan;
   b. Whatcom County Comprehensive Plan Policy; and
   c. Whatcom County Zoning Code (Title 20).

2. The Whatcom County Comprehensive Plan was updated in August 2016 (Ordinance 2016-034). This update included the county-wide urban growth area (UGA) review. The existing Bellingham UGA was retained in this process. The Urban Fringe Subarea Plan update involves review of the text, goals, policies, and maps of the Subarea Plan. However, the Subarea Plan update is not intended to re-open the UGA review process completed in 2016.

3. The Whatcom County Comprehensive Plan states “... The next Urban Fringe Plan update will only include the Bellingham UGA ...” (p. 2-24). Therefore, the Urban Fringe Subarea Plan boundary is being modified to match the Bellingham UGA boundary. The Urban Fringe Subarea will no longer include Rural and other lands outside the UGA.


State Environmental Policy Act

6. A Determination of Non-significance was issued by the SEPA Responsible Official on September 29, 2017.
Comprehensive Plan/Subarea Plan Approval Criteria

7. The criteria of WCC 2.160.080, summarized below, must be satisfied in order to approve a comprehensive plan amendment.

- The amendment conforms to the requirements of Growth Management Act (GMA), is internally consistent with the county-wide planning policies and is consistent with any interlocal planning agreements.

- Further studies made or accepted by the department of planning and development services indicate changed conditions that show a need for the amendment.

- 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:
  - The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the Comprehensive Plan.
  - The anticipated effect upon 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.
  - Anticipated impact upon designated agricultural, forest and mineral resource lands.

- The amendment does not include or facilitate spot zoning.

- Transfer of development rights may be required if an urban growth area is expanded.

Subarea Plans

8. The GMA, in a section entitled “Optional Elements,” states that a “comprehensive plan may include, where appropriate, subarea plans, each of which is consistent with the comprehensive plan” (RCW 36.70A.080(2)).

9. The Western Washington Growth Management Hearings Board has stated that:

   ... Subarea plans are optional elements of a comprehensive plan. While a jurisdiction has discretion to utilize subarea plans, RCW 36.70A.080(2) requires that subarea plans be consistent with the comprehensive plan and are subject to the goals and requirements of the GMA. Subarea plans are, as the prefix “sub” implies, a subset of the comprehensive plan of a jurisdiction and they typically
augment or amplify policies contained in the comprehensive plan. There is no GMA requirement that a subarea plan contain all the mandatory elements required by RCW 36.70A.070... (Campbell v. San Juan County, Case No. 09-2-0014, Final Decision and Order, January 27, 2010).

10. The Urban Fringe Subarea Plan is an optional element that Whatcom County has chosen to include, at the County’s discretion, in the County’s Comprehensive Plan.

**Intergovernmental Coordination / Public Participation**

11. GMA planning goals are set forth in RCW 36.70A.020. The GMA citizen participation and coordination planning goal is to “Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts” (RCW 36.70A.020(11)).

12. County and City of Bellingham staff met over a four month period (April – August 2017) to discuss proposed changes to the Urban Fringe Subarea Plan, related changes to the Whatcom County Comprehensive Plan, and related changes to the Whatcom County Zoning Code.


**Urban Growth**

15. GMA planning goal # 1 is to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner” (RCW 36.70A.020(1)). Under the GMA, urban growth areas have been designated pursuant to RCW 36.70A.110.

16. County-wide Planning Policy F-11 states “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.”

17. County-wide Planning Policy F-12 states “... 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.”

18. The Whatcom County Comprehensive Plan contains goals and policies supporting the Bellingham Urban Growth Area designation including Goal 2U and Policies 2U-1 through 2U-10.
19. The Bellingham UGA was adopted by the Whatcom County Council in 1997, when the Comprehensive Plan was originally adopted pursuant to the GMA (Ordinance 97-023).

20. The Bellingham UGA was reduced in size in the 2009 UGA review (Ordinance 2009-071).

21. The Bellingham UGA was retained in the 2016 UGA review (Ordinance 2016-034).

22. The amended Urban Fringe Subarea Plan includes a map of the existing Bellingham UGA, which is consistent with the UGA boundaries in the Whatcom County Comprehensive Plan.

Low Density Sprawl

23. GMA planning goal # 2 is to “Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development” (RCW 36.70A.020(2)).

24. The Whatcom County Comprehensive Plan, Urban Fringe Subarea Plan, and Whatcom County Zoning Code protect land from sprawling low-density development because:
   a. The Whatcom County Comprehensive Plan encourages net densities of 6 to 24 dwellings/acre in Bellingham (Goal 2P).
   b. In the Lake Whatcom Watershed, urban residential zoning in the Bellingham UGA allows one dwelling/five acres if public water and sewer are available. When public water and sewer are not provided, the maximum density is one dwelling/ten acres.
   c. Outside the Lake Whatcom Watershed, urban residential zoning in the Bellingham UGA may be developed at urban densities if public water and sewer are provided. When public water and sewer are not provided, the maximum density is one dwelling/ten acres.

Transportation

25. GMA planning goal # 3 is to “Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans” (RCW 36.70A.020(3)).

26. County-wide Planning Policy J-2 states that “Whatcom County jurisdictions shall encourage alternative modes of transportation to the single occupancy vehicle. . .”

27. Transportation planning is primarily addressed in the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea Plan Policy 1.6 is to “Promote development that supports and enhances efficient public transportation and an intermodal transportation
system." Additionally, other policies in the Urban Fringe Subarea Plan address transportation issues in a variety of land use designations in the Subarea.

**Housing**

28. GMA planning goal # 4 is to “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” (RCW 36.70A.020(4)).

29. County-wide Planning Policy G-2 states that “The county and the cities shall plan for a range of housing types and costs commensurate with their affordable housing needs.”

30. Housing is primarily addressed in the Whatcom County Comprehensive Plan. Urban residential zones in the UGA allow a variety of densities and housing types upon provision of public water and sewer. However, Urban Fringe Subarea Plan Policy 1.3 is to “Provide opportunities for a diversity of housing types in the Urban Growth Area.” The City of Bellingham generally does not extend public water and sewer outside city limits. Therefore, higher density housing in the Bellingham UGA typically occurs after annexation.

**Economic Development**

31. GMA planning goal # 5 is to “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” (RCW 36.70A.020(5)).

32. County-wide Planning Policy I-7 states:

   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.

33. Economic development issues are primarily addressed in the Whatcom County Comprehensive Plan. However, the Urban Fringe Subarea contains policies relating to commercial, industrial, and airport zones to facilitate economic opportunities in the Bellingham UGA.
Property Rights

34. GMA planning goal # 6 states that “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” (RCW 36.70A.020(6)).

35. The Attorney General’s Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property (December 2015) has been reviewed by legal counsel and no warning signals that are associated with the takings analysis have been identified for the subject amendments.

Permitting

36. GMA planning goal # 7 states “Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability” (RCW 36.70A.020(7)).

37. Permitting issues are primarily addressed in the Whatcom County Comprehensive Plan on a county-wide basis.

Resource Lands and Industries

38. GMA planning goal # 8 is to “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(8)).

39. County-wide Planning Policy I-9 states:

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.

40. The Urban Fringe Subarea Plan boundary is being revised to match the Bellingham UGA boundary. There are no designated agriculture, forestry, or mineral resource lands within the revised Urban Fringe Subarea boundary.

Open Space/Recreation/Fish & Wildlife

41. GMA planning goal # 9 is to “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” (RCW 36.70A.020(9)).
42. County-wide Planning Policy H-1 states:

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.

43. Open space, recreation, and fish & wildlife habitat are primarily addressed in the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea Plan Policy 1.16 is to “Promote a coordinated effort to identify and prioritize interconnected natural areas and features for preservation to protect water quality and provide habitat, recreation, open space and wildlife corridors.”

Environment

44. GMA planning goal # 10 is to “Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water” (RCW 36.70A.020(10)).

45. County-wide Planning Policy N-1 states:

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.

46. The environment is primarily addressed in the Whatcom County Comprehensive Plan. However, Urban Fringe Subarea Plan Policy 1.16 is to “Promote a coordinated effort to identify and prioritize interconnected natural areas and features for preservation to protect water quality and provide habitat, recreation, open space and wildlife corridors.”

Public Facilities

47. 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)).

48. County-wide Planning Policy D-3 states:

Cities shall develop a plan to provide urban level water and sewer services within their Urban Growth Areas...
49. The City of Bellingham, Water District 2, Water District 7, the Lake Whatcom Water and Sewer District and several other purveyors currently plan and provide water service to various parts of the UGA. The City of Bellingham plans water service for unserved parts of the UGA, but physical service is typically provided after annexation.

50. The City of Bellingham and the Lake Whatcom Water and Sewer District currently plan and provide sewer service to various parts of the UGA. The City of Bellingham plans sewer service for unserved parts of the UGA, but physical service is typically provided after annexation.

51. The City of Bellingham Fire Department provides service inside the city limits. Fire Districts 4, 8, South Whatcom Fire Authority, and North Whatcom Fire & Rescue currently serve the Bellingham UGA.

52. The Bellingham, Meridian, and Ferndale School Districts serve the UGA.

53. Capital facility planning for water, sewer, fire protection, and schools is primarily addressed in the Whatcom County Comprehensive Plan (Chapter 4 and Appendix E – Whatcom County 20-Year Capital Facilities Plan). However, Urban Fringe Subarea Plan Policy 1.5 is to “Direct urban growth and development into areas where City public water and sewer services are available or can be readily provided.”

**Historical and Archaeological**

54. GMA planning goal # 13 is to “Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance” (RCW 36.70A.020(13)).

55. The historical and archaeological resources are addressed in the Whatcom County Comprehensive Plan.

**Accommodation of Growth**

56. RCW 36.70A.110(2) indicates that the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period in the UGA.

57. RCW 36.70A.115 indicates that Counties and cities shall ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including commercial, industrial, medical, governmental, educational and institutional uses.

58. State rules relating to the GMA indicate that the land capacity analyses required under RCW 36.70A.115 are primarily to take place at the periodic UGA reviews that counties
and cities undertake every eight years. However, land capacity estimates are recommended during review of other comprehensive plan and development regulation amendments, if they increase or decrease allowed densities (WAC 365-196-325(1)(b) and (d)).

59. A land capacity analysis for the Bellingham UGA was conducted at the time of the 2016 Comprehensive Plan update/UGA review demonstrating that it can accommodate allocated population and employment growth.

60. The Urban Fringe Subarea Plan update will not increase or decrease allowed densities. Therefore, a new land capacity analysis is not required.

61. The Comprehensive Plan update/UGA review was completed in 2016. The Urban Fringe Subarea Plan update is intended to provide consistency with the Whatcom County Comprehensive Plan. The Urban Fringe Subarea Plan update is not intended to re-open the UGA review process.

Interlocal Agreement

62. The Interlocal Agreement Between the City of Bellingham and Whatcom County Concerning Planning, Annexation and Development within the Bellingham UGA was approved by both jurisdictions in April 2012.

63. The Interlocal Agreement states:

Whatcom County will review the UGA in accordance with the schedule in RCW 36.70A.130 to ensure that the UGA can accommodate the urban growth projected to occur in the 20-year planning period established by the Whatcom County Comprehensive Plan. The County and City will collaborate throughout the UGA review process. The City will submit recommendations to the County in accordance with the schedule for joint County and City review of the UGA and the County will consider the recommendations prior to making any changes to the City’s UGA... (Section 2.C, pp. 4 and 5).

64. Whatcom County, in consultation with the City of Bellingham, concluded the UGA review process in August 2016 with the adoption of Ordinance 2016-034. Pursuant to RCW 36.70A.130, the next UGA review must occur by 2024. This Urban Fringe Subarea Plan update is not intended to re-open the UGA review process.

65. The Interlocal Agreement states “For residential zoning districts in annexation areas, the City agrees to adopt appropriate urban densities consistent with the State GMA, City Comprehensive Plan, the Urban Fringe Subarea Plan and the overall density goals of the County Comprehensive Plan (Section 3.E, p. 8).
66. Comparable city zoning is identified for residential areas in the Urban Fringe Subarea Plan.

Further Studies/Changed Conditions


68. The periodic update of the Whatcom County Comprehensive Plan was completed in August of 2016 (Ordinance 2016-034) in accordance with RCW 36.70A.130. The Whatcom County Comprehensive Plan provides direction for land use policy in Whatcom County. Subarea plans are to be consistent with the comprehensive plan (RCW 36.70A.080). The subject amendments to the Urban Fringe Subarea Plan provide consistency with the Whatcom County Comprehensive Plan.

69. Some of the information in the Subarea Plan has become outdated or unnecessary. For example, some of the Bellingham UGA has been annexed and there is no longer General Manufacturing zoning within the UGA. Additionally, it is no longer necessary to include City of recommendations from the 1997 Subarea Plan two decades later in an updated Subarea Plan.

70. A new Interlocal Agreement was approved by Whatcom County and the City of Bellingham in 2012. Additionally, Whatcom County Comprehensive Plan Policy 2U-5 addresses reviewing and updating the Interlocal Agreement. Therefore, it is not necessary to address the Interlocal Agreement in detail in the Subarea Plan.

Public Interest

71. It is in the public interest to amend the Urban Fringe Subarea Plan in order to:

   a. Eliminate inconsistency with the Whatcom County Comprehensive Plan;

   b. Eliminate inconsistency with the Whatcom County Zoning Code and maps;

   c. Eliminate inconsistency with City of Bellingham policy; and

   d. Delete outdated and unnecessary information.

Spot Zoning

72. The Whatcom County Zoning Code defines illegal spot zoning as follows:

   "Illegal spot zoning" means a zoning action by which a smaller area is singled out of a larger area or district and specially zoned for a use classification totally
different from, and inconsistent with, the classification of surrounding land and not in accordance with the Comprehensive Plan. Spot zoning is zoning for private gain designed to favor or benefit a particular individual or group and not the welfare of the community as a whole (WCC 20.97.186).

73. There are no proposed rezones associated with the Urban Fringe Subarea Plan update.

Transfer of Development Rights for Expanding UGAs

74. There are no UGA expansions associated with the Urban Fringe Subarea Plan update.

Zoning Text Amendments

75. WCC 20.90.050 indicates that proposed zoning amendments must be evaluated in relationship to the goals and policies of the Whatcom County Comprehensive Plan.

76. The subject proposal includes text amendments for the following zoning districts:
   a. Urban Residential Medium Density (URM);
   b. Urban Residential Mixed (UR-MX);
   c. Gateway Industrial (GI);
   d. Light Impact Industrial (LII); and
   e. Heavy Impact Industrial (HII).

77. Whatcom County Comprehensive Plan Goal 2D is to “Refine the regulatory system to ensure accomplishment of desired land use goals in a fair and equitable manner.”

78. The text amendments in the URM and UR-MX zones include eliminating requirements imposing City of Bellingham impact fees on development in the UGA. This amendment recognizes that the County would have to conduct the analysis, and adopt an ordinance, as required by RCW 82.02.050-.110 prior to imposing City of Bellingham impact fees in unincorporated areas. In order for any impact fees to be fair and equitable, they must meet the requirements of state law.

79. Whatcom County Comprehensive Plan Goal 1A is to “Ensure that government activities, regulations and policies are transparent, accountable and easy to understand.”

80. The text amendments to the GI, LII, and HII zones are primarily housekeeping amendments. These amendments recognize that maps will be deleted from the Subarea Plan. They also replace the term “Urban Fringe Subarea” with “Bellingham Urban Growth Area” as it is a more descriptive term that may provide the public with a better
sense of where the regulations apply. These amendments should make the zoning code a little easier to understand.

CONCLUSIONS

1. The subject Urban Fringe Subarea Plan and Whatcom County Comprehensive Plan amendments are consistent with the approval criteria of WCC 2.160.080.

2. The subject Whatcom County Zoning Code amendments are consistent with the Comprehensive Plan.

RECOMMENDATION

Based upon the above findings and conclusions, the Whatcom County Planning Commission recommends approval of:

1. Exhibit A, Urban Fringe Subarea Plan Amendments;

2. Exhibit B, Whatcom County Comprehensive Plan Amendments; and


WHATCOM COUNTY PLANNING COMMISSION

Nicole Oliver, Chair

Becky Boxx, Secretary

Date: 1-12-18

Date: 1-16-18

Commissioners present at the January 11, 2018 meeting when the vote was taken: Kelvin Barton, Atul Deshmane, Gary Honcoop, Stephen Jackson, Natalie McClendon, Dominic Moceri, and Nicole Oliver.

Vote: Ayes: 6, Nays: 0, Abstain: 1, Absent: 2. Motion carried to adopt the above amendments.
WHATCOM COUNTY COUNCIL AGENDA BILL

CLEARANCES

Originator:
Amy Keenan

Division Head:
Mark Personius

Dept. Head:
Sam Ryan

Prosecutor:
Royce Buckingham

Purchasing/Budget:

Executive:
Jack Lowes

Date Received in Council Office
1/17/2018
1-17-18
1-18-18
1-22-18

RECEIVED
JAN 23 2018
WHATCOM COUNTY COUNCIL

Agenda Date
1/30/18

Assigned to:
Introduction

2/13/18
P&D/Council

TITLE OF DOCUMENT:
Ordinance amending Whatcom County Code Title 2 Administration and Personnel; Title 9 Public Peace, Morals and Welfare; Title 16 Environment; Title 20 Zoning; Title 21 Land Division Regulations; Title 23 Shoreline Management Program; Title 24 Health; and creating a new Title 22 Land Use and Development Procedures, to relocate and revise procedures for land use and development related project permits and legislative actions.

ATTACHMENTS:
1. Staff Memorandum
2. Draft Ordinance
3. Staff Report, October 18, 2017
4. Findings and recommendations of the Planning Commission

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

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

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

Ordinance amending Whatcom County Code Title 2 Administration and Personnel; Title 9 Public Peace, Morals and Welfare; Title 16 Environment; Title 20 Zoning; Title 21 Land Division Regulations; Title 23 Shoreline Management Program; Title 24 Health; and creating a new Title 22 Land Use and Development Procedures, to relocate and revise procedures for land use and development related project permits and legislative actions.

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #: Related File Numbers: Ordinance or Resolution Number:
PLN2016-00008

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

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

FROM:    Amy Keenan, AICP, Senior Planner
         Nick Smith, Permit Center Specialist

THROUGH: Mark Personius, AICP, Assistant Director

DATE:    January 17, 2018

SUBJECT: Code Amendment: Land Use and Development Procedures

Whatcom County PDS has identified a need to consolidate and clarify Whatcom County permit review procedures to provide the public with a clear and predictable permit review process. This proposed ordinance is developed in accordance with the Washington State Local Project Review Act (Chapter 36.70B RCW), recent Washington State Supreme Court decisions, as well as various Washington State jurisdictions including Snohomish County, Skagit County, Pierce County, City of Bainbridge Island and City of Bellingham.

In 1995, the state adopted legislation regarding procedures for county land use and development applications. The intent of the legislation was to ensure applications throughout Washington State were processed in a timely, predictable manner, and that different applications involving the same project could be consolidated.

Whatcom County adopted a new Chapter 2.33 in 1996 in response to the state legislation. Chapter 2.33 contained many of the project permit review procedures, but many procedural sections remained or were subsequently added in various sections of the County code. These procedural sections predominately involve requirements for application materials, review timelines, legal notifications, public hearings and appeals.

Staff now proposes consolidating all land use and development procedures in a new land use and development procedures code, Title 22. Predominately, the proposed amendments move code from various sections to Title 22, include grammatical improvements and do not alter the substance of the procedures. There are several areas where substantive changes were made to improve clarity and predictability, to remove inconsistencies and to address recent court cases. Those changes are discussed in depth in the staff report but generally include:

- Vesting and expiration;
• Designate Superior Court as the appeal body for hearing examiner decisions;
• Allow a waiver for preapplication meetings and clarify which project types require a preapplication meeting;
• Add sections to clarify the definition of “quasi-judicial actions;”
• Alter time limits for major project permits and planned unit developments to meet the statutory timeframes in Chapter 36.70B RCW;
• Remove an optional review by Planning Commission for Major Project Permits;
• Reword current WCC 2.33.090(G) to provide clarity and a process for dispute resolution with the director;
• Add specific requirements for written appeal and;
• Standardize review and comment timeframes to 14 or 28 days.

The Planning Commission held a public hearing on October 26, 2017 and recommended approval of the attached draft with a vote of 7-0. Staff would like to present and discuss the draft with the Planning and Development Committee and schedule the draft ordinance for introduction. For your review a clean version and strikethrough version of Title 22 (Exhibit A) and all amended titles (Exhibits B-E) have been included in your packet. If you have any questions, please feel free to contact Amy Keenan, Senior Planner, at 778-5943 or Nick Smith, Permit Center Specialist, at 778-5913.

Thank you.

Attachments:

Draft Ordinance
Staff Report, October 18, 2017
Findings and recommendations of the Planning Commission
ORDINANCE NO. ________________

ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 2 ADMINISTRATION AND PERSONNEL; TITLE 9 PUBLIC PEACE, MORALS AND WELFARE; TITLE 15, BUILDING AND CONSTRUCTION; TITLE 16 ENVIRONMENT; TITLE 20 ZONING; TITLE 21 LAND DIVISION REGULATIONS; TITLE 23 SHORELINE MANAGEMENT PROGRAM; TITLE 24 HEALTH; AND CREATING A NEW TITLE 22 LAND USE AND DEVELOPMENT PROCEDURES, TO RELOCATE AND REVISE PROCEDURES FOR LAND USE AND DEVELOPMENT RELATED PROJECT PERMITS AND LEGISLATIVE ACTIONS

WHEREAS, Whatcom County Planning and Development Services has proposed amendments to the Whatcom County Code; and

WHEREAS, The Whatcom County Council reviewed and considered Planning Commission recommendations, staff recommendations, and public comments on the proposed amendments; and

WHEREAS, The County Council hereby adopts the following findings of fact:

FINDINGS OF FACT

1. Whatcom County Planning and Development Services has submitted an application for amendments to add a new Title 22 Land Use and Development Procedures, and amend Titles 2, 9, 15, 16, 20, 21, 23 and 24 to move procedural content to the new Title 22.

2. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on October 16, 2017.

3. Notice of the subject amendment was submitted to the Washington State Department of Commerce on September 20, 2017.

5. The Planning Commission held a public hearing on the proposed amendments on October 26, 2017.

6. In 1995 the State Legislature adopted legislation regarding procedures for county land use and development applications (ESHB 1724; 36.70B RCW). The intent of the legislation was to ensure that applications were processed in a timely, predictable manner, and that different applications involving the same project could be consolidated.

7. Whatcom County Code adopted a new Chapter 2.33 in 1996 in response to the 1995 state legislation. This new chapter contained many of the project permit review procedures, but many procedural sections remained in various sections of the County code, including Title 16 Environment, Title 20, Zoning, Title 21 Land Division Regulations, and Title 23 Shoreline Management.

8. The proposed Title 22 Land Use and Development Procedures would contain administrative procedures that are now located throughout different titles and chapters in Whatcom County Code, eliminating redundancy and, in some cases, inconsistency between code chapters.

9. The proposed Chapter 22.05 Project Permit Procedures would consolidate procedures for project permits in one place.

10. RCW 36.70B.020(4) defines project permits as “...any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations...”

11. Because vesting principles apply to applications beyond those described in Title 20 Zoning, the vesting provisions are proposed to be moved from Title 20 to the new Title 22, which applies to all land use and development projects. The revised wording in the proposed 22.05.060 uses state law’s phrase, “zoning or other land use control ordinances” so that County regulations will be consistent with state statute and case law.

12. RCW 19.27.095(1) states, “A valid and fully complete building permit application for a structure, that is permitted under the zoning or other land use control ordinances in effect on the date of the application shall be considered under the building permit ordinance in effect at the time of application, and the zoning or other land use control ordinances in effect
on the date of application.”

13. RCW 58.17.033(1) states, “A proposed division of land, as defined in RCW 58.17.020, shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the appropriate county, city, or town official.”

14. The proposed Chapter 22.10 Legislative Procedures combines procedures for comprehensive plan amendments and zoning amendments (including both zoning map changes and code text amendments), from current Chapters 2.160 and 20.90, respectively.

15. The proposed Chapter 22.20 Land Use and Development Code Interpretation Procedures would add procedures for citizens to request PDS interpretations of the County’s land use and development codes to clarify conflicting or ambiguous wording. Interpretation procedures commonly appear in other jurisdictions’ codes, but Whatcom County Code has no such provision.

16. The proposed Chapter 22.25 would contain the fee provisions now contained in WCC 20.04.090 -.092 so that it would apply to other development-related titles of the Whatcom County Code beyond Title 20 Zoning.

17. Some highly detailed requirements currently found in the code are proposed to be removed from code and consolidated into an Administrative Manual that can be updated without requiring a code amendment.

18. The Whatcom County Comprehensive Plan supports streamlining regulations.

CONCLUSIONS

1. The amendments to the zoning code are in the public interest.

2. The amendments are consistent with the Whatcom County Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. Amendments to the Whatcom County Code are hereby adopted as shown on Exhibits A through E.
ADOPTED this ______ day of __________, 2018.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

______________________________
Dana Brown-Davis, Council Clerk

APPROVED as to form:

______________________________
Civil Deputy Prosecutor

______________________________
Rud Browne, Chairperson

( ) Approved    ( ) Denied

______________________________
Jack Louws, Executive

Date: ________________________
EXHIBIT A

Whatcom County Code Title 22

AMENDMENTS

Title 22
Land Use and Development Procedures

[This would create a new WCC Title 22 that would be the location for all procedural requirements for land use and development applications, separate from the land use and development regulations. This takes the place of the previous Title 22, the Guide Meridian Improvement Plan, which was repealed during the 2016 Comprehensive Plan update.]

Chapters:
22.05 Project Permit Procedures
22.10 Legislative Action Procedures
22.15 Code Compliance Procedures
22.20 Land Use and Development Code Interpretation Procedures
22.25 Land Use and Development Fees

Chapter 22.05
PROJECT PERMIT PROCEDURES

[This new chapter is adapted mostly from the current Chapter 2.33 Permit Review Procedures, and procedural passages from other chapters. Current text is shown in normal black font with proposed changes shown in red. The current chapter/section numbers are shown as deleted with the proposed numbers replacing them.]

Sections:
22.05.010 Purpose and applicability.
22.05.020 Project permit processing table.
22.05.030 Consolidated permit review.
22.05.040 Preapplication conference.
22.05.050 Application and determination of completeness.
22.05.060 Vesting.
22.05.070 Notice of application.
22.05.080 Posting of application.
22.05.090 Open record hearings.
22.05.100 Consistency review and recommendations.
22.05.110 Final decisions.
22.05.120 Recommended decisions to county council.
22.05.130 Permit review timeframes.
22.05.140 Expiration of project permits.
22.05.150 Permit revocation procedure.
22.05.160 Appeals.
22.05.170 Annual Report.
22.05.180 Interpretation, conflict, and severability.

22.05.010 Purpose and applicability.
(1) The purpose of this chapter is to combine and consolidate the application, review, and approval processes for project permits and appeals as defined in WCC 20.97.321. It is further intended for this chapter to comply with the provisions of Chapter 36.70B RCW. These procedures provide for a consolidated land use permit process and integrate the environmental review process with the procedures for review of land use decisions.

(2) This chapter applies to the processing of project permit applications for development and appeals related to the provisions of WCC Title 15 Building and Construction, Title 16 Environment, Title 17 Flood Damage Prevention, Title 20 Zoning, Title 21 Land Division Regulations, and Title 23 Shoreline Management. The provisions of this chapter shall apply to all project permit applications as defined in RCW 36.70B.020, and other administrative decisions, as listed in the table in WCC 22.05.020.

22.05.020 Project Permit Processing Table
(1) Marked boxes in the table below indicate the required general steps for processing all project permit applications or administrative actions. The requirements for each step listed in the top row of the table are provided in WCC sections 22.05.040 through 22.05.160, as indicated. Specific requirements for each project permit can be found through the references given in the table.
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<td>Zoning or Critical Areas Variance</td>
<td>20.84.100 or 16.16.270</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Hearing Examiner Hearing Examiner Superior Court Hearing Examiner Hearing Examiner Superior Court</td>
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</tr>
<tr>
<td><strong>Type IV Applications</strong></td>
<td></td>
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<td>Hearing Examiner County Council Superior Court Hearing Examiner County Council Superior Court</td>
<td></td>
</tr>
<tr>
<td>Development Agreement</td>
<td>2.11.205</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Hearing Examiner County Council Superior Court Hearing Examiner County Council Superior Court</td>
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</tr>
<tr>
<td>Major Project Permit</td>
<td>20.88</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td>Planned Unit Development</td>
<td>20.85</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Hearing Examiner County Council Superior Court Hearing Examiner County Council Superior Court</td>
<td></td>
</tr>
</tbody>
</table>

Check marks indicate a step is required; reference letters refer to the notes in subsection (2).
(2) Project Permit Processing Table Notes. As indicated in the table in subsection (1), project permits are subject to the following additional requirements:

(a) Preapplication conference subject to Title 23 Shoreline Master Program.

(b) Single family residential uses in critical areas or critical area buffers, except all uses in geological hazardous areas and setbacks.

(c) Shoreline Permit public hearing decision determined pursuant to Title 23 Shoreline Master Program. If a public hearing is required the Shoreline Permit shall be processed as a Type III application.

(d) Final decision filed with the Washington State Department of Ecology.

(e) All uses in geological hazardous areas and setbacks and all non-single family residential uses in critical areas or critical area buffers.

(f) Building permit preapplication conference, subject to WCC 15.04.020(A)(3)(a).

(g) The hearing examiner may choose to consult with the development standards technical advisory committee concerning technical matters relating to land division applications. [from WCC 21.01.170]

(h) Whatcom County shall consider an appeal of a decision on a shoreline substantial development permit, shoreline variance, or shoreline conditional use only when the applicant waives his/her right to a single appeal to the shoreline hearings board. When an applicant has waived his/her right to a single appeal, such appeals shall be processed in accordance with the appeal procedures of section WCC 23.60.150.H.

(i) Except that appeals of Title 15 fire and building code requirements shall be made to the board of appeals per current building code, as adopted in WCC 15.04.010.

22.05.030 Consolidated permit review.¹
The county shall integrate and consolidate the review and decision on two or more project permits subject to this chapter that relate to the proposed project action unless the applicant requests otherwise. Consolidated Type I, II, III and IV permits shall be reviewed under the process required for the permit with the highest process type number per WCC 22.05.020. Level IV is considered the highest and Level I is considered the lowest process type.

22.05.040 Preapplication conference.
The purpose of a preapplication conference is to assist applicants in preparing development applications for submittal to the county by identifying applicable regulations and procedures. It is not intended to provide a staff recommendation on future permit decisions. Preapplication review does not constitute acceptance of an application by the county nor does it vest an application, unless otherwise indicated in Whatcom County Code.

¹ RCW 36.70B.060(3)
(1) A preapplication conference is required as indicated in WCC 22.05.020, unless the director or designee grants a written waiver. For other permits, the applicant may request a preapplication conference.

(2) The county shall charge the applicant a fee for a preapplication conference per the Unified Fee Schedule. If the county makes a determination of completeness on a project permit submitted within one year of the notice of site-specific submittal requirements per subsection (6) of this section, the preapplication fee shall be applied to the application cost.

(3) It is the responsibility of the applicant to initiate a preapplication conference through a written application. The application shall, at a minimum, include all items identified on the preapplication form and the department’s administrative manual. The applicant may provide additional information to facilitate more detailed review.

(4) A preapplication conference shall be scheduled as soon as possible and held no later than 30 calendar days from the date of the applicant’s request, unless agreed upon by the applicant and the county.

(5) The county shall invite the appropriate city to the preapplication meeting if the project is located within that city’s urban growth area or which contemplates the use of any city utilities. Notice shall also be given to appropriate public agencies and public utilities, if within 500 feet of the area submitted in the application. [Subsection (5) wording is proposed to be moved from 21.01.090(2) so the requirement to involve cities in preapplication review would apply to all project permits, not just subdivisions. This is consistent with adopted interlocal agreements.]

(6) The county should provide the applicant with notice of site-specific submittal requirements for application no later than 14 calendar days from the date of the conference.

(7) A new preapplication conference shall be required if an associated project permit application is not filed with the county within one year of the notice of site-specific submittal requirements per subsection (6) or the application is substantially altered, unless waived per WCC 22.05.040(1).

22.05.050 Application and determination of completeness.

(1) Project permit applications shall be submitted using current forms provided by the review authority. The submittal shall include: all applicable fees per Chapter 22.25 WCC, all materials required by the department’s administrative manual, and all items identified in the preapplication notice of site-specific submittal requirements.

(2) Upon submittal by the applicant, the county will accept the application and note the date of receipt. Receipt of an application does not constitute approval of the project proposal.
(3) Within 14 calendar days of receiving the application, the county shall provide to the applicant a written determination which states either that the application is complete or the application is incomplete. To the extent known by the county, other agencies of local, state, or federal government that may have jurisdiction shall be identified on the determination.

(4) A project permit application is complete when it meets the submittal requirements of the department’s administrative manual, includes items identified through the preapplication conference process and contains sufficient information to process the application even if additional information will be required. A determination of completeness shall not preclude the county from requiring additional information or studies at any time prior to permit approval. A project permit application shall be deemed complete under this section if the county does not issue a written determination to the applicant that the application is incomplete by the end of the 14th calendar day from the date of receipt.

(5) If the application is determined to be incomplete, the following shall take place:

(a) The county will notify the applicant that the application is incomplete and indicate what is necessary to make the application complete.

(b) The applicant shall have 90 calendar days from the date that the notification was issued to submit the necessary information to the county. If the applicant does not submit the necessary information to the county in writing within the 90-day period, the application shall be rejected. The director or designee may extend this period for an additional 90 calendar days upon written request by the applicant.

(c) Upon receipt of the necessary information, the county shall have 14 calendar days to make a determination and notify the applicant whether the application is complete or what additional information is necessary.3

(6) A determination of an incomplete application is an appealable final administrative determination, subject to WCC 22.05.160(1).

22.05.060 Vesting. [The proposal would replace the County’s vesting provisions of WCC 20.04.031 in this subsection so that they will clearly apply to all development permits (not just those listed in Title 20 Zoning) and to add clearer language that is more consistent with wording in state law and with recent court decisions. The current WCC 20.04.031(1)’s definition of project permit is proposed to be deleted, with a new reference to the County Code’s definition (consistent with state law) to be added to 22.05.010.]

(1) Complete applications. For a project permit application the department has determined to be complete per WCC 22.05.050(4), the application shall be

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2 RCW 36.70B.070(1) allows 28 days; Title 21 currently has 28 days for subdivision plat applications, which would be changed to 14 days under this proposal.

3 RCW 36.70B.070(4)(b)
considered under the zoning or other land use control ordinances in effect on the date the application was submitted to the department.

(2) Incomplete applications. For a project permit application the department has determined to be incomplete per WCC 22.05.050(5), the application shall be considered under the zoning or other land use control ordinances in effect on the date the department determines the application to be complete based on the necessary information required by the department.

(3) Applications subject to preapplication conference. Notwithstanding the provisions of subsections (1) and (2) of this section, for a project permit application that is (a) subject to a preapplication conference per WCC 22.05.020 and .040, (b) submitted no more than 28 calendar days from the date the department issued its notice of site-specific submittal requirements, and (c) determined complete by the department, the application shall be considered under the zoning or other land use control ordinances in effect on the date the preapplication conference request was submitted to the department.

[Proposed subsection (3) would prevent the requirement of a preapplication meeting from delaying vesting, provided the preapplication materials are complete enough that a building permit can be issued within 30 days of the preapplication findings. (See West Main Assocs. vs. Bellevue decision)]

(4) Continuation of vesting. Building or land disturbance permit applications that are required to complete a valid (i.e. not expired) project permit approval for project permits identified in the following list (a-m) shall vest to the zoning and land use control ordinances in effect at the time the project permit application identified below was determined complete.

(a) Administrative Use;
(b) Commercial Site Plan Review;
(c) Conditional Use;
(d) Critical Areas Variance;
(e) Major Project Permit;
(f) Natural Resource Review;
(g) Planned Unit Development;
(h) Reasonable Use (Type II and III);
(i) Shoreline Conditional Use;
(j) Shoreline Exemption;
(k) Shoreline Substantial;
(l) Shoreline Variance;
(m) Zoning Variance.

(5) Building permit applications within recorded long and short subdivisions and binding site plans. Building permit applications, including associated land disturbance permits, shall be governed by conditions of approval, statutes, and ordinances in effect at the time of final approval pursuant to RCW 58.17.170.
Vesting duration for those building permit applications shall be governed by the time limits established for long subdivisions in RCW 58.17.170, unless the county finds that a change in conditions creates a serious threat to the public health or safety.

[Under this proposal, the 5- or 7-year vesting that applies specifically to long plats in RCW 58.17.170 is proposed to be extended to short plats and binding site plans. This is intended to provide greater clarity and predictability, and to be consistent with recent case law. Based on the County’s current understanding of statute and case law, water rights are not currently considered “zoning or other land use controls.”]

(6) Building and fire code requirements. Building and fire code provisions adopted per WCC Title 15 vest at the time a building permit application is determined complete.

[The proposed subsection clarifies that building and fire code vests at the time of complete building permit application, whereas land use controls (e.g. zoning and critical areas) vest with the original project permit, consistent with current 20.04.031(3)(d).]

(7) Duration. Vesting status established through subsections (1) through (5) of this section runs with the application and expires upon denial of the application by the county, withdrawal of the application by the applicant, rejection of the application per WCC 22.05.050(5), expiration of the application per WCC 22.05.130(1)(a)(i), or expiration of the approved permit per WCC 22.05.140.

[Current 20.04.031(1) through (5) on vesting to be deleted:]

22.05.070 Notice of application.
(1) For Type II, III, and IV applications per WCC 22.05.020, the county shall issue a notice of application within 14 calendar days\(^4\) of a determination of completeness. The date of notice shall be the date of mailing.

(2) If the county has made a State Environmental Policy Act (SEPA) threshold determination of significance concurrently with the notice of application, the county shall combine the determination of significance and scoping notice with the notice of application.

(3) Notice shall include:

(a) The date of application, the date of determination of completeness for the application, and the date of the notice of application;

(b) A description of the proposed project action and a list of the project permits included in the application, and, if applicable, a list of any studies requested by the county;

\(^4\) RCW 36.70B.110(2)
(c) The identification of other permits not included in the application to the extent known by the county;

(d) The identification of environmental reviews conducted, including notice of existing environmental documents that evaluate the proposed project (including but not limited to reports, delineations, assessments and/or mitigation plans associated with critical area reviews) and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;

(e) Any other information determined appropriate by the county;

(f) A statement indicating those development regulations that will be used for project mitigation or a determination of consistency if they have been identified at the time of notice;

(g) A statement of the minimum public comment period which shall be 14 calendar days for all project permits except for shoreline substantial development, shoreline conditional use, shoreline variance and major project permits for mitigation banks which shall have a minimum comment period of no more than 30 calendar days.

(h) A statement of the right of any person to comment on the application and receive notice of and participate in any hearings, request a copy of the decision once made and to appeal a decision when allowed by law. The department may accept public comments at any time prior to the close of the open record public hearing, or if there is no public hearing, prior to the decision on the project permit. In addition, the statement shall indicate that any person wishing to receive personal notice of any decisions or hearings must notify the department.

(4) The department shall issue a notice of application in the following manner:

(a) The notice shall be published once in the official county newspaper and on the Whatcom County website. The applicant shall bear the responsibility of paying for such notice.

[As a courtesy the department also provides notice to other publications and individuals who have submitted a written request to receive such notice through the County’s web site.]

(b) Additional notice shall be given using the following method:

   (i) For sites within urban growth areas: Application notice shall be sent to all property owners within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor;

   (ii) For sites outside urban growth areas: Application notice shall be sent to all property owners within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor;

(5) The county shall send notices of application to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly, by
the proposed development. Notice shall also be given to public utilities, if within 500 feet of the area submitted in the application.

(6) All public comments received on the notice of application must be received by the department of planning and development services by 4:30 p.m. on or before the last day of the comment period.

(7) Except for a determination of significance, the county shall not issue its SEPA threshold determination or issue a decision or recommendation on a permit application until the end of the public comment period on the notice of application. If an optional determination of nonsignificance (DNS) process is used, the notice of application and DNS comment period shall be combined.

(8) Public notice given for project permit applications, SEPA documents, project hearings, and appeals hearings as required by this chapter and other provisions of the county code may be combined when practical, where such combined notice will expedite the permit review process, and where provisions applicable to each individual notice are met through the combined notice.

22.05.080 Posting of Application. [existing text from 20.84.235(2)]
Where posting of public notice is required per WCC 22.05.020, the department shall post public notices of the proposal on all road frontages of the subject property and adjacent shorelines on or before the notice of application date and shall be visible to adjacent property owners and to passing motorists. Said notices shall remain in place until three days after the comment period closes.

22.05.090 Open record hearings.
As shown in WCC 22.05.020, Type III and Type IV applications require an open record public hearing. These hearings are subject to the following:

(1) Open record hearing notice.

(a) The hearing examiner shall publish a notice of open record hearing once in the official county newspaper and on the Whatcom County website at least 14 calendar days prior to the hearing. The notice shall consist of the date, time, place, and type of the hearing. In addition, personal notice shall be provided to any person who has requested such notice in a timely manner, consistent with WCC 22.05.070(3)(h).

(b) Within two days of the published notice the applicant shall be responsible for posting three copies of the notice in a conspicuous manner on the property upon which the use is proposed. Notices shall be provided by the hearing examiner.

(c) An affidavit verifying distribution of the notice must be submitted to the hearing examiner two working days prior to the open record hearing.

(d) The hearing examiner shall send notice of an open record hearing to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly by the proposed development. The hearing examiner shall be responsible for such notification.
(e) The applicant shall pay all costs associated with providing notice.

(2) One open record hearing. A project proposal subject to WCC 22.05 shall be provided with no more than one open record hearing and one closed record hearing pursuant to RCW 36.70B. This restriction does not apply to an appeal of a determination of significance as provided in RCW 43.21C.075.

(3) Combined county and agency hearing. Unless otherwise requested by an applicant, the county shall allow an open record hearing to be combined with a hearing that may be necessary by another local, state, regional, federal or other agency for the same project if the joint hearing can be held within the time periods specified in WCC 22.05, or if the applicant agrees to waive such time periods in the event additional time is needed in order to combine the hearings. The combined hearing shall be conducted in Whatcom County pursuant to RCW 36.70B.

(4) Quasi-judicial actions, including applications listed as Type III and IV applications in WCC 22.05.020, are subject to the appearance of fairness doctrine, RCW 42.36. The hearing examiner shall administer the open record hearing and issue decisions or recommendations in accordance with RCW 42.36.

22.05.100 Consistency review and recommendations.
During project permit review, the review authority shall determine if the project proposal is consistent with the county’s comprehensive plan, other adopted plans, existing regulations and development standards.

(1) For Type I and II applications, the conclusions of a consistency determination made under this section shall be documented in the project permit decision.

(2) For Type III and IV applications the department shall prepare a staff report on the proposed development or action. Staff shall file one consolidated report with the hearing examiner at least 10 calendar days prior to the scheduled open record hearing. The staff report shall:

(a) Summarize the comments and recommendations of county departments, affected agencies, special districts and public comments received within the 14-day or 30-day comment period as established in WCC 22.05.070(6).

(b) Provide an evaluation of the project proposal for consistency as indicated in this section.

(c) Include recommended findings, conclusions, and actions regarding the proposal.

[The proposal to change the staff report time frame to ten days is consistent with public notice publication requirements of 22.05.090(1)(a).]

(3) For all project permit applications, if more information is required to determine consistency at any time in review of the application, the department may issue a notice of additional requirements. The notice of additional requirements shall allow
the applicant 180 calendar days from the date of issuance to submit all required information. The director or designee may extend this period for no more than cumulative 24 months upon written request by the applicant, provided the request is submitted before the end of the first 180-day period. A notice of additional requirements is not a final administrative determination.

[Proposed subsection (3) codifies a 180-day response period for NOAR, consistent with current PDS practice.]

22.05.110 Final decisions.
(1) The director or designee’s final decision on all Type I or II applications shall be in the form of a written determination or permit. The determination or permit may be granted subject to conditions, modifications, or restrictions that are necessary to comply with all applicable codes.

(2) The hearing examiner’s final decision on all Type III applications per WCC 22.05.020 or appeals per 22.05.160(1) shall either grant or deny the application or appeal.

(a) The hearing examiner may grant Type III applications subject to conditions, modifications or restrictions that the hearing examiner finds are necessary to make the application compatible with its environment, carry out the objectives and goals of the Comprehensive Plan, statutes, ordinances and regulations as well as other official policies and objectives of Whatcom County.

(b) Performance bonds or other security, acceptable to the prosecuting attorney, may be required to ensure compliance with the conditions, modifications and restrictions.

(c) The hearing examiner shall render a final decision within 14 calendar days following the conclusion of all testimony and hearings. Each final decision of the hearing examiner shall be in writing and shall include findings and conclusions based on the record to support the decision.

(d) No final decision of the hearing examiner shall be subject to administrative or quasi-judicial review, except as provided herein.

(e) The applicant, any party of record or any county department may appeal any final decision of the hearing examiner to superior court, except as otherwise specified in WCC 22.05.020.

[22.05.020 proposes changing the appeal body from County Council to Superior Court to separate legislative and quasi-judicial functions. Accordingly, the current 20.92.620 through .840, which describes the County Council appeal process, is proposed to be omitted.]

22.05.120 Recommended decisions to county council.
(1) For Type IV applications per WCC 22.05.020 the hearing examiner’s recommendations to the county council may be to grant, grant with conditions or deny an application. The hearing examiner’s recommendation may include conditions, modifications or restrictions as may be necessary to make the
application compatible with its environment, carry out the objectives and goals of the Comprehensive Plan, statutes, ordinances and regulations as well as other official policies and objectives of Whatcom County.

(2) Each recommended decision of the hearing examiner for an application identified as a Type IV application per WCC 20.05.020 shall be in writing to the clerk of the county council and shall include findings and conclusions based upon the record to support the decision. Such findings and conclusions shall also set forth the manner in which the decision carries out and conforms to the county’s Comprehensive Plan and complies with the applicable statutes, ordinances or regulations.

(3) The deliberation of the county council on quasi-judicial actions shall be in accordance with WCC 22.05.090(4) and Chapter 42.36 RCW.

(4) For planned unit developments and major project permits the following shall apply:

   (a) The recommendation of the hearing examiner regarding planned unit developments and major project permits shall be based upon the criteria set forth in WCC 20.85.335 and 20.88.130, respectively.

   (b) The hearing examiner shall file the recommendation with the clerk of the county council within 21 calendar days following the conclusion of the open record hearing.

   (c) Within 28 calendar days after the hearing examiner’s recommendation has been filed, the county council shall hold a public meeting, not an open record public hearing, to deliberate on the project application and, within 21 calendar days of the meeting, issue a final written decision. The county council may exceed the time limits in this subsection if it makes written findings that a specified amount of additional time is needed to process a specific application or project type, per RCW 36.70B.080(1).

   [The optional review by Planning Commission is proposed for omission because that step makes it difficult to complete the project review within 120 days required in proposed 22.05.130(1)]

(5) The county council’s final written decision may include conditions when the project is approved and shall state the findings of fact upon which the decision is based.

(6) Any deliberation or decision of the county council shall be based solely upon consideration of the record established by the hearing examiner, the recommendations of the hearing examiner and the criteria set forth in county code.

22.05.130 Permit review timeframes.
(1) The county shall issue a notice of final decision for all permit types, including procedures for administrative appeal and notice that affected property owners may request a change in valuation for property tax purposes, to the applicant, the Whatcom County assessor, and any person who requested notice or submitted
substantive comments on the application within 120 calendar days of the date the department determined the application complete\(^5\), except as provided below:

(a) The following time periods shall be excluded from the calculation of the number of days elapsed:

(i) Any period during which the applicant has been required by the county to correct plans, perform required studies, or provide additional, required information through a notice of additional requirements, per WCC 22.05.100(3). The period shall be calculated from the date the county issues a notice of additional requirements until the date the county receives all of the requested additional information.

(ii) Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW and WCC Title 16;

(iii) The period specified for administrative appeals of project permits as provided in Chapter 2.11 WCC;

(iv) The period specified for administrative appeals of development standards as provided in WCC 12.08.035(I);

(v) Any period in which the applicant has not met public notification requirements;

(vi) Any period of time mutually agreed upon in writing by the applicant and the county.

(b) The time limits established by this section shall not apply to a project permit application that:

(i) Requires an amendment to the Whatcom County comprehensive plan or a development regulation in order to obtain approval.

(ii) Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

(iii) Is substantially revised by the applicant, including all redesigns of proposed land divisions, in which case a new time period shall start from the date at which the revised project application is determined to be complete.

(c) The county may extend notice of final decision on the project if the county can document legitimate reasons for such a delay. In such a case the county shall provide written notice to the applicant at least 14 calendar days prior to the deadline for the original notice of final decision. The notice shall include a

\(^5\) RCW 36.70B.130
statement of reasons why the time limits have not been met and a date of issuance of a notice of final decision.

(2) If an applicant believes a project permit application has not been acted upon by the county in a timely manner or otherwise consistent with this chapter, the applicant or authorized representative may request a meeting with the director to resolve the issue. Within 14 calendar days of the meeting, the director shall:

(a) Approve the permit if it is within the director’s authority to do so, provided the approval would not violate state or county regulations, or

(b) Deny the permit if it is within the director’s authority to do so, or

(c) Respond in writing with the department’s position, or a mutually acceptable resolution of the issue, which may include a partial refund of application fees at the director’s discretion.

This proposed change is intended to maintain accountability on the part of the county and provide an avenue for resolving disputes, while removing a provision that could potentially approve an application that violates state or county regulations.

(3) Any final order, permit decision or determination issued by Whatcom County shall include a notice to the applicant of his or her appeal rights per WCC 22.05.160.

**22.05.140 Expiration of project permits.**

(1) Project permit approval status shall expire two years from the date of approval except where a different duration of approval is authorized by Whatcom County Code, or is established by a court decision or state law, or executed by a development agreement. The decision maker may extend this period up to one year from the date of original expiration upon written request by the applicant.

(2) Any complete project permit application for which no information has been submitted in response to the department’s notice of additional requirements per WCC 22.05.100(3) shall expire at the end of the time limit established in 22.05.100(3).

This provision for applications to expire after no response within the NOAR time frames allows for consistent predictable outcomes, and establishes clear expectations.

(3) For projects that have received a SEPA determination of significance per WCC 16.08, all underlying project permit applications shall expire when one of the following occurs:

(a) The applicant has not in good faith maintained a contract with a person or firm to complete the Environmental Impact Statement (EIS) as specified in the scoping document. The applicant is responsible for informing the county of the status of such contract. If there is no notice given to the County, all underlying project permit applications shall expire upon the end date of the contract; or
(b) The mutually agreed timeframe to complete the Draft EIS or Final EIS has lapsed.

(4) Project permits which received preliminary approval or a final decision prior to February 22, 2009 that did not include an expiration timeframe in the conditions of approval shall expire on [two years after the effective date of this ordinance].

[Proposed subsection (4) allows opportunity to obtain approval or implementation within two years for projects without an approval timeframe.]

22.05.150 Permit revocation procedure.
(1) Upon notification by the director that a substantial violation of the terms and conditions of any previously granted zoning conditional use, shoreline substantial development or shoreline conditional use permit exists, the hearing examiner shall issue a summons as per WCC 2.11.220 to the permit holder requiring said permit holder to appear and show cause why revocation of the permit should not be ordered. Failure of the permit holder to respond may be deemed good cause for revocation.

(2) Upon issuance of a summons as set forth in subsection (1) of this section, the hearing examiner shall schedule an open record hearing to review the alleged violations. The summons shall include notice of the hearing and shall be sent to the permit holder and the director of planning and development services no less than 12 calendar days prior to the date of the hearing. At the hearing the hearing examiner shall receive evidence of the alleged violations and the responses of the permit holder, as per the business rules of the hearing examiner’s office. Testimony shall be limited to that of the division and the permit holder except where additional evidence would be of substantial value in determining if revocation should be ordered. The land use division’s evidence may include the testimony of witnesses.

(3) Upon a showing of violation by a preponderance of the evidence as alleged, the hearing examiner may revoke the permit or allow the permit holder a reasonable period of time to cure the violation. If the violation is not cured within the time set by the hearing examiner, the permit shall be revoked. Where a time to cure the violation has been set out, no further hearing shall be necessary prior to the revocation. The permit holder shall have the burden of proving that the violation has been cured within the time limit previously set. Such evidence as is necessary to demonstrate that the violation has been cured may be submitted to the hearing examiner by either the permit holder or the director of planning and development services. Any revocation shall be accompanied by written findings of fact and conclusions of law. The permit holder shall be notified of any revocation within 14 calendar days of the revocation.

22.05.160 Appeals.
(1) Any party of record may appeal any order, final permit decision or final administrative determination made by the director or designee in the administration or enforcement of any chapter to the hearing examiner, who has the authority to hear and decide such appeals per WCC 2.11.210.
(a) An appeal shall be filed with the department within 14 calendar days of the issuance of a final permit decision and shall be accompanied by a fee as specified in the Unified Fee Schedule. The written appeal shall include:

(i) The action or decision being appealed and the date it was issued;

(ii) Facts demonstrating that the person is adversely affected by the decision;

(iii) A statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable decision criteria;

(iv) The specific relief requested; and

(v) Any other information reasonably necessary to make a decision on the appeal.

[Proposed items 1(a)(i)-(v) are copied from Bellingham Municipal Code 21.10.250]

(b) The hearing examiner shall schedule a public hearing on the appeal to be held within 60 calendar days following the department’s receipt of the application for appeal unless otherwise agreed upon by the county and the appellant.

(2) The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to Superior Court or other body as specified by WCC 22.05.020. The appellant shall file a written notice of appeal within 14 calendar days of the final decision of the hearing examiner.

22.05.170 Annual report.
Staff shall prepare an annual report on the implementation of this chapter and submit it to the council.

22.05.180 Interpretation, conflict and severability.

(1) Interpret to Protect Public Welfare. In the event of any discrepancies between the requirements established herein and those contained in any other applicable regulation, code or program, the regulations which are more protective of the public health, safety, environment and welfare shall apply.

(2) Severability. The provisions of this chapter are severable. If a section, sentence, clause, or phrase of this title is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this chapter.
Chapter 22.10

LEGISLATIVE ACTION PROCEDURES

[This new chapter is adapted from the current Chapter 2.160 Comprehensive Plan Amendments, and Chapter 20.90 Amendments, along with new text that combines and streamlines existing process descriptions. Current text is shown in normal black font, with proposed changes shown in red. The current chapter/section numbers are shown as deleted with the proposed numbers replacing them.]

Sections:
22.10.010 Purpose and applicability.
22.10.020 The docket.
22.10.030 Processing of docketed amendments.
22.10.040 Concurrent review of comprehensive plan amendments
22.10.050 Notice of public hearing.
22.10.060 Approval criteria.

22.10.010 Purpose and applicability.
This chapter establishes the procedures for legislative actions amending the Whatcom County Comprehensive Plan and the development regulations that implement that plan. Amendments to the comprehensive plan includes changes to the plan's text and maps, and amendments to the development regulations include changes to the official zoning map and the text in WCC Titles 16, 20, 21, and 23. For purposes of this chapter, comprehensive plan amendments include amendments to subarea plans.

22.10.020 The docket.
(1) The department of planning and development services ("department") shall maintain a proposed docket of comprehensive plan and development regulation amendment applications and shall present it to the county council for review once a year on or about March 1. The county council may, by resolution, approve a docket listing all applications that may be processed per the provisions of this chapter.

(2) The department, the executive, the planning commission, or the county council by majority vote, may place a proposed amendment on the docket at any time.

(3) A party other than the county council, executive, the planning commission or the department may suggest an amendment to the comprehensive plan or development regulations by making application on forms provided by the department and submitting any required docketing fee.

(a) Applications for suggested amendments must be submitted by December 31 in order to be included on the proposed docket presented to the county council at its next annual docket review. The department shall review the application for completeness and may request additional information to ensure the application is complete before scheduling it for the annual docket review.
(b) If the county council dockets a suggested amendment, all required amendment application fees are due within 30 calendar days after it is docketed. If all fees are not paid within 30 calendar days after being docketed, the department shall close the application and remove it from the docket. When docketing an application, the county council may waive the application fees if it finds the proposed amendment would clearly benefit the community as a whole.

[The intent of proposed section 22.10.020(1)-(3) is to clearly differentiate between the proposed docket presented by the department, and the final docket approved by resolution of the County Council. RCW 36.70.470's allowance for suggested amendments is accommodated, with the requirement that the suggestion be accompanied by a completed application and a docketing fee (not the full application fee, which is charged if it is docketed, unless waived by the County Council; the “clearly benefit the community” finding is currently required in WCC 2.160.110.).]

(4) The county council, by majority vote, may remove a proposed amendment from the approved docket by motion, unless:
(a) the amendment was proposed by a party other than the county council or the department per WCC 22.10.020(3), and
(b) the applicant has provided all information required by the planning and development services department. The department shall notify the applicant not less than 30 calendar days prior to consideration of removal from the docket. If the county council has not acted upon a docketed proposed amendment during the year for which it has been docketed, the county council may place the amendment on the following year’s docket.

22.10.030 Processing of docketed amendments.
(1) The department shall review docketed comprehensive plan and development regulation amendment applications as provided below:

(a) For suggested amendment applications filed per WCC 22.10.020(3), the department shall evaluate the applications for completeness and may request additional information of the applicant prior to requesting the appropriate hearing body to schedule a public hearing. Where a development regulation amendment requires a comprehensive plan amendment, the two amendments shall be processed at the same time.

(b) The department shall conduct environmental review under SEPA and prepare a staff report including recommendations and/or options for each docketed amendment. Both the report and the result of the environmental review shall be forwarded to the planning commission, and to the applicable city staff if the proposed amendment applies to land within a city’s urban growth area.

(c) The staff report shall evaluate the proposed amendment(s) in relationship to the approval criteria of WCC 22.10.060, and consider any environmental impacts or mitigation measures identified by the Whatcom County SEPA official. If the proposed amendment includes land within a city’s urban growth area, the staff report shall also address any comments from the city regarding consistency with
the applicable city comprehensive plan and the ability of the city to provide needed utility services.

(2) Docked comprehensive plan and development regulation amendment applications shall receive a public hearing by the planning commission subject to the notice requirements of 22.10.050. Following the public hearing, the planning commission shall vote to adopt findings of fact and recommended actions, which the department shall transmit to the county council. In addition to the public hearing, the planning commission may hold public work sessions to discuss a proposed amendment.

(3) The county council may hold a public hearing on the docked amendment in addition to the planning commission’s public hearing. If the county council decides the public interest is better served by considering a final action that differs from the planning commission recommendation, the county council shall hold a public hearing. The county council, by majority vote, may adopt the amendment by ordinance, reject the amendment, or remand the proposed amendment to the planning commission for further review.

(4) Actions that are quasi-judicial as defined in 42.36.010 RCW (including but not limited to a zoning map amendment for a single lot) are subject to the appearance of fairness doctrine, Chapter 42.36 RCW. For a proposed amendment that is a quasi-judicial action, the planning commission and county council shall process the application in accordance with Chapter 42.36 RCW in addition to the requirements of this section.

22.10.040 Concurrent review of comprehensive plan amendments
(1) While public hearings and other public discussion of proposed comprehensive plan amendments may take place at any time of the year, the county council’s final review and adoption of those amendments shall take place concurrently, no more frequently than once per calendar year, in accordance with RCW 36.70A.130(2)(a). Final adoption should occur on or about February 1.

(2) The following comprehensive plan amendments are excluded from the requirement of annual concurrent review and may be adopted at any time:

(a) The initial adoption of a subarea plan,

(b) Adoption or amendment of the shoreline master program under procedures set forth in Chapter 90.58 RCW,

(c) The amendment of the capital facilities element concurrent with adoption or amendment of the county budget,

(d) Amendments needed to resolve an appeal of the comprehensive plan filed with the growth management hearings board or the court, or

(e) Amendments necessary in cases where the county council finds an emergency exists.
22.10.050 Notice of public hearing.
(1) The county shall publish notice of the public hearing at least once in the official county newspaper and on the Whatcom County web site no fewer than 10 calendar days prior to the hearing. The notice shall include the date, time, place, and subject of the hearing.

[As a courtesy the department also provides notice to other publications and individuals who have submitted a written request to receive such notice through the County's web site.]

(2) For public hearings involving a quasi-judicial zoning map amendment application, per WCC 22.10.030D, the county shall provide the following notice in addition to the requirements of subsection A of this section:

(a) The county shall mail notice to property owners as follows:

(i) For zoning map amendments within existing urban growth areas: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit mailing labels with a typed address for each of the above-referenced property owners.

(ii) For zoning map amendments outside existing urban growth areas: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit mailing labels with a typed address for each of the above-referenced property owners.

(iii) For zoning map amendments that involve rezoning property to an Airport Operations District: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 1,500 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit mailing labels with a typed address for each of the above-referenced property owners.

(iv) For zoning map amendments that involve rezoning property to a Mineral Resource Land designation: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 2,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit mailing labels with a typed address for each of the above referenced property owners.

(b) The county shall prepare and the applicant shall post signs giving notice of the hearing in conspicuous locations on the property at least 10 calendar days prior to the hearing.

(c) The county shall send notice to the appropriate city, when the proposed amendment is within or would expand the urban growth area, and to agencies,
school districts, and tribes that will potentially be affected by the proposed amendment at least 10 calendar days prior to the hearing.

(d) For sites within 4,500 feet of the runway of Lynden Airport or Floathaven Sea Plane Base: At least 10 calendar days prior to the scheduled hearing date, application notice shall be sent to the city manager (if applicable), airport board or commission (if applicable), and an official representative of the airport.

(e) For sites within 10,000 feet of the runway of Bellingham International Airport: At least 10 calendar days prior to the scheduled hearing date, application notice shall be sent to the Port of Bellingham.

(f) All notices shall specify the date, time, location, and purpose of the hearing and provide a description and the location of the proposed rezone. The public shall be invited to submit written comments and attend the hearing to provide oral comments.

22.10.060 Approval criteria.
(1) In order to approve a comprehensive plan amendment, the planning commission and the county council shall 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:

(i) The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the comprehensive plan.

(ii) 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.

(iii) Anticipated impact upon designated agricultural, forest and mineral resource lands.

(d) The amendment does not include or facilitate spot zoning.
(2) In order to approve an amendment to the development regulations, the planning commission and county council shall find that the amendment is consistent with the comprehensive plan.

Chapter 22.15
CODE COMPLIANCE PROCEDURES
(Reserved)

[This is a place-holder for a future consolidated chapter on enforcement procedures. It would largely be based on current Chapter 20.94 Enforcement and Penalties, with enforcement procedures from other titles added, because PDS staff enforces more than just Title 20 Zoning.]

Chapter 22.20
LAND USE AND DEVELOPMENT CODE INTERPRETATION PROCEDURES

[Based on City of Bellingham’s code interpretation process, BMC 21.10.270]
Sections:
22.20.010 Purpose and applicability.
22.20.020 Request for interpretation.
22.20.030 Procedure.
22.20.040 Factors for Consideration.
22.20.050 Issuance of Interpretation.
22.20.060 Appeals.

22.20.010 Purpose and applicability
(1) The purpose of this chapter is to establish the procedure for interpreting provisions of Whatcom County’s land use and development codes to clarify conflicting or ambiguous wording.

(2) The director of planning and development services (director) is authorized to make written interpretations of the provisions of the following titles of WCC:

(a) Title 16 Environment,
(b) Title 20 Zoning,
(c) Title 21 Land Division Regulations,
(d) Title 22 Land Use and Development Procedures, and
(e) Title 23 Shoreline Management.

(3) Issuance of an interpretation of the provisions of the code shall not amend the code.

22.20.020 Request for interpretation.
Anyone may request an interpretation consistent with the provisions of this chapter. Any person requesting an interpretation of the code shall submit a written request specifying each provision of the code for which an interpretation is requested, why an interpretation of each provision is necessary, and any reasons or material in support of a proposed interpretation.

22.20.030 Procedure.
(1) The director shall determine how to process the code interpretation request. The request may be:
   
   (a) Processed as a Type I decision per WCC 22.05.020; or
   
   (b) Consolidated with the process associated with the review of the application.

(2) The director shall consult with the Department of Ecology regarding any interpretation of the shoreline management program.

22.20.040 Factors for consideration.
In making an interpretation of the provisions of the code, the director shall consider the following:

(1) The applicable provisions of the code including their purpose and context;

(2) The impact of the interpretation on other provisions of the code;

(3) The implications of the interpretation for development within the county as a whole; and

(4) The applicable provisions of the comprehensive plan and other relevant codes and policies.

22.20.050 Issuance of interpretation.
The director shall issue a written interpretation within 30 calendar days of the department’s receipt of the interpretation request. Issuance of the interpretation shall include notification of the person making the request and publication of the interpretation on the county’s web site. The director may docket an amendment to clarify the affected section of county code per WCC 22.10.020(2).

22.20.060 Appeals.
Any party of record may file an appeal of a formal code interpretation. The appeal shall follow all rules and procedures for appeals to the hearing examiner as set forth in WCC 22.05.160.
Chapter 22.25

LAND USE AND DEVELOPMENT FEES

[Proposed to be moved from WCC 20.04.090 - .092 because it applies to all land use and development fees, not just those in Title 20 zoning.]

Sections:
  22.25.010 Purpose and applicability
  22.25.020 Application fees and other fees.
  22.25.030 Reduced application fees.
  22.25.040 Refund of application fees.

22.25.010 Purpose and applicability
(1) The purpose of this chapter is to establish the authority for collecting fees for various land use and development review services, as well as provisions for reductions and refunds of those fees.

(2) The provisions of this chapter shall apply to fees charged for procedures contained in the following titles of WCC:

(a) Title 15 Building and Construction,

(b) Title 16 Environment,

(c) Title 17 Flood Damage Prevention,

(d) Title 20 Zoning,

(e) Title 21 Land Division Regulations,

(f) Title 22 Land Use and Development Procedures, and

(g) Title 23 Shoreline Management.

22.25.020 Application fees and other fees.
Fees for project permit applications, legislative amendments and fees for other approvals and reviews as set forth in this title shall be as provided in the Unified Fee Schedule.

22.25.030 Reduced application fees.
When any given project requires more than one of the following permits or applications, the total amount of fees shall be reduced by 25 percent of the required aggregate permit and application fees; provided any fees required for processing of an EIS shall not be included as part of the total amount of fees to be reduced by 25 percent.

(1) Subdivision plat application;
(2) Rezone application;

(3) Shoreline substantial development permit, variance or conditional use;

(4) Major development permit;

(5) Conditional use permit;

(6) Variance;

(7) Planned unit development.

22.25.040 Refund of application fees.
Refunds of application fees for project permits and for amendments to the Whatcom County Comprehensive Plan, development regulations and official maps shall be computed based on the following, unless otherwise indicated in Whatcom County Code. All refund requests shall be submitted in writing to the department of planning and development services. The date of application for a refund request shall be the date the written refund request is received by the department. For the purpose of computing elapsed calendar days, the day after the date of application or deadline date as appropriate shall be counted as day one.

(1) Fees for Project Permits.

(a) Applications withdrawn on or before the fourteenth calendar day after the date of application shall be eligible for a refund of 90 percent of all application fees including any SEPA fees.

(b) Applications withdrawn after the period set forth in subsection (1)(a) of this section but on or before the ninetieth calendar day after the date of application shall be eligible for a refund of 50 percent of all application fees except for any SEPA fees which shall not be eligible for a refund.

(c) Applications withdrawn after the ninetieth calendar day after the date of application shall not be eligible for a refund.

(d) Notwithstanding the above, no fees shall be refunded for any permit or approval that has been issued or granted by the county.

(e) The director may authorize a full refund of any project permit application fee paid in error.

(2) Fees for Amendments to the Whatcom County Comprehensive Plan, Development Regulations, and Official Maps.

(a) Applications for amendments that are withdrawn on or before the fourteenth calendar day after the deadline for submitting the fee shall be eligible for a refund of 90 percent of all application fees including SEPA fees. If there is no deadline for submitting the fee, the 90-percent refund shall be given if the application is withdrawn on or before the fourteenth calendar day after the fee was submitted.
(b) Applications for amendments that are withdrawn after the period set forth in subsection (2)(a) of this section but on or before the ninetieth calendar day after the deadline for submitting the fee shall be eligible for a refund of 50 percent of all application fees except for SEPA fees which shall not be eligible for a refund. If there is no deadline for submitting the fee, the 50-percent refund shall be given if the application is withdrawn on or before the ninetieth calendar day after the fee was submitted.

(c) Applications for amendments that are withdrawn after the 90 calendar days shall not be eligible for a refund.

(3) Withdrawal of an application shall constitute full surrender of any express or implied rights inherent in an application which has been perfected and accepted by the planning and development services department or its designees.
EXHIBIT A

Whatcom County Code Title 22

AMENDMENTS

Title 22

Reserved

Land Use and Development Procedures

(This would create a new WCC Title 22 that would be the location for all procedural requirements for land use and development applications, separate from the land use and development regulations. This takes the place of the previous Title 22, the Guide Meridan Improvement Plan, which was repealed during the 2016 Comprehensive Plan update.)

Chapters:

22.05 Project Permit Procedures
22.10 Legislative Action Procedures
22.15 Code Compliance Procedures
22.20 Land Use and Development Code Interpretation Procedures
22.25 Land Use and Development Fees

Chapter 22.05

PROJECT PERMIT PROCEDURES

(This new chapter is adapted mostly from the current Chapter 2.33 Permit Review Procedures, and procedural passages from other chapters. Current text is shown in normal black font with proposed changes shown in red. The current chapter/section numbers are shown as deleted with the proposed numbers replacing them.)

Sections:
2.33.010-22.05.010 Purpose and applicability.

A: (1) The purpose of this chapter is to combine and consolidate the application, review, and approval processes for project permits and appeals as defined in WCC 20.97.321, consolidate the application, review, and approval processes for land development in Whatcom County in a manner that is easily understood and concise. It is further intended for this chapter to comply with state direction the provisions of Chapter 36.70B RCW. These procedures provide for a consolidated land use permit process and integrate the environmental review process with the procedures for review of land use decisions.

B: (2) This chapter describes how the county will applies to the processing of project permit applications for development or variances related to the provisions of WCC Title 15 Building and Construction, Title 16 Environment, Title 17 Flood Damage Prevention, Title 20 Zoning, Title 21 Land Division Regulations, and Title 23 Shoreline Management. The provisions of this chapter shall apply to all project permit applications as defined in RCW 36.70B.020, and other administrative decisions, as listed in the table in WCC 22.05.020, for a project permit that require an open record hearing including, but not limited to:

1. Conditional uses;
2. Variances;
3. Subdivisions;
4. Shoreline permits when an open record hearing is required;
5. General binding site plans;
6. Lot consolidation relief;
7. Site-specific rezones;
8. Reasonable use.  

**2.33.020 Exemptions**  
The following are exempt from the provisions of this chapter:  
A. Project permits not subject to open record hearings; including, but not limited to, building permits and short plats, are exempt from the provisions of this chapter; provided, that:  
1. The county shall make a determination of completeness pursuant to WCC 2.33.050; and  
2. A final decision is made by the county pursuant to WCC 2.33.090: a. Within 90 days of a determination of completeness if the project is exempt from SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code; b. Within 120 days of a determination of completeness if the project is subject to SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code;  
B. Planned unit development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;  
C. Major development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;  
D. Concomitant rezones; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;  
E. Legislative actions including standard map amendments, comprehensive plans or other related plans and regulations.  

**22.05.020 Project Permit Processing Table**  
(1) Marked boxes in the table below indicate the required general steps for processing all project permit applications or administrative actions. The requirements for each step listed in the top row of the table are provided in WCC sections 22.05.040 through 22.05.160, as indicated. Specific requirements for each project permit can be found through the references given in the table.
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<thead>
<tr>
<th>Type I Applications (Administrative decision with no public notice or hearing)</th>
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<tr>
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<td>Commercial Site Plan Review</td>
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<td>Non-conforming Use</td>
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<td>Shoreline Exemption</td>
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<td>Zoning Interpretation</td>
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<td>Lot Consolidation Relief</td>
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Check marks indicate a step is required; reference letters refer to the notes in subsection (2).
(2) Project Permit Processing References Table Notes. As indicated in the table in subsection (1), project permits are subject to the following additional requirements:

(a) Pre-application conferences subject to Title 23 Shoreline Master Program.

(b) Single family residential uses in critical areas or critical area buffers, except all uses in geological hazardous areas and setbacks.

(c) Shoreline Permit public hearing decision determined pursuant to Title 23 Shoreline Master Program. If a public hearing is required the Shoreline Permit shall be processed as a Type III application.

(d) Final decision filed with the Washington State Department of Ecology.

(e) All uses in a geological hazardous areas and setbacks and all non-single family residential uses in critical areas or critical area buffers.

(f) Building permit pre-application conference, subject to WCC 15.04.020(A)(3)(a).

(g) The hearing examiner may choose to consult with the development standards technical advisory committee concerning technical matters relating to land division applications. [from WCC 21.01.170]

(h) Whatcom County shall consider an appeal of a decision on a shoreline substantial development permit, shoreline variance, or shoreline conditional use only when the applicant/proponent waives his/her right to a single appeal to the shoreline hearings board. When an applicant/proponent has waived his/her right to a single appeal, such appeals shall be processed in accordance with the appeal procedures of subsection WCC 23.60.150.H.

(i) Except that appeals of Title 15 fire and building code requirements shall be made to the board of appeals per current building code, as adopted in WCC 15.04.010.

22.05.030 Consolidated permit review.1

A. At the request of the applicant, the county shall integrate and consolidate the review and decision on two or more project permits subject to this chapter that relate to the proposed project action unless the applicant requests otherwise. Consolidated Type I, II, III and IV permits shall be reviewed under the process required for the permit with the highest process type number per WCC 22.05.020. Level IV is considered the highest and Level I is considered the lowest process type.

B. If the applicant elects the consolidated permit review process, the determination of completeness, notice of application, and notice of final decision must include all project permits being reviewed through the consolidated permit review process.

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1 RCW 36.70B.060(3)
C. The consolidated permit review may combine an open record hearing on one or more permits with an open record appeal hearing on other permits.

2.33.030-22.05.040 Preapplication conference.
A.(1) The purpose of a preapplication conference is to assist applicants in preparing development applications for submittal to the county by identifying applicable regulations and procedures. It is not intended to provide a staff recommendation on future permit decisions. Preapplication review does not constitute acceptance of an application by the county nor does it vest an application, unless otherwise indicated in Whatcom County Code, is to acquaint county staff with a sufficient level of detail regarding the proposal. It is also the purpose of this to acquaint the applicant with the applicable requirements of the Whatcom County Code.

(1) A preapplication conference is required as indicated in WCC 22.05.020, unless the planning director or designee grants a written waiver. For other permits, the applicant may request a preapplication conference.

B.(2) WCC 2.33.020(A)-22.05.020 indicates the project permits for which an A preapplication conference may be requested is required prior to the submittal of a project permit application subject to this chapter. For other permits, the applicant may request a preapplication.

C.(32) The county shall charge the applicant a fee for a preapplication conference per the Unified Fee Schedule. If the county makes a determination of completeness on a project permit submitted within one year of the notice of site-specific submittal requirements per subsection (86) of this section preapplication meeting, the preapplication fee shall be applied to the application cost.

D.(43) It is the responsibility of the applicant to initiate a preapplication conference through a written request or other means allowed by the technical administrator application. The request application shall, at a minimum, include the following written information: all items identified on the pre-application form and the department's administrative manual.

1. Property owner's name, address, phone number, fax number;
2. Applicant/project representative name, address, phone number, fax number;
3. Project site parcel number;
4. Project site address (if available);
5. Written description of the project;
6. One copy of the current deed to the property;
7. A site plan drawn at a scale of one inch equals 100 feet or larger that includes the following:
   a. North arrow;
   b. Scale;
   c. All existing and proposed property lines with dimensions of parcel;
   d. Location and size of existing and proposed structures labelled appropriately;
   e. Location and size of existing and proposed easements and/or rights of-way on or adjacent to the project site;
f. Significant physical features such as drainageways, wet areas, steep or unstable slopes;
g. Location of utilities including wells and septic systems when applicable.

E. (5) The applicant may provide additional information to facilitate more detailed review. See WCC 2.33.040, Application submittal information, for additional submittal information, the department’s administrative manual for additional submittal information.

F. (64) A preapplication conference shall be held-scheduled as soon as possible, but, in any event, no and held no later than 20-30 calendar days from the date of the applicant’s request, unless agreed upon by the applicant and the county.

(75) The county Whatcom County planning and development services staff shall invite the appropriate city to the preapplication meeting if the project is located within that city’s urban growth area. Invitation to the pre-application meeting for a project permit short plat or preliminary plat adjacent to or within one mile of the municipal boundaries of a city, or which contemplates the use of any city utilities, Notice shall also be given to appropriate public agencies and public utilities, if within 500 feet of the area submitted in the application. [Subsection (75) wording is proposed to be moved from 21.01.090(2) so the requirement to involve cities in preapplication review would apply to all project permits, not just subdivisions. This is consistent with adopted interlocal agreements.]

(86) The county shall provide the applicant with notice of site-specific submittal requirements for application as soon as possible, but, in any event, no later than 10-14 calendar days from the date of the conference.

(97) Preapplication review and preapplication agreements shall be valid for one year. A new preapplication conference shall be required if, within one year of notice of site-specific submittal requirements per subsection (8) of this section, a preapplication meeting, an associated project permit application is not filed with the county within one year of the notice of site-specific submittal requirements per subsection (6) or the application is substantially altered, the applicant shall be subject to a new preapplication review with a corresponding fee, unless waived per WCC 22.05.040(1).

(10) Preapplication review does not constitute acceptance of an application by the county nor does it vest an application, unless otherwise indicated in Whatcom County Code.

2.33.050.22.05.050 Permit receipt and Application, fees, and determination of completeness.

2.33.040 Application submittal information.
A. An application shall meet all submittal requirements before the proposal is submitted to the county for review. Upon submittal by the applicant, the county will accept the application and note the date of receipt. Receipt of an application does not constitute approval of the project proposal.
B. Within 14 days of accepting the application, the county shall make a determination of completeness or issue a determination that the application is incomplete.

C. A project permit application is complete when it meets the submittal information requirements of WCC 2.33.040, Application submittal information.

D. When an application is determined to be complete, the county shall proceed as follows:
   1. Issue a determination of completeness either via postal service or directly provided to the applicant within 14 days of accepting a project permit application.
   2. To the extent known, identify other agencies that may have jurisdiction over the project permit application. A list of agencies shall be included in the determination of completeness.
   3. A determination of completeness shall not preclude the county from requiring additional information or studies at any time prior to permit approval.

E. If the application is determined to be incomplete, then the following procedure shall take place:
   1. The county will notify the applicant that the application is incomplete and indicate what is necessary to make the application complete.
   2. The applicant shall have 90 days from the date that the notification was issued to submit the necessary information to the county. This period shall be extended at the applicant’s request in 90-day increments.
   3. Upon receipt of the requested additional information, the county shall have 14 days to make a determination and notify the applicant.
   4. If the applicant does not submit the necessary information to the county in writing within the 90-day period, the county shall make findings and issue a decision that the application is rejected.

F. If the county rejects an application, all vesting rights are lost.

G. If the county rejects an application because the applicant has failed to submit the required information within the necessary time period the county will return the application materials and the application will be closed.

H. A project permit application shall be deemed complete under this section if the county does not provide a written determination to the applicant that the application is incomplete within 14 days from the date of submittal as required in subsection E of this section. (Ord. 96-031 § 1).

(1) Project permit applications shall be submitted using current forms provided by the review authority. The submittal shall include: all applicable fees per Chapter 22.25 WCC, all materials required by the department’s administrative manual, and all items identified in the preapplication notice of site-specific submittal requirements.

(2) Upon submittal by the applicant, the county will accept the application and note the date of receipt. Receipt of an application does not constitute approval of the project proposal.

(3) Within 14 calendar days\(^2\) of receiving the application, the county shall provide to the applicant a written determination which states either that the application is

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\(^2\) RCW 36.70B.070(1) allows 28 days; Title 21 currently has 28 days for subdivision plat applications, which would be changed to 14 days under this proposal.
complete or the application is incomplete. To the extent known by the county, other agencies of local, state, or federal government that may have jurisdiction shall be identified on the determination.

(4) A project permit application is complete when it meets the submittal requirements of the department’s administrative manual, includes items identified through the preapplication conference process and contains sufficient information to process the application even if additional information will be required. A determination of completeness shall not preclude the county from requiring additional information or studies at any time prior to permit approval. A project permit application shall be deemed complete under this section if the county does not issue a written determination to the applicant that the application is incomplete by the end of the 14th calendar day from the date of receipt.

(5) If the application is determined to be incomplete, the following shall take place:

(a) The county will notify the applicant that the application is incomplete and indicate what is necessary to make the application complete.

(b) The applicant shall have 90 calendar days from the date that the notification was issued to submit the necessary information to the county. If the applicant does not submit the necessary information to the county in writing within the 90-day period, the application shall be rejected. The director or designee may extend this period for an additional 90 calendar days upon written request by the applicant.

(c) Upon receipt of the necessary information, the county shall have 14 calendar days to make a determination and notify the applicant whether the application is complete or what additional information is necessary.\(^3\)

(6) A determination of an incomplete application is an appealable final administrative determination, subject to WCC 22.05.160(1).

**20.04.031 22.05.060 Vesting of permits.** [The proposal would replace the County’s vesting provisions of WCC 20.04.031 in this subsection so that they will clearly apply to all development permits (not just those listed in Title 20 Zoning) and to add clearer language that is more consistent with wording in state law and with recent court decisions. The current WCC 20.04.031(1)’s definition of project permit is proposed to be deleted, with a new reference to the County Code’s definition (consistent with state law) to be added to 22.05.010.]

(1) Complete applications. For a project permit application the department has determined to be complete per WCC 22.05.050(4), the application shall be considered under the zoning or other land use control ordinances in effect on the date the application was submitted to the department.

\(^3\) RCW 36.70B.070(4)(b)
(2) Incomplete applications. For a project permit application the department has determined to be incomplete per WCC 22.05.050(5), the application shall be considered under the zoning or other land use control ordinances in effect on the date the department determines the application to be complete based on the necessary information required by the department.

(3) Applications subject to pre-application conference. Notwithstanding the provisions of subsections (1) and (2) of this section, for a project permit application that is (a) subject to a pre-application conference per WCC 22.05.020 and .040, (b) submitted no more than 28 calendar days from the date the department issued its pre-application meeting findings notice of site-specific submittal requirements, and (c) determined complete by the department, the application shall be considered under the zoning or other land use control ordinances in effect on the date the pre-application conference request was submitted to the department.

[Proposed subsection (3) would prevent the requirement of a pre-application meeting from delaying vesting, provided the pre-application materials are complete enough that a building permit can be issued within 30 days of the pre-application findings. (See West Main Assocs. vs. Bellevue decision)]

(4) Continuation of vesting. Building or land disturbance permit applications that are required to complete a valid (i.e. not expired) project permit approval for project permits identified in the following list (a-m) shall vest to the zoning and land use control ordinances in effect at the time the project permit application identified below was determined complete.

(a) Administrative Use;
(b) Commercial Site Plan Review;
(c) Conditional Use;
(d) Critical Areas Variance;
(e) Major Project Permit;
(f) Natural Resource Review;
(g) Planned Unit Development;
(h) Reasonable Use (Type II and III);
(i) Shoreline Conditional Use;
(j) Shoreline Exemption;
(k) Shoreline Substantial;
(l) Shoreline Variance;
(m) Zoning Variance.

(5) Building permit applications within recorded long and short subdivisions and binding site plans. Building permit applications, including associated land disturbance permits, shall be governed by conditions of approval, statutes, and ordinances in effect at the time of final approval pursuant to RCW 58.17.170. Vesting duration for those building permit applications shall be governed by the
time limits established for long subdivisions in RCW 58.17.170, unless the county finds that a change in conditions creates a serious threat to the public health or safety.

[Under this proposal, the 5- or 7-year vesting that applies specifically to long plats in RCW 58.17.170 is proposed to be extended to short plats and binding site plans. This is intended to provide greater clarity and predictability, and to be consistent with recent case law. Based on the County's current understanding of statute and case law, water rights are not currently considered "zoning or other land use controls."]

(6) Building and fire code requirements. Building and fire code provisions adopted per WCC Title 15 vest at the time a building permit application is determined complete.

[The proposed subsection clarifies that building and fire code vests at the time of complete building permit application, whereas land use controls (e.g. zoning and critical areas) vest with the original project permit, consistent with current 20.04.031(3)(d).]

(7) Duration. Vesting status established through subsections (1) through (5) of this section runs with the application and expires upon denial of the application by the county, withdrawal of the application by the applicant, rejection of the application per WCC 22.05.050(5), expiration of the application per WCC 22.05.130(1)(a)(i), or expiration of the approved permit per WCC 22.05.140.

[current 20.04.031(1) through (5) on vesting to be deleted:]
(1) Project Permits Defined. For the purpose of this section, "project permit" and "project permit application" shall be as defined in RCW 36.70B.020:

Any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit development permits, site plan review, permits or approvals required by critical areas ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

(2) Project Permits Approved Prior to Effective Date.

(a) Project permits which have been approved by Whatcom County on or before the effective date of the ordinance codified in this section are hereby deemed to be vested under the zoning and land use regulations in effect at the time of the complete application therefore.

(b) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.
(3) Project Permit Applications Submitted After the Effective Date:

(a) Project permit applications submitted after the effective date of the ordinance codified in this section shall be vested under the zoning and land use regulations in effect at the time of application; provided, that the county has not subsequently notified the applicant that the application is incomplete.

(b) If the county has notified the applicant that the application is incomplete, the application shall not be deemed vested until the date the county notifies the applicant that the application is complete.

(e) Until the county implements RCW 36.70B.070, the county shall make the determination of completeness in accordance with its existing policy. Once the provisions of RCW 36.70B.070 regarding completeness are implemented, such provision shall govern the determination of a complete application.

(d) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.

(4) Project Permit Applications Submitted Prior to the Effective Date, But Which Have Not Received Final Approval on or Before the Effective Date:

(a) Project permit applications submitted prior to the effective date of the ordinance codified in this section but which have not received final approval on or before the effective date of the ordinance codified in this section shall be deemed vested under the zoning and land use regulations in effect at the time the county accepted payment of an application fee; provided, that the county has not subsequently notified the applicant that the application is incomplete.

(b) If the county has notified the applicant that the application is incomplete, the application shall not be deemed vested until the date the county notifies the applicant that the application is complete.

(e) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.

(5) Additional Provisions:

(a) Nothing herein shall restrict the county's authority to impose conditions on project permits pursuant to the State Environmental Policy Act (SEPA); Chapter 43.21C RCW and WAC 197-11-600.

(b) Project permit applications for development of lots created by the short plat process shall comply with all development regulations, including but not limited to the critical areas ordinance, impervious surface restrictions, environmental work closure periods, and all other applicable code standards.

2.33.06022.05.070 Notice of application for a proposed land use action.
A. (1) For Type II, III, and IV applications per WCC 22.05.020, the county shall issue a notice of application shall be issued for project permit applications within 14 calendar days after a determination of completeness and at least 15 calendar days prior to the open-record hearing. The date of notice shall be the date of mailing.

B. (2) If the county has made a State Environmental Policy Act (SEPA) threshold determination of significance concurrently with the notice of application, the county shall combine the determination of significance and scoping notice shall be combined with the notice of application.

C. (3) Notice shall include:

1. (a) The date of application, the date of determination of completeness for the application, and the date of the notice of application;

2. The date, time, place and type of the hearing, if applicable, and scheduled at the date of notice of the application;

3. (b) A description of the proposed project action and a list of the project permits included in the application, and, if applicable, a list of any studies requested by the county;

4. (c) The identification of other permits not included in the application to the extent known by the county;

5. (d) The identification of environmental reviews conducted, including notice of existing environmental documents that evaluate the proposed project (including but not limited to reports, delineations, assessments and/or mitigation plans associated with critical area reviews) and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;

6. (e) Any other information determined appropriate by the county;

7. (f) A statement indicating those development regulations that will be used for project mitigation or a determination of consistency if they have been identified at the time of notice;

8. (g) A statement of the limits of the public comment period which shall be the right of any person to comment on the application within a 15 calendar days time period for all project permits except (30 calendar days for shoreline substantial development permits, shoreline conditional use, shoreline variance and major project permits for mitigation banks which shall have a minimum comment period of no more than 30 calendar days).

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4 RCW 36.70B.110(2)
(h) A statement of the right of any person to comment on the application and receive notice of and participate in any hearings, request a copy of the decision once made and to appeal a decision when allowed by law. The department may accept public comments at any time prior to the close of the open record public hearing, or if there is no public hearing, prior to the decision on the project permit. In addition, the statement shall indicate that any person wishing to receive personal notice of any decisions or hearings must notify the department, hearing examiner’s office within 15 days (30 days for substantial development permits and major project permits for mitigation banks) of the date of the notice of application.

D.(4) The department shall issue a notice of application shall be issued in the following manner:

1.(a) The notice shall be published once in the official county newspaper and on the Whatcom County website. The applicant shall bear the responsibility of paying for such notice.

[As a courtesy the department also provides notice to other publications and individuals who have submitted a written request to receive such notice through the County’s web site.]

2.(b) Additional notice shall be given using the following method:

a.(i) For sites within urban growth areas: At least 12 days prior to the scheduled hearing date, applicants shall submit, with their completed application, a stamped envelope with a typed address for each of the above referenced property owners;

b.(ii) For sites outside urban growth areas: At least 12 days prior to the scheduled hearing date, applicants shall submit, with their completed application, a stamped envelope with a typed address for each of the above referenced property owners;

3. All costs associated with providing notice shall be paid by the applicant.

E.(5) The county shall send notices of application should be sent to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly, by the proposed development. (The county shall be responsible for such notification.) Notice shall also be given to public utilities, if within 500 feet of the area submitted in the application.
F.(6) With the exception of substantial development permit applications and major project permit applications for mitigation banks, a public comment period shall be 15 calendar days following the date of notice of application. Substantial development permit applications and major project permit applications for mitigation banks require a 30-calendar day period. All public comments received on the notice of application must be received by the department of planning and development services by 4:30 p.m. on or before the last day of the comment period. The county may require the applicant to pay the cost of providing notice.

G.(7) No SEPA threshold determination until the expiration of the public comment period established for the notice of application. This condition shall not apply if a determination of significance is made by the county. Except for a determination of significance, the county shall not issue its SEPA threshold determination or issue a decision or recommendation on a permit application until the end of the public comment period on the notice of application. If an optional determination of nonsignificance (DNS) process is used, the notice of application and DNS comment period shall be combined.

H.(8) Public notice given for project permit applications, SEPA documents, project hearings, and appeals hearings as required by this chapter and other provisions of the county code may be combined when practical, where such combined notice will expedite the permit review process, and where provisions applicable to each individual notice are met through the combined notice.

22.05.080 Posting of public noticeApplication. [existing text from 20.84.235(2)]
Where posting of public notice is required per WCC 22.05.020, the applicant department shall post public notices of the proposal on all road frontages of the subject property and adjacent shorelines on or before the notice of application date and shall so as to-be visible to adjacent property owners and to passing motorists. Said notices shall be provided to the applicant by the planning and development services department and shall remain in place until three days after the comment period closes, for at least 15 days prior to the decision. A signed affidavit of posting shall be returned at least one week prior to the decision.

2.33.110 22.05.090 Open record hearings.
As shown in WCC 22.05.020, Type III and Type IV applications require an open record public hearing. These hearings are subject to the following: Open record hearings subject to this chapter shall be undertaken pursuant to Chapter 20.92 WCC and other relevant chapters relating to specific permit processes.

20.92.215(1) Open record hearing notice.

Notice of the time and place of the open record hearing shall be given pursuant to WCC 2.33.060 and 2.33.070.
2.33.070 Notice of an open record hearing.
A. (a) The hearing examiner shall publish a notice of open record hearing shall be published by the hearing examiner once in the official county newspaper and on the Whatcom County website at least 1014 calendar days prior to an open record hearing. The notice shall consist of the date, time, place, and type of the hearing. In addition, personal notice shall be provided to any person who has requested such notice in a timely manner, consistent with WCC 2.33.060 22.05.0670(C3)(87h).

B. (b) Additional notices shall be given within two days of the published notice by posting of the applicant shall be responsible for posting three copies of the notice in a conspicuous manner on the property upon which the use is proposed. Notices shall be provided by the county hearing examiner. The applicant shall be responsible for posting.

C. (c) An affidavit verifying distribution of the notice must be submitted to the county hearing examiner two working days prior to the open record hearing.

D. (d) The hearing examiner shall send notices of an open record hearing should be sent to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly, by the proposed development. The county hearing examiner shall be responsible for such notification.

E. (e) The applicant shall pay all costs associated with providing notice shall be paid by the applicant.

20.92.220(2) One open record hearing.

A project proposal subject to Chapter 2.33- WCC 22.05 shall be provided with no more than one open record hearing and one closed record hearing pursuant to Chapter RCW 36.70B-RCW. This restriction does not apply to an appeal of a determination of significance as provided in RCW 43.21C.075.

20.92.221(3) Combined county and agency hearing.

When unless otherwise requested by an applicant, the county shall allow an open record hearing to be combined with a hearing that may be necessary by another local, state, regional, federal or other agency for the same project if the joint hearing can be held within the time periods specified in Chapter WCC 2.33-22.05 WCC, or if the applicant agrees to waive such time periods in the event additional time is needed in order to combine the hearings. The combined hearing shall be conducted in Whatcom County pursuant to Chapter RCW 36.70B-RCW.

(4) Quasi-judicial actions, including applications listed as Type III and IV applications in WCC 22.05.020, are subject to the appearance of fairness doctrine, RCW 42.36. The hearing examiner shall administer the open record hearing and issue decisions or recommendations in accordance with RCW 42.36.

2.33.08022.05.100 Consistency review and staff report recommendations.
A. Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review. During project permit review, the review authority shall determine if the project proposal is consistent with the county’s comprehensive plan, other adopted plans, existing regulations and development standards.

(1) For Type I and II applications, the conclusions of a consistency determination made under this section shall be documented in the project permit decision. The review authority shall at a minimum use four criteria for determining consistency, as follows:

1. Type of land use permitted on the site;
2. Density of development allowed on site, such as units per acre or floor area ratio or lot coverage;
3. Availability and adequacy of public facilities and infrastructure (when applicable);
4. Character of the development.

(2) For Type III and IV applications the department shall prepare a staff report on the proposed development or action. Staff shall file one consolidated report with the hearing examiner at least 17-10 calendar days prior to a scheduled open record hearing. The staff report shall:

- address the proposed development or action, summarizing the comments and recommendations of county departments, affected agencies, special districts and public comments received within the 15-day or 30-day comment period as established in WCC 2.33.060(F). The report shall also provide an evaluation of the project proposal for consistency as indicated in this section. The staff report shall include findings, conclusions, and proposed recommendations for response to the proposal.

(a) Summarize the comments and recommendations of county departments, affected agencies, special districts and public comments received within the 14-day or 30-day comment period as established in WCC 22.05.070(6).

(b) Provide an evaluation of the project proposal for consistency as indicated in this section.

(c) Include recommended findings, conclusions, and actions regarding the proposal.

[The proposal to change the staff report time frame to ten days is consistent with public notice publication requirements of 22.05.090(1)(a).]

D. The conclusions of a consistency determination made under this section shall be documented in the project permit decision.
(3) For all project permit applications, if more information is required to determine consistency at any time in review of the application, the department may issue a notice of additional requirements. The notice of additional requirements shall allow the applicant 180 calendar days from the date of issuance to submit all required information. The director or designee may extend this period for no more than cumulative 24 months upon written request by the applicant or authorized agent, provided the request is submitted before the end of the first 180-day period. A notice of additional requirements is not a final administrative determination.

[Proposed subsection (3) codifies a 180-day response period for N:O:A:R, consistent with current PDS practice.]

20.92.40822.05.110 Final decisions.
(1) The director or designee's administrator's final decision on all Type I or II applications shall be in the form of a written determination or permit. The determination or permit may be granted subject to conditions, modifications, or restrictions that are necessary to comply with all applicable codes.

20.92.410 Final decision conditions—Applications and appeals.
(2) The hearing examiner's final decision on all Type III applications per WCC 22.05.020 or appeals per 22.05.160(1) shall either grant or deny the application or appeal.

(a) The hearing examiner may grant Type III the applications or appeal subject to conditions, modifications or restrictions that the hearing examiner finds are necessary to make the application compatible with its environment, carry out the objectives and goals of the Comprehensive Plan, statutes, ordinances and regulations as well as other official policies and objectives of Whatcom County conditions, modifications or restrictions that the hearing examiner finds necessary to make the application compatible with its environment, and carry out the objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code, the critical areas ordinance, or other official policies and objectives of Whatcom County.

(b) Performance bonds or other security, acceptable to the prosecuting attorney, may be required to ensure compliance with the conditions, modifications and restrictions.

20.92.420 Final decision—Findings and conclusions.
(c) The hearing examiner shall render a final decision within 14 calendar days following the conclusion of all testimony and hearings. Each final decision of the hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision.

20.92.430 Time limitation on decision.
Except for major project permits, each final decision and recommended decision of the hearing examiner shall be rendered within 10 calendar days following the conclusion of all testimony and hearings. For major project permits, the hearing examiner shall render recommendations within 45 calendar days following the conclusion of the open record hearing.
20.92.440 Review limited.
(d) No final decision of the hearing examiner shall be subject to administrative or quasi-judicial review, except as provided herein.

20.92.600 Appeal to county council.
20.92.610 Applicant appeal.
(e) The applicant, any party of record or any county department may appeal any final decision of the hearing examiner to the county council, except as otherwise specified in WCC 22.05.020. The appellant shall file a written notice of appeal at the county council office within 10 business days of the final decision of the hearing examiner. Any parties of record from the hearing examiner’s proceedings who wish to continue to be considered parties of record must register with the county council in writing no later than 10 days after the date of the notification of appeal letter which is sent from the hearing examiner’s office. The notification of appeal letter will be sent from the hearing examiner’s office within three working days of receiving written notification from the county council office that an appeal has been filed.

[22.05.020 proposes changing the appeal body from County Council to Superior Court to separate legislative and quasi-judicial functions. Accordingly, the current 20.92.620 through .840, which describes the County Council appeal process, is proposed to be omitted.]

20.92.30022.05.120 Recommended decisions to county council.

20.92.310 Recommended conditions.

20.92.30022.05.120 Recommended decisions to county council.
(1) For Type IV applications per WCC 22.05.020 the hearing examiner’s recommendations to the county council may be to grant, grant with conditions or deny an application. The hearing examiner’s recommendation may include conditions, modifications or restrictions as may be necessary to make the application compatible with its environment, carry out the objectives and goals of the Comprehensive Plan, statutes, ordinances and regulations as well as other official policies and objectives of Whatcom County.

(2) Each recommended decision of the hearing examiner; for an application identified as a Type IV application per WCC 20.05.020 major developments, site-specific rezones and subdivisions, shall be in writing to the clerk of the county council and shall include findings and conclusions based upon the record to support the decision. Such findings and conclusions shall also set forth the manner in which the decision carries out and conforms to the county’s Comprehensive Plan and complies with the applicable statutes, ordinances or regulations. (1) The hearing examiner’s recommendations may be to grant or deny an application identified as Type IV applications per WCC 20.05.020 any subdivision, major development or site-specific rezone application, or the hearing examiner may recommend that the county council approve the application with such conditions, modifications or
restrictions as the hearing examiner finds necessary to make the application compatible with its environment and carry out the objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code, or any other official policies and objectives of Whatcom County.

20.92.320 Recommended decision—Findings and conclusions.

(2) Each recommended decision of the hearing examiner, for an application identified as a Type IV application per WCC 20.05.020, major developments, site-specific rezones and subdivisions, shall be in writing and shall include findings and conclusions, based upon the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision carries out and conforms to the county’s Comprehensive Plan and complies with the applicable statutes, ordinances or regulations.

20.92.330 Filing recommended decision.

(3) Each recommended decision of the hearing examiner, for development agreements, major project permits, developments, site-specific rezones and subdivisions and planned unit developments, shall be filed with the clerk of the county council. For major project permits, a list of the parties of record as determined by the hearing examiner should shall be filed with the recommended decision.

(3) The deliberation of the county council on quasi-judicial actions shall be in accordance with WCC 22.05.090(4) and Chapter 42.36 RCW.

20.92.500 Process for subdivision application and major project permits.

20.92.510 Subdivisions.
The county council shall process each recommended decision for subdivisions, consistent with the procedure set forth in WCC Title 21.

20.98.215 A written notice of the scheduled public hearing shall be mailed not less than 10 working days prior to the hearing as follows:

(1) For sites within urban growth areas: Notice shall be mailed to each property owner within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor;

(2) For sites outside urban growth areas: Notice shall be mailed to each property owner within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor.

Also notice of the hearing shall be published in a newspaper of general circulation in the area of the proposed project at least 10 working days prior to the public hearing. Notice shall consist of time and date of hearing, and brief description of the property and the proposed project. Further, signs meeting the approval of the zoning administrator shall be erected on each frontage of the project site by the applicant not less than 10 working days prior to the hearing.

(4) For major project permits, planned unit developments and major project permits the following shall apply:

20.88.220(a) The recommendation of the hearing examiner regarding planned unit developments and major project permits shall be based upon the criteria set forth in WCC 20.85.33588.130 and 20.858.335130, respectively. (1) through (7).
20.92.520(b) The hearing examiner shall file the recommendation with the clerk of the county council within 21 calendar days following the conclusion of the open record hearing. shall, upon receipt of the recommended decision on a major project permit, process that recommendation in the manner set forth in the major project permit chapter of this title (Chapter 20.88 WCC).

20.88.225(c) Within 45 calendar days after the hearing examiner’s recommendation has been filed, the county council shall do one of the following:
(1) Refer the project to the planning commission for a recommendation.
(2) Hold a public meeting, not an open record public hearing, to deliberate on the project application and, within 20 calendar days of the meeting, issue a final written decision. The county council may exceed the time limits in this subsection if it makes written findings that a specified amount of additional time is needed to process a specific application or project type, per RCW 36.70B.080(1).

[The optional review by Planning Commission is proposed for omission because that step makes it difficult to complete the project review within 120 days required in proposed 22.05.130(1)]

20.88.230 If the project is referred to the planning commission, that body shall within 45 calendar days hold all necessary public meetings and file with the county council a written recommendation for approval or denial and may include conditions of approval; together with the findings upon which the recommendation is based. The applicant may waive the 45 calendar day time limitation.

20.88.235 A written notice of the public meeting before the planning commission or the county council shall be mailed to all parties of record, on file with the clerk of the county council, not less than five calendar days prior to the hearing.

20.88.240 The deliberation and recommendation of the planning commission shall be based solely upon consideration of the record, the hearing examiner’s recommendation and the criteria set forth in WCC 20.88.130(1) through (7).

20.88.245 Upon receipt of the planning commission recommendation, the county council shall within 45 calendar days hold a public meeting to deliberate on the application and within 20 calendar days of the meeting issue a final written decision on the application considering the recommended decisions of the hearing examiner and planning commission.

20.88.250 Reserved.

20.88.25(5)(d) The county council’s final written decision may include conditions when the project is approved and shall state the findings of fact upon which the decision is based.

20.88.260(e) Deliberation at any public meeting before the county council or planning commission may be limited in scope to particular issues or problems at the discretion of either body.

20.88.265(6) The Any deliberation and decision of the county council shall be based solely upon consideration of the record established by the hearing examiner, the recommendations of the hearing examiner and the planning commission (when applicable), and the criteria set forth in county code WCC 20.88.130(1) through (7).

20.92.530 Site-specific rezones.
The county council shall, upon receipt of the recommended decision on a site-specific rezone, or process that recommendation in the manner set forth in Chapter 20.90 WCC, Amendments:

2.33.090-22.05.130 Notice of final decision and permit review limitation and notice of final decision.

A. Unless otherwise exempted in WCC 2.33.020 or subsection (C) of this section, the county shall issue a notice of final decision on a project permit application as follows:
   1. Within 90 days of a determination of completeness if the project is exempt from SEPA review or unless a shorter review period is provided in other provisions of the Whatcom County Code;
   2. Within 90 days of a determination of completeness if the project is a subdivision under WGC-Title 21 unless a shorter review period is provided in other provisions of the Whatcom County Code;
   3. Within 120 days of a determination of completeness if the project is other than a subdivision and is subject to SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code.

B. In determining the number of days that have elapsed after an application is determined to be complete, the following time periods shall be excluded:
   (1) The county shall issue a notice of final decision for all permit types, on or including procedures for administrative appeal and notice that affected property owners may request a change in valuation for property tax purposes, to the applicant, the Whatcom County assessor, and any person who requested notice or submitted substantive comments on the application within 120 calendar days of the date the department determined the application complete, except as provided below:
      (a) The following time periods shall be excluded from the calculation of the number of days elapsed:
         1.(i) Any period during which the applicant has been required by the county to correct plans, perform required studies, or provide additional, required information through a notice of additional requirements, per WCC 22.05.100(3). a. The period shall be calculated from the date the county notifies the applicant of the need for additional information issues a notice of additional requirements until the date the county receives the all of the requested additional information. The county shall have 14 days after the date the information has been provided to the county to determine adequacy of the information;
         b. If the information submitted by the applicant under this subsection is insufficient, the county shall notify the applicant of the deficiencies and the provisions of this section shall apply as if a new request for information has been made;
         2.(ii) Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW and WCC Title 16;
         3.(iii) The period specified for administrative appeals of project permits as provided in Chapter 20.92 2.11 WCC;

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5 RCW 36.70B.130
4.(iv) The period specified for administrative appeals of development standards as provided in WCC 12.08.035(1);

5.(v) Any period in which the applicant has not met public notification requirements;

6.(vi) Any period of time mutually agreed upon in writing by the applicant and the county.

C.(b) The time limits established by subsections (A) and (B) of this section shall not apply to a project permit application that:

1.(i) Requires an amendment to the Whatcom County comprehensive plan or a development regulation in order to obtain approval.

2.(ii) Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

3.(iii) Is substantially revised by the applicant, including all redesigns of proposed land divisions pursuant to WCC 21.01.150, in which case a new time period shall start from the date at which the revised project application is determined to be complete.

D.(c) The county may extend notice of final decision on the project if the county can document legitimate reasons for such a delay. In such a case the county shall provide written notice to the applicant at least 20-14 calendar days prior to the deadline for the original notice of final decision. The notice shall include a statement of reasons why the time limits have not been met and a date of issuance of a notice of final decision.

E. The county shall not be liable for damages under this chapter due to the county's failure to make a final decision within the time limits established in WCC 2.33.080.

F. Notice shall be made by mail to the applicant, the Whatcom County assessor, and any party of record.

G.(2) If an applicant believes a project permit application has not been Unless otherwise acted upon by the county in a timely manner or otherwise consistent with this chapter, permit applications subject to this chapter shall be approved as submitted within the timeliness established in WCC 2.33.090. The applicant or authorized representative may request a meeting with the director to resolve the issue. Within 14 calendar days of the meeting, the director shall:

(a) Approve the permit if it is within the director's authority to do so, provided the approval would not violate state or county regulations, or

(b) Deny the permit if it is within the director's authority to do so, or
(c) Respond in writing with the department’s position, or a mutually acceptable resolution of the issue, which may include a partial refund of application fees at the director’s discretion.

[This proposed change is intended to maintain accountability on the part of the county and provide an avenue for resolving disputes, while removing a provision that could potentially approve an application that violates state or county regulations.]

21.02.030 Appeals.(1)-(3) Any final order, requirement, permit decision or determination issued by Whatcom County shall include a notice to the applicant of his or her appeal rights per WCC 22.05.160.

22.05.140 Expiration of project permits.
(1) Project permit approval status shall expire two years from the date of approval except where a different duration of approval is authorized by Whatcom County Code, or is established by a court decision or state law, or executed by a development agreement. The decision maker may extend this period up to one year from the date of original expiration upon written request by the applicant.

(2) Any complete project permit application for which no information has been submitted in response to the department’s notice of additional requirements per WCC 22.05.100(3) shall expire at the end of the time limit established in 22.05.100(3).

[This provision for applications to expire after no response within the NOAR time frames allows for consistent predictable outcomes, and establishes clear expectations.]

(3) For projects that have received a SEPA determination of significance per WCC 16.08, all underlying project permit applications shall expire when one of the following occurs:

(a) The applicant has not in good faith maintained a contract with a person or firm to complete the Environmental Impact Statement (EIS) as specified in the scoping document. The applicant is responsible for informing the county of the status of such contract. If there is no notice given to the County, all underlying project permit applications shall expire upon the end date of the contract; or

(b) The mutually agreed timeframe to complete the Draft EIS or Final EIS has lapsed.

(4) Project permits which received preliminary approval or a final decision prior to February 22, 2009 that did not include an expiration timeframe in the conditions of approval shall expire on [two years after the effective date of this ordinance].
[Proposed subsection (4) allows opportunity to obtain approval or implementation within two years for projects without an approval timeframe.]

20.92.25022.05.150 Permit revocation procedure.

(1) Upon notification by the zoning administrator or his deputy that a substantial violation of the terms and conditions of any previously granted zoning conditional use, shoreline substantial development or shoreline conditional use permit exists, the hearing examiner shall issue a summons as per WCC 20.92.225 2.11.220 to the permit holder requiring said permit holder to appear and show cause why revocation of the permit should not be ordered. Failure of the permit holder to respond may be deemed good cause for revocation.

20.92.255 Permit revocation hearing.

(2) Upon issuance of a summons as set forth in WCC 20.92.250 subsection (1) of this section, the hearing examiner shall schedule an open record hearing to review the alleged violations. The summons shall include notice of the hearing and shall be sent to the permit holder and the land use division director of planning and development services no less than 12 calendar days prior to the date of the hearing. At the hearing the hearing examiner shall receive evidence of the alleged violations and the responses of the permit holder, as per the business rules of the hearing examiner’s office. Testimony shall be limited to that of the division and the permit holder except where additional evidence would be of substantial value in determining if revocation should be ordered. The land use division’s evidence may include the testimony of witnesses.

20.92.260 Permit revocation or grace period.

(3) Upon a showing of violation by a preponderance of the evidence as alleged, the hearing examiner may revoke the permit or allow the permit holder a reasonable period of time to cure the violation. If the violation is not cured within the time set by the hearing examiner, the permit shall be revoked. Where a time to cure the violation has been set out, no further hearing shall be necessary prior to the revocation. The permit holder shall have the burden of proving that the violation has been cured within the time limit previously set. Such evidence as is necessary to demonstrate that the violation has been cured may be submitted to the hearing examiner by either the permit holder or the land use division director of planning and development services. Any revocation shall be accompanied by written findings of fact and conclusions of law. The permit holder shall be notified of any revocation within 10 working 14 calendar days of the revocation.

20.92.610 Applicant Appeal. 22.05.160 Appeals.

(1) Any party of record may appeal any order, final permit decision or final administrative determination made by the director or designee in the administration or enforcement of any chapter to the hearing examiner, who has the authority to hear and decide such appeals per WCC 2.11.210.

(a) An appeal shall be filed with the department within 14 calendar days of the issuance of a final permit decision and shall be accompanied by a fee as specified in the Unified Fee Schedule. The written appeal shall include:

(i) The action or decision being appealed and the date it was issued;
(ii) Facts demonstrating that the person is adversely affected by the decision;

(iii) A statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable decision criteria;

(iv) The specific relief requested; and

(v) Any other information reasonably necessary to make a decision on the appeal.

[Proposed items 1(a)(i)-(v) are copied from Bellingham Municipal Code 21.10.250]

(b) The hearing examiner shall schedule a public hearing on the appeal to be held within 60 calendar days following the department’s receipt of the application for appeal unless otherwise agreed upon by the county and the appellant.

(2) The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to the county council Superior Court or other body as specified by WCC 22.05.020. The appellant shall file a written notice of appeal at the county council office within 10 business days of the final decision of the hearing examiner. Any parties of record from the hearing examiner’s proceedings who wish to continue to be considered parties of record must register with the county council in writing no later than 10 days after the date of the notification of appeal letter which is sent from the hearing examiner’s office. The notification of appeal letter will be sent from the hearing examiner’s office within three working days of receiving written notification from the county council office that an appeal has been filed.

22.05.170 Annual report.
Staff shall prepare an annual report on the implementation of this chapter and submit it to the council.

22.05.180 Interpretation, conflict and severability.

(1) Minimal Interpretation. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements.

(21) Interpret to Protect Public Welfare. In the event of any discrepancies between the requirements established herein and those contained in any other applicable regulation, code or program, the regulations which are more protective of the public health, safety, environment and welfare shall apply.

(32) Severability. The provisions of this chapter are severable. If a section, sentence, clause, or phrase of this title is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this chapter.
Chapter 22.10

LEGISLATIVE ACTION PROCEDURES

(This new chapter is adapted from the current Chapter 2.160 Comprehensive Plan Amendments, and Chapter 20.90 Amendments, along with new text that combines and streamlines existing process descriptions. Current text is shown in normal black font, with proposed changes shown in red. The current chapter/section numbers are shown as deleted with the proposed numbers replacing them.)

Sections:
- 22.10.010 Purpose and applicability.
- 22.10.020 The docket.
- 22.10.030 Processing of docketed amendments.
- 22.10.040 Concurrent review of comprehensive plan amendments
- 22.10.050 Notice of public hearing.
- 22.10.060 Approval criteria.

22.10.010 Purpose and applicability.
This chapter establishes the procedures for legislative actions amending the Whatcom County Comprehensive Plan and the development regulations that implement that plan. Amendments to the comprehensive plan includes changes to the plan’s text and maps, and amendments to the development regulations include changes to the official zoning map and the text in WCC Titles 16, 20, 21, and 23. For purposes of this chapter, comprehensive plan amendments include amendments to subarea plans.

22.10.020 The docket.
(1) The department of planning and development services (“department”) shall maintain a proposed docket of comprehensive plan and development regulation amendment applications and shall present it to the county council for review once a year on or about March 1. The county council may, by resolution, approve a docket listing all applications that may be processed per the provisions of this chapter.

(2) The department, the executive, the planning commission, or the county council, by majority vote, may place a proposed amendment on the docket at any time.

(3) A party other than the county council, executive, the planning commission or the department may suggest an amendment to the comprehensive plan or development regulations by making application on forms provided by the department and submitting any required docketing fee.

(a) Applications for suggested amendments must be submitted by December 31 in order to be included on the proposed docket presented to the county council at its next annual docket review. The department shall review the application for
completeness and may request additional information to ensure the application is complete before scheduling it for the annual docket review.

(b) If the county council docket a suggested amendment, all required amendment application fees are due within 30 calendar days after it is docketed. If all fees are not paid within 30 calendar days after being docketed, the department shall close the application and remove it from the docket. When docketing an application, the county council may waive the application fees if it finds the proposed amendment would clearly benefit the community as a whole.

[The intent of proposed section 22.10.020(1)-(3) is to clearly differentiate between the proposed docket presented by the department, and the final docket approved by resolution of the County Council. RCW 36.70.470's allowance for suggested amendments is accommodated, with the requirement that the suggestion be accompanied by a completed application and a docketing fee (not the full application fee, which is charged if it is docketed, unless waived by the County Council; the "clearly benefit the community" finding is currently required in WCC 2.160.110.).]

20.90.041(2)(4) The county council, by majority vote, may remove a proposed amendment from the approved docket by motion, unless:

(a) the proposed amendment was initiated by a citizen party other than the county council or the department per WCC 22.10.020(3),

(b) the amendment is consistent with state and federal regulations, and

(c) the applicant has provided all information required by the planning and development services department. The department shall notify the applicant not less than 30 calendar days prior to consideration of removal from the docket. If the county council has not acted upon a docketed proposed amendment during the year for which it has been docketed, the county council may place the amendment on the following year's docket.

20.90.050 22.10.030 Processing of initiated-docketed amendments.

1-(a) For suggested citizen-initiated amendments applications filed per WCC 22.10.020(3), the department of planning and development services will evaluate each the applications for completeness and may request additional information of the applicant prior to requesting the appropriate hearing body to schedule a public hearing. Where a development regulation amendment requires a comprehensive plan amendment, the two amendments shall be processed at the same time.

2-(b) The department of planning and development services shall conduct environmental review under SEPA and prepare a staff report including recommendations and/or options for each initiated docketed amendment to this title and/or the official zoning map. Both the report and the result of the environmental review shall be forwarded to the appropriate hearing
bodyplanning commission, and to the applicable city staff and planning commission if the proposed amendment applies to land within a city’s urban growth area.

(a)(c) The staff report shall evaluate the initiated-proposed amendment(s) in relationship to the goals, objectives and policies of the Whatcom County Comprehensive Planapproval criteria of WCC 22.10.060, and consider any environmental implications as impacts or mitigation measures identified by the Whatcom County SEPA official, and evaluate the proposal’s compliance with any other special provision as provided by WCC 20.90.060. If the proposed amendment includes land within a city’s urban growth area, the staff report shall also address any comments from the city regarding consistency with the applicable city comprehensive plan and the ability of the city to provide needed utility services.

(2) Docketed comprehensive plan and development regulation amendment applications shall receive a public hearing by the planning commission subject to the notice requirements of 22.10.050. Following the public hearing, the planning commission shall vote to adopt findings of fact and recommended actions, which the department shall transmit to the county council. In addition to the public hearing, the planning commission may hold public work sessions to discuss a proposed amendment.

(3) The county council may hold a public hearing on the docketed amendment in addition to the planning commission’s public hearing. If the county council decides the public interest is better served by considering a final action that differs from the planning commission recommendation, the county council shall hold a public hearing. The county council, by majority vote, may adopt the amendment by ordinance, reject the amendment, or remand the proposed amendment to the planning commission for further review.

(4) Actions that are quasi-judicial as defined in 42.36.010 RCW (including but not limited to a zoning map amendment for a single lot) are subject to the appearance of fairness doctrine, Chapter 42.36 RCW. For a proposed amendment that is a quasi-judicial action, the planning commission and county council shall process the application in accordance with Chapter 42.36 RCW in addition to the requirements of this section.

22.10.040 Concurrent review of comprehensive plan amendments
(1) While public hearings and other public discussion of proposed comprehensive plan amendments may take place at any time of the year, the county council’s final review and adoption of those amendments shall take place concurrently, no more frequently than once per calendar year, in accordance with RCW 36.70A.130(2)(a). Final adoption should occur on or about February 1.

(2) The following comprehensive plan amendments are excluded from the requirement of annual concurrent review and may be adopted at any time:

(a) The initial adoption of a subarea plan,
(b) Adoption or amendment of the shoreline master program under procedures set forth in Chapter 90.58 RCW,

(c) The amendment of the capital facilities element concurrent with adoption or amendment of the county budget,

(d) Amendments needed to resolve an appeal of the comprehensive plan filed with the growth management hearings board or the court, or

(e) Amendments necessary in cases where the county council finds an emergency exists.

22.10.050 Notice of public hearing.
(1) The county shall publish notice of the public hearing at least once in the official county newspaper and on the Whatcom County web site no fewer than 10 calendar days prior to the hearing. The notice shall include the date, time, place, and subject of the hearing.

[As a courtesy the department also provides notice to other publications and individuals who have submitted a written request to receive such notice through the County’s web site.]

(2) For public hearings involving a quasi-judicial zoning map amendment application, per WCC 22.10.030D, the county shall provide the following notice in addition to the requirements of subsection A of this section:

20.90.045 (1) Notice shall be published once in the official county newspaper at least 10 days prior to the hearing. The county shall prepare the notice and the applicant shall pay for the notice.

(2)(a) The county shall mail notice to property owners as follows:

(a)(i) For zoning map amendments within existing urban growth areas: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit stamped envelopes mailing labels with a typed address for each of the above-referenced property owners.

(b)(ii) For zoning map amendments outside existing urban growth areas: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit stamped envelopes mailing labels with a typed address for each of the above-referenced property owners.

(e)(iii) For zoning map amendments that involve rezoning property to an Airport Operations District: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within
1,500 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelopemailing labels with a typed address for each of the above-referenced property owners.

(d)(vi) For zoning map amendments that involve rezoning property to a Mineral Resource Land designation: At least 10 calendar days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 2,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelopemailing labels with a typed address for each of the above referenced property owners.

(3)(b) The county shall prepare and the applicant shall post signs giving notice of the hearing in conspicuous locations on the property at least 10 calendar days prior to the hearing.

(4)(c) The county shall send notice to the appropriate city, when the proposed rezone-amendment is within or would expand the urban growth area, and to agencies, school districts, and tribes that will potentially be affected by the proposed rezone-amendment at least 10 calendar days prior to the hearing.

(5)(d) For sites within 4,500 feet of the runway of Lynden Airport or Floathaven Sea Plane Base: At least 10 calendar days prior to the scheduled hearing date, application notice shall be sent to the city manager (if applicable), airport board or commission (if applicable), and an official representative of the airport.

(6)(e) For sites within 10,000 feet of the runway of Bellingham International Airport: At least 10 calendar days prior to the scheduled hearing date, application notice shall be sent to the Port of Bellingham.

(7)(f) All notices shall specify the date, time, location, and purpose of the hearing and provide a description and the location of the proposed rezone. The public shall be invited to submit written comments and attend the hearing to provide oral comments.

2.160.08022.10.060 Approval criteria.
A.(1) In order to approve an-initiated a comprehensive plan amendment, the planning commission and the county council shall find all of the following:

1-(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.

2-(b) Further studies made or accepted by the department of planning and development services indicate changed conditions that show need for the amendment.
3.(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:

a.(i) The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the comprehensive plan.

b.(ii) 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.

c.(iii) Anticipated impact upon designated agricultural, forest and mineral resource lands.

4.(d) The amendment does not include or facilitate spot zoning.

5. Urban-growth area amendments that propose the expansion of an urban growth area boundary shall be required to acquire development rights from a designated TDR sending area:

a. One development right shall be transferred for every five acres included into an UGA. The county council may modify this requirement if a development agreement has been entered into that specifies the elements of development in the expanded UGA. The development agreement should include, but not be limited to, affordable housing, density, allowed uses, bulk and setback standards, open space, parks, landscaping, buffers, critical areas, transportation and circulation, streetscapes, design standards and mitigation measures.

b. Exceptions to required TDRs include urban-growth area expansion initiated by a governing agency, correction of map errors, properties that are urban in character, or expansions where the public interest is served.

c. Urban-growth area expansion initiated by the county, cities or other agencies shall be subject to review by county and city planning staff, and the appropriate administrative bodies, to determine whether the subject site is appropriate for designation as a TDR receiving area.

(2) In order to approve an amendment to the development regulations, the planning commission and county council shall find that the amendment is consistent with the comprehensive plan.
Chapter 22.15

CODE COMPLIANCE PROCEDURES

(Reserved)

[This is a place-holder for a future consolidated chapter on enforcement procedures. It would largely be based on current Chapter 20.94 Enforcement and Penalties, with enforcement procedures from other titles added, because PDS staff enforces more than just Title 20 Zoning.]

Chapter 22.20

LAND USE AND DEVELOPMENT CODE INTERPRETATION PROCEDURES

[Based on City of Bellingham’s code interpretation process, BMC 21.10.270]

Sections:
22.20.010 Purpose and applicability.
22.20.020 Request for interpretation.
22.20.030 Procedure.
22.20.040 Factors for Consideration.
22.20.050 Issuance of Interpretation.
22.20.060 Appeals.

22.20.010 Purpose and applicability
(1) The purpose of this chapter is to establish the procedure for interpreting provisions of Whatcom County’s land use and development codes to clarify conflicting or ambiguous wording.

(2) The director of planning and development services (director) is authorized to make written interpretations of the provisions of the following titles of WCC:

(a) Title 16 Environment,
(b) Title 20 Zoning,
(c) Title 21 Land Division Regulations,
(d) Title 22 Land Use and Development Procedures, and
(e) Title 23 Shoreline Management.
(3) Issuance of an interpretation of the provisions of the code shall not amend the code.

22.20.020 Request for interpretation.
Anyone may request an interpretation consistent with the provisions of this chapter. Any person requesting an interpretation of the code shall submit a written request specifying each provision of the code for which an interpretation is requested, why an interpretation of each provision is necessary, and any reasons or material in support of a proposed interpretation. The county council may establish an application fee for interpretation requests.

22.20.030 Procedure.
(1) The director shall determine how to process the code interpretation request. The request may be:

(a) Processed as a Type I decision per WCC 22.05.020; or

(b) Consolidated with the process associated with the review of the application.

(2) The director shall consult with the Department of Ecology regarding any interpretation of the shoreline management program.

22.20.040 Factors for consideration.
In making an interpretation of the provisions of the code, the director shall consider the following:

(1) The applicable provisions of the code including their purpose and context;

(2) The impact of the interpretation on other provisions of the code;

(3) The implications of the interpretation for development within the county as a whole; and

(4) The applicable provisions of the comprehensive plan and other relevant codes and policies.

22.20.050 Issuance of interpretation.
The director shall issue a written interpretation within 30 calendar days of the department’s receipt of the interpretation request. Issuance of the interpretation shall include notification of the person making the request and publication of the interpretation on the county’s web site. The director may docket an amendment to clarify the affected section of county code per WCC 22.10.020(2)(b).

22.20.060 Appeals.
Any party of record may file an appeal of a formal code interpretation. The appeal shall follow all rules and procedures for appeals to the hearing examiner as set forth in WCC 22.05.160.
Chapter 22.25

LAND USE AND DEVELOPMENT FEES

[Proposed to be moved from WCC 20.04.090 - .092 because it applies to all land use and development fees, not just those in Title 20 zoning.]

Sections:

22.25.010 Purpose and applicability
22.25.020 Application fees and other fees.
22.25.030 Reduced application fees.
22.25.040 Refund of application fees.

22.25.010 Purpose and applicability
(1) The purpose of this chapter is to establish the authority for collecting fees for various land use and development review services, as well as provisions for reductions and refunds of those fees.

(2) The provisions of this chapter shall apply to fees charged for procedures contained in the following titles of WCC:

(a) Title 15 Building and Construction,

(b) Title 16 Environment,

(c) Title 17 Flood Damage Prevention,

(d) Title 20 Zoning,

(e) Title 21 Land Division Regulations,

(f) Title 22 Land Use and Development Procedures, and

(g) Title 23 Shoreline Management.

22.04.09022.25.020 Application fees and other fees.
Fees for conditional use permits, variances, planned unit developments, project permit applications, legislative amendments, initiated docketed amendments and any fees for other approvals and reviews as set forth in this title shall be as provided in the County’s Unified Fee Schedule.

22.04.09122.25.030 Reduced application fees.
When any given project requires more than one of the following permits or applications, the total amount of fees shall be reduced by 25 percent of the required aggregate permit and application fees; provided any fees required for processing of an EIS shall not be included as part of the total amount of fees to be reduced by 25 percent.
(1) Subdivision plat application;
(2) Rezone application;
(3) Shoreline substantial development permit, variance or conditional use;
(4) Major development permit;
(5) Conditional use permit;
(6) Variance;
(7) Planned unit development.

20.04.09222.25.040 Refund of application fees.
Refunds of application fees for project permits and for amendments to the Whatcom County Comprehensive Plan, development regulations and official maps shall be computed based on the following, unless otherwise indicated in Whatcom County Code. All refund requests shall be submitted in writing to the department of planning and development services. The date of application for a refund request shall be the date the written refund request is received by the department. For the purpose of computing elapsed calendar days, the day after the date of application or deadline date as appropriate shall be counted as day one.

(1) Fees for Project Permits.

(a) Applications withdrawn on or before the fourteenth calendar day after the date of application shall be eligible for a refund of 90 percent of all application fees including any SEPA fees.

(b) Applications withdrawn after the period set forth in subsection (1)(a) of this section but on or before the ninetieth calendar day after the date of application shall be eligible for a refund of 50 percent of all application fees except for any SEPA fees which shall not be eligible for a refund.

(c) Applications withdrawn after the ninetieth calendar day after the date of application shall not be eligible for a refund.

(d) Notwithstanding the above, no fees shall be refunded for any permit or approval that has been issued or granted by the county.

(e) The director may authorize a full refund of any project permit application fee paid in error.

(2) Fees for Amendments to the Whatcom County Comprehensive Plan, Development Regulations, and Official Maps.

(a) Applications for amendments that are withdrawn on or before the fourteenth calendar day after the deadline for submitting the fee shall be eligible for a refund of 90 percent of all application fees including SEPA fees. If there is no deadline for submitting the fee, the 90-percent refund shall be
given if the application is withdrawn on or before the fourteenth calendar day after the fee was submitted.

(b) Applications for amendments that are withdrawn after the period set forth in subsection (2)(a) of this section but on or before the ninetieth calendar day after the deadline for submitting the fee shall be eligible for a refund of 50 percent of all application fees except for SEPA fees which shall not be eligible for a refund. If there is no deadline for submitting the fee, the 50-percent refund shall be given if the application is withdrawn on or before the ninetieth calendar day after the fee was submitted.

(c) Applications for amendments that are withdrawn after the 90 calendar days shall not be eligible for a refund.

(3) Withdrawal of an application shall constitute full surrender of any express or implied rights inherent in an application which has been perfected and accepted by the planning and development services department or its designees.
EXHIBIT B

Whatcom County Code Title 2
Administration and Personnel

AMENDMENTS

Title 2
ADMINISTRATION AND PERSONNEL

Chapters:

2.11 Repealed
2.33 Permit Review Procedures Reserved
2.160 Comprehensive Plan Amendments Reserved

Chapter 2.02
COUNTY COUNCIL

2.02.160 Hearing examiner.
The county council shall administer an annual contract for hearing examiner services. The duties of the hearing examiner are established in Chapter 20.92.11 WCC.

Chapter 2.11

INFORMATION CENTER (Repealed by Ord. 93.042)

HEARING EXAMINER

[Note: Portions of the Hearing Examiner chapter in WCC Title 20 Zoning (Chapter 20.92) that establish the office and its authority are proposed to be moved to a new Chapter 2.11 because the HE holds hearings on applications on items other than zoning. Existing text from Chapter 20.92 is shown in normal font with new additions underlined and deletions struck through. Most of the remaining text from 20.92 related to procedures is moved to the new WCC 22.05 Project Permit Procedures.]

Sections:

20.922.11.010 Purpose.
20.922.11.100 Hearing examiner office.
20.922.11.110 Creation and purpose.
20.922.11.120 Pro tempore hearing examiner.
20.922.11.130 No interference with the hearing examiner.
20.922.11.140 Qualifications.
20.922.11.150 Appointment and removal.
20.922.11.200 Hearing examiner – Duties and powers.
20.922.11.205 Recommended decisions.
20.922.11.210 Final decisions.
20.92.2142.11.215 Administrative Appeals – Appeal Period.
20.92.2252.11.220 Rules and regulations.
20.92.2362.11.225 Department reports.
20.92.2352.11.230 Changes in legislation.
20.92.2402.11.235 Additional powers.
20.92.2452.11.240 Limited jurisdiction.

20.922.11.010 Purpose.
The purpose of this chapter is to establish the authority and responsibilities of the Hearing Examiner, provide a system of considering and applying regulatory devices which will best satisfy these three basic needs:

(1) The need to separate the application of regulatory controls to the land from planning;

(2) The need to better protect and promote the interest of the public and private elements of the community;

(3) The need to expand the principles of fairness and due process in open-record hearings.

20.922.11.100 Hearing examiner office.

20.922.11.110 Creation and purpose.
The office of hearing examiner is hereby created. The hearing examiner shall act on behalf of the county council in considering the application of regulatory enactments to particular situations as provided herein.

20.922.11.120 Pro tempore hearing examiner.
The pro tempore hearing examiner shall assist the hearing examiner in the performance of the duties conferred upon him by this chapter, and shall have all of the duties and powers of the hearing examiner.

20.922.11.130 No interference with the hearing examiner.
No county official or any other person shall interfere with the hearing examiner or pro tempore hearing examiner in the performance of his or her designated duties.

20.922.11.140 Qualifications.
The hearing examiner and his pro tempore shall be appointed solely with regard to their qualifications for the duties of their office, and shall have such training or experience as will qualify them to conduct administration of quasi-judicial hearings on the application of regulatory enactments and to discharge other functions conferred upon them, and shall hold no other appointed or elected public office or position in the county government, except as provided in this chapter.

20.922.11.150 Appointment and removal.
The hearing examiner shall be appointed by a majority vote of the county council. The hearing examiner may be removed from office at any time by an affirmative vote of not less than two-thirds of the members of the county council.

20.922.11.200 Hearing examiner – Duties and powers.

20.922.11.205 Recommended decisions.
In accordance with the provisions of Chapter 22.05 WCC, the hearing examiner shall conduct an open record hearing and prepare a record thereof, and make recommendations to the county council for approval or disapproval of:

(1) Major project permits, including major project permit applications for mitigation banks proposed in accordance with the provisions of Chapter 16.16 WCC;

(2) Planned unit developments;

(3) Development Agreements, as authorized in RCW 36.70B Site-specific rezones, including those processed as major project permits, PUDs and/or concomitant rezones;

(4) Such other permits as may be required from the county along with subsection (1) or (2) of this section for a given project. Applications where a major project permit is required shall be processed as set forth in Chapter 20.88 WCC. Where the hearing examiner would normally make a final decision to approve or deny an accompanying permit, the decision shall instead be in the form of a recommendation and accompany the hearing examiner’s recommendation on the major project permit or planned unit development to the county council for final approval;

(5) Proposed rates and charges or special assessments for lake management districts.

20.922.11.210 Final decisions.
In accordance with the provisions of Chapter 22.05 WCC, the hearing examiner shall conduct open record hearings and prepare a record thereof, and make a final decision upon the following matters:

(1) Appeals from any orders, requirements, permits, decisions or final determinations made by an administrative official or committee in the administration of this title, WCC Title 15, except for building and fire code requirements, WCC Title 16; Environment, WCC Title 17 Flood Damage Prevention, WCC Title 20 Zoning, WCC Title 21; Land Division Regulations, WCC 22 Project Permit Procedures, WCC Title 23 Shoreline or WCC Title 24; Health Regulations.

(2) Appeals from a decision of the administrator of the Shoreline Management Program.

(3) Applications for zoning ordinance conditional use permits.

(4) Applications for variances from the terms of the zoning ordinance.

(5) Applications for shoreline management substantial development permits not accompanied by a major project permit when an open record hearing is required.
(6) Applications for variances from the terms of the Whatcom County Shoreline Management Program.

(7) Applications for variances from the terms of Chapter 16.16 WCC, Critical Areas.

(8) Applications for reasonable use permits under the terms of Chapter 16.16 WCC when an open record hearing is required.

(9) Applications for Shoreline Management Program conditional use permits.

(10) Applications for flood damage prevention variances.

(11) Appeals from SEPA determinations of significance, determinations of nonsignificance, and mitigated determinations of nonsignificance.

(12) Preliminary subdivisions and subdivision variances.

(13) Preliminary binding site plan proposals.

(14) Application for variances from the provisions of WCC Title 22. [Reference to former Title 22 Guide Meridian plan to be removed]

Revocation proceedings involving previously approved zoning conditional use permits, shoreline management substantial project permits and shoreline conditional use permits.

(15) Applications to continue operations of nonconforming adult businesses pursuant to WCC 20.83.015.

(16) Appeals of decisions relating to water service issues under Section 9.2 of the Coordinated Water System Plan.

(17) Appeals from any orders, requirements, permits, decisions or determinations made by an administrative official relating to essential public facilities.

20.92.211-2.11.215 Administrative appeals – Appeal period.

Appeals to the hearing examiner on the subjects listed in WCC 22.05.020 20.92.210(1) and (2) must be filed within 14 calendar days of the date of administrative determination pursuant to WCC 22.20.160.

20.92.2252.11.220 Rules and regulations.

The hearing examiner shall have the power to prescribe rules and regulations for the conduct of hearings before him or her, subject to approval by the county council; and also to issue summons for and compel the appearance of witnesses, to administer oath and preserve order. The opportunity of cross-examination of witnesses shall be afforded all interested parties or their counsel in accordance with the rules of the hearing examiner.
20.92.2302.11.225 Department reports.
The hearing examiner may request reports from appropriate staff. See WCC 2.33.080-22.05.100 for details.

20.92.2352.11.230 Changes in legislation.
The hearing examiner may recommend changes in legislation to the planning department or county council.

20.92.2402.11.235 Additional powers.
The hearing examiner may also exercise administrative powers and such other quasi-judicial powers as may be granted by county ordinance.

20.92.2452.11.240 Limited jurisdiction.
The hearing examiner shall, with the exception of site-specific rezones as provided for in WCC 20.90.063, have no jurisdiction over any project that requires a legislative action, such as but not limited to a standard map amendment, a Comprehensive Plan map change or a Shoreline Management Program amendment. All such projects shall be considered and processed concurrent with and in the same manner as applications for legislative action. The approval or denial of such projects shall be solely within the discretion of the county council.


20.92.850 Public hearing process for development agreements under the Growth Management Act. [This subsection on development agreements proposed to be shortened and moved to 2.11.205(3)]

(1) The Whatcom County hearing examiner is designated to conduct the open record public hearing for development agreements as defined in the Growth Management Act, Chapter 36.70B RCW.

(2) The Whatcom County hearing examiner shall conduct an open record public hearing and prepare a record thereof, and make recommendation to the county council for approval or disapproval of development agreements as defined in the Growth Management Act, Chapter 36.70B RCW.

Chapter 2.33

PERMIT REVIEW PROCEDURES

Reserved

[This chapter is proposed to be deleted in its entirety, with most of its content moved to the new Chapter 22.05 Project Permit Procedures.]
Sections:
  2.33.010 Purpose and applicability:
  2.33.020 Exemptions:
  2.33.030 Preapplication review:
  2.33.040 Application submittal information:
  2.33.050 Permit receipt and determination of completeness.
  2.33.060 Notice of application for a proposed land-use action.
  2.33.070 Notice of an open record hearing.
  2.33.080 Consistency review and staff report.
  2.33.090 Permit review limitations and notice of final decision.
  2.33.100 Consolidated permit review.
  2.33.110 Open record hearings.
  2.33.120 Annual report.

2.33.010 Purpose and applicability:
A. The purpose of this chapter is to consolidate the application, review, and
approval processes for land development in Whatcom County in a manner that is
easily understood and concise. It is further intended for this chapter to comply with
state direction by integrating environmental and land-use review within a 120-day
period.

B. This chapter describes how the county will process applications for development.
The provisions of this chapter shall apply to all applications for a project permit that
require an open record hearing including, but not limited to:

  1. Conditional uses;
  2. Variances;
  3. Subdivisions;
  4. Shoreline permits when an open record hearing is required;
  5. General binding site plans;
  6. Lot consolidation relief;
  7. Site-specific rezones;
  8. Reasonable use.

2.33.020 Exemptions:
The following are exempt from the provisions of this chapter:

A. Project permits not subject to open record hearings; including, but not limited to;
building permits and short plats, are exempt from the provisions of this chapter;
provided, that:

  1. The county shall make a determination of completeness pursuant to WCC
     2.33.050; and
2. A final decision is made by the county pursuant to WCC 2.33.090:
   a. Within 90 days of a determination of completeness if the project is exempt from SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code;
   b. Within 120 days of a determination of completeness if the project is subject to SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code;

B. Planned unit development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

C. Major development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

D. Concomitant rezones; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

E. Legislative actions including standard map amendments, comprehensive plans or other related plans and regulations.

2.33.030 Preapplication review.
A. The purpose of preapplication review is to acquaint county staff with a sufficient level of detail regarding the proposal. It is also the purpose of this review to acquaint the applicant with the applicable requirements of the Whatcom County Code.

B. A preapplication conference may be requested prior to the submittal of a project permit application subject to this chapter.

C. A fee shall be charged to the applicant for preapplication review. If the county makes a determination of completeness within one year of the preapplication meeting, the preapplication fee shall be applied to the application cost.

D. It is the responsibility of the applicant to initiate a preapplication conference through a written request or other means allowed by the technical administrator. The request shall, at a minimum, include the following written information:
   1. Property owner's name, address, phone number, fax number;
   2. Applicant/project representative name, address, phone number, fax number;
   3. Project site parcel number;
   4. Project site address (if available);
   5. Written description of the project;
   6. One copy of the current deed to the property;
7. A site plan drawn at a scale of one inch equals 100 feet or larger that includes the following:

a. North arrow;
b. Scale;
c. All existing and proposed property lines with dimensions of parcel;
d. Location and size of existing and proposed structures labelled appropriately;
e. Location and size of existing and proposed easements and/or rights-of-way on or adjacent to the project site;
f. Significant physical features such as drainageways, wet areas, steep or unstable slopes;
g. Location of utilities including wells and septic systems when applicable.

E. The applicant may provide additional information to facilitate more detailed review. See WCC 2.33.040, Application submittal information, for additional submittal information.

F. A preapplication conference shall be held as soon as possible, but, in any event, no later than 20 days from the date of the applicant’s request.

G. The county shall provide the applicant with notice of site-specific submittal requirements as soon as possible, but, in any event, no later than 10 days from the date of the conference.

H. Preapplication review and preapplication agreements shall be valid for one year. If, within one year of a preapplication meeting, an associated application is not filed with the county or the application is substantially altered, the applicant shall be subject to a new preapplication review with a corresponding fee.

I. Preapplication review does not constitute acceptance of an application by the county nor does it vest an application.

2.33.040 Application submittal information:
A. Applications for a project permit shall be submitted using forms provided by the review authority.

B. If the applicant decides to mail a notice of application under WCC 2.33.060.D.2.a, the applicant shall include stamped and addressed envelopes (pursuant to WCC 2.33.060.D.2.a) with the application.

C. Submittal requirements for project permits are contained within the specific county code for each type of project proposal, in the corresponding chapter of the Whatcom County Development Standards, in applicable state law or WACs and in any site-specific conditions resulting from a preapplication conference.
The submittal information for each permit type constitutes the information necessary to determine whether an application is complete pursuant to WCC 2.33.050. Permit receipt and determination of completeness.

D. All information and agreements resulting from preapplication review must be submitted with the application unless otherwise agreed to by the county.

E. If the proposal submitted with the application has changed to such a degree that it requires substantial re-evaluation, any agreements made by the county may be voided. (Ord. 96-031 § 1).

2.33.050 Permit receipt and determination of completeness.

A. An application shall meet all submittal requirements before the proposal is submitted to the county for review. Upon submittal by the applicant, the county will accept the application and note the date of receipt. Receipt of an application does not constitute approval of the project proposal.

B. Within 14 days of accepting the application, the county shall make a determination of completeness or issue a determination that the application is incomplete.

C. A project permit application is complete when it meets the submittal information requirements of WCC 2.33.040, Application submittal information.

D. When an application is determined to be complete, the county shall proceed as follows:

1. Issue a determination of completeness either via postal service or directly provided to the applicant within 14 days of accepting a project permit application.

2. To the extent known, identify other agencies that may have jurisdiction over the project permit application. A list of agencies shall be included in the determination of completeness.

3. A determination of completeness shall not preclude the county from requiring additional information or studies at any time prior to permit approval.

E. If the application is determined to be incomplete, then the following procedure shall take place:

1. The county will notify the applicant that the application is incomplete and indicate what is necessary to make the application complete.

2. The applicant shall have 90 days from the date that the notification was issued to submit the necessary information to the county. This period shall be extended at the applicant’s request in 90-day increments.

3. Upon receipt of the requested additional information, the county shall have 14 days to make a determination and notify the applicant.
4. If the applicant does not submit the necessary information to the county in writing within the 90-day period, the county shall make findings and issue a decision that the application is rejected.

F. If the county rejects an application, all vesting rights are lost.

G. If the county rejects an application because the applicant has failed to submit the required information within the necessary time period the county will return the application materials and the application will be closed.

H. A project permit application shall be deemed complete under this section if the county does not provide a written determination to the applicant that the application is incomplete within 14 days from the date of submittal as required in subsection E of this section.

2.33.060 Notice of application for a proposed land use action:
A. A notice of application shall be issued for project permit applications within 14 days after a determination of completeness and at least 15 days prior to the open record hearing.

B. If the county has made a determination of significance concurrently with notice of application, the determination of significance and scoping notice shall be combined with the notice of application.

C. Notice shall include:

1. The date of application, the date of notice of completion for the application, and the date of the notice of application;

2. The date, time, place and type of the hearing, if applicable, and scheduled at the date of notice of the application;

3. A description of the proposed project action and a list of the project permits included in the application, and, if applicable, a list of any studies requested by the county;

4. The identification of other permits not included in the application to the extent known by the county;

5. The identification of environmental reviews conducted, including notice of existing environmental documents that evaluate the proposed project (including but not limited to reports, delineations, assessments and/or mitigation plans associated with critical area reviews) and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;

6. Any other information determined appropriate by the county;

7. A statement indicating those development regulations that will be used for project mitigation or a determination of consistency if they have been identified at the time of notice;
8. A statement of the limits of the public comment period, the right of any person to comment on the application within a 15-day time period (30 days for substantial-development-permits and major-project permits for mitigation banks), receive notice of and participate in any hearings, request a copy of the decision once made and to appeal a decision when allowed by law. In addition, the statement shall indicate that any person wishing to receive personal notice of any hearings must notify the hearing examiner's office within 15 days (30 days for substantial-development-permits and major-project permits for mitigation banks) of the date of the notice of application.

D.- A notice of application shall be issued in the following manner:

1. The notice shall be published once in the official county newspaper. The applicant shall bear the responsibility of paying for such notice;

2. Additional notice shall be given using the following method:

a. For sites within urban-growth areas: At least 12 days prior to the scheduled hearing date, application notice shall be sent to all property owners within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor. Applicants shall submit, with their completed application, a stamped envelope with a typed address for each of the above referenced property owners;

b. For sites outside urban growth areas: At least 12 days prior to the scheduled hearing date, application notice shall be sent to all property owners within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. Applicants shall submit, with their completed application, a stamped envelope with a typed address for each of the above referenced property owners;

3. All cost associated with providing notice shall be paid by the applicant.

E. Notices of application should be sent to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly, by the proposed development. (The county shall be responsible for such notification.)

F. With the exception of substantial development-permit applications and major project-permit applications for mitigation banks, a public comment period shall be 15 days following the date of notice of application. Substantial-development-permit applications and major-project-permit applications for mitigation banks require a 30-day period. All public comments received on the notice of application must be received in the department of planning and development services by 4:30 p.m. on or before the last day of the comment period. The county may require the applicant to pay the cost of providing notice.

G. No SEPA threshold determination shall be issued until the expiration of the public comment period established for the notice of application. This condition shall not apply if a determination of significance is made by the county.
H. Public notice given for project permit applications, SEPA documents, project hearings, and appeals hearings as required by this chapter and other provisions of the county code may be combined when practical, where such combined notice will expedite the permit review process, and where provisions applicable to each individual notice are met through the combined notice.

2.33.070 Notice of an open record hearing:
A. A notice of open record hearing shall be published by the hearing examiner once in the official county newspaper at least 10 days prior to an open record hearing. The notice shall consist of the date, time, place, and type of the hearing. In addition, personal notice shall be provided to any person who has requested such notice in a timely manner, consistent with WCC 2.33.060(C)(8).

B. Additional notice shall be given within two days of the published notice by posting of three copies of the notice in a conspicuous manner on the property upon which the use is proposed. (Notices shall be provided by the county. The applicant shall be responsible for posting.)

C. An affidavit verifying distribution of the notice must be submitted to the county two working days prior to the open record hearing.

D. Notices of an open record hearing should be sent to neighboring cities and other agencies or tribes that will potentially be affected, either directly or indirectly, by the proposed development. The county shall be responsible for such notification.

E. All cost associated with providing notice shall be paid by the applicant.

2.33.080 Consistency review and staff report:
A. Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review. During project review, the review authority shall determine if the project proposal is consistent with the county’s comprehensive plan, other adopted plans, existing regulations and development standards. The review authority shall at a minimum use four criteria for determining consistency, as follows:

1. Type of land use permitted on the site;

2. Density of development allowed on-site, such as units per acre or floor area ratio or lot coverage;

3. Availability and adequacy of public facilities and infrastructure (when applicable);

4. Character of the development.

B. The county may conduct a more specific evaluation in addition to the evaluation of the four main categories listed in subsection (A) of this section in considering project consistency when other criteria are required by federal, state or local regulations.
C. County staff shall file one consolidated report with the hearing examiner at least 17 days prior to a scheduled hearing. The staff report shall address the proposed development or action, summarizing the comments and recommendations of county departments, affected agencies, special districts and public comments received within the 15-day or 30-day comment period as established in WCC 2.33.060(F). The report shall also provide an evaluation of the project proposal for consistency as indicated in this section. The staff report shall include findings, conclusions, and proposed recommendations for response to the proposal.

D. The conclusions of a consistency determination made under this section shall be documented in the project permit decision.

2.33.090 Permit review limitations and notice of final decision.
A. Unless otherwise exempted in WCC 2.33.020 or subsection (C) of this section, the county shall issue a notice of final decision on a project permit application as follows:

1. Within 90 days of a determination of completeness if the project is exempt from SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code;

2. Within 90 days of a determination of completeness if the project is a subdivision under WCC Title 21 unless a shorter review period is provided in other provisions of the Whatcom County Code;

3. Within 120 days of a determination of completeness if the project is other than a subdivision and is subject to SEPA review unless a shorter review period is provided in other provisions of the Whatcom County Code;

B. In determining the number of days that have elapsed after an application is determined to be complete, the following time periods shall be excluded:

1. Any period during which the applicant has been required by the county to correct plans, perform required studies, or provide additional, required information:

   a. The period shall be calculated from the date the county notifies the applicant of the need for additional information until the date the county receives the additional information. The county shall have 14 days after the date the information has been provided to the county to determine adequacy of the information;

   b. If the information submitted by the applicant under this subsection is insufficient, the county shall notify the applicant of the deficiencies and the provisions of this section shall apply as if a new request for information has been made;

2. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW and WCC Title 16;
3. The period specified for administrative appeals of project permits as provided in Chapter 20.92 WCC;

4. The period specified for administrative appeals of development standards as provided in WCC 12.08.035(1);

5. Any period in which the applicant has not met public notification requirements;

6. Any period of time mutually agreed upon in writing by the applicant and the county.

C. The time limits established by subsections (A) and (B) of this section shall not apply to a project permit application that:

1. Requires an amendment to the Whatcom County comprehensive plan or a development regulation in order to obtain approval;

2. Requires approval of a new fully-contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

3. Is substantially revised by the applicant, including all redesigns of proposed land divisions pursuant to WCC 21.01.150, in which case a new time period shall start from the date at which the revised project application is determined to be complete.

D. The county may extend notice of final decision on the project if the county can document legitimate reasons for such a delay. In such a case the county shall provide written notice to the applicant at least 20 days prior to the deadline for the original notice of final decision. The notice shall include a statement of reasons why the time limits have not been met and a date of issuance of a notice of final decision.

E. The county shall not be liable for damages under this chapter due to the county’s failure to make a final decision within the time limits established in WCC 2.33.080.

F. Notice shall be made by mail to the applicant, the Whatcom County assessor, and any party of record.

G. Unless otherwise acted upon by the county in a manner consistent with this chapter, permit applications subject to this chapter shall be approved as submitted within the timeliness established in WCC 2.33.090.

2.33.100 Consolidated permit review. A. At the request of the applicant, the county shall integrate and consolidate the review and decision on two or more project permits subject to this chapter that relate to the proposed project action.
B. If the applicant elects the consolidated permit review process, the determination of completeness, notice of application, and notice of final decision must include all project permits being reviewed through the consolidated permit review process.

C. The consolidated permit review may combine an open record hearing on one or more permits with an open record appeal hearing on other permits.

2.33.110 Open record hearings.
Open record hearings subject to this chapter shall be undertaken pursuant to Chapter 20.92 WCC and other relevant chapters relating to specific permit processes.

2.33.120 Annual report.
Staff shall prepare an annual report on the implementation of this chapter and submit it to the council.

Chapter 2.160

COMPREHENSIVE PLAN AMENDMENTS

Reserved

[This chapter is proposed to be deleted in its entirety, with much of its content moved to the new Chapter 22.10 Legislative Action Procedures.]

Sections:

2.160.010 Authority.
2.160.020 Purpose.
2.160.030 Definitions—Types of comprehensive plan amendments.
2.160.040 Application.
2.160.050 Initiation of comprehensive plan amendments.
2.160.060 Docket of initiated comprehensive plan amendments.
2.160.070 Review and evaluation of comprehensive plan amendments—Staff report.
2.160.080 Approval criteria.
2.160.090 Review and evaluation of comprehensive plan amendments—Planning commission.
2.160.100 Review and evaluation of comprehensive plan amendments—County council.
2.160.110 Fees.

2.160.010 Authority.
The Growth Management Act (GMA) requires that an adopted comprehensive plan shall be subject to continuing review and evaluation, any amendments or revisions to the comprehensive plan conform to the requirements of Chapter 36.70A RCW, and that any changes to development regulations or official controls are consistent with and implement the comprehensive plan (RCW 36.70A.130(2)). Additionally, the GMA requires that the county establish procedures whereby proposed
amendments or revisions of the comprehensive plan are considered by the county council no more frequently than once every year; except, that amendments may be considered more frequently under the following circumstances:

A. The initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea;

B. Adoption or amendment of a shoreline master program;

C. The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget; or

D. To resolve an appeal of the comprehensive plan filed with the Growth Management Hearings Board or court.

2.160.020 Purpose.
The purpose of this chapter is to define the types of plan amendments and establish timelines and procedures to be followed when proposals are made for amending or revising the Whatcom County Comprehensive Plan.

2.160.030 Definitions—Types of comprehensive plan amendments.
A. “Capital facilities element amendment” means a proposed change or revision to the capital facilities element of the comprehensive plan, including the six-year capital improvement program.

B. “Comprehensive plan amendment” means a proposed change or revision to the Whatcom County Comprehensive Plan, including but not limited to a capital facilities element amendment, text amendment, change to the comprehensive plan designations map or urban growth area amendment.

C. “Text amendment” means a proposed change or revision in the text of any element of the comprehensive plan including revisions to the goals, policies, objectives, principles or standards of the plan.

D. “Urban growth area amendment” means a proposed change or revision to an urban growth area boundary as adopted by the comprehensive plan.

E. “Final concurrent review” means the consideration by the county council of all comprehensive plan amendments that were reviewed and recommended by the council during the previous docket year. This review shall take place on or about February 1st of the year after the previous docket year.

2.160.040 Application.
A. Applications for suggested comprehensive plan amendments shall include at least the following information:

1. A description of the comprehensive plan amendment being proposed including proposed map or text changes;

2. An explanation of how the comprehensive plan amendment relates to the approval criteria in WCC 2.160.080, Approval criteria;
3. A complete State Environmental Policy Act (SEPA) environmental checklist; and

4. Name, address, and phone number of the applicant, and, if applicable, assessor's parcel number, section, township, and range.

B. The department of planning and development services may prescribe additional information requirements and shall provide forms for proposed comprehensive plan amendments.

C. Completed applications for comprehensive plan amendments must be received by planning and development services by December 31st to be considered for initiation during the next calendar year. Applications proposed by planning and development services are not subject to the December 31st deadline.

2.160.050 Initiation of comprehensive plan amendments.
A. Comprehensive plan amendments shall be initiated by a resolution of the county council adopted by majority vote on or about March 1st each year.

B. Planning and development services may request a comprehensive plan item be initiated at any time during the year. Requested amendments of this type shall be placed on the docket by a majority vote of the county council and will be considered concurrently with other docketed items in accordance with the procedures in WCC 2.160.100.

C. In determining whether to initiate a comprehensive plan amendment, the county council will consider the following factors:

1. If the amendment relates to a site within a city's urban growth area, modification of a city's urban growth area boundary, or amends comprehensive plan text relating to a city's urban growth area, the county shall consult with and consider the comments from the city, including comments relating to the availability of services. Proposed amendments to city urban growth areas shall be processed in accordance with adopted interlocal agreements between the city and county and any subsequent amendments;

2. If the amendment relates to removing designated agricultural, forestry or mineral resource lands, the council shall consider any long-term trends in the loss of resource lands and cumulative impacts of approving such an amendment;

3. Whether the county has already set a future date for examining the area or issue; and

4. Planning and development services' existing work plan and the additional work the amendment would require of planning and development services staff.

D. The following amendment proposals shall be deemed initiated and included in the resolution that initiates comprehensive plan amendments:
1. Amendment proposals that the county council approves for initiation from those applications received within the application period;

2. Comprehensive plan amendments proposed by councilmembers that the county council approves for initiation;

3. Amendment proposals timely submitted by cities and approved by the county council;

4. Amendment proposals timely submitted by the county executive.

E. The resolution setting the list of comprehensive plan amendments initiated for the amendment cycle, the docket, shall be forwarded to the department of planning and development services. Upon receipt of the resolution, the department shall make copies available to the public and begin the process for the review and evaluation of the proposed amendments as set out in WCC 2.160.070.

F. County planning and development staff shall forward a copy of any suggested plan amendment which would modify a city’s urban growth area to the appropriate city staff within 15 days of receipt, and shall notify the city of the date the county council is scheduled to review the proposed amendment at least 10 days prior to consideration by the county council.

2.160.060 Docket of initiated comprehensive plan amendments:
A. The department of planning and development services shall keep a docket of initiated comprehensive plan amendments and WCC Title 20 map and text amendments as initiated by the procedures in WCC 2.160.050.

B. The docket shall include the following information:

1. File number;

2. Name and address of the person or agency proposing the plan amendment;

3. Type of amendment being proposed and description of the amendment;

4. Initial year of proposed amendment;

5. Section, township and range of affected area, if applicable.

C. The docket and all application files shall be available for public review at the planning and development services department during normal business hours.

2.160.070 Review and evaluation of comprehensive plan amendments — Staff report:
A. The department of planning and development services shall conduct environmental review under SEPA and prepare reports including recommendations on all initiated comprehensive plan amendments and forward both the reports and the result of the environmental review to the planning commission.
B. Reports shall evaluate the merits of each initiated amendment based on the approval criteria of WCC 2.160.080.

C. If a proposed amendment relates to a site within a city’s urban growth area, will modify a city’s urban growth area or will amend text relating to a city’s urban growth area, planning and development services staff shall identify and follow any additional procedures called for in an adopted interlocal agreement between the county and that city.

2.160.080 Approval criteria.
A. In order to approve an initiated comprehensive plan amendment, the planning commission and the county council shall find all of the following:

1. 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.

2. Further studies made or accepted by the department of planning and development services indicate changed conditions that show need for the amendment.

3. 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:

   a. The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the comprehensive plan.

   b. 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.

   c. Anticipated impact upon designated agricultural, forest and mineral resource lands.

4. The amendment does not include or facilitate spot zoning.

5. Urban growth area amendments that propose the expansion of an urban growth area boundary shall be required to acquire development rights from a designated TDR sending area.

   a. One development right shall be transferred for every five acres included into an UGA. The county council may modify this requirement if a development agreement has been entered into that specifies the elements of development in the expanded UGA. The development agreement should include, but not be limited to, affordable housing, density, allowed uses, bulk and setback standards, open space, parks, landscaping, buffers,
critical areas, transportation and circulation, streetscapes, design standards and mitigation measures.

b. Exceptions to required TDRs include urban growth area expansion initiated by a government agency, correction of map errors, properties that are urban in character, or expansions where the public interest is served.

c. Urban growth area expansion initiated by the county, cities or other agencies shall be subject to review by county and city planning staff, and the appropriate administrative bodies, to determine whether the subject site is appropriate for designation as a TDR receiving area.

2.160.090 Review and evaluation of comprehensive plan amendments—Planning commission.
A. The planning commission shall receive the staff’s findings and recommendations for the initiated amendments and shall take public comment and hold public hearing(s) on the amendments.

B. At the conclusion of the public hearings and comment period, the commission shall evaluate the merits of each amendment in relationship to the approval criteria of WCC 2.160.080 and shall make a recommendation to the county council as to whether the amendments should be approved, approved with modifications or denied. The planning commission shall then cause written findings of fact, reasons for action, conclusions and recommendations to be prepared for each amendment. The written findings of fact, reasons for action and conclusions shall be forwarded to the county council in the form of a proposed ordinance(s) for its consideration.

2.160.100 Review and evaluation of comprehensive plan amendments—County council.
A. Comprehensive plan amendments, except for amendments adopted by emergency ordinance pursuant to Section 2.40 of the Whatcom County Charter, shall be adopted by ordinance after a recommendation by the planning commission has been submitted to the council for consideration. All initiated amendments to the comprehensive plan with the exception of amendments set forth in WCC 2.160.010 shall be considered by the council no more frequently than once a year and concurrently so the cumulative effect of the various proposals can be ascertained. The council may schedule such additional public hearings as the council deems necessary to serve the public interest.

B. If, after deliberating, the council believes the public interest may be better served by departing from the recommendation of the planning commission on an initiated amendment, the council shall conduct a public hearing on that amendment.

C. The council shall decide to approve, approve with modifications or deny comprehensive plan amendments based upon the approval criteria in WCC 2.160.080. Those amendments may be recommended for final concurrent review throughout the year. Final concurrent review by the county council should occur on or about February 1st.
D. The council shall send recommended comprehensive plan amendments on to final concurrent review by December 31st. Amendments that have not been either recommended or denied by the council by December 31st will be re-docketed for the next amendment cycle with the same number with which they were initially docketed.

2.160.110 Fees.
A. Application fees shall not be required for any application submitted by the county council, county councilmembers, county executive, planning commission, and county planning and development services.

B. All other applicants shall pay application fees as specified in the Unified Fee Schedule.

C. Once an amendment is initiated by resolution of the county council, the applicant shall pay the initiation fee within 15 days. The county council may take official action to waive the initiation fee at the time it approves the initiating resolution if it finds the proposed amendment will clearly benefit the community as a whole and will not be for private financial gain.
EXHIBIT C

Whatcom County Code Title 9
Public Peace, Morals and Welfare

Whatcom County Code Title 15
Building Codes

Whatcom County Code Title 16
Environment

Whatcom County Code Title 23
Shoreline Management Program

Whatcom County Code Title 24
Health

AMENDMENTS

Whatcom County Code Title 9
Public Peace, Morals and Welfare

Chapter 9.52
EROTIC DANCE STUDIOS

9.52.160 Appeals to the council.
Interested parties may appeal adverse decisions of the hearing examiner to the county council, under the provisions of Whatcom County Code Chapter 20.92.600 22.05.

Whatcom County Code Title 15
Building Codes

Chapter 15.04

15.04.010 Adoption of referenced codes.
15.04.015 Department of building safety.
15.04.016 Project Permit Review Procedures.
15.04.020 Amendments to the International Building Code.
15.04.030 Amendments to the International Residential Code.
15.04.040 Amendments to the International Fire Code.
15.04.050 Permit expirations and violations of the above-referenced codes.

15.04.016 Project Permit Review Procedures
All applications for project permits shall be reviewed and processed in accordance with WCC 22.05, except as otherwise stated within this title. Appeals of Title 15 fire and building code requirements shall be made to the board of appeals per current building code. The hearing examiner shall be the appeal body for appeals of non-fire and building code requirements associated with project permits required by this Title.

15.04.020 Amendments to the International Building Code.

5. Section 105.3, Application for Permit, is amended to include the following:

To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished-provided by the department of building safety for that purpose. Such application shall and shall include all items as stated in the department’s administrative manual.
Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 107.

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant’s authorized agent.

7. Include signature by the applicant or the applicant’s authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.

8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued septic system permit shall be specific to the project application.

9. Provide additional data and information in the designated sequence, as required by the Building Official.

15.04.030 Amendments to the International Residential Code.

D. Section R105.3, Application for permit, is amended to include the following:

To obtain the permit, the applicant shall first file an application in writing on a form provided by the department and shall include all items as stated in the department’s administrative manual.

To obtain the permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 107.

5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant’s authorized agent.

7. Include signature by the applicant or the applicant’s authorized agent of a statement for guarantee of fee payment. The statement must be signed in the presence of County staff or staff will provide a statement which includes verification of signature by a licensed notary public.

8. Provide verification of approval to connect to a public sewer system or a septic system installation permit issued by the Whatcom County Environmental Health Department for any permit application that requires sewage disposal. The approval to connect or issued system permit shall be specific to the project application.

9. Provide additional data and information in the designated sequence, as required by the Building Official.

Whatcom County Code Title 16 Environment

Chapter 16.08

STATE ENVIRONMENTAL POLICY ACT (SEPA)

Chapter 16.16

CRITICAL AREAS

[Note: on December 27, 2017 the recently adopted Chapter 16.16 Critical Areas Regulations amendments went into effect. Staff has proposed amendments to the procedural sections to 16.16. These changes were not reviewed by the Whatcom County Planning Commission, however it was recommended these changes be included and reviewed in the Title 22 amendment.]

ARTICLE 2. ADMINISTRATIVE PROVISIONS

16.16.205 Authorizations Required.
A. No action shall be taken by any person, company, agency, governmental body (including Whatcom County), applicant, owner, or owner’s agent, which results in any alteration of a critical area or its setback or buffer without prior authorization by submitting an application to the Technical Administrator and
obtaining either the required permit or an approval of a notice of activity, as specified herein.

B. No land use development permit, construction permit, or land division approval required by County ordinance shall be granted until the County decision-maker has determined that the applicant has complied with the applicable purposes, requirements, objectives, and goals of this chapter including the mitigation standards set forth in WCC 16.16.260.

C. Project permits must comply with the substantive and procedural requirements of this chapter and the procedural requirements of Chapter 2.33 WCC shall comply with all provisions of this chapter, Title 22 and the department’s administrative manual.

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16.16.215 Relationship to Other Jurisdictions.
A. Permit applicants are responsible for complying with all federal, state, tribal, and local regulations that may pertain to a proposed development. Compliance with the provisions of this chapter does not necessarily constitute compliance with other regulations and permit requirements.

B. In cases where other agencies have jurisdiction over critical areas and the technical administrator determines that the permit conditions imposed by such agencies are no less protective and satisfy the requirements of this chapter, those permit conditions may be substituted as the conditions of approval for the requirements of this chapter. Such agencies may include, but are not limited to, the Lummi Nation; the Nooksack Tribe; the United States Army Corps of Engineers; the United States Environmental Protection Agency; the United States Fish and Wildlife Service; the National Marine Fisheries Service or NOAA Fisheries; and the Washington State Departments of Ecology, Natural Resources, and Fish and Wildlife.

C. The County shall make detailed written findings required by Chapter WCC 2.33 22.05 and WCC 16.16.250 when adopting conditions of another jurisdiction’s permit. Such requirements shall be a condition of critical area approval and enforceable by the County. In the event that there is a conflict between permit requirements and the standards of this chapter, the more restrictive standards shall apply.

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16.16.240 Technical Administrator and Hearing Examiner Authority.
The technical administrator is the Whatcom County director of planning and development services or his/her designee. The hearing examiner is appointed by the County Council. The technical administrator and the County Hearing Examiner shall administer and enforce the provisions of this chapter pursuant to the following:
A. The technical administrator shall have the primary responsibility for reviewing development proposals for compliance with this chapter and is authorized to approve, deny, or condition permits in accordance with the standards set forth herein. The technical administrator shall also have the following authority:

1. Authority to convene an interdisciplinary team to assist in reviewing development proposals or to solicit review from outside experts in accordance with WCC 16.16.245.

2. Authority to grant, condition, or deny reasonable use permits for single-family residential building permits within critical areas and/or their buffers

3. Authority to grant, condition, or deny reasonable use permits for other development proposals that would affect critical area buffers, but not the critical areas themselves

4. Authority to serve a cease and desist order pursuant to WCC 16.16.285 upon a person undertaking activity within a critical area or buffer in violation of this chapter.

5. Any additional responsibility and/or authority specifically provided for in the subsequent articles of this chapter.

B. The technical administrator’s authority shall transfer to another County decision-maker when another decision-maker is specified for a separate project permit. In such cases, the technical administrator shall ensure that all procedural requirements of this chapter are met and shall make a recommendation to the designated decision-maker as to how the provisions of this chapter apply to the permit action, including project permits.

C. The Whatcom County hearing examiner is hereby vested with responsibility and authority to hear appeals and perform the following duties:

1. Authority to grant or deny variances.

2. Authority to grant, condition, or deny reasonable use permits for all developments, except single-family building permits, affecting critical areas.

3. Authority to decide on appeals of administrative decisions including, but not limited to, reasonable use permits issued by the technical administrator.

4. Authority to hold public hearings pursuant to Chapters 20.8422.05 and 20.92 WCC.

D. In granting, revising, or extending a permit, the technical administrator, or hearing examiner, as applicable, may attach such conditions, modifications, or restrictions thereto regarding the location, character, and other features of the proposed development deemed necessary to assure that the development is consistent with criteria set forth in this chapter. In cases involving unusual circumstances or uncertain effects, a condition may be imposed to allow for
future review or reevaluation to assure conformance with this chapter. The technical administrator and/or hearing examiner shall render a final decision in accordance with the timelines established in WCC 2.33.09022.05 and 20.92.430, as applicable. All decisions of the technical administrator and hearing examiner may be appealed pursuant to WCC 20.84.240 and 20.92.600 WCC 22.05.160.

A. All applicants shall complete a prescreening meeting with the technical administrator prior to submitting an application subject to this chapter. The purpose of this meeting shall be to discuss the requirements for a complete application; the critical area standards and procedures; to review conceptual site plans prepared by the applicant; to discuss appropriate investigative techniques and methods; and to determine reporting requirements.

B. Review and approval of a proposed development within a critical area or its buffer may be initiated through the application for any project permit in Whatcom County.

C. The technical administrator shall be responsible, in a timely manner, to make one of the following determinations regarding critical areas review:

1. Initial Determination. When County critical area maps or other sources of credible information indicate that a site may be located, contain or abut critical areas, critical area buffers or setbacks the technical administrator shall require technical studies in accordance with that critical area's specific Article.

2. Determination of Impacts. The technical administrator shall use best available science, including but not limited to the County's critical areas maps, his/her field investigation results, his/her own knowledge of the site, information from appropriate resource agencies, or documentation from a scientific or other credible source to determine if the project will more probably than not adversely impact a critical area or its buffer. Identified adverse impacts shall be fully mitigated in accordance with WCC 16.16.260.

3. Determination of Compliance. If the applicant demonstrates to the satisfaction of the Technical Administrator that the project meets the provisions of this chapter and is not likely to adversely affect the functions and values of critical areas or buffers or provides mitigation to reduce the adverse impact to meet no net loss of the function and values of critical areas or its buffer, the technical administrator shall make the determination that the proposal complies with this chapter.

4. Decision to Approve, Condition, or Deny. The technical administrator shall review all pertinent information pertaining to the proposed development and shall approve, approve with conditions, or deny the permit based on their review, and shall provide a detailed written decision. This determination shall
be included in the project review record for the project permit in accordance with Chapter 2.3322.05 WCC.

16.16.261 Alternative or Innovative Mitigation Plans.
A. The County shall consider and may approve alternative or innovative mitigation plans for major developments (as defined in Article 9 of this chapter), planned unit developments (pursuant to Chapter 20.85 WCC), and/or development agreements (pursuant to RCW 36.70B.170 through 36.70B.210).

B. If approved, said plan shall be used to satisfy the requirements of this chapter and provide relief and/or deviation as appropriate from the specific standards and requirements thereof; provided, that the standards of impact avoidance and minimization shall remain as guiding principles in the application of these provisions and when it is demonstrated that all of the following circumstances exist:

1. The proponent(s) demonstrate the organizational and fiscal capability to carry out the purpose and intent of the plan;

2. The proponent(s) demonstrate that long-term management, maintenance, and monitoring will be adequately funded and effectively implemented;

3. There is a clear likelihood for success of the proposed plan based on supporting scientific information or demonstrated experience in implementing similar plans;

4. In terms of functional value, the proposed mitigation plan results in equal or greater protection and conservation of critical areas functions, services, and values than would be achieved using parcel-by-parcel regulations and/or traditional mitigation approaches;

5. The plan is consistent with the general purpose and intent of this chapter, the Shoreline Management Program (WCC Title 23), and the comprehensive plan;

6. The plan shall contain relevant management strategies considered effective and within the scope of this chapter and shall document when, where, and how such strategies substitute for compliance with the specific standards herein; and

7. The plan shall contain clear and measurable standards for achieving compliance with the purposes of this chapter, a description of how such standards will be monitored and measured over the life of the plan, and a fully funded contingency plan if any element of the plan does not meet standards for compliance.
C. Alternative mitigation plans shall be reviewed concurrently with the underlying land use permit(s) and decisions to approve or deny such plans shall be made in accordance with the underlying permit process. The plan shall be reviewed by the technical administrator to ensure compliance with the general purpose and intent of this chapter and to ensure accuracy of the data and effectiveness of proposed management strategies. In making this determination the technical administrator shall consult with the State Departments of Fish and Wildlife, Ecology, Natural Resources, and/or other local, state, federal, and/or tribal agencies or experts. If the technical administrator finds the plan to be complete, accurate, and consistent with the purposes and intent of this chapter, the designated decision-maker shall solicit comment pursuant to the public notice provisions of Chapter 2.3322.05 WCC prior to final approval/denial of permission of the plan to substitute for the requirements and standards of this chapter.

. . . . .

16.16.262 Watershed-Based Management Plans.
A. The County may consider watershed-based management plans sponsored by watershed improvement districts, other special purpose districts, or other government agencies.

B. If approved, said plan shall be used to satisfy the requirements of this chapter and provide relief and/or deviation as appropriate from the specific standards and requirements thereof; provided, that the standards of impact avoidance and minimization shall remain as guiding principles in the application of these provisions and when it is demonstrated that all of the following circumstances exist:

1. The proponent(s) demonstrate the organizational and fiscal capability to carry out the purpose and intent of the plan;

2. The proponent(s) demonstrate that long-term management, maintenance, and monitoring of the watershed will be adequately funded and effectively implemented;

3. There is a clear likelihood for success of the proposed plan based on supporting scientific information or demonstrated experience in implementing similar plans;

4. In terms of functional value, the proposed mitigation plan results in equal or greater restoration, protection, and conservation of the impacted critical areas than would be achieved using parcel-by-parcel regulations and/or traditional mitigation approaches;

5. The plan is consistent with the general purpose and intent of this chapter, the comprehensive plan, and an approved watershed plan prepared pursuant to Chapter 90.82 RCW (the State Watershed Management Act) or the plan is prepared under other local or state authority that is consistent with the goals
and policies of an applicable and approved watershed plan prepared pursuant to Chapter 90.82 RCW;

6. The plan shall contain relevant management strategies considered effective and within the scope of this chapter and shall document when, where, and how such strategies substitute for compliance with the specific standards herein; and

7. The plan shall contain clear and measurable standards for achieving compliance with the purposes of this chapter, a description of how such standards will be monitored and measured over the life of the plan, and a fully funded contingency plan if any element of the plan does not meet standards for compliance.

C. Watershed-Based Management Plans shall be approved by the County Council by ordinance and appended to this chapter. The process for approval shall be as follows:

1. The plan shall be reviewed by the technical administrator to ensure compliance with the purposes of this chapter, the Whatcom County Shoreline Management Program (WCC Title 23), and with the comprehensive plan, and to ensure accuracy of the data and effectiveness of proposed management strategies. In making this determination the technical administrator shall consult with the State Departments of Fish and Wildlife, Ecology, Natural Resources, and/or other local, state, federal, and/or tribal agencies or experts.

2. If the technical administrator finds the plan to be complete, accurate, and consistent with the purposes and intent of this chapter, the designated decision-maker shall solicit comments pursuant to the public notice provisions of Chapter 2.33-22.05 WCC prior to final approval/denial of permission of the plan to substitute for the requirements and standards of this chapter.

3. The designated decision-maker shall not approve watershed-based management plans that conflict with Chapter 90.82 RCW.

16.16.263 Mitigation Banking.
A. The County may approve mitigation banking as a form of compensatory mitigation for wetland and habitat conservation area impacts when the provisions of this chapter require mitigation and when it is clearly demonstrated that the use of a bank will provide equivalent or greater replacement of critical area functions and values when compared to on-site mitigation; provided, that all of the following criteria are met:

1. Banks shall only be used when they provide significant ecological benefits including long-term conservation of critical areas, important species, habitats and/or habitat linkages, and when they are consistent with the County
Comprehensive Plan and create a viable alternative to the piecemeal mitigation for individual project impacts to achieve ecosystem-based conservation goals.

2. The bank shall be established in accordance with the Washington State Draft Mitigation Banking Rule, Chapter 173-700 WAC or as revised, and Chapter 90.84 RCW and the federal mitigation banking guidelines as outlined in the Federal Register, Volume 60, No. 228, November 28, 1995. These guidelines establish the procedural and technical criteria that banks must meet to obtain state and federal certification.

3. Preference shall be given to mitigation banks that implement restoration actions that have been identified formally by an adopted shoreline restoration plan, watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a salmonid recovery plan or project that has been identified on the Watershed Management Board Habitat Project List or by the Washington State Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement.

B. Mitigation banks shall require a major project permit in accordance with Chapter 20.88 WCC and shall be subject to a formal review process including public review as follows:

1. The bank sponsor shall submit a bank prospectus for County review. The prospectus shall identify the conceptual plan for the mitigation bank, including:
   a. The ecological goals and objectives of the bank;
   b. The rationale for site selection, including a site map and legal description of the prospective bank site;
   c. A narrative demonstrating compliance with the Whatcom County comprehensive plan, associated development standards and this chapter, shoreline restoration plan, watershed planning documents prepared and adopted pursuant to Chapter 90.82 RCW, and/or the salmonid recovery plan;
   d. A description of the existing site conditions and expected changes in site conditions as a result of the banking activity, including changes on neighboring lands;
   e. A conceptual site design;
   f. A description of the proposed protective mechanism such as a conservation easement; and
   g. Demonstration of adequate financial resources to plan, implement, maintain, and administer the project.
2. The technical administrator shall review the bank prospectus either by participating in the state’s Mitigation Bank Review Team (MBRT) process and/or by hiring independent, third-party expertise to assist in the review.

3. If the technical administrator determines that the bank prospectus is complete, technically accurate, and consistent with the purpose and intent of this chapter, s/he shall forward the prospectus to the County Council for initial review. If the proposed bank involves conversion of agricultural land to nonagricultural uses, the County Council shall seek a recommendation from the Agricultural Advisory Committee as to whether the conversion should be allowed. The Committee’s recommendation shall be nonbinding. The County Council may require mitigation for the loss of agricultural lands.

4. If the County Council determines, based on the initial review, that the prospectus is valid, it shall issue a notice to proceed to the bank sponsor. Following receipt of the notice to proceed, the bank sponsor may submit application for a major project permit in accordance with Chapter 20.88 WCC. The notice to proceed shall not be construed as final approval of the bank proposal, but shall indicate approval to proceed with the development of the mitigation bank instrument, which details all of the legal requirements for the bank.

5. Upon receipt of a draft mitigation banking instrument from the bank sponsor and major project permit application, the technical administrator shall review the banking instrument and major project permit in consultation with the MBRT and/or other third-party expert. Following review of the mitigation banking instrument and major project permit, the technical administrator shall make a recommendation to certify and approve, conditionally certify and approve, or deny the bank proposal and major project permit in accordance with the provisions of Chapters 20.88 and 22.05 WCC.

6. Following receipt of the recommendation, the County Council shall proceed with review in accordance with the provisions outlined in Chapters 20.88 and 22.05 WCC.

7. The bank sponsor shall be responsible for the cost of any third-party review.

   

   16.16.270 Reasonable Use Exceptions.

   A. Permit applicants for a property so encumbered by critical areas and/or buffers that application of this chapter—including buffer averaging, buffer reduction, or other mechanism—would deny all reasonable use may seek approval pursuant to the reasonable use standards and procedures provided in this section.

   B. Reasonable Use Standards.
1. Nothing in this chapter is intended to preclude all reasonable economic use of property. If the application of this chapter would deny all reasonable economic use of the subject property, including agricultural use, use or development shall be allowed if it is consistent with the zoning code and the purposes of this chapter.

2. To qualify as a reasonable use, the technical administrator or hearing examiner, as appropriate, must find that the proposal is consistent with all of the following criteria:

   a. There is no portion of the site where the provisions of this chapter allow reasonable economic use, including agricultural use or continuation of legal nonconforming uses;

   b. There is no feasible alternative to the proposed activities that will provide reasonable economic use with less adverse impact on critical areas and/or buffers. Feasible alternatives may include, but are not limited to, locating the activity on a contiguous parcel that has been under the ownership or control of the applicant since September 30, 2005, change in use, reduction in size, change in timing of activity, and/or revision of project design;

   c. Activities will be located as far as possible from critical areas and the project employs all reasonable methods to avoid adverse effects on critical area functions and values, including maintaining existing vegetation, topography, and hydrology. Where both critical areas and buffer areas are located on a parcel, buffer areas shall be disturbed in preference to the critical area;

   d. The proposed activities will not result in adverse effects on endangered or threatened species as listed by the federal government or the state of Washington, or be inconsistent with an adopted recovery plan;

   e. Measures shall be taken to ensure the proposed activities will not cause degradation of groundwater or surface water quality, or adversely affect drinking water supply;

   f. The proposed activities comply with all state, local and federal laws, including those related to erosion and sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;

   g. The proposed activities will not cause damage to other properties;

   h. The proposed activities will not increase risk to the health or safety of people on or off the site;

   i. The inability to derive reasonable economic use of the property is not the result of segregating or dividing the property and/or creating the condition of lack of use after September 30, 2005;
j. The project includes mitigation for unavoidable critical area and buffer impacts in accordance with the mitigation requirements of this chapter;

k. For single-family residences, the maximum impact area may be no larger than 4,000 square feet. This impact area shall include the residential structure as well as appurtenant development that are necessarily connected to the use and enjoyment of a single-family residence. These appurtenant developments include garages, decks, driveways, parking, on-site septic systems, and all lawn and non-native landscaping, with the following exceptions:

i. On lots outside of the shoreline jurisdiction, when an extended driveway is necessary to access a portion of a development site with the least impact on critical area and/or buffers, those portions of the driveway shall be excluded from the 4,000 square foot maximum impact area provided that the access road meets the standards of WCC 16.16.620(E) or 16.16.720(C), as applicable.

ii. On lots within the shoreline jurisdiction, when an extended driveway is necessary to access a portion of a development site with the least impact on critical area and/or buffers, approval of those driveway portions shall be sought through a Shoreline Variance (WCC 23.60.030) and demonstrate that the size and location of the driveway is the minimum relief necessary to access the development site.

C. Reasonable Use Procedures.

1. Procedural requirements for reasonable use exception applications shall be as follows:

   a. Reasonable use exception applications shall be subject to an open record public hearing; except, that reasonable use exception applications for single-family residential building permits, or for other development proposals that would affect critical area buffers, but not the critical areas themselves, shall be processed administratively by the technical administrator.

   b. Reasonable use exception applications that require an open record hearing shall be processed in accordance with Chapter 2.33 WCC and WCC-20.84.23022.05.

   c. Reasonable use exception applications that are subject to administrative approval by the technical administrator shall be processed in accordance with WCC 20.84.23522.05.

   d. The hearing examiner or technical administrator shall have the authority to set an expiration date for any or all reasonable use approvals. The development proposal must be completed before the approval expires.
e. Any person aggrieved by the granting, denying, or rescinding of a reasonable use exception by the technical administrator or any party of record may appeal the Technical Administrator's decision pursuant to WCC 16.16.280 or the hearing examiner decision pursuant to Chapter 20.9222.05 WCC.

f. Any application for a reasonable use exception or approval which remains inactive for a period of 180 days shall expire and a new application and repayment of fees shall be required to reactivate the proposal; provided, that the technical administrator may grant a single 90-day extension for good cause. Delays such as those caused by public notice requirements, environmental (SEPA) review, litigation directly related to the proposal, or changes in government regulations shall not be considered as part of the inactive period.

2. All reasonable use exception applications or other approvals shall be subject to the provisions of this chapter, which are in effect at the time of application.

3. Each application for a reasonable use exception shall be accompanied by a fee as stated in the unified fee schedule.

4. In making reasonable use decisions, the technical administrator shall have the authority to require submittal of technical reports in accordance with WCC 16.16.255 and/or 16.16.260(B).

16.16.273 Variances.

Where strict application of dimensional requirements of this chapter renders compliance with these provisions an undue hardship and when no other feasible alternative exists; permit applicants may seek a variance pursuant to WCC 20.84.100. A variance application shall be processed pursuant to WCC 22.05.

A. Where strict application of requirements of this chapter renders compliance with these provisions an undue hardship, permit applicants may seek a variance pursuant to the variance standards and procedures provided in this section.

A. Variance Standards. The hearing examiner may grant a variance from the dimensional requirements in this chapter when the applicant proves by clear, cogent, and convincing evidence all of the following:

1. Because of special circumstances applicable to the subject property, including, but not limited to, size, shape, topography, location, surroundings, and other physical conditions, the application of this chapter precludes development of the property by the property owner as otherwise allowed in WCC Title 20; and,

2. The granting of the variance will not be injurious to the health or safety of the community and every reasonable effort has been made to minimize adverse effects on critical areas; and,

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3. The variance does not constitute a grant of special privilege, and is not based upon reasons of hardship caused by previous actions of the current property owner after July 18, 1992, and the proposed modification to a critical area will be the minimum necessary to allow reasonable and economically viable use of the property; and,
4. The project includes mitigation for unavoidable critical area and buffer impacts.
5. No other feasible alternative exists.

B. Variance Procedures:
1. Procedural requirements for variances applications shall be as follows:
   a. Variance applications shall be subject to an open record public hearing, processed in accordance with Chapter 2.33 WCC and WCC 20.84.230.
   b. The hearing examiner shall have the authority to set an expiration date for any or all variance approvals. The development proposal must be completed before the approval expires. The hearing examiner will render a decision pursuant to Chapter 20.92 WCC.
   c. Any party of record may appeal the hearing examiner decision pursuant to Chapter 20.92 WCC.
   d. Any application for a variance that remains inactive for a period of 1 year shall expire and a new application and repayment of fees shall be required to reactivate the proposal; provided, that the technical administrator may grant up to two 1-year extensions for good cause. Delays such as those caused by public notice requirements, environmental (SEPA) review, litigation directly related to the proposal, or changes in government regulations shall not be considered as part of the inactive period.
2. All variance applications shall be subject to the provisions of this chapter that are in effect at the time of application.
3. Each application for a variance shall be accompanied by a fee as stated in the unified fee schedule.
4. In making variance decisions, the hearing examiner shall require submittal of technical reports in accordance with WCC 16.16.255 and/or 16.16.260(B).

16.16.280 Appeals.
A. Final permit decisions made by the technical administrator shall be subject to appeal in accordance with the procedures of Chapter 2.3322.05 WCC and WCC Title 20; provided, that the applicant may request administrative review by the director of planning and development services prior to initiating a formal appeal process. Decisions of conditions applied to specific permits shall be subject to the appeal provisions for that permit. A request for administrative review shall stay the time within which one must file an appeal until a decision on the review is issued.

B. Any person may appeal to the hearing examiner a final administrative order, final requirement, final permit decision, or final determination made; provided, that such appeal shall be filed in accordance with the appeal procedure for the underlying permit. If there is no appealable permit or if the appeal is for a
reasonable use permit decision issued by the technical administrator, the appeal shall be filed in writing within 14 calendar days of the date the written decision, order, requirement, or determination is issued and public notice provided, unless the decision is issued as part of a SEPA determination of nonsignificance for which a public comment period is required, in which case a 21-day appeal period shall be provided.

G. The appeal will be upheld if the applicant proves that the decision appealed is clearly erroneous or based upon error of law.

D. The hearing examiner shall have the authority to set an expiration date for any or all appeal approvals. The hearing examiner will render a decision pursuant to Chapter 20.92 WCC.

E. Each application for an appeal of an administrative decision to the hearing examiner shall be accompanied by a fee as stated in the unified fee schedule.

F. Pursuant to WCC 20.92.610, the applicant, any party of record, or any County department may appeal any final decision of the hearing examiner to the County Council. The appellant shall file a written notice of appeal at the County Council office within 10 business days of the final decision of the Hearing Examiner.

G. Any issue not raised in the original appeal filing is thereafter waived.

Whatcom County Code Title 23
Shoreline Management Program

Chapter 23.05

ADMINISTRATIVE PROCEDURES

23.05.010 Administrative procedures: Authority

23.05.020 Purpose.

23.05.030 Administrative procedures.

23.05.010 Administrative procedures Authority.
As described in adopted Whatcom County Ordinance 2008-034, the general administrative sections of Title 23 (Whatcom County Shoreline Management
Program) are not part of this program. They are, however, included with the text of this title for consistency and ease of use. Department of Ecology will be notified of any changes to the administrative chapters listed below.

The use of separate local administrative and enforcement procedures is consistent with the 2003 Washington State Shoreline Master Program Guidelines (WAC 173-26-191(2)(a)(iii)(C)), Administrative provisions:

Local governments may include administrative, enforcement, and permit review procedures in the master program or the procedures may be defined by a local government ordinance separate from the master program. In either case, these procedures shall conform to the Shoreline Management Act, specifically RCW 90.58.140, 90.58.143, 90.58.210 and 90.58.220 and to chapter 173-27 WAC.

23.05.020 Purpose. 

The purpose of this chapter is to allow Whatcom County to revise local administrative procedures (fees, application meetings, authority of administrator, etc.) without another a formal state amendment process. These chapters must still be consistent and remain consistent with the related provisions in the Shoreline Management Act and state shoreline rules (WACs). In the event of a conflict, the state RCW or WAC, as amended, will prevail over the local ordinance.

23.05.030 Administrative procedures.

A. All applications for project permits covered by this title shall be reviewed and processed in accordance with WCC 22.05, except as otherwise stated within this title.

B. The following sections and chapters are part of were adopted by the Whatcom County Administrative Procedures Ordinance 2008-034, and are separate from this title:

WCC 23.60.050 – Minimum application requirements.
WCC 23.60.060 – Preapplication conference.
WCC 23.60.070 – Fees.
WCC 23.60.080 – Notice of application.
WCC 23.60.090 – Permit application review.
WCC 23.60.100 – Consolidated permit review.
WCC 23.60.110 – State Environmental Policy Act (SEPA) compliance.
WCC 23.60.130 – Public hearings.
WCC 23.60.140 – Permit conditions.
WCC 23.60.150 – Notice of decision, reconsideration and appeal.
WCC 23.60.160 – Initiation of development.
WCC 23.60.180 – Rescission and modification.
WCC 23.60.190 – Expiration.
Chapter 23.70 WCC – Administration.
Chapter 23.80 WCC – Legal Provisions.
23.60.050 Minimum application requirements.
A. Where other approvals or permits are required for a use or development that does not require an open record hearing, such approvals or permits shall not be granted until a shoreline approval or permit is granted. All shoreline approvals and permits shall include written findings prepared by the administrator documenting compliance with bulk and dimensional standards and other policies and regulations of this program.

B. A complete application for a substantial development, conditional use, or variance permit shall contain all materials required in the department’s administrative manual, at a minimum, the following information; provided, that the administrator may vary or waive these requirements according to as provided in the manual-adминистative application requirements and may vary or waive these requirements on a case-by-case basis. The administrator may require additional specific information depending on the nature of the proposal and the presence of sensitive ecological features or issues related to compliance with other county requirements.

1. Applicant/Proponent Information:
   a. The name, address and phone number of the applicant/proponent, applicant’s representative, and/or property owner if different from the applicant/proponent;

   b. The applicant/proponent should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent;

2. Property Information:
   a. The property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute. All applications for projects located in open water areas away from land shall provide a longitude and latitude location;

   b. Identification of the name of the shoreline (water body) that the site of the proposal is associated with;

   c. A general description of the property as it now exists including its use, physical and ecological characteristics, improvements and structures;

   d. A general description of the vicinity of the proposed project including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;

   e. A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.
3. A site plan identifying existing conditions consisting of photographs, text, maps and elevation drawings, drawn to an appropriate scale to clearly depict all required information, that shall include:

a. The boundary of the parcel(s) of land upon which the development is proposed. A survey may be required where substantial questions exist regarding the location of property lines or other important features.

b. The ordinary high water mark of all water bodies within, located on or adjacent to the project boundary. For any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the applicant/proponent shall provide a survey and describe the biological and hydrological basis for the location as indicated on the plan. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline.

c. Existing land contours at intervals sufficient to accurately determine the existing character of the property. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area.

d. Existing critical areas as designated in Chapter 16.16 WCC together with any supporting information consistent with the reporting requirements of Chapter 16.16 WCC.

e. A description of the character of vegetation found on the site, including dominant plant species, vegetation structure, presence of invasive species and related information. A vegetation survey of plant communities may be required.

f. A description of the existing conditions including the ecological functions and processes affecting, maintaining, or influencing the shoreline.

g. The dimensions and locations of all existing structures and improvements including, but not limited to: buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, and stormwater management facilities.

4. A site plan and supporting information describing the features of the proposed development:

a. The dimensions and locations of all proposed structures and improvements including but not limited to: buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, material stockpiles or surcharge, and stormwater management facilities.

b. Proposed land contours overlain on existing contours. The contours shall be at intervals sufficient to accurately determine the extent of
proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area.

e. Where applicable, a landscaping plan for the project.

d. Quantity, source and composition of any fill material that is placed on the site whether temporary or permanent.

e. Quantity, composition and destination of any excavated or dredged material.

f. A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.

g. Where applicable, a depiction of the impacts to views from existing residential uses and public areas.

h. A summary characterization of the effects of the project on existing ecological functions and processes in the vicinity of the project. If the project is likely to have adverse effects on shoreline ecological functions or processes, a mitigation plan shall be provided demonstrating measures that will be taken to offset impacts in accordance with the policies in WCC 23.90.030.

i. Where applicable, critical area mitigation plans in accordance with WCC 16.16.260.

j. On all variance applications the plans shall clearly indicate where development could occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.

5. Shoreline permits shall be applied for on forms provided by the county.

6. Operation and maintenance plan(s) as required pursuant to other applicable sections of this program.

23.60.060 Pre-application conference.

A. Prior to filing a permit application for a shoreline substantial development permit, variance or conditional use permit decision, the applicant shall contact the county to schedule a preapplication conference which shall be held prior to filing the application; provided, that such meetings shall not be required for development activities associated with shoreline restoration projects, agriculture, commercial forestry, or the construction of a single-family residence.

B. The purpose of the preapplication conference is to review and discuss the application requirements with the prospective applicant and provide initial comments on the development proposal. The preapplication conference shall be scheduled by the county, at the request of an applicant, and shall be held in a
timely manner, within 30 days from the date of the applicant’s request. A project coordinator shall be assigned by the county following the preapplication conference.

C. The administrator may waive the requirement for a preapplication conference if it is determined to be unnecessary for review of an application. Nothing in this section shall be interpreted to require more than one preapplication conference or to prohibit the applicant from filing an application if the county is unable to schedule a preapplication conference within 30 days following the applicant’s request.

D. Information presented at or required as a result of the preapplication conference shall be valid for a period of 180 days following the preapplication conference. An applicant wishing to submit a permit application more than 180 days following a preapplication for the same permit application shall be required to schedule another preapplication conference.

E. At or subsequent to a preapplication conference, the county may issue a preliminary determination that a proposed development is not permissible under applicable county policies or regulatory enactments. In that event, the applicant shall have the option to appeal the preliminary determination to the hearing examiner as provided for in WCC 23.60.150 as an alternative to proceeding with a complete application.

23.60.070 Fees.
A. Required fees for all shoreline substantial development permits, shoreline conditional use permits, shoreline variances, statements of exemption, appeals, preapplication conferences and other required reviews and/or approvals shall be paid to the county at the time of application in accordance with the Whatcom County unified fee schedule in effect at that time and WCC 22.25.

B. When any given project requires more than one of the following permits or applications, the total amount of shoreline fees shall be reduced by 25 percent pursuant to WCC 22.25.030:

1. Preliminary plat application.
2. Rezone application.
3. Major development permit.
4. Planned unit development.
5. Binding site plan.

C. When any project requires a shoreline conditional use permit or shoreline variance in addition to a shoreline substantial development permit, the fees for the conditional use or variance shall be reduced by half.

D. In the event that actions of an applicant result in the repetition of the review, inspections and other steps in the approval process, those items or steps repeated shall be charged to and paid by the applicant prior to any further processing of the
application by the county. The cost shall be in accordance with the adopted fee schedule.

E. If an application is withdrawn within 30 days of submittal, and no work has commenced at the site of the proposal for which the application was made, a refund of not more than 50 percent of the shoreline fees paid may be granted by the administrator. This amount may be reduced where staff time, public notice and other costs exceed 50 percent of the fees paid.

F. No fees shall be collected from an agency of Whatcom County government.

23.60.080 Notice of application.
A. Upon receipt of a completed shoreline substantial development permit, shoreline variance, or shoreline conditional use permit application, the county shall issue a notice of application for a proposed land use action in the manner set forth in WCC 22.05.070.2.33.060 (Permit Review Procedures) notwithstanding the requirement for an open record public hearing, and to notify the applicant/proponent of his/her notice responsibility under that section.

B. The public comment period for a shoreline substantial development permit, shoreline variance, or shoreline conditional use permit shall be 30 days following the date of notice of application. Public comments may be submitted at any time prior to the closing of the record of an open record predecision hearing or, if no open record public hearing is required, prior to the decision on the project permit.

C. The public hearing shall not be closed to the receipt of written comments prior to 30 days following the date of the notice.

D. Application for any approval or permit not requiring a shoreline substantial development permit, shoreline variance, or shoreline conditional use permit shall be governed by the applicable notice requirement for that permit and shall not be subject to additional notice by this section. Any public comments submitted pursuant to applications for other approvals or permits shall be considered in review of compliance with standards, policies and regulations of this program.

EB. The rights of treaty tribes to resources within their usual and accustomed areas shall be accommodated through the notification and comment provisions of the permit review process. Tribal treaty rights may be addressed through specific permit conditions. Direct coordination between tribes and the applicant/proponent is encouraged.

23.60.090 Permit application review.
A. All shoreline permit applications, exemptions, or other approvals shall be subject to the provisions of this program that are in effect at the time of application.

B. To facilitate review of an application the decision maker shall consider any or all of the following:

1. The application and attached information;
2. The SEPA checklist, threshold determination, environmental impact statement, or other environmental studies and/or documentation;

3. Written comments from interested persons;

4. Information and recommendations from any public agency and from the administrator in cases where the administrator is not the decision maker;

5. Information or comment presented at a public hearing, if held, on the application; and

6. The policy and provisions of the Act and this program including the criteria enumerated in WCC 23.60.010, 23.60.030 and 23.60.040, as applicable.

C. **In compliance with the provisions of Chapter 2.33.22.05 WCC** The decision maker shall be responsible to process project permit applications for shoreline substantial development permits, shoreline variance and shoreline conditional use permits in a compliance with the provisions of WCC 22.05 timely manner.

D. **The decision maker shall process project permit applications for Shoreline statements of exemption shall be processed** in accordance with the provisions of WCC 23.60.023(A) and Chapter 22.05 WCC.

E. Any application for a shoreline permit or approval that remains inactive for a period of 180 days shall expire and a new application and repayment of fees shall be required to reactivate the proposal; provided, that the administrator may grant a single 90-day extension for good cause. Delays such as those caused by public notice requirements, State Environmental Policy Act review, litigation directly related to the proposal, or changes in government regulations shall not be considered as part of the inactive period.

F. If a shoreline permit is denied, no reapplication for the same or essentially similar development may be made until one year from the date of denial.

**23.60.100 Consolidated permit review.**

A. Whenever an application for a project permit under the program requires a project permit or approval under another county permit authority, such as zoning or subdivision, the shoreline project permit application, time requirements and notice provisions for processing the shoreline permit shall apply, in addition to those of other regulatory programs.

B. The provisions of Chapter 2.33.22.05 WCC shall apply to the consolidated application, review and approval of applications that require an open record hearing. Any shoreline use or development that is subject to other approvals or permits that requires an open record hearing under another permit authority, such as zoning or subdivision, shall be subject to consolidated review and the decision maker designated for the open record hearing shall be the decision maker for the consolidated review.

**23.60.110 State Environmental Policy Act (SEPA) compliance.**
A. Whenever an application for shoreline substantial development permit, shoreline variance, shoreline conditional use permit, or statement of exemption is subject to the rules and regulations of SEPA (Chapter 43.21C RCW), the review requirements of SEPA, including time limitations, shall apply, where applicable.

B. Applications for shoreline permit(s) or approval(s) that are not categorically exempt under SEPA shall be subject to environmental review by the responsible official of Whatcom County pursuant to the State Environmental Policy Act (Chapter 197-11 WAC).

C. As part of SEPA review, the responsible official may require additional information regarding the proposed development in accordance with Chapter 197-11 WAC.

D. Failure of the applicant/proponent to submit sufficient information for a threshold determination to be made shall be grounds for the responsible official to determine the application incomplete.

23.60.120 Burden of proof.
Permit applicants/proponents have the burden of proving that the proposed development is consistent with the criteria set forth in the Act and this program.

23.60.130 Public hearings.
A. The administrator shall determine whether an application requires a public hearing pursuant to the criteria below no later than 15 days after the minimum public comment period provided by WCC 23.60.080. An open record public hearing shall be required for all of the following:

1. The proposal has a cost or market value in excess of $100,000 except for single-family residences, agriculture, commercial forestry and ecological restoration projects; or

2. The proposal would result in development of an area larger than five acres; or

3. The proposal is a new or expanded marina, pier, aquaculture structure, any building over 35 feet high, mine, dam, stream diversion, landfill; or

4. The administrator has reason to believe the proposal would be controversial based on public response to the notice of receipt of application and other information; or

5. The proposal is determined to have a significant adverse impact on the environment and an environmental impact statement is required in accordance with the State Environmental Policy Act; or

6. The proposal requires a variance and/or conditional use approval pursuant to this program; or

7. The use or development requires an open record public hearing for other Whatcom County approvals or permits.
B. An open record public hearing on shoreline permit applications shall be held in accordance with the provisions of Chapter 2.33 22.05 WCC, unless a continuance is granted pursuant to the rules and procedures of the hearing examiner or other hearing body and subject to time requirements for compliance with the State Environmental Policy Act.

C. Decisions and recommended decisions of the hearing examiner shall be rendered within 10 working days of the date the public hearing record is closed unless the applicant/proponent agrees to an extension of time.

D. Where the county council is the permit decision maker they shall meet to consider the hearing examiner’s recommendation within 21 days of receipt thereof, at a closed-record proceeding, at which time it may approve or disapprove the application, or remand the matter to the hearing examiner with instructions.

E. Public hearing requirements for permit appeals shall be processed according to WCC 23.60.150.

23.60.140 Permit conditions.
In granting, revising, or extending a shoreline permit, the decision maker may attach such conditions, modifications, or restrictions thereto regarding the location, character, and other elements of the proposed development deemed necessary to assure that the development will be consistent with the policy and provisions of the Act and this program as well as the supplemental authority provided in Chapter 43.21C RCW as applicable. In cases involving unusual circumstances or uncertain effects, a condition may be imposed to require monitoring with future review or reevaluation to assure conformance with the Act and this program. If the monitoring plan is not implemented, the permittee may be found to be noncompliant and the permit may be rescinded in accordance with WCC 23.60.180.

23.60.150 Notice of decision, reconsideration and appeal.
A. A notice of decision for action on a shoreline substantial development permit, shoreline variance, or shoreline conditional use permit shall be provided to the applicant/proponent and any party of record in accordance with the review procedures of Chapter 2.33 22.05 WCC and at least 10 days prior to filing such decisions with the Department of Ecology pursuant to WAC 173-27-130. Decisions filed with the Department of Ecology shall contain the following information:

1. A copy of the complete application;

2. Findings and conclusions that establish the basis for the decision including but not limited to identification of shoreline environment designation(s), applicable program policies and regulations and the consistency of the project with appropriate review criteria for the type of permit(s);

3. The final decision of the local government;

4. A completed permit data sheet (see Appendix A of this title); and
5. Where applicable, local government shall also file the applicable documents required by SEPA, or in lieu thereof, a statement summarizing the actions and dates of such actions taken under Chapter 43.21C RCW.

6. When the project has been modified in the course of the local review process, plans or text shall be provided that clearly indicate the final approved plan.

B. Notice of decision for shoreline statements of exemption shall comply with WCC 23.60.023(E) and WCC 22.05.110(1).

C. This program shall only establish standing for parties of record for shoreline substantial development permits, shoreline variances, or shoreline conditional use permits. Standing as a party of record is not established by this program for exempt actions pursuant to WCC 23.60.022; provided, that in such cases standing may be established through an associated permit process that provides for public notice and provisions for parties of record.

D. The applicant/proponent or any party of record may request reconsideration of any final action by the decision maker within 10 days of notice of the decision. Such requests shall be filed on forms supplied by the county. Grounds for reconsideration must be based upon the content of the written decision. The decision maker is not required to provide a written response or modify his/her original decision. He/she may initiate such action as he/she deems appropriate. The procedure of reconsideration shall not preempt or extend the appeal period for a permit or affect the date of filing with the Department of Ecology, unless the applicant/proponent requests the abeyance of said permit appeal period in writing within 10 days of a final action.

E. Appeals to the shoreline hearings board of a decision on a shoreline substantial development permit, shoreline variance or shoreline conditional use permit may be filed by the applicant/proponent or any aggrieved party pursuant to RCW 90.58.180 within 21 days of filing the final decision by Whatcom County with the Department of Ecology.

F. Whatcom County shall consider an appeal of a decision on a shoreline substantial development permit, shoreline variance or shoreline conditional use only when the applicant/proponent waives his/her right to a single appeal to the shoreline hearings board. Such waivers shall be filed with the county in writing concurrent with a notice of appeal within 10 days of a final action. When an applicant/proponent has waived his/her right to a single appeal, such appeals shall be processed in accordance with the appeal procedures of subsection H of this section and shall be an open record hearing before the hearing examiner.

G. Any order, requirement or administrative permit decision, or determination by the administrator based on a provision of this program, except a shoreline substantial development permit, may be the subject of an appeal to the office of the hearing examiner by any aggrieved person. Such appeals shall be processed in accordance with the appeal procedures of subsection H of this section and shall be an open record hearing before the hearing examiner.
H. Appeal Procedures.

1. Appeals shall be filed on forms supplied by the county within 10 calendar days of the issuance of a substantial development permit, shoreline variance or shoreline conditional use permit and within 20 calendar days of any other action of the administrator being appealed.

2. A public hearing on the appeal shall be held within 45 working days following receipt of the application for appeal.

3. Legal notice of the public hearing shall be made by mailing notice of time, date, and location of the hearing to the appellant, any parties of record, the Washington Department of Ecology, and the administrator at least 15 days prior to the hearing.

4. A decision by the hearing examiner shall be mailed within 10 working days of the public hearing to all parties of record unless otherwise mutually agreed to by all parties to the appeal.

5. Any party of record may request a closed record review of the hearing examiner’s decision issued under subsection (H)(4) of this section by the county council. Such an appeal shall be filed with the county council on forms supplied by the county within 10 calendar days of the written decision. If appeal is made to the county council, notice of appeal shall be provided to all parties of record at least 15 days prior to consideration by the county council. The council shall meet to review the hearing examiner’s decision within 21 days of transmittal thereof, at which time it may approve or disapprove the application, or remand the matter to the hearing examiner.

6. The time period for appeal to the shoreline hearings board shall begin after the decision maker has filed the final county decision with the Department of Ecology.

23.60.160 Initiation of development.
A. Development pursuant to a shoreline substantial development permit, shoreline variance, or conditional use permit shall not begin and shall not be authorized until 21 days after the “date of filing” or until all review proceedings before the shoreline hearings board have terminated.

B. Date of Filing.

1. “Date of filing” of a substantial development permit is the date of actual receipt of the decision by the Department of Ecology.

2. The “date of filing” for a shoreline variance or shoreline conditional use permit shall mean the date the permit decision rendered by the Department of Ecology is transmitted by the department to the county and the applicant/proponent.

23.60.170 Revisions.
A. A revision is required whenever the applicant/proponent proposes substantive changes to the design, terms or conditions of a project from that which is approved in the permit and/or statement of exemption. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, this program or the Act. Changes that are not substantive in effect do not require a revision.

B. An application for a revision to a shoreline permit shall be submitted to the administrator. The application shall include detailed plans and text describing the proposed changes. The county decision maker that approved the original permit may approve the request upon a finding that the proposed changes are within the scope and intent of the original approval, and are consistent with this program and the Act.

C. “Within the scope and intent of the original approval” means all of the following:

1. No additional over-water construction is involved except that a pier, dock or floating structure may be increased by 10 percent over that approved under the original approval;

2. Ground area coverage and/or height may be increased a maximum of 10 percent over that approved under the original approval; provided, that the revised approval does not authorize development to exceed the height, impervious surface, setback or any other requirements of this program except as authorized under a variance granted for the original development;

3. Additional or revised landscaping is consistent with any conditions attached to the original approval and with this program;

4. The use authorized pursuant to the original approval is not changed; and

5. The revision will not cause adverse environmental impacts beyond those originally authorized in the approval.

D. Revisions to shoreline permits and statements of exemption may be authorized after the original authorization has expired. Revisions made after the expiration of the original approval shall be limited to changes that are consistent with this program and that would not require a permit under this program. If the proposed change is a substantial development as defined by this program, then a new permit is required. The provisions of this subsection shall not be used to extend the time requirements or to authorize substantial development beyond the time limits or scope of the original approval.

E. A new permit shall be required if the proposed revision and any previously approved revisions in combination would constitute development beyond the scope and intent of the original approval as set forth in subsection C of this section.

F. Upon approval of a revision, the decision maker shall file a copy of the revised site plan and a detailed description of the authorized changes to the original permit with the Department of Ecology together with a final ruling and findings supporting
the decision based on the requirements of this section. In addition, the decision maker shall notify parties of record of the action.

G. If the proposed revision is to a development for which a shoreline conditional use or variance was issued, the decision maker shall submit the revision to the Department of Ecology for approval with conditions or denial, and shall indicate that the revision is being submitted under the requirements of this subsection. Under the requirements of WAC 173-27-110(6), the Department shall render and transmit to the decision maker and the applicant/proponent its final decision within 15 days of the date of the Department's receipt of the submittal from the decision maker. The decision maker shall notify parties on record of the Department's final decision. Appeals of a decision of the Department shall be filed in accordance with the provisions of Chapter 461-08C WAC. (Ord. 2009-13 § 1 (Exh. 1)).

23.60.180 Rescission and modification.
A. Any shoreline permit granted pursuant to this program may be rescinded or modified upon a finding by the hearing examiner that the permittee or his/her successors in interest have not complied with conditions attached thereto. If the results of a monitoring plan show a development to be out of compliance with specific performance standards, such results may be the basis for findings of noncompliance.

B. The administrator shall initiate rescission or modification proceedings by issuing written notice of noncompliance to the permittee or his/her successors and notifying parties of record at the original address provided in application review files.

C. The hearing examiner shall hold a public hearing no sooner than 15 days following such issuance of notice, unless the applicant/proponent files notice of intent to comply and the administrator grants a specific schedule for compliance. If compliance is not achieved, the administrator shall schedule a public hearing before the hearing examiner. Upon considering written and oral testimony taken at the hearing, the hearing examiner shall make a decision in accordance with the above procedure for shoreline permits.

D. These provisions do not limit the administrator, the prosecuting attorney, the Department of Ecology or the Attorney General from administrative, civil, injunctive, declaratory or other remedies provided by law, or from abatement or other remedies.

23.60.190 Expiration.
A. The following time requirements shall apply to all substantial development permits and to any development authorized pursuant to a variance, conditional use permit, or statement of exemption:

1. Construction shall be commenced or, where no construction is involved, the use or activity shall be commenced within two years of the effective date of a shoreline permit or exemption or the permit shall expire; provided, that the hearing examiner or administrator, as appropriate, may authorize a single extension for a period of not more than one year based on a showing of good
cause if a request for extension has been filed with the hearing examiner or
administrator as appropriate before the expiration date of the shoreline permit
or exemption, and notice of the proposed extension is given to parties of
record and the Department of Ecology.

2. Authorization to conduct development activities shall terminate five years
after the effective date of a shoreline permit or exemption; provided, that the
hearing examiner or administrator, as appropriate, may authorize a single
extension for a period of not more than one year based on a showing of good
cause, if a request for extension has been filed with the hearing examiner or
administrator, as appropriate, before the expiration date of the shoreline
permit or exemption and notice of the proposed extension is given to parties of
record and the Department of Ecology.

3. The effective date of a shoreline permit or exemption shall be the date of
last action required on the shoreline permit or exemption and all other
government permits and approvals that authorize the development to proceed,
including administrative and legal actions on any such permit or approval. The
applicant/proponent shall be responsible for informing the county of the
pendency of other permit applications filed with agencies other than the
county and of any related administrative and legal actions on any permit or
approval. If no notice of the pendency of other permits or approvals is given to
the county prior to the date of the last action by the county to grant county
permits and approvals necessary to authorize the development to proceed,
including administrative and legal actions of the county, and actions under
other county development regulations, the date of the last action by the
county shall be the effective date.

B. Notwithstanding the time limits established in subsections (A)(1) and (2) of this
section, upon a finding of good cause based on the requirements and circumstances
of the proposed project and consistent with the policies and provisions of this
program and the Act, the hearing examiner or administrator as appropriate may set
different time limits for a particular substantial development permit or exemption as
part of the action to approve the permit or exemption. The hearing examiner may
also set different time limits on specific conditional use permits or variances with
the approval of the Department of Ecology. The different time limits may be longer
or shorter than those established in subsections (A)(1) and (2) of this section but
shall be appropriate to the shoreline development or use under review. “Good cause
based on the requirements and circumstances of the proposed project” shall mean
that the time limits established for the project are reasonably related to the time
actually necessary to perform the development on the ground and complete the
project that is being permitted, and/or are necessary for the protection of shoreline
resources.

C. When permit approval includes conditions, such conditions shall be satisfied prior
to occupancy or use of a structure or prior to the commencement of a nonstructural
activity; provided, that different time limits for compliance may be specified in the
conditions of approval as appropriate.
D. The hearing examiner or administrator as appropriate shall notify the Department of Ecology in writing of any change to the effective date of a permit, authorized by subsections A through C of this section, with an explanation of the basis for approval of the change. Any change to the time limits of a permit other than those authorized by the sections of this program previously listed shall require a new permit application.

23.70.030 Hearing examiner.

The Whatcom County hearing examiner is hereby vested with the authority to conduct open record hearings and prepare a record thereof pursuant to WCC 2.11.210-.

A. Grant or deny shoreline permits requiring public hearings.

B. Grant or deny variances from this program.

C. Grant or deny conditional uses under this program.

D. For consolidated applications for permits for which the county council is designated as the decision maker, the hearing examiner shall have the authority to hold an open record public hearing and make a recommendation to the county council on shoreline permits as part of a consolidated review as provided in Chapter 2.33 WCC.

E. Decide on appeals of administrative decisions issued by the administrator of this program. (Ord. 2009-13 § 1 (Exh. 1); Ord. 2008-034 § 1 (Exh. 1)).

Whatcom County Code Title 24
Health

Chapter 24.07
ADMINISTRATIVE NOTICE PROCEEDINGS, CIVIL PENALTIES AND ABATEMENT

24.07.090 Hearing and appeals.
A. Notice of Appeal. Any aggrieved person may appeal any administrative notice, any assessment of civil penalty, director’s decision or order by submitting to the director a written request for a hearing within 10 working fourteen calendar days of the service of the notice, order or decision. The notice of appeal shall cite the notice, order or decision appealed from and contain a brief statement of the reasons for seeking an appeal hearing.
B. Notice and Timing of Appeal Hearing. After receipt of a notice of appeal, the director shall transmit the notice of appeal, and the notice or decision appealed from, to the hearing examiner. An appeal hearing shall be conducted on the record. Written notice of the time and place of the hearing shall be given at least 10 fourteen calendar working days prior to the date of the hearing to each appealing party, to the director whose notice, order or decision is being appealed, and to all other interested persons who have requested in writing that they be so notified.

1. In the case of an appeal from a notice of contamination issued under Chapter 24.13 WCC, the hearing shall be held not less than 20 days and not more than 30 days after serving of the notice as required by RCW 64.44.030.

C. Conduct of Appeals. All appeals shall be conducted in accordance with Chapter 20.92 22.05 WCC, except for timeframes noted in WCC 24.07.090(A) and (B).

D. Combination of Appeal. Whenever possible, the appeal from the director’s administrative notice, order or decision shall be combined with any other appeal from enforcement actions relating to the same subject matter and falling within the jurisdiction of the hearing examiner.
EXHIBIT D

Whatcom County Code Title 20
Zoning

AMENDMENTS

Title 20
ZONING

Chapters:

.......

20.90 Amendments Reserved.
20.92 Hearing-Examiner Reserved.

.......

Chapter 20.04
GENERAL PROVISIONS

Sections:

.......

20.04.031 Vesting of permits: Reserved.

.......

20.04.090 Application fees and other fees: Appeals.
20.04.091 Reduced application fees: Reserved.
20.04.092 Refund of application fees: Reserved.

.......

20.04.031 Vesting of permits: Reserved [Vesting provisions proposed to be revised and moved to 22.05.060 because they pertain to procedures in
other titles than Title 20 Zoning. Definition of project permit (subsection (1), referencing state law) is proposed to be moved to 22.05.010.]

(1) Project Permits Defined. For the purpose of this section, “project permit” and “project permit application” shall be as defined in RCW 36.70B.020:

Any land-use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit development permits, site plan review, permits or approvals required by critical areas ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

(2) Project Permits Approved Prior to Effective Date:

(a) Project permits which have been approved by Whatcom County on or before the effective date of the ordinance codified in this section are hereby deemed to be vested under the zoning and land-use regulations in effect at the time of the complete application therefor.

(b) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.

(3) Project Permit Applications Submitted After the Effective Date:

(a) Project permit applications submitted after the effective date of the ordinance codified in this section shall be vested under the zoning and land-use regulations in effect at the time of application; provided, that the county has not subsequently notified the applicant that the application is incomplete.

(b) If the county has notified the applicant that the application is incomplete, the application shall not be deemed vested until the date the county notifies the applicant that the application is complete.

(c) Until the county implements RCW 36.70B.070, the county shall make the determination of completeness in accordance with its existing policy. Once the provisions of RCW 36.70B.070 regarding completeness are implemented, such provision shall govern the determination of a complete application.

(d) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.

(4) Project Permit Applications Submitted Prior to the Effective Date, But Which Have Not Received Final Approval on or Before the Effective Date:
(a) Project permit applications submitted prior to the effective date of the ordinance codified in this section but which have not received final approval on or before the effective date of the ordinance codified in this section shall be deemed vested under the zoning and land use regulations in effect at the time the county accepted payment of an application fee; provided, that the county has not subsequently notified the applicant that the application is incomplete.

(b) If the county has notified the applicant that the application is incomplete, the application shall not be deemed vested until the date the county notifies the applicant that the application is complete.

(c) Future building permits that may be required to construct or complete the project as originally approved shall be subject to the building codes in place at the time of the building permit application.

(5) Additional Provisions:

(a) Nothing herein shall restrict the county’s authority to impose conditions on project permits pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW and WAC 197-11-600.

(b) Project permit applications for development of lots created by the short plat process shall comply with all development regulations, including but not limited to the critical areas ordinance, impervious surface restrictions, environmental work closure periods, and all other applicable code standards.

[Fees provisions of 20.04.090 - .092 are proposed to be moved to a new chapter, WCC 22.25, because it pertains to all land use and development chapters not just Title 20 zoning.]

20.04.090 Application fees and other fees. Appeals.

Fees for conditional-use permits, variances, planned-unit developments, initiated amendments and fees for other approvals and reviews as set forth in this title shall be as provided in the County’s Unified Fee Schedule. Any party of record may appeal any order, final permit decision, or final administrative determination in the administration or enforcement of this title. The hearing examiner shall have the authority to hear and decide appeals pursuant to WCC 22.05.160.

20.04.091 Reduced application fees. Reserved.

When any given project requires more than one of the following permits or applications, the total amount of fees shall be reduced by 25 percent of the required aggregate permit and application fees; provided any fees required for processing of an EIS shall not be included as part of the total amount of fees to be reduced by 25 percent:

(1) Subdivision plat application;
(2) Rezone application;

(3) Shoreline substantial development permit, variance or conditional use;

(4) Major development permit;

(5) Conditional use permit;

(6) Variance;

(7) Planned unit development.

20.04.092 Refund of application fees. Reserved. Refunds of application fees for project permits and for amendments to the 
Whatcom County Comprehensive Plan, development regulations and official maps 
shall be computed based on the following. All refund requests shall be submitted in 
writing to the department of planning and development service. The date of 
application for a refund request shall be the date the written refund request is 
received by the department. For the purpose of computing elapsed calendar days, 
the day after the date of application or deadline date as appropriate shall be 
counted as day one.

(1) Fees for Project Permits:

(a) Applications withdrawn on or before the fourteenth calendar day after the 
date of application shall be eligible for a refund of 90 percent of all application 
fees including any SEPA fees.

(b) Applications withdrawn after the period set forth in subsection (1)(a) of 
this section but on or before the ninetieth calendar day after the date of 
application shall be eligible for a refund of 50 percent of all application fees 
except for any SEPA fees which shall not be eligible for a refund.

(c) Applications withdrawn after the ninetieth calendar day after the date of 
application shall not be eligible for a refund.

(d) Notwithstanding the above, no fees shall be refunded for any permit or 
approval that has been issued or granted by the county.

(2) Fees for Amendments to the Whatcom County Comprehensive Plan, 
Development Regulations, and Official Maps:

(a) Applications for amendments that are withdrawn on or before the 
fourteenth calendar day after the deadline for submitting the fee shall be 
eligible for a refund of 90 percent of all application fees including SEPA fees. If 
there is no deadline for submitting the fee, the 90 percent refund shall be 
given if the application is withdrawn on or before the fourteenth calendar day 
after the fee was submitted.

(b) Applications for amendments that are withdrawn after the period set forth 
in subsection (2)(a) of this section but on or before the ninetieth calendar day 

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after the deadline for submitting the fee shall be eligible for a refund of 50 percent of all application fees except for SEPA fees which shall not be eligible for a refund. If there is no deadline for submitting the fee, the 50-percent refund shall be given if the application is withdrawn on or before the ninetieth calendar day after the fee was submitted.

(c) Applications for amendments that are withdrawn after the 90 calendar days shall not be eligible for a refund.

(3) Withdrawal of an application shall constitute full surrender of any express or implied rights inherent in an application which has been perfected and accepted by the planning and development services department or its designees.

Chapter 20.13

WIRELESS COMMUNICATION FACILITIES

20.13.050 Administrative approval uses.
The following uses are considered administrative approval uses and shall require a wireless communication facility (WCF) permit in accordance with Chapters 2.33 22.05 and 20.84 WCC, and shall be subject to a threshold determination in accordance with the Whatcom County SEPA Ordinance unless categorically exempt; provided, that WCF permit proposals located in nonresidential related districts shall be exempt from the public noticing requirements found in Chapter 2.33 WCC, Permit Review Procedures.

20.13.060 Conditional uses.
(1) The following uses shall require conditional use permit approval by the hearing examiner, and shall be processed in accordance with Chapters 2.33 22.05 and 20.84 WCC and shall be subject to a threshold determination in accordance with the Whatcom County SEPA Ordinance, unless categorically exempt. Such uses shall comply with county, state, and federal law and regulations and all applicable provisions of this chapter. The applicant or applicant’s agent must also submit documentation to the administrator that demonstrates that any new antennas meet Federal Communication Commission (FCC) emission standards (as applicable). The administrator may refer an application for a conditional use to a technical review committee for review and comment prior to referring the application to the hearing examiner for a decision.

20.13.170 Appeals.
The hearing examiner shall have the authority to decide, in conformity with this chapter, appeals from any order, requirement, permit decision or determination made by an administrative official in the administration or enforcement of this chapter where more than one interpretation is possible; provided, that such appeal shall be filed within 14 days of the action being appealed. The hearing examiner shall hear appeals under this chapter in the same manner as provided in WCC 20.92.210(2) 22.05.160.

Chapter 20.15
COMMERICAL MUSHROOM SUBSTRATE PRODUCTION FACILITIES

20.15.170 Appeals.
The hearing examiner shall have the authority to decide, in conformity with this chapter, appeals from any order, requirement, permit decision or determination made by an administrative official in the administration or enforcement of this chapter where more than one interpretation is possible; provided, that such appeal shall be filed within 14 days of the action being appealed. The hearing examiner shall hear appeals under this chapter in the same manner as those appeals he has authority to hear under WCC 20.92.210(1) as provided in WCC 22.05.160.

Any such appeal shall be reviewed de novo by the hearing examiner as to the scope of review and the standard of review.

Chapter 20.78
TRANSPORTATION CONCURRENCY MANAGEMENT

20.78.090 Appeal.
(1) The results of an administrative reconsideration pursuant to WCC 20.78.080 may be appealed to the hearing examiner, as provided by Chapter 20.92 WCC in WCC 22.05.160.
Chapter 20.80
SUPPLEMENTARY REQUIREMENTS

20.80.738 Development moratoria – implementation, removal, and exceptions.

(2) Request for Removal of Development Moratorium. A development moratorium may be considered for removal by the hearing examiner when all of the following requirements are met:

(a) Public Hearing Required.

(i) The county shall set a date for public hearing before the examiner pursuant to WCC Chapter 22.05 2.33.060 and 2.33.070 after all the requests for additional information or plan corrections have been satisfied and the necessary components have been received as required for a complete application.

(ii) The public hearing shall follow the procedures set forth in WCC Chapter 22.05 20.92 WCC.

Chapter 20.84
VARIANCES, CONDITIONAL USES, ADMINISTRATIVE APPROVAL USES AND APPEALS

Sections:
20.84.100 Variances.
20.84.150 Reserved.
20.84.200 Conditional uses.
20.84.210 Application.
20.84.220 Criteria.
20.84.225 Revisions to conditional use permits.
20.84.230 Open-record hearing notice. Reserved.
20.84.235 Administrative approval uses.
20.84.236 Revisions to administrative approval use permits.
20.84.240 Appeals. Reserved.
20.84.250 Fees. Reserved.
20.84.260 Date of expiration. Reserved.

20.84.100 Variances.
.110 The hearing examiner shall have authority to grant a variance from the provisions of this ordinance and of WCC Title 22, the Guide Meridian Improvement Plan, when, in the opinion of the hearing examiner, the conditions set forth in WCC 20.84.120 herein have been found to exist. In such cases, a variance may be granted which is in harmony with the general purpose and intent of this ordinance so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done; provided, that no variance shall be granted which authorizes a use which is not permitted by the underlying zoning.

.120 Before any variance may be granted, it shall be shown that the following circumstances are found to apply:

(1) That any variance granted shall not constitute a grant of special privilege, be based upon reasons of hardship caused by previous actions of the property owner, nor be granted for pecuniary reasons alone;

(2) Because of special circumstances applicable to the subject property, including size, shape, topography, location or surrounding, the strict application of the zoning ordinance is found to cause a hardship and deprive the subject property of a use or improvement otherwise allowed in the identical zone classification. Aesthetic considerations or design preferences without reference to restrictions based upon the physical characteristics of the property do not constitute sufficient hardship under this section;

(3) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the subject is situated.

20.84.150 Reserved.
Repealed by Ord. 2016-011.

20.84.200 Conditional uses.

20.84.210 Application.
Conditional use permit applications shall be processed per the provisions of WCC Chapter 22.05. Upon application, the hearing examiner may grant conditional use permits for such uses as set forth in this ordinance. Conditional use permits shall be nontransferable unless said transfer is further approved by the hearing examiner.

20.84.220 Criteria.
Before approving an application, the hearing examiner or zoning administrator shall ensure that any specific standards of the use district defining the use are fulfilled, and shall find adequate evidence showing that the proposed use at the proposed location:

(1) Will be harmonious and in accordance with the general and specific objectives of Whatcom County’s Comprehensive Plan and zoning regulations.

(2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the
general vicinity, and that such use will not change the essential character of the same area.

(3) If located in a rural area (as designated in the Comprehensive Plan), will be consistent with rural land use policies as designated in the rural lands element of the Comprehensive Plan.

(4) Will not be hazardous or disturbing to existing or future neighboring uses.

(5) Will be serviced adequately by necessary public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

(6) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

(7) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors.

(8) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets.

(9) Will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance.

**20.84.225 Revisions to conditional use permits.**

The hearing examiner may administratively approve revisions to conditional use permits; provided, that the proposed changes are within the scope and intent of the original permit. “Within the scope and intent of the original permit” shall mean the following:

(1) Lot coverage and height may be increased a maximum of 10 percent from the provisions of the original permit; provided, that revisions involving new structures not shown on the original site plan shall require a new permit; and provided further, that any revisions authorized under this paragraph shall not exceed height, lot coverage, setback or any other requirements of the regulations for the area in which the project is located; and provided further that any revisions authorized under this paragraph shall be reviewed for consistency with the relevant chapters and policies in the Comprehensive Plan.

(2) Landscaping may be added to a project without necessitating an application for a new permit; provided, that the landscaping is consistent with conditions (if any) attached to the original permit and is consistent with the regulations for the area in which the project is located;
(3) The use authorized pursuant to the original permit is not changed;

(4) No additional over-water construction will be involved for shoreline conditional use permits;

(5) No substantial increase in adverse environmental impact will be caused by the project revision.

20.84.230 **Reserved.**

Open-record hearing notice:

Notice of application and notice of open record hearing shall take place consistent with WCC 233.060 and 233.070. If a proposed project is within a city’s urban growth area, notice shall also be sent to the applicable city staff and planning commission at least 15 days prior to the hearing.

20.84.235 **Administrative approval uses.**

(1) Administrative approval applications shall be processed per the provisions of WCC Chapter 22.05.

(1) The applicant shall submit an administrative approval use application form to the planning and development services department together with all of the following:

(a) Documentation of compliance with approval requirements;

(b) The filing fee specified in the Unified Fee Schedule;

(c)(i) For sites within urban growth areas: Stamped envelopes with typed addresses for each property owner within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor (1,000 feet for adult businesses);

(ii) For sites outside urban growth areas: Stamped envelopes with typed addresses for each property owner within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor;

(d) Three copies of a site plan at a scale of one inch equals 20 feet for sites that are less than five acres, and one inch equals 40 feet for sites five acres or more (if requested by the applicant, a different scale may be approved by planning and development services). The site plan shall show locations of property boundaries, locations and sizes of structures, vehicular access and parking areas, locations and types of water and sewer services, and locations and types of structures on adjacent properties;

(2) Upon receipt of application materials per subsection (1) of this section, the planning and development services department shall send a notice of the proposal to all owners of property within 300 feet of the external boundaries of the subject property for sites within urban growth areas and 1,000 feet for properties outside urban growth areas, and to the applicable city staff and planning commission if the property is within a city’s urban growth area, at least 15 days prior to the decision date. The applicant shall also post public notices of the proposal on all road
frontages of the subject property so as to be visible to adjacent property owners and to passing motorists. Said notices shall be provided to the applicant by the planning and development services department and shall remain in place for at least 15 days prior to the decision. A signed affidavit of posting shall be returned at least one week prior to the decision. Property owners who have been notified of the proposal shall have a period of 15 days from the date printed on the mailed notice or 15 days from the posting of notice on the property, whichever is later, within which to submit to the planning and development services department a written response in support of or in opposition to all or parts of the proposal.

(3)(2) Planning and development services shall approve or deny all administrative approval use applications. Decisions for all administrative approval use permits except adult businesses shall be based upon compliance with:

(a) The criteria established for the proposed use in the appropriate zone district;

(b) The Comprehensive Plan policies governing the associated land use designation;

(c) In rural areas, consideration will be given to the cumulative impacts of permitted uses in relation to the governing Comprehensive Plan policies and zoning district; and

(d) The requirement of this section and of WCC 20.84.220.

Decisions for administrative approval use permits for adult businesses shall be based solely upon the criteria in subsection (7)(3) of this section.

(4) Decisions on administrative approval use permits for adult businesses shall be issued within 20 days of receiving a complete application. An application for an adult business is complete if it contains all of the information specified in subsection (1) of this section.

(5) If the permit is denied, the applicant shall be notified in writing. The grounds for denial and the applicant’s right to appeal shall be set forth in this notification.

(6) Any party of record may appeal the decision. For purposes of administering this section, parties of record shall be defined as the applicant, the owner of the property, and any person who has submitted a written response to the proposal. Each application for appeal of an administrative approval shall be accompanied by a fee as specified in the Unified Fee Schedule.

(7)(3) Criteria for Adult Businesses. Prior to granting administrative approval for an adult business, planning and development services shall find that the proposed use at the proposed location satisfies or will satisfy all the following criteria:

(a) The adult business will be in accordance with Policies 2AAA-1 through 2AAA-4 of the Whatcom County Comprehensive Plan.

[Proposed for deletion because the provisions of adult businesses in the Comprehensive Plan are codified in 20.66 Light Impact Industrial, the only zone where these businesses are permitted.]
(ba) The adult business will be consistent with WCC 20.66.131.

(eb) The adult business shall be closed from 2:00 a.m. to 10:00 a.m. if it contains:

(i) An “adult eating or drinking establishment” as defined by WCC 20.97.008(2); or

(ii) An “adult theater” as defined by WCC 20.97.008(3); or

(iii) An “other adult commercial establishment” as defined by WCC 20.97.008(4); or

(iv) One or more viewing booths.

(dc) If the adult business includes one or more viewing booths, the interior of the adult business will incorporate all of the following measures:

(i) Each viewing booth shall have at least a three-foot wide opening where a customer enters and exits the booth that is without doors, physical barriers, or visual barriers; and

(ii) Each viewing booth shall have at least one 100-watt light bulb that is properly working and turned on when business is open. The light bulb shall not be covered or otherwise shielded except with a commercially available lighting fixture. A minimum of one 12-inch by 12-inch durable metal sign shall be located at the entrance to each viewing booth area stating that lights shall remain on; and

(iii) Aisles or hallways adjacent to viewing booths shall be a minimum of five feet wide; and

(iv) There shall be no holes or openings in common walls between viewing booths.

For adult businesses containing one or more viewing booths, a condition of administrative approval shall require an unannounced inspection every six months during business hours by Whatcom County to ensure that measures in subsections (d)(i) through (iv) of this section are being implemented on an ongoing basis.

20.84.236 Revisions to administrative approval use permits.
Planning and development services may approve revisions to administrative approval use permits; provided, that the proposed changes are within the scope and intent of the original permit. “Within the scope and intent of the original permit” shall mean the following:

(1) Lot coverage and height may be increased a maximum of 10 percent from the provisions of the original permit; provided, that revisions involving new structures not shown on the original site plan shall require a new permit; and provided further, that any revisions authorized under this subsection shall not exceed height,
lot coverage, setback or any other requirements of the regulations for the area in which the project is located; and provided further, that any revisions authorized under this subsection shall be reviewed for consistency with the relevant chapters and policies in the Comprehensive Plan;

(2) Landscaping may be added to a project without necessitating an application for a new permit; provided, that the landscaping is consistent with conditions (if any) attached to the original permit and is consistent with the regulations for the area in which the project is located;

(3) The use authorized pursuant to the original permit is not changed;

(4) No additional over-water construction will be involved for shoreline conditional use permits;

(5) No substantial increase in adverse environmental impact will be caused by the project revision.

20.84.240 Reserved. Appeals.

The hearing examiner shall have the authority to hear and decide, in conformity with this chapter, appeals from any order, requirement, permit decision or determination made by an administrative official in the administration or enforcement of this chapter where more than one interpretation is possible; provided, that such appeal shall be filed in writing within 14 days of the action being appealed. If an appellant prevails in an appeal of an administrative approval decision, the appellant’s appeal fees shall be refunded. The appeal fee on a code violation will be refunded if the appellant can prove by clear and convincing evidence that a violation did not occur. Appeals of administrative approval use permit decisions for adult businesses shall be made directly to the county council pursuant to WCC 20.92.825, and shall not be subject to the provisions of this section.

20.84.250 Reserved. Fees.

Fees for variances, conditional uses, administrative approval uses and appeals shall be as set forth in the Whatcom County Unified Fee Schedule.

20.84.260 Reserved. Date of expiration.

Applications for conditional use permits, variances, expansions of nonconforming uses, administrative approvals, and any other permits provided for in this chapter shall expire one year after filing of the application if the applicant does not pursue completion of the appropriate process within that time by failing to take any action on the application.

The hearing examiner shall have the authority to fix a date of expiration of any or all approval, or conditions attached thereto, of conditional use permits, variances or expansions of nonconforming uses.
Chapter 20.85
PLANNED UNIT DEVELOPMENT

Sections:

20.85.118 Concept plan.
20.85.200 Information submittal.
20.85.201 General provisions. Reserved.
20.85.203 Site plan and supporting maps and graphics. Reserved.
20.85.204 Supplemental information. Reserved.

20.85.301 Planned unit development procedure and approximate processing time. Reserved.
20.85.305 Preapplication conference. Reserved.
20.85.310 SEPA review. Reserved.
20.85.315 Application submittal. Reserved.
20.85.320 Application distribution and review. Reserved.
20.85.325 Technical committee. Reserved.
20.85.330 Zoning administrator. Reserved.
20.85.335 Hearing examiner. Approval Criteria.
20.85.340 County council. Reserved.
20.85.345 Burden of proof. Reserved.
20.85.350 Scope of initial planned unit development approval.
20.85.355 Initial approval time limits.
20.85.360 Installation of improvements.
20.85.365 Final review and approval.
20.85.370 Control of the development after completion.
20.85.375 Enforcement.
20.85.400 Fees.

20.85.118 Concept plan.

Where a planned unit development application represents the first project of the development of a larger site, the applicant may at his/her option submit a concept plan indicating the general development of the remainder of the site. The purpose of the concept plan is to encourage master planning of a site by demonstrating the coordinated relationship of land use activities, roads, utilities and open space for the entire site, and in concert with existing and planned off-site land uses and facilities.

(1) Plan Contents. The concept plan should contain the following elements for the portion of the site not included in the first phase PUD application: elements required in the department's administrative manual.

(a) The approximate location of future generalized land use activities including but not necessarily limited to single-family and multifamily residential (approximate
density specified); neighborhood, general, tourist and resort commercial; light and heavy industrial, and general manufacturing; and parks including recreational areas, school sites and open space.

(b) The approximate circulation network (both vehicular and pedestrian).

(c) The approximate location of utility corridors, and drainage channels (natural and manmade) and retention/detention areas.

(d) The approximate location of all existing or planned sewer and water mains, arterial and collector roads, and drainage channels and retention/detention areas located off-site which is within 300 feet of the site or anticipated to be used for the development of the site.

(2) Plan Status. Unless otherwise provided by agreement between the applicant and zoning administrator, the concept plan shall be nonbinding, and shall not be used as a basis for approving or denying the subject PUD application. However, the plan may be used as a basis to administratively review the arrangement and design of land uses, roads, bicycle and pedestrian pathways, and drainage facilities included in the subject application. (Ord. 2004-007 § 1, 2004).

20.85.200 Information submittal.

The information required on the application, identified in the following sections in the department’s administrative manual and contained within the notice of site-specific submittal requirements shall be submitted with planned unit development applications. (Ord. 2004-007 § 1, 2004; Ord. 96-056 Att. A § V2, 1996).

20.85.201 General provisions. Reserved.

(1) Information submitted for initial review is to be an approximate description indicating the general nature of the proposal. Data shall be based on the applicant’s best knowledge or intent of the proposal and shall be sufficiently clear to demonstrate how the project complies with the provisions of this chapter. Information required shall be limited to the area the application includes.

(2) The zoning administrator shall have the authority to waive any portion of the information requirements herein; provided that the information has been included with a previous rezone request, approved permit or concept plan, and the present PUD application is consistent with the previous action to the extent that the subject data is applicable. (Ord. 2004-007 § 1, 2004; Ord. 96-056 Att. A § V2, 1996).

20.85.202 Textual information. Reserved.

It is anticipated that the level of detail available for individual PUD projects will vary depending on their size and the length of time anticipated for buildout. The applicant must respond to each of the items below but the response may include estimates or approximations where exact figures are not known at this time. All estimates should be based on the applicant’s best knowledge or intent of the proposal. When estimates or approximations are used they must be identified as such. The applicant should be aware that any estimates or approximations provided may be used to set development conditions or thresholds.
(1) General Data:
(a) The title and location of the proposed development, together with the names, addresses and telephone numbers of the record owner or owners of the land and the application; and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant.
(b) The legal description of the subject property.
(c) Identify, if known, all special service districts, including fire, school (for residential projects only), drainage and flood control in which the site is located.
(d) Description of the proposed PUD including:
(i) Total area of the PUD;
(ii) Total area of open space and percentage it represents of the total project area;
(iii) Total area of impervious surfacing;
(iv) Number of parcels and/or lease areas, range of parcel size and the size of the smallest parcel;
(v) Proposed ownership of land areas within the PUD both during and after construction;
(vi) Method of achieving compatibility between the PUD and off-site uses and between potentially incompatible on-site uses;
(vii) How density bonus requirements are being met including, when applicable, description of recreation facilities and the proposed method to protect adequate access to sunlight for use by each of the proposed solar energy systems; and
(viii) Development schedule indicating the approximate date when construction of the PUD or stages of the PUD can be expected to begin and be completed.
(c) Copy of all existing deeds, and existing restrictive covenants or other existing legal restrictions which apply to the project site. The applicant may submit a copy of any proposed restrictive covenants that have been drafted.
(f) The names and addresses of all property owners within 300 feet of the site taken from the latest equalized tax roles.

(2) Data for Residential Development:
(a) Proposed number of dwelling units by type and the amount of site area devoted to each type.
(b) Gross density of the dwelling units.
(c) Deleted by Ord. 96-056.

(3) Data for Nonresidential Development.
(a) Description of each type of proposed commercial and industrial use and amount of site area devoted to each type of use.

(b) The proposed number of square feet in gross floor area for each type of commercial and industrial use. (Ord. 2004-007 § 1, 2004; Ord. 96-056 Att. A § V2; 1996).

20.85.203 Site plan and supporting maps and graphics. **Reserved.**

An initial site plan, at a minimum scale of one inch equals 100 feet or such other scale as may be convenient based on the area covered by the proposal with approval of the administrator, and any supporting graphics, narrative descriptions and maps, to show major details of the proposed PUD. If the initial plan is based on a survey or existing survey data of the subject site, the survey data shall be prepared by a registered land surveyor, registered civil engineer or other professional licensed to conduct surveys. The initial site plan and supporting graphics and maps in combination shall provide a level of detail appropriate to the scale and timing of the project and sufficient to demonstrate how the project complies with the provisions of this chapter.

(1) Proposed name of the development, northpoint, scale, date and address, and telephone number of the preparer of the site plan/supporting maps.

(2) Existing site conditions including water courses, wetland area, floodplains, unique natural features, native vegetation, forest cover and elevation contours of sufficient intervals to indicate the topography of the entire tract for a sufficient distance beyond the boundaries of the proposed development to depict any features within 300 feet which may affect site development. Unless otherwise approved by the administrator, contour information shall be as follows:

(a) Up to 10 percent slopes, two-foot contours.

(b) Over 10 percent to less than 20 percent slopes, five-foot contours.

(c) Twenty percent or greater slopes, 10-foot contours.

(3) Location of all existing lot lines, lease areas and easements, and the location of all proposed lot lines, lease areas, and easements, if known.

(4) The locations and identification of all existing buildings, structures and other improvements. The location or approximate location of proposed buildings including maximum height and type of use.

(5) For residential structures, provide the types and number of residential units in each structure or the range of residential structures proposed together with the range of the type and number of units per structure.

(6) For nonresidential buildings, the gross floor area of each building.

(7) The location and square footage or approximate location and square footage or acreage of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses with notations of proposed ownership included where appropriate.
(8) Landscaping and open space improvements plan or concept.

(9) The existing and proposed circulation system of arterial, collector and/or local streets, including right-of-way street widths, off-street parking areas, service areas, loading areas and major points of access to public rights-of-way (including major point of ingress and egress to the development). Notations of proposed ownership, public or private, shall be included where appropriate.

(10) Location and width of existing and proposed sidewalks and trails.

(11) The proposed treatment of the perimeter of the PUD, including materials and techniques used such as screens, fences and walls.

(12) The location of adjacent utilities including sanitary sewers, water lines and storm drainage facilities intended to serve the development, and a layout of the existing and proposed utilities within the development, if utility plans have been completed. Otherwise indicate the general location of utilities, i.e., roadways, easements, etc.

(13) Existing zoning and Comprehensive Plan boundaries for the site and adjacent property.

(14) Information of contiguous properties within 300 feet of the proposed PUD including:

(a) Existing and, if known, proposed land use and streets; and

(b) Existing structures excluding accessory buildings, ownership tracts and unique natural features of the landscape, if readily accessible.

(15) A vicinity map showing the location of the site and its relationship to surrounding areas, including existing streets, major physiographic and cultural features such as railroads, lakes, streams, shorelines, schools, parks or other prominent features.

(16) If the applicant wishes to incorporate renewable energy features into the PUD, information shall be submitted which will describe the long-term usability of the energy source including:

(a) Solar:

(i) Solar site survey including solar sun chart;

(ii) Shadow diagrams including schematic elevations of pertinent vegetation and structures, and existing major topographical features;

(iii) General description of the solar system identifying type (passive or active), location and size (surface area);

(b) Wind:

(i) Wind data including direction, frequency and intensity;
(ii) Wind-disruption information including potential on and off-site building construction, and major topographical features;

(iii) Wind machine location and visual description;

(c) Micro or small scale hydro:

(i) Estimated annual energy output using flow duration curves;

(ii) Stream data including low and average flows;

(iii) Hydro site location and design;

(iv) Status of Federal Energy Regulatory Commission (FERC) approval;


20.85.294 Supplemental information. Reserved.

(1) A completed environmental checklist; provided, that if the applicant has agreed in writing to the preparation of an environmental impact statement, no checklist shall be required.

(2) Where water and/or sanitation service is to be obtained from an existing public system, including a water association, a letter from the service purveyor indicating the availability and requirements for the service shall be included.

(3) Where a new water system is proposed, include the source of the water, the estimated amount of water available from a ground water or surface water source, the status of water rights application, and the general location and size of the proposed pipe and other major appurtenances for development of community or public systems. The description shall also include improvements for fire protection.

(4) A description of the sanitation facilities which shall include the method of sanitation and, where applicable, the location of community on-site sewage waste disposal systems, location of soil log holes, percolation rate data, and the general location and size of proposed pipe and other major appurtenances. Where on-site sanitation systems are proposed, the applicant shall provide evidence demonstrating the suitability therefore of all lots or any single lot. Percolation tests shall be performed by a licensed percolation tester.

(5) One copy of the water and sanitation information, particularly the soil log hole and percolation rate data, is recommended to be submitted directly to the health department prior to submittal of the planned unit development.

(6) A preliminary drainage study consistent with the requirements of the Whatecon County Development Standards. A traffic study if required by the department of public works at the preapplication conference. The traffic study does not need to be submitted with the application if an environmental impact statement is being prepared for the project and a traffic study will be completed for the EIS.
(7) The proposed method of providing long-term maintenance of improvements or facilities, including roads and sidewalks, drainage, on-site fire protection improvements, water and sanitation systems, and community or public open space. The purpose of this paragraph is to generally identify the method of maintenance and not to require detailed agreements.

(a) If to be maintained by a governmental jurisdiction or existing water association, a letter from the jurisdiction or association shall be submitted specifying acceptance of maintenance responsibility and indicating the conditions, if any, upon which the acceptance is contingent.

(b) If the maintenance is to be provided privately, the developer shall indicate the organization to provide the maintenance and the method and approximate amount of funding required therefor.

(8) Additional information, in the form of detailed studies or surveys, may be reasonably required by the county if any portion of the site of a proposed PUD is within an unsuitable land area as defined by WCC 20.97.443. This information should be identified to the applicant at a preapplication conference. (Ord. 2004-007 § 1, 2004; Ord. 96-056 Att. A § V2, 1996).

20.85.300 Planned unit development procedure.
Planned unit development applications shall be processed in accordance with WCC 22.05.

20.85.301 Reserved. Planned unit development procedure and approximate processing time:

(1) Preapplication Conference
   • Technical Committee
   • SEPA Official
   Optional
   County Council

(2) Application Submittal
   • Written and Graphic
   21 Days

(3) SEPA Review
   14 Days +

(4) Agency Referral
   30 Days

(5) Technical Committee
   21—28 Days

(6) Buildings & Code Administration Staff Report
   14 Days

(7) Hearing Examiner—Public Hearing
   28 Days

(8) Initial Approval by County Council
   21 Days

(9) Installation of Improvements
   Up to 3 Years
   Items #9—#10
(10) Final Review and Approval

(11) Project Development

20.85.305 **Reserved. Preapplication conference:**

(1) An applicant shall request a preapplication conference to be held prior to submission of an application and which should take place prior to any detail work. The developer or his representative shall be prepared to present to the technical committee and the SEPA official conceptual sketches which contain in rough and approximate manner adequate information to describe the proposal in relation to topics listed below. The conference shall be held 14 days after the land use division of planning and development services receives sufficient copies of information from the applicant to distribute to the technical committee and the SEPA official. All information presented by the developer shall be considered confidential.

The purpose of the conference is to enable the developer to consult with the technical committee and SEPA official as to the intent, standards and provisions of this title, other applicable land-use controls, and SEPA as they apply to the proposed project.

It is also the purpose of this conference to identify as many potential problems and opportunities as possible in order for the application to be processed without delay or undue expense. Discussion will include the following topics:

(a) County Comprehensive Plan;

(b) Zoning;

(c) Shoreline Master Program;

(d) Any adopted street and road plan and/or program;

(e) Availability of water and sanitation;

(f) Storm drainage;

(g) Development and design concepts, including phasing and open space;

(h) Sidewalk requirements;

(i) Bike paths and internal pedestrian system;

(j) Public transportation requirements;

(k) Off-site requirements such as sidewalks, street lights, traffic signals, utilities or improvements of adjacent streets;

(l) Fire protection;
(m) Maintenance provisions;

(n) Known hazards and additional information as required by WCC 20.85.204(8) including any required approvals by Department of Ecology for projects located within flood-control zones;

(o) Environmental impact to the development and other issues related to SEPA requirements;

(p) Other county requirements and permits;

(q) Identification of other local, state and federal agencies which may also have jurisdiction; and

(r) Identification of adjacent lands owned by the applicant and possible future development thereof;

(2) The applicant may request the zoning administrator to forward the information to the county council for review and discussion purposes. The council review shall take place within 21 days after the preapplication conference with staff. Upon receiving said request, the zoning administrator shall obtain from the applicant:

(a) Sufficient copies of the information submitted pursuant to subsection (1) of this section to distribute to all members of the county council; and

(b)(i) For sites within urban growth areas: Stamped envelopes with typed addresses for each property owner within 300 feet of the external boundaries of the subject property as shown by the records or the county assessor;

(ii) For sites outside urban growth areas: Stamped envelopes with typed addresses for each property owner within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor.

The zoning administrator shall then forward the submitted information and summary of the comments and concerns made by staff to the clerk of the council. The clerk shall schedule an open meeting with the planning and development committee of the council, and mail a notification to the applicant and property owners no less than 10 days prior to the meeting’s occurrence. The meeting may address any of the issues identified in subsections (1)(a) to (r) of this section or any other pertinent issues. It is the purpose of this meeting to identify potential concerns in order to assist the applicant to ascertain the general feasibility of his/her proposal for the particular area the proposal would be located.

(3) Preapplication reviews as provided by this section shall not be construed to bind either the applicant or the county in any respect. Further, the information requested at the preapplication conference for application submittal shall not preclude the county from requiring additional information or clarification of materials after submittal.

20.85.310 **Reserved. SEPA review.**
The SEPA official shall process all planned unit developments consistent with the requirements of Chapter 43.21C RCW and Chapter 197-11 WAC as well as the Whatcom County SEPA Ordinance. The SEPA process shall be integrated as part of the project review process. The SEPA official shall make the threshold determination at the earliest time when the principal features of a proposal and its environmental impacts can be reasonably identified. (Ord. 2004-007 § 1, 2004).

20.85.315 Reserved. Application submittal.
The applicant shall submit required fees, and sufficient copies of the maps, written data and supplemental information required by WCC 20.85.200 to the zoning administrator in order to distribute copies to pertinent agencies. No application shall be accepted unless it complies with the requirements of this chapter and the applicant attests by his signature to the correctness of the information submitted. Applications which are found to be seriously deficient shall be returned to the applicant within 10 days of submittal and the application fee refunded.

20.85.320 Reserved. Application distribution and review.
The zoning administrator shall mail a notice to agencies potentially having interest, jurisdiction or expertise relevant to the application within five days after receipt of the application. Such agencies receiving applications for review shall be given up to 30 days to respond, or the zoning administrator, SEPA official, and the technical committee shall conclude that the reviewing agency has no interest in the application, and may make such findings, conclusions or requirements as deemed reasonable, consistent with the requirements of this title.

20.85.325 Reserved. Technical committee.
Upon the issuance of a declaration of nonsignificance (DNS) or draft environmental impact statement (DEIS), or, if a DNS or DEIS is completed, after receipt of all agency comments pursuant to WCC 20.85.320, the technical committee shall convene in an open meeting to discuss with the applicant and any other interested persons each committee member's recommendation to the zoning administrator. Each member shall recommend either approval, approval with conditions, denial, or further modifications or corrections to the application. The recommendation from each member shall be written and submitted to the zoning administrator within seven days, and shall clearly address those factors to be considered by the hearing examiner as identified in WCC 20.85.335 which are within the expertise and responsibility of such member and, where appropriate, proposed conditions for approval; or shall clearly indicate all deficiencies of the application requiring modification or correction.

Within 14 days after receiving all written input from the technical committee and verifying its sufficiency, the administrator shall forward the application and staff report to the hearing examiner to schedule for public hearing, and shall assemble a recommendation based on the contributions of the technical committee, and other county and noncounty agencies. The recommendation shall be in writing and contain relevant data and proposed findings. Upon submission of the report to the examiner, copies shall be mailed to the applicant and made available to any interested party.
20.85.335 Hearing examiner. Approval Criteria.
The hearing examiner shall hold the public hearing on behalf of the county council in the manner required by WCC 20.82.300 and provide written public notice consistent with the requirements for major project permits as provided in WCC 20.88.215. Pursuant to WCC 22.120 the hearing examiner shall recommend to the county council project approval, approval with conditions, or denial, based upon written findings and conclusions supported by the evidence of record. The recommendation shall determine the adequacy of a planned unit development application based on the following criteria:

(1) Conservation of natural elements and features;

(2) Harmony of selected uses to each other;

(3) Grouping and design of buildings, service, parking areas, circulation and open space as an integrated unit such that a safe, efficient and convenient PUD is created;

(4) Harmony of the proposed PUD with the existing and proposed characteristics of its surroundings, with emphasis and due consideration given to air, water and soil pollution, flood protection, and aesthetics;

(5) Conformance with the policies, goals and objectives of the Comprehensive Plan;

(6) Adequate provision of utilities and circulation to serve the project and, where appropriate, contribute to the overall development of urban areas;

(7) The exceptions granted by this chapter are warranted by creative design utilizing good design principles and provision of amenities incorporated in the planned unit development and its program;

(8) That the system of ownership, and means of developing, preserving and maintaining open space and other common facilities is acceptable to the county; and

(9) Where expanded land uses as allowed by WCC 20.85.053 are requested for an application, the criteria of WCC 20.85.054 are met, and where a phasing plan is proposed, the criteria of WCC 20.85.117(3) are met; and

(10) Promotion of creativity and affordability in residential, commercial and industrial development.

20.85.340 Reserved. County council.
The county council shall meet to consider the hearing examiner’s recommendation within 21 days of receipt thereof, at which time it may:

(1) Approve or disapprove the recommendation, or remand the matter to the hearing examiner with instructions; or

(2) In the event the council wishes to consider enacting a significant change that does not arise from the record, the council may hold its own public hearing.
giving notice thereof, and approve or deny the planned unit development based upon its own findings and conclusions. A public hearing before the county council may be limited in scope to particular issues or problems at the discretion of the council. The council’s decision shall be based upon the official record, WCC 20.85.335 and other applicable law.

20.85.345 **Reserved. Burden of proof.**
With respect to any finding of fact required for planned unit development approval by this title, the burden of proof for submitting to the public hearing record evidence, studies and plans sufficient to support an affirmative finding of fact lies with the applicant:

(1) Prior to public hearing, any deficiency within the application with regard to necessary data or compliance with design requirements shall be brought to the notice of the applicant, in writing, by the zoning administrator, who shall request that the required information be submitted within a reasonable period of time. Failure to make a timely response may result in a return of application.

(2) If the hearing examiner determines after public hearing that the record established by the applicant does not support an affirmative finding of fact with respect to any element necessary for PUD approval, he shall do one of the following:

   (a) Recommend denial of the planned unit development;

   (b) Recommend partial approval of a phased planned unit development;

   (c) Recommend PUD approval, subject to conditions sufficient to mitigate any problems created by the absence of a material finding; or

   (d) With the consent of the applicant, remand the application to the technical committee for further review.

(3) If the county council concludes that the record before it is deficient with respect to any finding of fact necessary to support PUD approval, it may take final action in the manner provided in subsections (2)(a) through (c) of this section, remand the matter to the technical committee or the hearing examiner, or hold its own public hearing to receive new evidence, studies or plans.

20.85.350 **Scope of initial planned unit development approval.**
(1) Once the planned unit development receives initial approval pursuant to WCC 20.85.340 22.05, all persons and parties, their successors, heirs, or assigns, who own, have, or will have by virtue of purchase, inheritance or assignment, any interest in the real property within the proposed PUD, shall be bound by the conditions attending the approval of the development and the provisions of this chapter.

(2) Minor adjustments may be made and approved by the zoning administrator, upon consultation with the technical committee, and are those adjustments which may affect the dimensions, location and type of improvements of facilities;
provided, the amendment maintains the basic character of the PUD application approved by the county council including general type and location of dwellings and other land use activities, arrangement of buildings, density of the development, and provisions of the project to meet density bonus and open space requirements; and provided further, the standards of this chapter are met.

(3) Major adjustments are those which, in the opinion of the zoning administrator, upon consultation with the technical committee, substantially change the basic design, density, open space or other requirements of the planned unit development. When a change constitutes a major adjustment, no building or other permit shall be issued without prior review and approval by the county council of such adjustment.


20.85.400 Fees.

Fees for planned unit developments shall be as set forth in the Whatcom County Unified Fee Schedule. (Ord. 2004-007 § 1, 2004; Ord. 96-056 Att. A § V5, 1996).


Chapter 20.88
MAJOR PROJECT PERMITS

Sections:

20.88.010 Purpose.
20.88.100 Major project permits.
20.88.200 Procedure.

.130 The major project permit shall be issued by the county council when the applicant has established that the proposed major development: Pursuant to WCC 22.120 the hearing examiner shall recommend to the county council project approval, approval with conditions, or denial, based upon written findings and conclusions supported by the evidence of record. The recommendation shall determine the adequacy of a planned unit development application based on the following criteria:

(1) Will comply with the development standards and performance standards of the zone in which the proposed major development will be located; provided where a proposed major development has obtained a variance from the development and performance standards, standards as varied shall be applied to that project for the purposes of this act.
(2) Where the project is conditionally permitted in the zone in which it is located, the project must satisfy the standards for the issuance of a conditional use permit for the zone in which the project is located.

(3) Will be consistent with applicable laws and regulations.

(4) Will not substantially interfere with the operation of existing uses.

(5) Will be served by, or will be provided with essential utilities, facilities and services necessary to its operation, such as roads, drainage facilities, electricity, water supply, sewage disposal facilities, and police and fire protection. Standards for such utilities, facilities and services shall be those currently accepted by the state of Washington, Whatcom County, or the appropriate agency or division thereof.

(6) Will not impose uncompensated requirements for public expenditures for additional utilities, facilities and services, and will not impose uncompensated costs on other property owned.

(7) Will be appropriately responsive to any EIS prepared for the project.

.140 In addition, the hearing examiner may recommend or county council may impose any reasonable conditions precedent to the establishment of the major development as may be required to mitigate impacts of the proposal on the natural environment of the county, and to protect the health, safety and general welfare of the people of the county consistent with the policies for environmental protection set forth in the Comprehensive Plan.

.150 The hearing examiner may recommend or county council may also approve alternative mitigation plans for major project permits in accordance with WCC 16.16.260(E) which may be used to satisfy the requirements of Chapter 16.16 WCC and provide relief from the specific standards and requirements thereof. (Ord. 2005-068 § 2, 2005; Ord. 98-083 Exh. A § 66, 1998; Ord. 96-056 Att. A § A2, 1996; Ord. 91-075, 1991).

20.88.200 Procedure.

.205 If a major project permit is determined to be required, an application shall be completed and filed along with the appropriate fees, with the land use division of planning and development services and the application shall be processed in accordance with WCC 22.05. A master plan is required as part of the application for a major project permit. The master plan document shall include all elements required per the department’s administrative manual.

. at a minimum the following elements:

(1) General statement—a narrative description that in general terms identifies the purpose and intended use(s) for the site.
(2) Conceptual site development plan—showing to the appropriate level of detail, buildings and other structures, existing mature trees and landscaping, the pedestrian and vehicle circulation system, parking areas, open space and critical areas, buffers, and other required items. This information must cover the following:

(a) All existing improvements that will remain after the development of the proposed site;

(b) All improvements planned in conjunction with the proposed use;

(c) Conceptual plans for possible future uses; and

(d) General locations of usable open space, any land proposed to be dedicated for open space, pedestrian and transit connection between the site and public or private streets serving the development and connecting to off-site open space; internal circulation (both auto and pedestrian), location of proposed gates and fencing.

(3) Land Use. The master plan must include proposed functions, uses and boundaries of uses by phase. The description must include information as to the general amount and type of functions of the use, hours of operation and the approximate number of members, employees, visitors and special events. For projects which include residential units, proposed minimum and maximum floor area densities, number of units and building heights must be indicated. For office/commercial and light impact industrial projects, minimum and maximum floor area ratios must be indicated.

(4) Phasing Plan. The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of the property awaiting development. In addition, the plan should address any proposed temporary uses or location of uses during construction periods.

(5) Circulation, Transportation and Parking. The master plan must include but is not limited to projections by phase of traffic impacts, probable safety concerns, internal circulation layout, parking requirements, ingress/egress locations and proposed road standards for each phase. Specific requirements for transportation and parking include:

(a) The expected number of trips (peak daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single-occupancy vehicles.

(b) Projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the no-street parking system and adjacent land uses, and mitigation measures.
(6) Utilities. The master plan must include evidence of service availability from primary service providers (water, sewer, power, cable, natural gas, telephone) and address stormwater drainage management both on and off-site.

(7) Environment. The master plan must identify critical areas as defined in Chapter 16.16 WCC and areas of special concern as defined by WCC 24.05.230. Mitigating measures for all environmental impacts identified by the applicant through a SEPA checklist, or EIS process and/or identified by agency staff, including but not limited to special development standards, modification of site layout, dedicated open space and mitigation replacement areas must be identified. Identification of any hazardous wastes anticipated, special handling techniques and/or site designs required for containment must also be addressed. If an EIS is required, the EIS and master plan may, upon approval by the director, be combined into a joint document.

(8).210 Development Standards. The master plan may propose standards that will control development of the possible future uses that are in addition to, or substitute for, requirements of this chapter. These may be such things as height limits, setbacks, frontage, landscaping requirements, parking requirements, signage, view corridors or facade treatments. Proposed standards that do not meet the minimum county standards must obtain the appropriate variance prior to county approval of the proposed standards. If the proposed design standards will apply to property located partially or totally within an urban growth area, concurrence of the affected city will be required.

(9).215 Procedures. Master plan review shall be conducted under current review procedures. Other land use reviews may be conducted concurrently with the master plan review.

(a) Any modifications, additions or changes to an approved master plan are subject to the following:

(i) Minor changes shall be reviewed for compliance and compatibility with the approved master plan. A determination is made by the director.

(ii) Major changes shall be subject to the original procedural application type, subject to the fees as contained in the unified fee schedule.

(iii) Master plans may include, as a condition of their approval, a requirement for periodic progress reports and mandatory updates on a predetermined interval.

.210 The hearing examiner shall hold one public hearing in accordance with Chapter 20.92 WCC and the requirements set below. This shall be an open record hearing and, per RCW 36.70B.050(2), the county shall hold no subsequent open record hearings. [the 'no more than one hearing' provision is covered in the proposed 22.05.110]
.215-.220 through .265 Reserved. [moved to 22.05.145] A written notice of the scheduled public hearing shall be mailed not less than 10 working days prior to the hearing as follows:

(1) For sites within urban growth areas: Notice shall be mailed to each property owner within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor;

(2) For sites outside urban growth areas: Notice shall be mailed to each property owner within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor.

Also notice of the hearing shall be published in a newspaper of general circulation in the area of the proposed project at least 10 working days prior to the public hearing. Notice shall consist of time and date of hearing, and brief description of the property and the proposed project. Further, signs meeting the approval of the zoning administrator shall be erected on each frontage of the project site by the applicant not less than 10 working days prior to the hearing.

.220 The recommendation of the hearing examiner shall be based upon the criteria set forth in WCC 20.88.130(1) through (7).

.225 Within 45 calendar days after the hearing examiner’s recommended decision has been filed, the county council shall do one of the following:

(1) Refer the project to the planning commission for a recommendation;

(2) Hold a public meeting to deliberate on the project application and, within 20 calendar days of the meeting, issue a final written decision.

.230 If the project is referred to the planning commission, that body shall within 45 calendar days hold all necessary public meetings and file with the county council a written recommendation for approval or denial and may include conditions of approval, together with the findings upon which the recommendation is based. The applicant may waive the 45 calendar day time limitation.

.235 A written notice of the public meeting before the planning commission or the county council shall be mailed to all parties of record, on file with the clerk of the county council not less than five calendar days prior to the hearing.

.240 The deliberation and recommendation of the planning commission shall be based solely upon consideration of the record, the hearing examiner’s recommendation and the criteria set forth in WCC 20.88.130(1) through (7).

.245 Upon receipt of the planning commission recommendation, the county council shall within 45 calendar days hold a public meeting to deliberate on the application and within 20 calendar days of the meeting issue a final written decision on the application considering the recommended decisions of the hearing examiner and planning commission.

.250 Reserved.
.255 The county council’s final written decision may include conditions when the project is approved and shall state the findings of fact upon which the decision is based.

.260 Deliberation at any public meeting before the county council or planning commission may be limited in scope to particular issues or problems at the discretion of either body.

.265 The deliberation and decision of the county council shall be based solely upon consideration of the record, the recommendations of the hearing examiner and the planning commission (when applicable), and the criteria set forth in WCC 20.88.130(1) through (7).

.270 Where a project requires a major project permit, that project shall be exempt from the requirement of obtaining a conditional use permit.

.275 Major project permits: Where an applicant has applied for a planned unit development, that project shall be exempt from the requirement to obtain a major project permit.

Chapter 20.90
AMENDMENTS

[Note: Chapter 20.90 is proposed to be deleted in its entirety. Amendment procedures are proposed to be moved to new Chapter 22.10]

Sections:
20.90.010—Purpose.
20.90.020—Types of zoning amendments defined.
20.90.030—Initiation of amendments.
20.90.040—Application, excluding site-specific rezones.
20.90.041—The docket.
20.90.045—Notice for quasi-judicial rezones.
20.90.050—Processing of initiated amendments.
20.90.060—Special provisions.
20.90.070—Transmittal of amendments to the state.
20.90.080—Repealed.

20.90.010 Purpose.
The purpose of this chapter is to define the types of zoning amendments and establish timelines and procedures to be followed when proposals are made for amending or revising the county zoning ordinance.

20.90.020 Types of zoning amendments defined.
(1) “Standard map amendment” means a proposed change or revision to the official county zoning map that affects a single parcel or a number of properties under a single or various ownerships.
(a) Rezone agreements may be required if, from the facts presented, and the findings, report and recommendations of the planning commission as required by this chapter, the council determines that the public health, safety and general welfare will be best served by a proposed change of zone. The council may indicate its general approval, in principle, of the proposed rezoning by the adoption of a "resolution of intent to rezone" for the area involved. This resolution shall include any conditions, stipulations or limitations which the council may feel necessary to require in the public interest as a prerequisite to final action. The fulfillment of all conditions, stipulations and limitations contained in said resolution, on the part of the applicant(s), shall make such a resolution a binding commitment on the council. Such a resolution shall not be used to justify spot zoning, to create unauthorized zoning categories by excluding uses otherwise permitted in the proposed zoning, or by imposing setback, area coverage restrictions not specified in the code for the zoning classification, or as a substitute for a variance. Upon completion of compliance action by the applicant, the council shall, by ordinance, adopt such rezoning. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in the resolution, including the time limit placed in the resolution, shall render the resolution of intent to rezone null and void, unless an extension is granted by the council upon recommendation of the planning commission. The time limitations shall be one year. The council may grant up to five one-year extensions, based on demonstration of hardship or significant progress toward completion, after which the resolution becomes null and void if all conditions, stipulations and limitations have not been met by the applicant.

(2) "Site-specific rezone" means a proposed change or revision to the official county zoning map affecting a limited number of acres and must be composed of a single parcel or contiguous parcels that are under one or a limited number of ownerships and are requested to allow a specific project not allowed under the current zoning designation. A rezone that requires a Comprehensive Plan amendment does not qualify as a site-specific rezone.

(3) "Concomitant rezone" is a standard map amendment or a site-specific rezone which uses a concomitant agreement to impose conditions on, or limitations on uses and may also require performance by the applicant(s) which is/are directly related to mitigation of probable on- and off-site impacts to adjacent uses, public services and the environment. The agreement may be in the form of a covenant running with the land. The provisions of the agreement will be in addition to all other pertinent Whatcom County Code requirements.

(4) "Text amendments" means a proposed change or revision in the text of WCC Title 20, the zoning ordinance.

20.90.030 Initiation of amendments. Amendments to this title and/or to the official Whatcom County zoning map may be initiated as follows:

(1) The department of planning and development services may initiate an amendment(s) by placing the proposed amendment(s) on the docket.
(2) The Whatcom County planning commission may initiate an amendment(s) by majority vote of its members to place an amendment proposal on the docket.

(3) The county council may initiate an amendment by approving a resolution to place a proposed amendment(s) on the docket. Amendments by the county council may be initiated at any time, subject to county council review of ongoing staff resources and legislative priorities.

(4) A citizen may initiate an amendment(s) to this title and/or to the official Whatcom County zoning map by making application on forms provided by the department of planning and development services and paying a processing fee. A complete application and payment of the fee places the amendment on the docket, except as provided in subsection (5) of this section.

(5) Amendments to this title or the official county zoning map that also require an amendment to the Comprehensive Plan shall be initiated only if the accompanying Comprehensive Plan amendment is initiated as provided in Chapter 2.160 WCC. The payment of the processing fee for the zoning amendment as required by this section shall occur within 15 days of the approval of the resolution initiating the Comprehensive Plan amendment or the zoning amendment will be withdrawn.

20.90.040 Application, excluding site-specific rezones:

(1) Applications for WCC Title 20 map and text amendments, excluding site-specific rezones, shall include at least the following information:

   (a) A description of the amendment being proposed including proposed map or text changes;

   (b) A complete State Environmental Policy Act (SEPA) environmental checklist; and

   (c) Name, address, phone number of the applicant, and, if applicable, assessor's parcel number, section, township, and range.

(2) The department of planning and development services may prescribe additional information requirements and provide forms for the proposed amendments.

(3) Completed applications for WCC Title 20 amendments must be received by planning and development services by December 31st to be considered during the next calendar year. Applications submitted by planning and development services or the county council are not subject to the December 31st deadline.

(4) Interested persons may suggest revisions to WCC Title 20 or the official Whatcom County zoning map by completing and submitting a suggestion form provided for that purpose by the department of planning and development services. These suggestions require no payment of a fee, are not initiated amendments, and will not be processed as an amendment unless they have first been initiated in the manner provided under WCC 20.90.030. None of the parties with authority to initiate amendments under WCC 20.90.030 are under any obligation to initiate
suggested revisions as amendments. All suggested revisions shall be forwarded to the county council for review.

20.90.041 The docket:
(1) The docket shall consist of initiated Comprehensive Plan amendments and initiated WCC Title 20 and official zoning map amendments. Together with their supporting application files, the docket shall be maintained by the department of planning and development services and made available for public review during normal business hours.

(2) The county council may remove a proposed amendment from the approved docket by motion, unless the proposed amendment was: (a) initiated by a citizen per WCC 20.90.030 (4), (b) the amendment is consistent with state and federal regulations, and (c) the applicant has provided all information required by the planning and development services department. The department shall notify the applicant not less than 30 calendar days prior to consideration of removal from the docket. If the county council has not acted upon a docketed proposed amendment during the year for which it has been docketed, the county council may place the amendment on the following year’s docket.

20.90.045 Notice for quasi-judicial rezones:
Notice of quasi-judicial hearings conducted by the planning commission for zoning map amendments shall be issued in accordance with all of the following provisions:

(1) Notice shall be published once in the official county newspaper at least 10 days prior to the hearing. The county shall prepare the notice and the applicant shall pay for the notice.

(2) Notice shall be mailed to property owners as follows:

(a) For zoning map amendments within existing urban growth areas: At least 10 days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelope with a typed address for each of the above-referenced property owners.

(b) For zoning map amendments outside existing urban growth areas: At least 10 days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelope with a typed address for each of the above-referenced property owners.

(c) For zoning map amendments that involve rezoning property to an Airport Operations District: At least 10 days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 1,500 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelope with a typed address for each of the above-referenced property owners.
(d) For zoning map amendments that involve rezoning property to a Mineral Resource Land designation: At least 10 days prior to the scheduled hearing date, hearing notice shall be mailed to all property owners within 2,000 feet of the external boundaries of the subject property as shown by the records of the county assessor. The applicant shall submit a stamped envelope with a typed address for each of the above referenced property owners.

(3) The county shall prepare and the applicant shall post signs giving notice of the hearing in conspicuous locations on the property at least 10 days prior to the hearing.

(4) The county shall send notice to the appropriate city, when the proposed rezone is within or would expand the urban growth area, and to agencies, school districts, and tribes that will potentially be affected by the proposed rezone at least 10 days prior to the hearing.

(5) For sites within 4,500 feet of the runway of Lynden Airport or Floating Haven Seaplane Base: At least 10 days prior to the scheduled hearing date, application notice shall be sent to the city manager (if applicable), airport board or commission (if applicable), and an official representative of the airport.

(6) For sites within 10,000 feet of the runway of Bellingham International Airport: At least 10 days prior to the scheduled hearing date, application notice shall be sent to the Port of Bellingham.

(7) All notices shall specify the date, time, location, and purpose of the hearing and provide a description and the location of the proposed rezone. The public shall be invited to submit written comments and attend the hearing to provide oral comments.

20.90.050 Processing of initiated amendments:
Initiated amendments are reviewed by the department of planning and development services as listed below:

(1) For citizen-initiated amendments, the department of planning and development services will evaluate each application for completeness and may request additional information of the applicant prior to requesting the appropriate hearing body to schedule a public hearing.

(2) The department of planning and development services shall conduct an environmental review under SEPA and prepare a staff report including recommendations and/or options for each initiated amendment to this title and/or the official zoning map. Both the report and the result of the environmental review shall be forwarded to the appropriate hearing body, to the applicable city staff and planning commission if the proposed amendment applies to land within a city's urban growth area.

(a) The staff report shall evaluate the initiated amendment(s) in relationship to the goals, objectives and policies of the Whatcom County Comprehensive Plan, consider environmental implications as identified by the Whatcom County
SEPA official and evaluate the proposal’s compliance with any other special provision as provided by WCC 20.90.060. If the proposed amendment includes land within a city’s urban growth area, the staff report shall also address consistency with the applicable city comprehensive plan and the ability of the city to provide needed utility services.

(3) The appropriate hearing body (planning commission or hearing examiner) shall receive the staff’s findings and recommendations for the initiated amendment and shall establish a public comment period during which a public hearing(s) on the amendment shall be scheduled. If the proposed amendment includes land within a city’s urban growth area, it shall be processed in accordance with the adopted interlocal agreement with that city.

(4) At the conclusion of the public comment period, the appropriate hearing body shall evaluate the merits of each amendment in relationship to the goals, policies and objectives of the Comprehensive Plan for compliance with any other special provisions as provided by WCC 20.90.060 and shall make a recommendation as to whether the amendment should be approved, approved with modifications or denied. The appropriate hearing body shall then cause written findings and a recommendation to the county council to be prepared for each amendment. The written findings and recommendation shall be forwarded to the county council in the form of an agency report which shall include a draft ordinance to implement the appropriate hearing body’s recommendation, if applicable. No draft ordinance is required if the recommendation is to not approve the initiated amendment proposal.

(5) (a) The county council shall receive the appropriate hearing body’s findings, recommendations and copy of the proposed amendment of the initiated amendment within 14 days of formal hearing body decision.

(b) Upon receipt of the findings, recommendation and a copy of the proposed amendment, the county council shall, at its next regular public meeting, set the date for a public meeting where it shall consider the appropriate hearing body’s findings and recommendations, and may:

(i) By ordinance, adopt; or

(ii) By motion, reject; or

(iii) By resolution, remand the recommendation back, with instructions, to the appropriate hearing body for reconsideration of the official control or amendment; or

(iv) If, after deliberating, the council believes the public interest may be better served by departing from the recommendation of the appropriate hearing body on an initiated amendment, the council shall conduct their own public hearing.

20.90.060 Special provisions:
.062 Deleted by Ord. 2008-060.

.063 Site-Specific Rezones. Site-specific rezones are processed as “development applications” as prescribed by Chapter 2.33 WCC, Permit Review Procedures, and are reviewed by the hearing examiner in accordance with WCC 20.92.205. The final decisions regarding a site-specific rezone is made by the county council. All site-specific rezones are processed within the timelines as required by Chapter 2.33 WCC except for projects that are exempted by WCC 2.33.020(B) through (D).

(1) Site-specific rezones are initiated by making application on forms provided by the department of planning and development services. Site-specific rezone applications must satisfy the following criteria to be accepted for review:

(a) Does not require a Comprehensive Plan amendment;

(b) Requires a discretionary development permit or building permit;

(c) Includes concurrent submittal of the discretionary development permit or, if a discretionary development permit is not required, a narrative statement shall be included with the conceptual site plan which provides a detailed description of the project proposal and includes a project completion date.

(d) Includes evidence that all property owners included within the proposed rezone boundary concurs with the rezone and project proposal as submitted for county review;

(e) Includes a completed environmental checklist.

(f) Includes payment of all permit and zoning related fees.

(g) If required as a conditional approval, includes evidence that transfer of development rights can be transferred pursuant to the procedures and requirements in Chapter 20.89 WCC, Density Transfer Procedure, and WCC 20.90.064.

(2) Approval of site-specific rezone proposals must be supported by written findings and conclusions showing specifically that all of the following conditions exist:

(a) That the proposed amendment to the zoning map is consistent with the Comprehensive Plan;

(b) That the proposed amendment to the zoning bears a substantial relationship to public health, safety, morals, general welfare or community needs, and will not adversely affect the surrounding neighborhood as a whole;

(c) That there are changed conditions since the previous zoning became effective to warrant the proposed amendment to the zoning map;

(d) That the proposed amendment is consistent and compatible with the current uses and zoning of the surrounding land. Proposed uses shall:
(i) Be serviced adequately by necessary public facilities such as highways, streets, public and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

(ii) Not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community; or

(iii) If located within a nonindustrial urban growth area, the site shall:

   (A) Be serviced by full urban services or be capable of receiving urban services in time to serve the development;

   (B) Shall be done in a manner which will not preclude development at urban levels of density when the area is annexed into the city; and

   (C) Must be five acres or more in size.

(3) The proposed project is provisionally approved, and will revert to the original zoning designation if project completion is not in compliance with schedules as included with the discretionary development permit, or if no discretionary development permit is needed, within a reasonable time to be set by the hearing examiner. Bonds may be required as a condition of approval if deemed appropriate by the hearing examiner.

(4) Notwithstanding other language to the contrary, irregular boundaries that would result from a site-specific rezone proposal would not preclude the adoption of an otherwise satisfactory site-specific rezone.

(5) Site-specific rezones may be processed as concomitant rezones and may be processed concurrent with other land-use approvals.

(6) Concomitant rezone shall not be used for a rezone to agriculture, commercial forestry, and rural forestry zoning districts. It may, however, be used for any situation where extraordinary potential adverse impacts from a proposed rezone may be mitigated by the agreement. The concomitant rezone process may be employed for rezones in sensitive geographic areas such as critical transportation corridors. Concomitant rezones shall generally be used when normal review and approval procedures are not adequate to resolve the specific issues involved in the rezone proposal.

(7) The concomitant rezone agreement may include mitigation measures such as access control, landscaping, screening, buffering, improvements to public services including drainage, sewer, water and roads, lot coverage restrictions and phasing of development.
(8) A conceptual site plan shall be required. The conceptual site plan shall be drawn at not less than one inch to 100 feet (unless mutually agreed to be the proponent and administrative official) and shall also include, but not be limited to:

(a) General location of the structures;

(b) Location and number of access points;

(c) Approximate gross floor area of structures;

(d) Name of the proposal;

(e) Identification of areas requiring special treatment due to their sensitive nature;

(f) North directional arrow;

(g) Names and locations of all public streets or roads boarding the site;

(h) General legal description(s) for the site.

.064 Transfer of Development Rights (TDRs):

(1) Designated Receiving Areas. Such additional areas may be approved through the process established for amendments to the official Whatcom County zoning map and pursuant to the procedures and requirements in this chapter.

(2) Rezone requests to increase residential density that have been submitted pursuant to this chapter shall be required to transfer development from a designated TDR sending area to obtain the requested density as a condition of approval.

(a) In order to obtain the requested density, one development right shall be transferred for every three additional dwelling units obtained through rezones within a designated urban growth area. The county council may modify this requirement if a development agreement has been entered into that specifies the elements of development within the rezone area. The development agreement should include, but not be limited to, affordable housing, density, allowed uses, bulk and setback standards, open space, parks, landscaping, buffers, critical areas, transportation and circulation, streetscapes, design standards and mitigation measures.

(b) Exceptions from requiring TDRs: rezones initiated by a government agency, correction of map errors, establishing one zoning district on a property with two or more zoning districts, zoning revisions that intended to make a nonconforming use a conforming use or rezones where the public interest is served.

(3) Rezones initiated by the county, cities or other agencies shall be subject to review by county and city planning staff, and the appropriate administrative bodies,
to determine whether the subject site is appropriate for designation as a TDR receiving area.

20.90.070 Transmittal of amendments to the state.
Pursuant to RCW 36.70A.106(3), the department of planning and development services shall notify and transmit copies of initiated amendments to this title and the official Whatcom County zoning map to the Washington State Department of Commerce at least 60 days prior to final adoption. The department of planning and development services shall also transmit a complete and accurate copy of zoning amendments to Commerce within 10 days after the enacting ordinance is signed by the county executive.

20.90.080 Maintenance of dockets and public review.
Repeated by Ord. 2008-060.

Chapter 20.92
HEARING EXAMINER RESERVED

[Note: Chapter 20.92 is proposed to be deleted in its entirety. Hearing Examiner authority and duties provisions are proposed to be moved to new Chapter 22.11, and hearing procedures are to be moved to a new Chapter 22.05]

Sections:
20.92.010 Purpose.
20.92.100 Hearing examiner office.
20.92.110 Creation and purpose.
20.92.120 Pro tempore hearing examiner.
20.92.130 No interference with the hearing examiner.
20.92.140 Qualifications.
20.92.150 Appointment and removal.
20.92.200 Hearing examiner—Duties and powers.
20.92.205 Recommended decisions.
20.92.210 Final decisions.
20.92.211 Administrative appeals—Appeal period.
20.92.215 Open record hearing notice.
20.92.220 Open record hearing.
20.92.221 Combined county and agency hearing.
20.92.225 Rules and regulations.
20.92.230 Department reports.
20.92.235 Changes in legislation.
20.92.240 Additional powers.
20.92.245 Limited jurisdiction.
20.92.250 Permit revocation procedure.
20.92.255 Permit revocation hearing.
20.92.260 Permit revocation or grace period.
20.92.300 Recommended decisions to county council.
20.92.010 Purpose.

The purpose of this chapter is to provide a system of considering and applying regulatory devices which will best satisfy these three basic needs:

(1) The need to separate the application of regulatory controls to the land from planning;

(2) The need to better protect and promote the interest of the public and private elements of the community;

(3) The need to expand the principles of fairness and due process in open-record hearings.

20.92.100 Hearing examiner office.
Title 20 Amendments

20.92.110 Creation and purpose.

The office of hearing examiner is hereby created. The hearing examiner shall act on behalf of the county council in considering the application of regulatory enactments to particular situations as provided herein.

20.92.120 Pro tempore hearing examiner.

The pro tempore hearing examiner shall assist the hearing examiner in the performance of the duties conferred upon them by this chapter, and shall have all of the duties and powers of the hearing examiner.

20.92.130 No interference with the hearing examiner.

No county official or any other person shall interfere with the hearing examiner or pro tempore hearing examiner in the performance of his or her designated duties.

20.92.140 Qualifications.

The hearing examiner and his pro tempore shall be appointed solely with regard to their qualifications for the duties of their office, and shall have such training or experience as will qualify them to conduct administration of quasi-judicial hearings on the application of regulatory enactments and to discharge other functions conferred upon them, and shall hold no other appointed or elected public office or position in the county government, except as provided in this chapter.

20.92.150 Appointment and removal.

The hearing examiner shall be appointed by a majority vote of the county council. The hearing examiner may be removed from office at any time by an affirmative vote of not less than two-thirds of the members of the county council.

20.92.200 Hearing examiner—Duties and powers.

20.92.205 Recommended decisions.

The hearing examiner shall conduct an open record hearing and prepare a record thereof, and make recommendations to the county council for approval or disapproval of:

1. Major project permits, including major project permit applications for mitigation banks proposed in accordance with the provisions of Chapter 16.16 WCC;

2. Planned unit developments;

3. Site-specific rezones, including those processed as major project permits, PUDs and/or concomitant rezones;

4. Such other permits as may be required from the county along with subsection (1) or (2) of this section for a given project. Applications where a major project permit is required shall be processed as set forth in Chapter 20.88 WCC. Where the hearing examiner would normally make a final decision to approve or deny an accompanying permit, the decision shall instead be in the form of a
recommendation and accompany the hearing examiner’s recommendation on the major project permit or planned unit development to the county council for final approval;

(5) Proposed rates and charges or special assessments for lake management districts.

20.92.210 Final decisions.

The hearing examiner shall conduct open record hearings and prepare a record thereof, and make a final decision upon the following matters:

(1) Appeals from any orders, requirements, permits, decisions or determinations made by an administrative official or committee in the administration of this title, WCC Title 16, Environment, WCC Title 21, Land Division Regulations, or WCC Title 24, Health Regulations.

(2) Appeals from a decision of the administrator of the Shoreline Management Program.

(3) Applications for zoning ordinance conditional use permits.

(4) Applications for variances from the terms of the zoning ordinance.

(5) Applications for shoreline management substantial development permits not accompanied by a major project permit when an open record hearing is required.

(6) Applications for variances from the terms of the Whatcom County Shoreline Management Program.

(7) Applications for variances from the terms of Chapter 16.16 WCC, Critical Areas.

(8) Applications for reasonable use permits under the terms of Chapter 16.16 WCC when an open record hearing is required.

(9) Applications for Shoreline Management Program conditional use permits.

(10) Applications for flood damage prevention variances.

(11) Appeals from SEPA determinations of significance, determinations of nonsignificance, and mitigated determinations of nonsignificance.

(12) Preliminary subdivisions and subdivision variances.

(13) Preliminary binding site plan proposals.

(14) Application for variances from the provisions of WCC Title 22.

(15) Revocation proceedings involving previously approved zoning conditional use permits, shoreline management substantial project permits and shoreline conditional use permits.

(16) Applications to continue operations of nonconforming adult businesses pursuant to WCC 20.83.015.
(17) Appeals of decisions relating to water service issues under Section 9.2 of the Coordinated Water System Plan.

(18) Appeals from any orders, requirements, permits, decisions or determinations made by an administrative official relating to essential public facilities.

20.92.211 Administrative appeals—Appeal period.

Appeals to the hearing examiner on the subjects listed in WCC 20.92.210(1) and (2) must be filed within 14 calendar days of the date of administrative determination.

20.92.215 Open-record hearing notice.

Notice of the time and place of the open record hearing shall be given pursuant to WCC 2.33.060 and 2.33.070.

20.92.220 Open-record hearing.

A project proposal subject to Chapter 2.33 WCC shall be provided with no more than one open-record hearing and one closed-record hearing pursuant to Chapter 36.70B RCW. This restriction does not apply to an appeal of a determination of significance as provided in RCW 43.21C.075.

20.92.221 Combined county and agency hearing.

When requested by an applicant, the county shall allow an open-record hearing to be combined with a hearing that may be necessary by another local, state, regional, federal or other agency for the same project if the joint hearing can be held within the time periods specified in Chapter 2.33 WCC, or if the applicant agrees to waive such time periods in the event additional time is needed in order to combine the hearings. The combined hearing shall be conducted in Whatcom County pursuant to Chapter 36.70B RCW.

20.92.225 Rules and regulations.

The hearing examiner shall have the power to prescribe rules and regulations for the conduct of hearings before him, subject to approval by the county council, and also to issue summons for and compel the appearance of witnesses, to administer oath and preserve order. The opportunity of cross-examination of witnesses shall be afforded all interested parties or their counsel in accordance with the rules of the hearing examiner.

20.92.230 Department reports.

The hearing examiner may request reports from appropriate staff. See WCC 2.33.080 for details.

20.92.235 Changes in legislation.

The hearing examiner may recommend changes in legislation to the planning department or county council.
20.92.240 Additional powers.

The hearing examiner may also exercise administrative powers and such other quasi-judicial powers as may be granted by county ordinance.

20.92.245 Limited jurisdiction.

The hearing examiner shall, with the exception of site-specific rezones as provided for in WCC 20.90.063, have no jurisdiction over any project that requires a legislative action, such as but not limited to a standard map amendment, a Comprehensive Plan map change or a Shoreline Management Program amendment. All such projects shall be considered and processed concurrent with and in the same manner as applications for legislative action. The approval or denial of such projects shall be solely within the discretion of the county council.

20.92.250 Permit revocation procedure.

Upon notification by the zoning administrator or his deputy that a substantial violation of the terms and conditions of any previously granted zoning conditional use, shoreline substantial development or shoreline conditional use permit exists, the hearing examiner shall issue a summons as per WCC 20.92.225 to the permit holder requiring said permit holder to appear and show cause why revocation of the permit should not be ordered. Failure of the permit holder to respond may be deemed good cause for revocation.

20.92.255 Permit revocation hearing.

Upon issuance of a summons as set forth in WCC 20.92.250, the hearing examiner shall schedule an open record hearing to review the alleged violations. The summons shall include notice of the hearing and shall be sent to the permit holder and the land use division of planning and development services no less than 12 days prior to the date of the hearing. At the hearing the hearing examiner shall receive evidence of the alleged violations and the responses of the permit holder, as per the business rules of the hearing examiner's office. Testimony shall be limited to that of the division and the permit holder except where additional evidence would be of substantial value in determining if revocation should be ordered. The land use division's evidence may include the testimony of witnesses.

20.92.260 Permit revocation or grace period.

Upon a showing of violation by a preponderance of the evidence as alleged, the hearing examiner may revoke the permit or allow the permit holder a reasonable period of time to cure the violation. If the violation is not cured within the time set by the hearing examiner, the permit shall be revoked. Where a time to cure the violation has been set out, no further hearing shall be necessary prior to the revocation. The permit holder shall have the burden of proving that the violation has been cured within the time limit previously set. Such evidence as is necessary to demonstrate that the violation has been cured may be submitted to the hearing examiner by either the permit holder or the land use division of planning and development services. Any revocation shall be accompanied by written findings of fact and conclusions of law. The permit holder shall be notified of any revocation within 10 working days of the revocation.
20.92.300 Recommended decisions to county council.

20.92.310 Recommended conditions.

The hearing examiner's recommendations may be to grant or deny any subdivision, major development or site-specific rezoning application, or the hearing examiner may recommend that the county council approve the application with such conditions, modifications or restrictions as the hearing examiner finds necessary to make the application compatible with its environment and carry out the objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code, or any other official policies and objectives of Whatcom County.

20.92.320 Recommended decision—Findings and conclusions.

Each recommended decision of the hearing examiner, for major developments, site-specific rezones and subdivisions, shall be in writing and shall include findings and conclusions, based upon the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision carries out and conforms to the county's Comprehensive Plan and complies with the applicable statutes, ordinances or regulations.

20.92.330 Filing recommended decision.

Each recommended decision of the hearing examiner, for major developments, site-specific rezones and subdivisions, shall be filed with the clerk of the county council. For major project permits, a list of the parties of record as determined by the hearing examiner should be filed with the recommended decision.

20.92.400 Final decisions.

20.92.410 Final decision conditions—Applications and appeals.

The hearing examiner's final decision on all applications or appeals shall either grant or deny the application or appeal. The hearing examiner may grant the application or appeal subject to conditions, modifications or restrictions that the hearing examiner finds necessary to make the application compatible with its environment, and carry out the objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code, the critical areas ordinance, or other official policies and objectives of Whatcom County. Performance bonds or other security, acceptable to the prosecuting attorney, may be required to ensure compliance with the conditions, modifications and restrictions.

20.92.420 Final decision—Findings and conclusions.

Each final decision of the hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision.

20.92.430 Time limitation on decision.

Except for major project permits, each final decision and recommended decision of the hearing examiner shall be rendered within 10 calendar days following the conclusion of all testimony and hearings. For major project permits, the hearing
examiner shall render recommendations within 45 calendar days following the conclusion of the open-record hearing.

20.92.440 Review limited.

No final decision of the hearing examiner shall be subject to administrative or quasi-judicial review, except as provided herein.

20.92.500 Process for subdivision application and major project permits.

20.92.510 Subdivisions.

The county council shall process each recommended decision for subdivisions, consistent with the procedure set forth in WCC Title 21.

20.92.520 Major project permits.

The county council shall, upon receipt of the recommended decision on a major project permit, process that recommendation in the manner set forth in the major project permit chapter of this title (Chapter 20.88 WCC).

20.92.530 Site-specific rezones.

The county council shall, upon receipt of the recommended decision on a site-specific rezone, process that recommendation in the manner set forth in Chapter 20.90 WCC, Amendments.

20.92.600 Appeal to county council.

20.92.610 Applicant appeal.

The applicant, any party of record or any county department may appeal any final decision of the hearing examiner to the county council. The appellant shall file a written notice of appeal at the county council office within 10 business days of the final decision of the hearing examiner. Any parties of record from the hearing examiner's proceedings who wish to continue to be considered parties of record must register with the county council in writing no later than 10 days after the date of the notification of appeal letter which is sent from the hearing examiner's office. The notification of appeal letter will be sent from the hearing examiner's office within three working days of receiving written notification from the county council office that an appeal has been filed.

20.92.620 Fee.

A fee, as established in the Unified Fee Schedule, shall be paid to the county council office upon filing of any appeal. This fee shall not apply to appeals initiated by a county department.

20.92.630 Transcript.

1. The appellant shall obtain a copy of the electronic recording of the hearing examiner's hearing from the hearing examiner's office. The appellant shall make arrangements for the preparation of the verbatim transcript of the hearing
examiner's hearing by a professional transcriptionist who will include a signed transcriber certification with the verbatim transcript. The appellant shall forward the transcript to the county council office within 30 days of filing the appeal. Upon request of the council office, the hearing examiner’s office shall prepare and transmit to the council office the hearing examiner’s file, together with exhibits.

(2) A copy of the record shall be made available by the county council office to parties upon request submitted to the county council office.

20.92.640 Written argument:

(1) Within two working days after receipt of the transcript of the hearing conducted by the hearing examiner, the county council office shall send a letter of notification to the appellant that a statement containing the appellant’s basis for appeal and argument is due. The statement and argument, and a proof of service (affidavit of mailing) upon those parties who have registered with the county council, must be filed in writing, along with 10 copies, with the clerk of the county council within 15 calendar days after the postmark date of the letter of notification.

(2) Any argument or response by any registered party of record opposing the appeal must be filed in writing along with 10 copies, within 14 calendar days after the date of filing the appellant’s argument with the council office.

20.92.642 Time limits:

The county council shall dismiss an appeal for failure of the appellant to abide by any of the time limits contained in WCC 20.92.600 through 20.92.640, unless an extension has been granted pursuant to WCC 20.92.645.

20.92.645 Time extension:

Extensions of timelines established hereinabove may be granted by the council chair upon demonstration of good cause. Requests for extensions and proof of service (affidavit of mailing) upon those parties who have registered with the county council shall be presented to the clerk of the council in writing prior to the expiration of the pertinent time limit. Any registered party who wishes to object to the requested extension shall file a written objection with the council office no later than two weeks following the council’s receipt of the request.

20.92.650 Time limitation on county council:

Within 35 days after the filing of the opponents’ written arguments, the county council shall render a decision. Thereafter the county council will issue findings of fact and conclusions of law no later than 30 days following the decision. This time limitation shall not apply when a remand procedure is initiated.

20.92.660 Appeal on record:

The decision of the county council shall be based solely upon the record and the written argument that has been submitted by the parties.

20.92.700 Remand to hearing examiner.
20.92.710 Findings:

The county council may, within its discretion, remand the case back to the hearing examiner, if the council finds:

(1) That new evidence is available that could affect the outcome of the case and was not available at the first hearing;

(2) That the record, in whole or in part, is not sufficient for the council to make a reasoned decision on the appeal;

(3) That the decision of the hearing examiner should be reversed and that additional information is necessary before a final decision can be made.

20.92.720 Remand order:

The remand shall be in the form of a written order and shall state the specific areas to be considered by the hearing examiner at the remand hearing. The remand hearing shall be limited to the specific areas of concern stated in the remand order from the county council.

20.92.730 Notice of remand hearing:

Notice of the remand hearing shall take place in accordance with WCC 2.33.070.

20.92.740 Filing of information:

The hearing examiner shall file the information requested in the remand order with the clerk of the county council as soon as possible but not to exceed 15 business days from the date of the hearing.

20.92.750 Final decision of county council:

The county council shall, within 30 days of filing of the information from the remand hearing, issue their final written decision together with findings of fact and conclusions of law.

20.92.800 County council—Function in hearing examiner process:

20.92.810 Reversal of hearing examiner decisions:

The county council shall affirm the decision of the hearing examiner unless a majority of the entire county council finds that the decision of the hearing examiner is:

(1) Based upon an error of law; or

(2) Clearly erroneous on the entire record.

20.92.820 Conditions:

The county council may, where their decision results in project approval, impose, modify or delete conditions upon the license, permit approval, variances or appeal, consistent with WCC 20.92.310, and may exercise the powers granted therein.
20.92.825 Adult business appeals.

Appeals of administrative approval use permits for adult businesses shall be made directly to the county council and shall be subject to the following procedures:

(1) The applicant or any party of record may appeal an administrative approval use permit decision relating to an adult business to the county council.

(2) The appellant shall file a written notice of appeal at the county council office within 10 calendar days of the administrative approval use permit decision. A fee, as established in the Unified Fee Schedule for appeals to the county council, shall be paid to the county council office upon filing of any appeal.

(3) The county council office shall mail written notice to the administrative approval use permit applicant within five calendar days of receiving the appeal, if the appeal was not submitted by the applicant.

(4) The council office shall request the written record from planning and development services within five calendar days of receiving the appeal. The written record shall be forwarded by planning and development services within five calendar days of the request from the county council office.

(5) Within five calendar days after receipt of the appeal, the county council office shall send a letter of notification to the appellant that a statement containing the appellant's basis for appeal and argument is due. The statement and argument, and a proof of service (affidavit of mailing) upon the administrative approval use permit applicant (if different from the appellant), must be filed in writing, along with 10 copies, with the clerk of the county council within 10 calendar days after the postmark date of the letter of notification.

(6) An argument or response from the administrative approval use applicant (if different than the appellant) shall be filed in writing along with 10 copies, within 10 calendar days after the date of filing the appellant's argument with the council office.

(7) The county council shall decide the appeal and issue written findings of fact and conclusions of law within 40 calendar days of the date the appeal was filed.

(8) The county council shall affirm the decision of planning and development services unless a majority of the entire county council finds that the decision is:

(a) Based upon an error of law; or

(b) Clearly erroneous on the entire record.

(9) The county council may, where their decision results in project approval, impose, modify or delete conditions based solely on the criteria of WCC 20.84.235(7).

(10) The procedures of WCC 20.92.600, 20.92.700, 20.92.810 and 20.92.820 shall not apply to appeals relating to adult businesses.

20.92.830 No interference with the county council.
No individual or county official shall interfere with or attempt to interfere with the individual council members of the county council in the execution of the quasi-judicial duties they have assumed pursuant to this chapter.

20.92.840 Appeal of county council decision.

The decision of the county council shall be final unless appealed within 21 days of the issuance of the written decision, in the same manner as provided in RCW 36.70C.040.

20.92.850 Public hearing process for development agreements under the Growth Management Act.

(1) The Whatcom County hearing examiner is designated to conduct the open record public hearing for development agreements as defined in the Growth Management Act, Chapter 36.70B RCW.

(2) The Whatcom County hearing examiner shall conduct an open record public hearing and prepare a record thereof, and make recommendation to the county council for approval or disapproval of development agreements as defined in the Growth Management Act, Chapter 36.70B RCW.

Chapter 20.94
ENFORCEMENT AND PENALTIES

20.94.070 Permit revocation.
The zoning administrator, and/or designee, is authorized to suspend or revoke a permit issued under the provisions of this code in instances where the hearing examiner does not otherwise have authority pursuant to WCC 22.05.15020.92.250. The county may suspend or revoke a permit whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, and/or when a substantial or a continued violation of the terms and/or conditions of a permit have not been met.

WCC 20.94.060 Appeals.
The hearing examiner shall have the authority to hear and decide, in conformity with this title, appeals pursuant to WCC 20.84.240, unless as specifically noted differently under this chapter. Any party of record may appeal any order, final permit decision, or final administrative determination in the administration or enforcement of this title. The hearing examiner shall have the authority to hear and decide appeals pursuant to WCC 22.05.160. The appeal fee on a code violation will be refunded if the appellant can prove by clear and convincing evidence that a violation did not occur.
Chapter 20.97
DEFINITIONS

20.97.175 Hearing examiner.
"Hearing examiner" means the hearing examiner of Whatcom County (refer to WCC Chapter 20.922.11 WCC).

20.97.293 Party of record.
"Party of record" means the applicant, the owner of the property and any person who has testified at a required hearing. (Ord. 96-031 § 2, 1996). Any person, agency or entity entitled to receive notice of application or decision under this title, or any person, agency or entity providing written comments on any application received under this title or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail or email.

20.97.321 Project permit – Project permit application.
"Project permit" or "project permit application" means any land use or environmental permit or license required from Whatcom County for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial project development permits, variance, lots-consolidation relief, site plan reviews, permits or approvals required by critical area ordinances, site specific rezones authorized by a Comprehensive Plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

[Proposed amendment aligns with RCW 36.70B.020(4) definition.]
EXHIBIT E

Whatcom County Code Title 21
Land Division Regulations

AMENDMENT

Title 21
LAND DIVISION REGULATIONS

Chapters:

    . . . .

Chapter 21.01
GENERAL PROVISIONS

Sections:
21.01.010 Title.
21.01.020 Purpose.
21.01.030 Authority.
21.01.040 Applicability and exemptions.
21.01.050 Interpretation, conflict and severability.
21.01.060 Enforcement and penalties.
21.01.070 Fees.
21.01.080 Administrative responsibilities.
21.01.090 Pre-application meeting. Reserved.
21.01.100 Applications required. Reserved.
21.01.105 Consolidated application process. Reserved.
21.01.110 Complete application.
21.01.120 Time frames. Reserved.
21.01.130 Underground utilities.
21.01.140 Regulatory authority for development standards.
21.01.150 Repealed.
21.01.160 City urban growth areas.
21.01.170 **Hearing-examiner consultation with technical advisory committee.** *Reserved.*

21.01.010 **Title.**
This title shall be known and may be cited as the Whatcom County land division regulations.

21.01.020 **Purpose.**
The purpose of this title is:

(1) To promote the public health, safety, and general welfare, and to protect the natural resources and the environment.

(2) To provide for proper application of Chapter 58.17 RCW.

(3) To facilitate efficient and cost-effective land division and to ensure orderly growth and development consistent with the Whatcom County Comprehensive Plan and the Whatcom County Code.

(4) To establish an orderly transition from existing land uses to urban development patterns in designated urban growth areas.

21.01.030 **Authority.**
This title is authorized pursuant to the authority delegated to Whatcom County under Chapter 58.17 RCW, Plats – Subdivisions – Dedications.

21.01.040 **Applicability and exemptions.**
(1) This title shall apply to property boundary actions as defined in this title.

(2) The subdivision and short subdivision provisions of this title shall not apply to:

(a) Cemeteries and other burial plots while used for that purpose;

(b) Divisions of land into lots or tracts none of which are smaller than 20 acres or 1/32 of a section of land and not containing a dedication; provided, that a certificate of exempt land division is obtained from Whatcom County in accordance with this title;

(c) Divisions made by testamentary provisions, or the laws of descent;

(d) Divisions of land into lots or tracts classified for industrial or commercial use when Whatcom County has approved a binding site plan for the use of the land in accordance with this title;

(e) A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land when Whatcom County has approved a binding site plan for the use of the land;

(f) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any
additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site in accordance with the provisions of this title;

(g) Divisions of land into lots or tracts pursuant to RCW 58.17.040(7); condominiums when Whatcom County has approved a binding site plan in accordance with the provisions of this title;

(h) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. “Personal wireless services” means any federally licensed personal wireless service. “Facilities” means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures;

(i) A division of land into lots or tracts of less than three acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, “electric utility facilities” means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility’s existing and new customers. “New customers” are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed;

(j) Agricultural Lease. Divisions made for the purpose of lease for agricultural uses; provided, that each such leased parcel is a minimum of five acres or 1/128 of a section of land. The remaining portion of the parcel shall also be a minimum of five acres or 1/128 of a section of land. This exemption authorizes leasing the parcel but shall not authorize the sale of the parcel;

(k) Environmental Mitigation. Divisions of land for environmental mitigation, conservation or restoration; provided, that all of the following conditions are met:

(i) All lots are a minimum of five acres or 1/128 of a section of land.

(ii) Except as provided in subsection (k)(iii) of this section, all lots shall be used exclusively for:

(A) Environmental mitigation required under local, state or federal law; or
(B) Environmental conservation or restoration when a nonprofit nature conservancy corporation or association as defined by RCW 84.34.250 or public agency will own the lots.

(iii) If residential, commercial, or industrial buildings already exist, then one lot containing these buildings shall be created. This one lot shall not be subject to the requirements of subsection (k)(iv) of this section.

(iv) A permanent covenant acceptable to the director of planning and development services shall be recorded against each lot, except as provided in subsection (k)(iii) of this section. This covenant shall state the following:

(A) The lot shall be used exclusively for environmental mitigation, conservation or restoration.

(B) The lot shall not be further divided.

(C) New structures not necessary for environmental mitigation, conservation or restoration including residential, commercial and industrial development shall be prohibited.

(D) After recording, if the original purposes underlying the covenant can no longer be fulfilled and changed conditions warrant, the covenant may be revised with the consent of the county council, consistent with then-applicable policies and regulations.

(v) A legal description of the parcels created for environmental mitigation, conservation or restoration, prepared by a surveyor, shall be submitted to the planning and development services department for final approval and recordation.

(vi) Legal ingress and egress access of record is provided to the lots created by the exemption and verified by Whatcom County engineering. All access points to public roads shall be approved by the Whatcom County engineer or designee;

(I) Divisions of land into parcels of less than 40 acres but greater than 10 acres within the area zoned and designated as Agriculture in the Comprehensive Plan for Whatcom County proceeding in accordance with WCC 20.40.254(5).

(3) The following rules shall govern questions of precise applicability of these regulations to land divisions:

(a) Contiguous Parcels. All contiguous parcels of land in the same ownership shall be included within the boundaries of any proposed long or short subdivision of any of the properties. For the purpose of this section, the lots so situated shall be considered as one parcel; provided, that any of the contiguous parcels that are within a recorded long or short plat that was filed with the county auditor at least five years prior to the new land division shall
not be required to be included if the lot or lots are in conformance with the applicable zoning standards.

(b) Pre-1972 Parcels. Parcels of land legally divided prior to the effective date of the ordinance codified in this title (as originally adopted February 3, 1972) shall be considered in accordance with land division laws and resolutions applicable at the time of plat recording per RCW 58.17.170 or other division.

**21.01.050 Interpretation, conflict and severability.**
(1) Minimal Interpretation. In their interpretation and application, the provisions of this title shall be held to be the minimum requirements.

(2) Interpret to Protect Public Welfare. In the event of any discrepancies between the requirements established herein and those contained in any other applicable regulation, code or program, the regulations which are more protective of the public health, safety and welfare shall apply.

(3) Severability. The provisions of this title are severable. If a section, sentence, clause, or phrase of this title is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this title.

**21.01.060 Enforcement and penalties.**
Enforcement and penalties shall be applied pursuant to Chapter 21.11 WCC.

**21.01.070 Fees.**
All application, appeal, or other fees associated with this title shall be as set forth in the Whatcom County Unified Fee Schedule.

**21.01.080 Administrative responsibilities.**
(1) The director of the planning and development services department or designee (hereinafter referred to as “director” or “subdivision administrator”) is designated as the official responsible for administering the provisions of these land division regulations.

(2) The Whatcom County planning and development services department shall act as a coordinating agent to ensure that the regulatory process is expeditious and shall recognize input provided by other officials, departments and divisions having appropriate expertise, including but not limited to the:

(a) Whatcom County SEPA official for environmental analysis;

(b) Whatcom County engineering for survey, monumentation, engineering design, road, stormwater management, drainage and utility improvements, and the form of plats and binding site plans;

(c) Whatcom County fire marshal for fire-related issues; and

(d) Whatcom County health and human services department for water supply and waste disposal.

**21.01.090 Pre-application meeting. Reserved.**
(1) Meeting Required When. For the purpose of expediting applications and reducing land division and site plan design and development costs, a pre-application meeting in accordance with the requirements of Chapter 2.33 WCC is required for all applications under this title except for boundary line adjustments and exempt land divisions covered by Chapter 21.03 WCC.

(2) City Participation. Whatcom County planning and development services staff shall invite the appropriate city to the pre-application meeting if the proposed land division is located within that city's urban growth area. Invitation to the pre-application meeting for a short plat or preliminary plat adjacent to or within one mile of the municipal boundaries of a city, or which contemplates the use of any city utilities, shall also be given. [Moved to note in 22.05.020 table]

21.01.100 Applications required. Reserved.
The applicant is encouraged to seek assistance from the subdivision administrator as to which approvals are required for a particular proposal. One or more of the following applications may be required for a particular proposal:

(1) Exempt land division;
(2) Boundary line (lot line) adjustment;
(3) Short subdivision;
(4) Preliminary long subdivision;
(5) Final long subdivision;
(6) Subdivision vacations and alterations;
(7) Preliminary binding site plan;
(8) General binding site plan;
(9) Specific binding site plan;
(10) Agricultural short plat.

21.01.105 Consolidated application process.
The applicant may request consolidated permit review in accordance with the requirements of Chapter 2.33 WCC. [covered in 22.05.030]

21.01.110 Complete Application processing.
All applications for subdivisions, binding site plans, short subdivisions, boundary line adjustments and other boundary actions covered by this title shall be reviewed and processed for completeness in accordance with Chapter 2.33 WCC 22.05 WCC, except as otherwise stated within this title.

21.01.120 Time frames. Reserved.
Applications shall be processed within the time frames stipulated in Chapter 2.33 WCC.
21.01.130 Underground utilities.
All on-site utilities that serve individual lots within a short subdivision, long subdivision or binding site plan shall be placed underground, unless the supplier of the service provides written documentation that underground installation is determined to be infeasible by development of specific findings, or the county requests above-ground utilities because of environmental constraints.

21.01.140 Regulatory authority for development standards. construction standards.
Administrative and technical requirements for implementing these regulations shall be contained in the Whatcom County development standards adopted pursuant to Chapter 12.08 WCC.

21.01.150 Boundary discrepancies.
Repealed by Ord. 2009-007.

21.01.160 City urban growth areas.
City development standards shall be addressed, in accordance with adopted ordinances, for land divisions located within a city’s urban growth area.

21.01.170 Hearing examiner consultation with technical advisory committee. [Moved to note in 22.05.020 table]
Reserved. The hearing examiner may choose to consult with the technical advisory committee concerning technical matters relating to land division applications.

Chapter 21.02
VARIANCES, APPEALS AND AMENDMENTS

Sections:
21.02.010 Variances.
21.02.020 Notification of cities.
21.02.030 Appeals.
21.02.040 Amendments – Advance notice.

21.02.010 Variances.
The hearing examiner, or in the case of short subdivisions, the technical review committee, shall have authority to grant a variance from the provisions of this title when they have found the conditions set forth below to exist. In such cases, a variance may be granted which is in harmony with the general purpose and intent of this title so that the intent of this title shall be observed, and public health, safety and welfare secured.
A variance may be granted only when all of the following circumstances listed in either subsection (1) or (2) of this section are found to apply. Applicants shall specify which criteria set they are proposing to qualify for a variance under and shall provide information to the county demonstrating compliance with that criteria set before a variance may be granted.

(1) Variance to Alleviate Unnecessary Hardship.

(a) Any variance granted shall not constitute a grant of special privilege, be based upon reasons of hardship caused by previous actions of the property owner, nor be granted for financial reasons alone.

(b) The strict application of these regulations would cause a hardship because of special circumstances applicable to the subject property, including size, shape, topography, environmental constraints or location. Aesthetic considerations or design preferences without reference to restrictions based upon the physical characteristics of the property do not constitute sufficient hardship under this section.

(c) The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property.

(2) Variance to Achieve Better Design.

(a) Any variance granted shall not constitute a grant of special privilege or be based upon reasons of hardship caused by previous actions of the property owner, nor be granted for financial reasons alone.

(b) The granting of the variance results in better lot design than would be permitted under the standard regulations. “Better lot design” is defined as meaning such items as more practical site design because of topography, wetland or other environmental constraints, or the lot design will result in lots nearer to conformance to required development standards or applicable Comprehensive Plan goals and policies, including those relating to urban growth areas.

(c) The granting of any variance will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity and subarea in which the subject property is located.

(d) In granting variances and modifications, the hearing examiner or technical review committee, as appropriate, may require such conditions as will in its judgement secure substantially the objectives of the requirements so varied.

(3) A decision on a variance application by the technical review committee or by the hearing examiner shall be accompanied by specific written findings addressing each of the applicable criteria.

21.02.020 Notification of cities.
Notice of a hearing or technical review committee meeting for variances shall be provided to the appropriate city, if the land division is located within that city’s urban growth area.

21.02.030 Appeals.
(1) Any final order, requirement, permit decision or determination issued by Whatcom County shall include a notice to the applicant of his or her appeal rights. [added to 22.05.160(1)]

(2) Any party of record may appeal any order, final permit decision, final administrative determination including pre-approval or preliminary approval in the administration or enforcement of this title. The hearing examiner shall have the authority to hear and decide appeals pursuant to WCC 22.05.160. The hearing examiner shall have the authority to create a record, hear and decide, in conformity with this title A party of record may file an appeal from any order, requirement, permit decision or determination made by an administrative official or committee in the administration or enforcement of this title. Such appeal shall be filed in writing within 14 calendar days of the action being appealed at the planning and development services department. The appeal shall follow all rules and procedures for appeals to the hearing examiner as set forth in Chapter 20.92 WCC.

(3) Within 10 calendar days of its issuance, any party of record may appeal a decision of the hearing examiner to the county council. The examiner’s decision may be overturned by a simple majority of the council if it is found that the examiner’s decision is based upon an error of law or is clearly erroneous based on the entire record. The appeal shall follow all rules and procedures for appeals to the county council as set forth in Chapter 20.92 WCC.

(4) Appeals related to the Whatcom County Development Standards shall be made to the technical advisory committee as required by WCC 12.08.035(I).

21.02.040 Amendments – Advance notice.
Notice of the time, place and purpose of any public hearing regarding the amendment, adoption or repeal of an ordinance adopted pursuant to Chapter 58.17 RCW shall be given by at least one publication in a newspaper of general circulation in Whatcom County at least 10 calendar days before the hearing in accordance with the provisions of WCC Chapter 22. Advance notification shall also be provided by mail to individuals or organizations that have submitted requests for notice at least 10 calendar days prior to the hearing.

Chapter 21.03
EXEMPT LAND DIVISIONS AND BOUNDARY LINE ADJUSTMENTS

Sections:
21.03.010 Purpose.
21.03.020 Repealed.
21.03.030 Pre-approval.
21.03.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of exempt land divisions, pursuant to WCC 21.01.040, and boundary line adjustments. The procedure is intended to provide orderly and expeditious processing of such applications.

21.03.020 Exemptions.
Repealed by Ord. 2009-007.

21.03.030 Pre-approval.
Applicants may request that their proposed exempt land division be reviewed by the subdivision administrator and pre-approved using forms supplied by the planning and development services department

21.03.040 Certificate of exemption.
(1) A certificate of exempt land division shall be obtained from the planning and development services department for exempt land divisions under WCC 21.01.040(2)(b) and (k). A certificate of exempt land division shall consist of a suitably inscribed stamp on the instrument conveying land title and shall be certified prior to the recording of the instrument with the county auditor. County review and/or a county certificate of exemption stamp shall not be required for WCC 21.01.040(2)(a) and (c) through (j).

(2) A certificate of exempt land division shall be approved, approved with conditions, or denied as follows:

(a) Applications shall include information required by WCC 21.03.085 the department's administrative manual.

(b) The exempt land division results in a lot(s) that qualifies as a valid land use pursuant to the Whatcom County Code, including but not limited to lot area, lot width, building setbacks, critical areas protection or shorelines protection.

(c) The exempt land division will not detrimentally affect access, access design, sight distance, grade, road geometry or other public safety and welfare concerns.
(3) An exempt land division is not considered approved until said instrument has been duly stamped as exempt and is filed for record concurrently with all applicable disclosures of WCC 21.03.045 within 12 months of pre-approval. Pre-approval shall be considered a final determination. Failure to record within 12 months of pre-approval means the exempt land division application is expired and must be resubmitted for review and approval. The time periods of this section do not include the time during which the exempt land division was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals.

21.03.045 Required disclosures.
The following disclosures, if applicable, shall be recorded in the county auditor’s office and shall be filed concurrently with all conveyances of property subject to this title:

(1) Right to farm, right to practice forestry, or mineral resource disclosures.

(2) Boundary discrepancies.

(3) Protective covenants, conditions and restrictions.

(4) Latecomers’ agreements.

(5) Significant pipeline in vicinity disclosure when the subject property is within 500 feet of a pipeline shown on Map 5.2, Chapter 5 of the Whatcom County Comprehensive Plan.

21.03.050 Access on state highways.
For parcels that will access onto a state highway, the applicant shall provide evidence of an approved access from the State Department of Transportation prior to approval of the exempt land division.

21.03.060 Boundary line adjustments.
The purpose of this section is to provide procedures and criteria for the review and approval of applications for adjustments or alterations to boundary lines of existing lots of record which do not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

(b) Any adjustment of boundary lines must be approved by the subdivision administrator prior to the transfer of property ownership between adjacent lots.

(1) Procedures. Boundary line adjustments shall be approved, approved with conditions, or denied as follows according to the procedures in Chapter WCC 22.05 WCC and the following:

(a) Applications shall include information required by WCC 21.03.085 the department’s administrative manual.
(eb) The subdivision administrator shall make a preliminary decision on boundary line applications within 45 days following submittal of a complete application or revision, unless the applicant consents to an extension of such time period.

(db) A title insurance certificate updated not more than 60 days prior to application, which includes all parcels within the adjustment, must be submitted to the subdivision administrator with boundary line adjustment applications.

(ec) All persons having an ownership interest within the boundary line adjustment shall sign the final recording document in the presence of a notary public.

(2) Decision Criteria. In reviewing a proposed boundary line adjustment, the subdivision administrator or hearing examiner shall use the following criteria for approval:

(a) The boundary line adjustment shall not result in the creation of an additional lot.

(b) With the exception of those boundary line adjustments located within the agricultural zone, the boundary line adjustment shall result in lots which contain sufficient area and dimensions to meet minimum requirements for width and area for a building site pursuant to this title.

(c) The boundary line adjustment shall be consistent with any restrictions, depictions or conditions regarding the overall area in a plat or short plat devoted to open space, environmental mitigation or conservation.

(d) The boundary line adjustment shall be consistent with any restrictions or conditions of approval for a recorded plat, short plat, zoning permit, or development permit.

(e) The boundary line adjustment shall not cause boundary lines to cross on-site sewage disposal systems or their reserve areas, prevent suitable area for on-site sewage disposal systems, or prevent adequate access to water supplies unless suitable mitigation including, but not limited to, the granting of utility easements is provided to the satisfaction of Whatcom County; provided, however, in the agricultural zone only those lots with existing on-site sewage disposal systems or potable water supplies are subject to this provision.

(f) The boundary line adjustment will not create a new access which is unsafe or detrimental to the existing road system because of sight distance, grade, road geometry or other safety concerns, as specified in adopted Whatcom County road development standards.

(g) The boundary line adjustment on lots without an existing farmstead home site shall demonstrate adequate septic and potable water suitability.
Applicants shall demonstrate adequate potable water availability per Chapter 24.11 WCC. Applicants shall demonstrate septic suitability approval pursuant to Chapter 24.05 WCC.

(3) Final Approval and Recording Required. To finalize an approved boundary line adjustment, the applicant must submit to the subdivision administrator within one year of preliminary approval final review documents meeting the requirements of approval.

(a) All persons having an ownership interest within the boundary line adjustment shall sign the final recording document in the presence of a notary public.

(b) Certified legal descriptions of the lots after the boundary line adjustment, together with conveyance document(s) and language clearly binding the property which is conveyed to the remainder portion of the property, shall be prepared by a title company or licensed surveyor for all lots affected by the boundary line adjustment.

(c) A title insurance certificate updated not more than 60 days prior to recording of the adjustment, which includes all parcels within the adjustment, submitted to the subdivision administrator with boundary line adjustment final review documents.

(d) A final boundary line map, prepared by a licensed surveyor, along with legal descriptions, shall be prepared and submitted for review and approval. Two map copies shall be provided for review demonstrating compliance with the preliminary boundary line adjustment approval.

(e) A boundary line adjustment is not considered approved until the conveyance documents have been duly stamped as exempt and is filed for record concurrently with all applicable disclosures of WCC 21.03.045 within 12 months of preliminary approval of final documents. Preliminary approval is considered a final determination. Failure to record within 12 months of preliminary approval means the boundary line adjustment application is expired and must be resubmitted for review and approval.

21.03.070 Inactive applications:
An applicant may place an exempt land division or boundary line adjustment application, which has not yet received preliminary approval, on hold for a cumulative maximum of 180 days. This 180-day period shall not include the time the applicant is performing studies required by the county when the study is provided within the time frame agreed to by the county and the applicant. Applications which fail to meet these time limits will be considered expired and void. The time periods of this chapter do not include the time during which the exempt land division was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals.
21.03.080 Requirements for a fully-completed exempt land division application. Reserved. [proposed to be moved to administrative manual]
The following, and any other information on a form prescribed by the subdivision administrator, is required for a complete application for exempt land divisions under WCC 21.01.040(2)(b) and (k):

(1) Written Data and Fees:
   (a) Name, address and phone number of land owner, applicant, and contact person.
   (b) Intended uses.
   (c) A current title report or update of title report issued no more than 60 calendar days prior to application.
   (d) Assessor’s parcel number (of the parent parcel).
   (e) Fees as specified in the Unified Fee Schedule.
   (f) Signature of all owners as shown on title report, and authorization for any agent to act on behalf of owners.

(2) Map Data:
   (a) Name of land owner.
   (b) Name of proposed land division (if an original drawing is prepared).
   (c) General layout of proposed land division.
   (d) Common language description of the general location of the land division.
   (e) Approximate location and names of existing roads identified as either public or private.
   (f) Vicinity map.
   (g) Common engineering map scale/north arrow/sheet numbers (on each sheet containing a map).
   (h) Section, township, range, and municipal and county lines in the vicinity.
   (i) General boundaries of the site with general dimensions shown.
   (j) Legal description of the land.

21.03.085 Requirements for a fully-completed boundary line adjustment application. Reserved.
The following, and any other information on a form prescribed by the subdivision administrator, is required for a complete application:

(1) Written Data and Fees:
   (a) Name, address and phone number of land owner, applicant, and contact person.
   (b) Intended uses.
   (c) A current title report or update of title report issued no more than 60 calendar days prior to application.
   (d) Assessor’s parcel numbers of existing parcels.
   (e) Fees as specified in the Unified Fee Schedule.
   (f) Signature of all owners as shown on title report, and authorization for any agent to act on behalf of owners.

(2) Map Data:
   (a) Names of land owners.
   (b) Name of proposed boundary adjustment.
   (c) Common language description of the general location of the land division.
   (d) Map at a common engineering scale of boundaries of existing parcels that are contributing to or receiving land from the proposed adjustment.
(e) Approximate location and labeling of any disputed or undetermined property lines proposing to be resolved by the adjustment.

(f) Clear depiction of property lines proposed for adjustment which identifies existing property lines and proposed property lines.

(g) Legal description and area of original parcels.

(h) Legal description and area of proposed adjusted parcels.

(i) Approximate location and names of existing roads identified as either public or private.

(j) Approximate location of existing buildings and existing on-site septic systems.

(k) Approximate locations of existing utilities and infrastructure.

(l) Vicinity map.

(m) Common engineering map scale/north arrow/sheet numbers (on each sheet containing a map).

(n) Section, township, range, and municipal and county lines in the vicinity.

(o) General boundaries of the site with general dimensions shown.

21.03.090 Original Drawing Reserved.
Repealed by Ord. 2009-007.

Chapter 21.04
SHORT SUBDIVISIONS

Sections:
21.04.010 Purpose.
21.04.031 Pre-application meeting.
21.04.032 Short subdivision application submittal.
21.04.033 Determination of completeness and vesting: Reserved.
21.04.034 Application procedures: Preliminary approval decision criteria.
21.04.035 Final short subdivision review process.
21.04.038 Applications subject to time limits: Reserved.
21.04.040 Restriction of further division.
21.04.050 Development requirements.
21.04.060 Roads.
21.04.070 Public dedications.
21.04.080 Easements.
21.04.090 Water supply.
21.04.100 Sewage disposal.
21.04.110 Fire protection.
21.04.120 Short subdivision vacation and alteration.
21.04.130 Land survey.
21.04.150 Requirements for a fully completed application for short subdivisions: Reserved.
21.04.160 Final review and submittal: Reserved.
21.04.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of short subdivisions.

21.04.031 Pre-application meeting.
1) Pre-Application Meeting Required pursuant to WCC 22.05. Any person contemplating preparation of a preliminary short subdivision application shall submit information required for a pre-application meeting as provided in WCC 22.05 21.01.090 and Chapter 2.3322.05 WCC and in the department's administrative manual. A pre-application meeting shall also be required for any alteration of an existing short subdivision unless waived by the subdivision administrator.
2) Pre-Application Submittal Information. An applicant shall provide the following information in order to assist the applicant and Whatcom County in review of the proposed short subdivision: [proposed to be moved to administrative manual]

(a) Written and Other Data and Fees:
(i) Name, address and phone number of owner(s), applicant, and contact person:
(ii) Intended uses:
(iii) List of variances and waivers requested:
(iv) General written proposal of water supply and sewage disposal method:
(v) Proposed means of stormwater control:
(vi) Assessor's parcel number (of the parent parcel):
(vii) Fees as specified in the Unified Fee Schedule:
(viii) Net and gross lot size to determine minimum lot size and density requirements as required by the Zoning Ordinance:
(b) Map Data:
(i) Name of owner(s):
(ii) Name of proposed land division:
(iii) General layout of proposed land division:
(iv) Common language description of the general location of the land division:
(v) Approximate locations of existing roads, utilities, and infrastructure:
(vi) Vicinity map:
(vii) Short plat map with a common engineering scale with north arrow and sheet numbers (on each sheet containing a map):
(viii) Section, township, range and municipal and county lines in the vicinity:
(ix) General boundaries of the site with general dimensions shown:
(x) General direction and gradient of slope:
(xi) Legal description of the land:
(xii) Means of proposed water service and sewage disposal:
(xiii) Means of proposed access (including proposed improvements to on-site and off-site roadways):
(xiv) Approximate location of proposed on-site and off-site utilities and facilities:
(xv) Approximate location of existing roads, rights-of-way, buildings, parking, and drainage on-site.
(xvi) Where appropriate, approximate location of natural features, including bodies of water, regulated watershed boundaries, natural drainage areas, critical areas, shorelines and base flood elevation and buffers.
(xvii) Approximate location of existing facilities, sanitation and water facilities, easements (where appropriate).
(3) Applicant Presentation. At the pre-application meeting, the applicant shall, to the greatest extent possible, provide the technical review committee with a conceptual understanding of the potential application, including the location and the anticipated uses as provided in Chapter 2.33 WCC.

(4) Technical Review Committee Responsibilities. The technical review committee shall, to the greatest extent possible during the meeting, provide the applicant with consultation and input on the allowed uses, development standards, and process applicable to the proposal as provided in Chapter 2.33 WCC. Within 10 days of the pre-application meeting, staff shall communicate in writing the general findings and basis upon which an appropriate application may be submitted.

21.04.032 Short subdivision application submittal.
(1) An applicant requesting approval of a proposed short subdivision shall submit to the planning and development services department an application with all items required all the items identified in WCC 21.04.150 pursuant to WCC 22.05.050 and the department’s administrative manual.

(2) An application will only be accepted for review if it contains all components required in WCC 21.04.150 and is accompanied by fees as set forth in the Unified Fee Schedule.

(3) Accepting an application for review does not mean that the application has been determined complete. The determination of completeness is made as provided in WCC 21.04.033.

(4) If an application does not contain all of the required components of a complete application, it will not be accepted for review, fees will not be collected, and the application will be returned to the applicant for completion of the required components of a complete application.

21.04.033 Determination of completeness and vesting. Reserved.

[Determination of completeness and vesting provisions are proposed to be located in 22.05.050 and .060.]

(1) The county shall review an application for determination of completeness and mail or provide in person a written determination to the applicant within 28 days of the date that the application has been accepted for review.

(2) An application shall be determined complete if the application includes all the requirements for a fully completed application set forth in WCC 21.04.150.

(3) Applications having received a determination of completeness shall be processed as described below and as provided in Chapter 2.33 WCC.
(4) Applications having received a determination of incompleteness shall be handled as provided in Chapter 2.33 WCC.

(5) If the application is granted a determination of completeness as provided in subsection (2) of this section on its first acceptance for review; the vesting date will be the date that the application was submitted for review. If an application is submitted within 30 days of receiving pre-application meeting findings from the technical review committee and granted a determination of completeness, then the date that the project is considered vested will be the date of pre-application submittal.

(6) Applications that have been re-submitted for review for determination of completeness will again be handled as described in WCC 21.04.032. A new date of acceptance for review will be placed on the application.

**21.04.034 Application Procedures: Preliminary Approval Decision Criteria.**

(1) Notice and Distribution:

(a) The subdivision administrator shall distribute application materials to appropriate county and city staff within 10 working days of the determination of completeness.

(b) Whenever a short subdivision is located adjacent to the right-of-way of a state highway or will depend on access from a state highway, the subdivision administrator shall give written notice of the application, including a legal description of the short subdivision and a location map, to the Washington State Department of Transportation (WSDOT). WSDOT shall, within 14 days after receiving the notice, submit to the subdivision administrator a statement with any information that the department deems to be relevant about the effect of the proposed short subdivision upon the legal access to the state highway, the traffic carrying capacity of the state highway and the safety of the users of the state highway.

(c) The subdivision administrator shall notify and provide copies of project plans to a city when the subdivision is within that city’s urban growth area; agencies potentially having jurisdiction relevant to the application; and public utilities if within 660 feet (one-eighth mile) of the area submitted in the application. Such cities, agencies, and utility organizations shall be given 14 days to respond. If they do not respond within 14 days, the administrator, SEPA official and technical review committee may conclude their review of the application without such comments.

(2) Decision on Application. The subdivision administrator shall, within 90 calendar days of the date of determination of completeness, issue a notice of preliminary approval, issue a notice of additional requirements to obtain preliminary approval, or deny the application. Preliminary short subdivision approval or denial is considered a final administrative determination. An applicant may have up to 180 days in which to submit additional requirements unless a longer time period is authorized by the subdivision administrator for circumstances beyond the control of
the applicant. Preliminary approval of a short subdivision determination shall be accompanied by written findings by the county that:

(a) Appropriate provisions have been made for the public health, safety, and general welfare and for such drainage ways, stormwater management, streets or roads, potable water supplies, sanitary wastes, and sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and the public use and interest will be served by the platting of such short subdivision and dedication; and

(b) The short subdivision is in conformity with applicable land division, zoning, critical areas, shoreline management, and other land use regulations.

21.04.035 Final short subdivision review process.

(1) Submittal. The final short subdivision submittal packet shall include responses to all items called for in the notice of preliminary approval, and shall be in conformance with WCC 21.04.160 the department's administrative manual.

(2) Time Allowed for Final Short Subdivision Approval.

(a) The applicant shall submit the final review packet pursuant to WCC 21.04.160(1) the department’s administrative manual within two years of receiving the notice of preliminary approval.

(b) The applicant shall record the short subdivision original drawing pursuant to WCC 21.04.160(2) the department’s administrative manual within three years of receiving the notice of preliminary approval.

(c) If the applicant fails to submit the final short subdivision within these time frames, the short subdivision shall be considered expired and a new application meeting the requirements of this title and other Whatcom County codes will be required.

(3) The applicant, or their representative, shall submit such drawings and other information as required by the county engineer or utility provider for the construction of required improvements.

(4) The applicant shall submit paper prints of the proposed final short subdivision for review prior to preparation of final original drawings.

(5) Execution and Acceptance of Final Short Subdivision.

(a) When all requirements of the notice of preliminary approval, applicable laws, applicable regulations, and applicable development standards are satisfied and an original drawing for recording has been submitted, the subdivision administrator shall sign the original drawing of the short plat within 20 working days.

(b) If a right-of-way is dedicated, the county engineer shall also sign the original drawing, accepting the dedication.
(c) The surveyor of record shall file said original drawing with the county auditor, at which point it shall be deemed approved.

21.04.038 Applications subject to time limits. Reserved.
All short subdivision applications submitted prior to December 15, 2000, which have not yet received preliminary or final approval, shall be recorded within two years of the effective date of the ordinance codified in this chapter. Whatcom County shall endeavor to provide notice to applicants affected by this provision using the most recent contact information or property records.

[Two-year expiration time frames are proposed to be located in 22.05.140.]

21.04.040 Restriction of further division.
Land in short subdivisions may not be further divided in any manner within a period of five years except through the long subdivision process which requires the filing of a final plat or through the binding site plan process which requires the filing of a general and specific binding site plan. However, if the short subdivision contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short subdivision boundaries.

21.04.050 Development requirements.
(1) All short subdivisions shall comply with the applicable standards, requirements and procedures of the Whatcom County Development Standards and local, state, and federal laws and regulations. The county, to the extent practicable, will require new land divisions located within city urban growth areas to conform to city development standards, in accordance with adopted ordinances.

(2) Improvements are required to be installed and completed by the subdivider prior to final short plat approval, unless security is provided under WCC 21.04.140, except on-site septic systems do not have to be installed unless required by the health officer.

21.04.060 Roads.
Roads shall be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and drainage conditions, public convenience and safety, and the proposed uses of the land served.

(1) Dedications for the realignment and widening of the rights-of-way, in accordance with county standards, shall take place whenever a short subdivision abuts a county road. Frontage roads or parallel access roads may be required to eliminate direct access to arterial and collector roads.

(2) Frontage improvements to the public roadway(s) adjacent to the subject property shall be completed to the current functional classification prior to recording the short plat, unless security is provided under WCC 21.04.140.

(3) Roads and access easements that serve a short plat shall be constructed in compliance with the Whatcom County Development Standards.
21.04.070 Public dedications.
The dedication of sites for schools, parks, and other public or community purposes may be required to the extent that such dedication is suitable to and reasonable for the needs anticipated by full development of the subdivision. Dedicated school sites must meet the requirements of Chapter 246-366 WAC.

21.04.080 Easements.
(1) Easements shall be provided where applicable for development-related facilities.

(2) All easements shown on short plats shall include:

(a) The beneficiary of the easement;

(b) The purpose of the easement; and

(c) A clear depiction of the easement (including dimensions) on the face of the short plat.

(3) The owner may specify the burdening of the easement. Examples of burdening may include the average daily trips for ingress and egress easements, the equivalent single-family units for water, sewer, and on-site sewage disposal systems and the maximum peak flow rate expressed in accepted units for drainage easements. The owners of the subservient estates are not entitled to rely upon the county to enforce the limitations of the easements so granted, and no cause of action shall lie against the county for errors or omissions occurring in connection with the administration of, or issuance of, permits for development of properties that burden the easements referred to herein.

21.04.090 Water supply.
(1) Water from a public water system(s) shall be provided to serve each lot in a short plat, except as specified in subsection (2) of this section.

(2) For a residential short subdivision, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of the short subdivision shall not exceed one dwelling per five acres; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional ground water contamination that exceeds state standards and that has been identified by the director of the health department and confirmed by the board of health; and

(c) The water source is ground water and not surface water; and

(d) If the short subdivision is within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor’s water lines:
(i) The water cannot be provided to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the hearing examiner or county council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.

21.04.100 Sewage disposal.
(1) Within urban growth areas, public sewer shall be required in short subdivisions unless the on-site sewage disposal requirements of WCC 24.05.210, Developments, subdivisions, and minimum land area requirements, can be met.

(2) Outside of the urban growth area and small town Comprehensive Plan designations, short subdivisions shall not be approved that require extension or expansion of public sewer except when:

   (a) Public sewer is necessary to protect the public health, safety or environment; and

   (b) Public sewer is financially supportable at rural densities and does not permit urban development.

(3) On-site sewage disposal systems shall meet the requirements of WCC 24.05.210, Developments, subdivisions, and minimum land area requirements.

(4) All portions of a community on-site sewage system that are held in common ownership shall be constructed and approved prior to final short plat approval.

21.04.110 Fire protection.
Short subdivisions shall incorporate adequate capability for fire protection in accordance with sound engineering practices and locally adopted codes and development standards and shall be approved by the county fire marshal.

21.04.120 Short subdivision vacation and alteration.
Applications to vacate or alter short plats that have been filed with the county auditor shall be processed as follows:

(1) Affidavit of Minor Correction of Survey. A professional land surveyor may file an “affidavit of minor correction of survey” pursuant to WAC 332-130-050 to correct minor survey, spelling, mathematical or drafting errors or omitted signatures. The surveyor shall file the affidavit of minor correction of survey with the county auditor and provide one copy to the division of engineering and one copy to planning and development services.
(2) Boundary Line Adjustments. Boundary line adjustments are processed under WCC 21.03.060 and are not subject to the provisions of this section, except for such adjustments that alter the boundaries of a reserve tract in the short plat.

(3) Alterations. The subdivision administrator shall approve, deny or issue a notice of requirements to continue processing an issue a notice of preliminary approval, issue a notice of additional requirements to obtain preliminary approval, or deny the application alteration provided that the alteration does not propose to eliminate or reduce the width or length of a public dedication within 30 calendar days of submittal of a complete application. Preliminary short subdivision alteration approval is considered a final determination.

(a) Alterations are modifications to text, maps or other information shown on the short plat that:

(i) May adversely impact public health, public safety, shorelines or critical areas;

(ii) Change the density, modify the uses, or alter the basic design of the short plat;

(iii) Create an additional lot(s) to a maximum of four within the short plat pursuant to WCC 21.04.040;

(iv) Modify reserve tract boundaries;

(v) Modify reserve tract or cluster notes; or

(vi) Modify or extinguish an easement shown on the face of the short plat.

(b) The application shall include a written description of the alteration, the reasons for the alteration, and a map showing the alteration. The map shall be prepared in accordance with the requirements of WCC 21.04.150 the department’s administrative manual.

(c) The county shall distribute application materials to appropriate county and city staff within 10 working days of the determination of completeness.

(d) The technical review committee shall meet to consider the proposed alteration and make a recommendation to the subdivision administrator. The subdivision administrator may waive the requirement for the technical review committee meeting if all issues can adequately be addressed without such a meeting.

(ec) The subdivision administrator shall approve the alteration if the alteration:

(i) Shall result in a lot(s) that qualifies as a valid land use pursuant to Whatcom County Code, including but not limited to lot area, lot width, building setbacks, critical areas protection or shorelines protection;
(ii) Shall not cause boundary lines to cross zoning or UGA boundaries, cross on-site sewage disposal systems or their reserve areas, prevent suitable area for on-site sewage disposal systems, prevent adequate access to water supplies, or not meet fire protection standards;

(iii) Will not detrimentally affect access, access design, sight distance, grade, road geometry or other public safety and welfare concerns. The alteration shall be reviewed by the department of health, public works, and any other agency or department with expertise;

(iv) Complies with zoning, land division regulations and development regulations applicable to the alteration that are in effect at the time the application for the alteration was submitted; and

(v) Complies with development standards applicable to the alteration that are in effect at the time the application for the alteration was submitted.

(fd) A new original drawing is submitted. The original drawing shall be prepared in accordance with the requirements of WCC 21.04.160 the department's administrative manual and filed for record with the county auditor.

(4) Vacations – Not Involving Public Dedications. The subdivision administrator shall approve, deny or issue a notice of requirements to continue processing a vacation of a short plat that does not eliminate or reduce the width or length of a public dedication within 30 calendar days of submittal of a complete application.

(a) The application shall include a written description of the vacation, the reasons for the vacation, and a map showing the vacation.

(b) The subdivision administrator shall approve the vacation if the vacation does not conflict with the public interest.

(c) An order of vacation containing the signatures of all parties having an ownership interest in the short plat or the portion of the short plat being vacated shall be filed for record with the county auditor. The order shall state that the vacation is with the free consent and in accordance with the desires of the owners.

(d) Title to the vacated property shall vest with the rightful owner(s) as shown in the county records.

(5) Vacations – Involving Public Dedications. The vacation and alteration of a short subdivision shall be processed in accordance with RCW 58.17.212 and 58.17.215, respectively, when the alteration or vacation eliminates or reduces the width or length of a public dedication.

21.04.130 Land survey.
The applicant shall submit a short plat prepared and certified by a professional land surveyor in accordance with WCC 21.09.010 the department's administrative manual. (Ord. 2009-007 § 1).

As an alternate to complete installation of required improvements, the subdivider may elect to post securities, with the approval of the appropriate county authority, as set forth in the Whatcom County Development Standards guaranteeing completion of the work. No occupancy permit, final inspection, or use of the lot(s) created by a short subdivision shall be issued or allowed until all necessary infrastructure improvements as specified by this title have been met.

21.04.150 Requirements for a fully completed application for short subdivisions. Reserved.

Upon completion of the pre-application review, and in response to the pre-application review letter, the applicant is authorized to prepare the short subdivision application materials. The following requirements for a fully completed application, and any other information on a form prescribed by the subdivision administrator, must be provided in order to initiate a review for a determination of completeness:

1. Written and Other Data and Fees: [proposed to be moved to administrative manual]

   a. Name, address and phone number of owner(s), applicant, and contact person;
   b. Intended uses;
   c. List of variances and waivers requested;
   d. General written proposal of water supply and sewage disposal method, including letter from public water or sanitary sewer providers stating their willingness and ability to serve the proposed land division;
   e. Preliminary stormwater proposal;
   f. Preliminary traffic proposal and transportation concurrency analysis, as required by Chapter 20.78 WCC;
   g. Assessor's parcel number (of the parent parcel);
   h. Fees as specified in the Unified Fee Schedule;
   i. Critical areas assessment report pursuant to WCC 16.16.255 when the written findings of the pre-application review identify the need for this report;
   j. Preliminary title report issued no more than 60 calendar days prior to application;
   k. Net and gross lot size to determine minimum lot size and density requirements as required by the Zoning Ordinance;
   l. Signature of property owners or applicant attesting by written oath to the accuracy of all information submitted for the application.

2. Map Data:

   a. Name of owner(s);
   b. Name of proposed land division.
(c) General layout of proposed land division.
(d) Common language description of the general location of the land division.
(e) Approximate locations of existing roads, utilities, and infrastructure.
(f) Vicinity map.
(g) Short plat map with a common engineering scale with north arrow and sheet numbers (on each sheet containing a map).
(h) Section, township, range and municipal and county lines in the vicinity.
(i) Boundaries of the site with general dimensions shown that are prepared by a licensed surveyor.
(j) General direction and gradient of slope.
(k) Legal description of the land.
(l) Proposed location and means of proposed water service and sewage disposal.
(m) Proposed location and means of proposed access (including proposed improvements to on-site and off-site roadways, and site distance).
(n) Other proposed on-site and off-site utilities and facilities.
(o) Location of existing roads, rights-of-way, buildings, parking, and drainage on-site.
(p) Where appropriate, location of natural features, including bodies of water, natural drainage areas, native vegetation, critical areas, and buffers.
(q) Location of existing sanitation and water facilities and easements (where appropriate).
(r) Existing and proposed street names.
(s) Names or numbers of any adjacent divisions.
(t) Sequential numbers or letters to all lots within the short subdivision.
(u) Topographic map of sufficient contour interval, acceptable to the county engineer or director of planning and development services or their designee, to show the topography of the land to be divided.
(v) Location of critical areas, shorelines and base flood elevation, where applicable.

(3) Seven sets of the above required information shall be submitted. The subdivision administrator may require the applicant to submit the information in an electronic format, and may reduce the number of required sets if provided in an alternative format.

21.04.160 Final review and submittal. Reserved.

(1) Review Submittal. [proposed to be moved to administrative manual]

(a) Seven copies of the original drawing of acceptable sizes (18 inches by 24 inches).
(b) Name of short subdivision.
(c) Legal description of the land.
(d) Common engineering scale, north arrow, and sheet numbers.
(e) Date of original and significant revisions.
(f) The length of each lot line, together with bearings and other data necessary for the location of any lot line in the field.
(g) The location, width, centerline, and name of all roads within and adjoining the land-division.

(h) Final survey of boundary of the land-division with complete bearings and linear dimensions.

(i) The location of all monuments or other evidence used as ties to establish the land-division’s boundaries.

(j) The location of all permanent control monuments found and established at the controlling corners of the parcel being divided and within the land-division.

(k) The length and bearing of all straight lines, the radii, arcs and semitangents of all curves.

(l) The location and width of all easements, shown with broken lines, and a description of the purpose of the easement (including beneficiary).

(m) Existing and proposed road names.

(n) The location of all permanent wells and associated protective zones, municipal boundaries, section lines, township lines, and meander lines.

(o) A reference to any covenants or restrictions (two copies for county review).

(p) Signature block for persons with ownership interest (declaration) and dedication block, if appropriate.

(q) Land surveyor’s certificate.

(r) County engineer certificate (if a right-of-way dedication is made).

(s) Director of planning and development services’ certificate.

(t) County auditor’s certificate.

(u) Letter from the health department approving water supply and sewage disposal method.

(v) Lot closures.

(w) A separate map scaled at one-inch equals 400 feet for the assignment of addresses.

(x) Preliminary title report issued no more than 60 calendar days prior to submittal of the final short plat for review.

(y) Net and gross lot size to determine minimum lot size and density requirements as required by the Zoning Ordinance.

(2) Final Submittal:

(a) Original drawing (in reproducible format) with executed signature block of persons with ownership interest.

(b) A current title report or update of title report issued no more than 60 calendar days prior to the director signing the original drawing.

(c) Addresses as assigned by the county.

(d) The owner of record and the surveyor of record shall sign the original drawing of the short plat prior to filing it for record with the county auditor. The original drawing shall include a statement that the short subdivision has been made with the free consent of and in accordance with the desire of the land-owner(s).

21.04.170 Disclosures and notes.
The following disclosures and notes, if applicable, shall be recorded in the county auditor's office and a statement identifying the subject and the auditor's file number, if applicable, for each such instrument shall be on the final short plat map prior to final approval by the county:

(1) Right to farm, right to practice forestry, mineral resource disclosures.

(2) Critical area notes and protective easement as required.

(3) Boundary discrepancies.

(4) Drainage maintenance agreement block.

(5) Road maintenance agreement block (private roads only).

(6) Significant pipeline in vicinity disclosure when the subject property is within 500 feet of a pipeline shown on Map 5-2, Chapter 5 of the Whatcom County Comprehensive Plan.

The provisions of WCC 20.40.253 and 20.40.254 provide for the segregation of a farmstead parcel with an existing residence(s) from a remainder parcel used for farming in the Agriculture Zone. The remainder parcel is restricted to agricultural use only. Because no further residential development can occur on the remainder parcel and an existing residential structure is already on the farmstead parcel, many of the standard short plat requirements are unnecessary. Therefore, a shortened review process has been established.

Agricultural short plats that qualify under WCC 20.40.253 and 20.40.254 shall be subject to the following:

(1) Agricultural short plats that recognize an existing farmstead home site shall be processed pursuant to all the requirements of this chapter except that the short plat will not be reviewed for compliance with:

(a) WCC 21.04.060 (Roads);

(b) WCC 21.04.090 (Water supply), when the remainder parcel will not require potable water;

(c) WCC 21.04.100 (Sewage disposal);

(d) WCC 21.04.130 (Land survey);

(e) Chapter 16.16 WCC (Critical Areas); and

(f) Shoreline master program.

(2) Any subsequent development must comply with all applicable codes.
(3) Survey Requirements – Partial. A survey, prepared by a professional land surveyor in accordance with WCC 21.09.010 and 21.09.020 the department’s administrative manual, which provides the location of at least two corners of the farmstead parcel shall be submitted. A survey is not required for the remainder parcel that cannot have further residential development.

Chapter 21.05

PRELIMINARY LONG SUBDIVISIONS

Sections:

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21.05.030 Summary of preliminary long subdivision procedure.
21.05.031 Pre-application meeting.
21.05.032 Preliminary long subdivision application submittal.
21.05.033 Determination of completeness and vesting.
21.05.035 Preliminary application procedures.[Reserved.]
21.05.036 Report to hearing examiner.[Preliminary Approval Decision Criteria.]

21.05.037 Hearing examiner notice, hearing and decision.
21.05.038 Approved preliminary long subdivision process.[Reserved.]
21.05.039 Phasing, expiration and time extension for preliminary long subdivision approval.
21.05.040 Development requirements.
21.05.050 Roads.
21.05.060 Public and community sites.
21.05.070 Easements.
21.05.080 Water supply.
21.05.090 Sewage disposal.
21.05.100 Fire protection.
21.05.110 Modifications to approved preliminary long plats.
21.05.120 Requirements for a fully completed application for preliminary long subdivisions.[Reserved.]

21.05.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of subdivisions, also referred to as long subdivisions. The procedure is intended to provide orderly and expeditious processing of such applications.

21.05.020 Requirement to obtain long subdivision approval.
All divisions of land into five or more parcels shall require long subdivision approval from Whatcom County unless:
(1) The division is specifically classified as an exemption under Chapter 21.01 WCC; or

(2) The division has received binding site plan approval.

21.05.030 Preliminary long subdivision procedure.
Review of a preliminary long subdivision involves:

(1) Pre-application meeting;

(2) Submittal of a preliminary application;

(3) Determination of completeness;

(4) Notice of application;

(5) Hearing examiner review and decision. Long subdivision applications shall be processed in accordance with WCC 22.05, except as otherwise stated in this chapter.

21.05.031 Pre-application meeting.

(1) Pre-Application Meeting Required pursuant to WCC 22.05. Any person contemplating preparation of a preliminary long subdivision application shall submit information required for a pre-application meeting as provided in WCC 21.01.090 and Chapter 2.33 WCC in the department's administrative manual. A pre-application meeting shall also be required for any alteration of an existing subdivision unless waived by the subdivision administrator.

(2) Pre-Application Submittal Information. An applicant shall provide the following information in order to assist the applicant and Whatcom County in review of the proposed subdivision: [proposed to be moved to administrative manual]

(a) Written and Other Data and Fees:
   (i) Name, address and phone number of owner(s), applicant, and contact person.
   (ii) Intended uses.
   (iii) List of variances and waivers requested.
   (iv) General written proposal of water supply and sewage disposal method.
   (v) Proposed means of stormwater control.
   (vi) Assessor's parcel number (of the parent parcel).
   (vii) Fees as specified in the Unified Fee Schedule.
   (viii) Net and gross lot size to determine minimum lot size and density requirements as required by the Zoning Ordinance.

(b) Map Data:
   (i) Name of owner(s).
   (ii) Name of proposed land division.
   (iii) General layout of proposed land division.
   (iv) Common language description of the general location of the land division.
   (v) Approximate locations of existing roads, utilities, and infrastructure.
   (vi) Vicinity map.
(vii) Plat map with a common engineering scale with north arrow and sheet numbers (on each sheet containing a map).
(viii) Section, township, range and municipal and county lines in the vicinity.
(ix) General boundaries of the site with general dimensions shown.
(x) General direction and gradient of slope.
(xi) Legal description of the land.
(xii) Proposed means and location of water service and sewage disposal.
(xiii) Proposed means and location of access (including proposed improvements to on-site and off-site roadways).
(xiv) Other proposed on-site and off-site utilities and facilities.
(xv) Location of existing roads, rights-of-way, buildings, parking, and drainage onsite.
(xvi) Where appropriate, location of natural features, including bodies of water, regulated watershed boundaries, natural drainage areas, critical areas, shorelines and base flood elevation and buffers.
(xvii) Location of existing facilities, sanitation and water facilities, easements (where appropriate).

(32) Applicant Presentation. At the pre-application meeting, the applicant shall, to the greatest extent possible, provide the technical review committee with a conceptual understanding of the potential application, including the location and the anticipated uses as provided in Chapter 2.33 WCC.

(43) Technical Review Committee Responsibilities. The technical review committee shall, to the greatest extent possible during the meeting, provide the applicant with consultation and input on the allowed uses, development standards, and process applicable to the proposal as provided in Chapter 2.3322.05 WCC. Within 10 days of the pre-application meeting, staff shall communicate in writing the general findings and basis upon which an appropriate application may be submitted.

21.05.032 Preliminary long subdivision application submittal.
(1) An applicant requesting approval based on the pre-application meeting response of a proposed preliminary subdivision shall submit to the planning and development services department all of the items required in WCC 22.05, the notice of site-specific submittal requirements and the department’s administrative manual WCC 21.05.120.

(2) An application will only be accepted for review if it contains all components required in the department’s administrative manual WCC 21.05.120 and is accompanied by fees as set forth in the Unified Fee Schedule.

(3) Accepting an application for review does not mean that the application has been determined complete. The determination of completeness is made as provided in WCC 21.05.03322.05.050.

(4) If an application does not contain all of the required components of a complete application, it will not be accepted for review, fees will not be collected, and the application will be returned to the applicant for completion of the required components of a complete application.
21.05.033 Determination of completeness and vesting **Reserved**.

[Determination of completeness and vesting provisions are proposed to be located in 22.05.050 and .060.]

(1) The county shall review an application for determination of completeness and mail or provide in person a written determination to the applicant within 28 days of the date that the application has been accepted for review.

(2) An application shall be determined complete if the application includes all the requirements for a fully completed application set forth in WCC 21.05.120.

(3) Applications having received a determination of completeness shall be processed as described below and as provided in Chapter 2.33 WCC.

(4) Applications having received a determination of incompleteness shall be handled as provided in Chapter 2.33 WCC.

(5) If the application is granted a determination of completeness as provided in subsection (2) of this section on its first acceptance for review, the vesting date will be the date that the application was submitted for review. If an application is submitted within 30 days of receiving pre-application meeting findings from the technical review committee and granted a determination of completeness, then the date that the project is considered vested will be the date of pre-application submittal.

(6) Applications that have been re-submitted for review for determination of completeness will again be handled as described in WCC 21.05.032. A new date of acceptance for review will be placed on the application.

21.05.035 Preliminary application procedures. **Reserved**.

(1) Notice and Distribution. Upon receipt of a complete application and the payment of fees, the department of planning and development services shall:

(a) Provide notification in accordance with Chapter 2.33 WCC;

(b) Notify those agencies required by RCW 58.17.080;

(c) Notify and provide copies of project plans to a city when the subdivision is within that city’s urban growth area, agencies potentially having jurisdiction relevant to the application, and public utilities if within 660 feet (one-eighth mile) of the area submitted in the application. Such cities, agencies, and utility organizations shall be given 15 calendar days to respond. If they do not respond within 15 days, the administrator, SEPA official and technical review committee may conclude their review of the application without such comments.

(2) Within 60 calendar days after the application has been determined to be complete, the subdivision administrator shall receive comments and notify the applicant regarding whether modifications or corrections to the preliminary plat application would be required in order to receive a recommendation of approval.
from the subdivision administrator prior to consideration of the application by the hearing examiner.

(3) Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days from date of filing thereof unless the applicant consents to an extension of such time; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency.

21.05.036 Report to hearing examiner. Preliminary Approval Decision Criteria.
The subdivision administrator shall prepare a final staff report (including all recommendations and all proposed conditions of approval) and submit it in written form to both the applicant and the Whatcom County hearing examiner. The report shall evaluate the application in terms of the following standards and criteria:

21.05.037 Hearing-examiner notice, hearing and decision:
The hearing examiner shall schedule and hold an open record hearing, review the application and make a decision or recommendation, as appropriate, in accordance with the provisions of Chapter 20.92 WCC. Notice of the open record hearing shall be as set forth in Chapter 2.33 WCC.

(1) Review of a preliminary large subdivision shall be accompanied by written findings of fact and conclusions regarding the proposed development's provisions for the following standards and criteria:[criteria are proposed to be moved from .037 to .036]

1. (a) Open spaces;
2. (b) Drainage ways and stormwater management;
3. (c) Streets or roads, pedestrian and bicycle paths, alleys, other public ways, transit stops, and other transportation facilities as required by concurrency standards;
4. (d) Potable water supplies;
5. (e) Sanitary wastes;
6. (f) Parks and recreation facilities and playgrounds;
7. (g) Schools and schoolgrounds, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;
8. (h) Conformity with the Whatcom County Comprehensive Plan;
9. (i) Conformity with applicable land division, zoning and development standards;
10. (j) Conformity with critical areas, shoreline management, other land use regulations;
11. (k) Conformity with Chapter 58.17 RCW; and
12. (l) A summary finding that the public health, safety, general welfare, use and public interest will be served by the platting of such subdivision and dedication.
21.05.037 Hearing examiner notice, hearing and decision of preliminary approval.
The hearing examiner shall schedule and hold an open record hearing, review the application and make a decision or recommendation, as appropriate, in accordance with the provisions of Chapter WCC 22.05 WCC.

(2) If the hearing examiner finds that all of the above standards and criteria in WCC 21.05.036 have been met, the hearing examiner may issue an approval of the proposed preliminary long plat application.
(3) If the hearing examiner finds that the above criteria are not met, the hearing examiner may take one of the following actions:
   (a) Specify the issues that require additional information and give the applicant a period of time up to three months to address those issues and return to the hearing examiner for further consideration.
   (b) Issue a conditional approval specifying the actions needing to be taken to resolve minor nonconformance with the standards and criteria, and granting a specific limited time, typically 30 days, within which the applicant is to return to the hearing examiner for review.
   (c) Deny the application.

21.05.038 Approved preliminary long subdivision process: Reserved.

[This subsection is proposed for deletion because it is unclear and not used]
(1) Submittal of Approved Preliminary Long Subdivision. Upon issuance of preliminary long subdivision approval by the hearing examiner, the applicant shall, within 30 calendar days of preliminary long subdivision approval, submit four copies of a revised preliminary plat depicting modifications to the layout of lots, roads, open space, or any other geometrical changes to the plat that were required by conditions of approval of the preliminary plat by the hearing examiner.
(2) Review and Execution of Preliminary Long Subdivision. The hearing examiner shall review the preliminary plat and, if it complies with the terms of preliminary approval, the hearing examiner, property owner and surveyor shall sign the four copies of the preliminary long subdivision.
(3) Distribution of Executed Preliminary Long Subdivision. Once signed, one copy of the revised preliminary plat shall be given to the applicant, one copy shall be retained in the file of the hearing examiner, one copy shall be retained in the file of planning and development services, and one copy shall be retained in the file of the division of engineering.

21.05.039 Phasing, expiration and time extension for preliminary long subdivision approval.
(1) Except as provided by subsection (1)(a) of this section, a final plat shall be submitted to the subdivision administrator in proper form for final plat approval within seven years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2014, and within five years of the date
of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015.

(a) A final plat shall be submitted in proper form for final plat approval within 10 years of the date of preliminary plat approval if this project is not subject to requirements adopted under Chapter 90.58 RCW and the date of preliminary plat approval is on or before December 31, 2007.

(2) Extension of Time for Submittal of Final Long Subdivision. The expiration of a preliminary long subdivision approval may be extended under the following provisions:

(a) An applicant files a written request with the subdivision administrator prior to expiration of the five-year expiration period. The request shall state the specific work items, standards, and criteria which have not been completed and the reasons therefor. The request shall also indicate when the work will be completed within the requested period. The subdivision administrator shall review the request and provide a recommendation to the hearing examiner.

(b) The hearing examiner shall have authority to grant one one-year extension subsequent to the original preliminary plat approval.

(c) The one-year extension may be granted if, after taking into consideration technical, economic and other matters beyond the control of the applicant, the hearing examiner finds that there is reasonable justification for the granting of an extension.

(d) In granting the one-year extension the hearing examiner shall take into consideration such changes in rules, regulations, ordinances, or development standards, or portions thereof, that have occurred since the time the original approval was granted.

(e) The hearing examiner may condition the extension so as to require compliance with any such subsequently adopted rules, regulations, ordinances, or development standards, or portion thereof, that are deemed necessary to protect the public health, safety and welfare.

(3) Phased Subdivision. An applicant may seek approval of a phasing plan at the time of preliminary subdivision approval. If phasing is approved as part of a preliminary subdivision, the phasing plan shall expire 10 years from the date of preliminary approval. Each phase submitted after five years from the date of preliminary approval shall comply with the rules, regulations and ordinances in effect as of the date construction plans are submitted for each phase.

21.05.040 Development requirements.
(1) All subdivisions shall comply with the applicable standards, requirements and procedures of the Whatcom County Development Standards and local, state, and federal laws and regulations. The county, to the extent practicable, will require new
land divisions located within city urban growth areas to conform to city development standards, in accordance with adopted ordinances.

(2) Improvements are required to be installed and completed by the subdivider prior to final subdivision approval, unless security is provided under WCC 21.06.040.

(3) Improvements and other requirements shall be provided to the extent that each phased subdivision will be adequately served by all roads, utilities, drainage facilities, easements and other amenities necessary to its existence in the event that subsequent phases are not completed, except on-site septic systems do not have to be installed unless required by the health officer.

21.05.050 Roads.
Roads shall be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and drainage conditions, public convenience and safety, and the proposed uses of the land served.

(1) Dedications for the realignment and widening of the adjacent rights-of-way, in accordance with county standards, shall take place whenever a subdivision abuts a county road. Frontage roads or parallel access roads may be required to eliminate direct access to arterial and collector roads.

(2) Frontage improvements to the public roadway(s) adjacent to the subject property shall be completed to the current functional classification prior to recording the final plat, unless security is provided under WCC 21.06.040.

(3) Minor and local access roads should discourage through traffic.

(4) All subdivisions and phased subdivisions shall abut and be accessed by a constructed and maintained public road or a private road as allowed under the Whatcom County Development Standards. The number of access points shall create efficient on- and off-site circulation patterns and facilitate emergency response. A traffic analysis may be required by the county engineer in order to analyze present and future traffic circulation patterns to determine the appropriate location and number of access points to the site and to ascertain the appropriate classification and character of the proposed roads.

(5) Where reasonably necessary to join with existing roads or needed for future circulation, road rights-of-way and/or easements shall be extended to the outside boundaries of the subdivision.

(6) Public road rights-of-way and/or easements shall be extended to the boundaries of subdivisions that abut public lands and public bodies of water, if requested by the administrator of said public lands. Such access roads need not be provided at an interval more frequent than one-half mile.

(7) Private roads may be permitted in a subdivision when in compliance with the Whatcom County Development Standards.
21.05.060 Public and community sites.
The dedication of sites for schools, parks, and other public or community purposes may be required to the extent that such dedication is suitable to and reasonable for the needs anticipated by full development of the subdivision. Dedicated school sites must meet the requirements of Chapter 246-366 WAC.

21.05.070 Easements.
(1) Easements shall be provided where applicable for development-related facilities.

(2) All easements shown on long plats shall include:

(a) The beneficiary of the easement;

(b) The purpose of the easement; and

(c) A clear depiction of the easement (including dimensions) on the face of the long plat.

(3) The owner may specify the burdening of the easement. Examples of burdening may include the average daily trips for ingress and egress easements, the equivalent single-family units for water, sewer, and on-site sewage disposal systems and the maximum peak flow rate expressed in accepted units for drainage easements. The owners of the subservient estates are not entitled to rely upon the county to enforce the limitations of the easements so granted, and no cause of action shall lie against the county for errors or omissions occurring in connection with the administration of or issuance of permits for development of properties that burden the easements referred to herein.

21.05.080 Water supply.
(1) Water from a public water system(s) shall be provided to serve each lot in a subdivision, except as specified in subsection (2) of this section.

(2) For a residential subdivision with six or fewer residences, private water supplies may be utilized under the following circumstances:

(a) All lots served by the private water supplies are five acres or larger, unless smaller because of clustering. If the lots are smaller because of clustering, the gross density of the subdivision shall not exceed one dwelling per five acres and the number of clustered lots shall not exceed four; and

(b) The withdrawal is not from a defined portion of an aquifer of known regional ground water contamination that exceeds state standards and that has been identified by the director of the health department and confirmed by the board of health; and

(c) The water source is ground water and not surface water; and

(d) If the subdivision is within the designated water service area of a public water purveyor that is shown on the coordinated water system plan map or within one-half mile of an existing water purveyor's water lines:
(i) The water cannot be provided to the applicant within 120 calendar days of submitting a written request and applicable fees to the purveyor unless specified otherwise by the hearing examiner or county council; or

(ii) The purveyor states in writing that it is unable or unwilling to provide the service; or

(iii) The purveyor and applicant are unable to achieve an agreement on the schedule and terms of provision of service within 120 calendar days.

(3) The applicant shall demonstrate that adequate water right(s) exist to serve the subdivision, except when water withdrawal is exempt from obtaining a water right permit under RCW 90.44.050.

(4) If a Group B public water system is created to serve the subdivision, the number of wells shall be limited to the minimum needed to serve the water needs of the subdivision as determined by the health department.

(5) If a public water supply is required, all the requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to final plat approval.

21.05.090 Sewage disposal.
(1) Within urban growth areas, public sewer shall be required in subdivisions unless the on-site sewage disposal requirements of WCC 24.05.210, Developments, subdivisions, and minimum land area requirements, can be met.

(2) Outside of the urban growth area and small town Comprehensive Plan designations, subdivisions shall not be approved that require extension or expansion of public sewer except when:

   (a) Public sewer is necessary to protect the public health, safety or environment; and

   (b) Public sewer is financially supportable at rural densities and does not permit urban development.

(3) On-site sewage disposal systems shall meet the requirements of WCC 24.05.210, Developments, subdivisions, and minimum land area requirements.

(4) All portions of a community on-site sewage system that are held in common ownership shall be constructed and approved prior to final plat approval.

21.05.100 Fire protection.
Long subdivisions shall incorporate adequate capability for fire protection in accordance with sound engineering practices and locally adopted codes and development standards and shall be approved by the county fire marshal.

21.05.110 Modifications to approved preliminary long plats.
(1) The technical review committee may approve minor changes to a preliminary long plat. In order to qualify as a minor change, the proposal must not adversely
impact neighbors or the environment, and the density, uses and basic design of the approved preliminary long plat must be maintained.

(2) The hearing examiner or county council, whichever approved the original preliminary long plat, may approve major changes to the plat. Major changes are those that, in the opinion of the technical review committee, would adversely impact neighbors or the environment, alter the density, alter the uses, or alter the basic design of the preliminary long plat. The SEPA official shall review major changes and determine whether the original SEPA determination is still valid or a new determination required. The hearing examiner or county council shall hold a public hearing prior to issuing the decision. The appropriate city shall be notified of the request and given the opportunity to comment on major changes, if the land division is located within that city's urban growth area.

21.05.120 Requirements for a fully completed application for preliminary long subdivisions: Reserved. [proposed to be moved to administrative manual]
Upon completion of the pre-application review, and in response to the pre-application review letter, the applicant is authorized to prepare the subdivision application materials. The following requirements for a fully completed application, and any other information on a form prescribed by the subdivision administrator, must be provided in order to initiate a review for a determination of completeness.

(1) Written and Other Data and Fees:
(a) Completed application form.
(b) Name, address and phone number of owner(s), applicant, and contact person.
(c) Names, addresses and telephone numbers of the involved engineers, surveyors, and consultants.
(d) Intended uses.
(e) List of variances and waivers requested.
(f) Names and addresses of all persons, firms, and corporations holding legal interests in the land, such as easements, of which the applicant has knowledge.
(g) Assessor's parcel number (of the parent parcel).
(h) List of names and addresses of owners of property within 300 feet of site's boundaries (based on the latest assessor's equalized tax roll) when within an urban growth area, or within 1,000 feet of site's boundaries when outside an urban growth area, together with corresponding parcel numbers and assessor's parcel map.
(i) Proposed covenants, conditions, and restrictions (CC&Rs).
(j) SEPA checklist.
(k) Preliminary stormwater proposal.
(l) Preliminary traffic analysis.
(m) Proposed utilities.
(n) Critical area and soils reports, as specified in the applicable development standards. All reports shall be certified by qualified professionals experienced in the applicable field of science.
(o) Net and gross lot size to determine minimum lot size and density requirements as required by the Zoning Ordinance.
(p) Fees as specified in the Unified Fee Schedule.
(2) Map Data:
(a) Acceptable map size is 24 inches by 24 inches to 24 inches by 36 inches.
(b) Date of revisions, if any.
(c) Name of owner.
(d) Name, address, and telephone number of the surveyor or consultant preparing the map proposal.
(e) Name of proposed land division.
(f) Names or numbers of any adjacent divisions.
(g) General layout of proposed land division.
(h) Approximate locations of existing utilities, infrastructure, roads, drainage and rights-of-way within 300 feet of the boundary of the proposed land division.
(i) Vicinity map at a scale not less than one inch equals 2,000 feet.
(j) Common engineering scale (one inch equals 100 feet or larger), sheet numbers, and north arrow.
(k) Section, township, range, municipal and county lines in the vicinity.
(l) Location of monuments and fences located by any boundary survey and the date of the survey.
(m) General boundaries of the site with general dimensions shown, perimeter boundary marked with a bold line.
(n) Legal description of the land being subdivided.
(o) Proposed access (including proposed improvements to on-site and off-site roadways).
(p) Other proposed on-site or off-site utilities and facilities.
(q) The location and widths of all proposed roads, rights-of-way, and easements.
(r) When appropriate, location of natural features, including bodies of water, natural drainage areas, regulated watershed boundaries, critical areas, and buffers.
(s) Location of buildings, and parking on-site or contiguous to the site.
(t) General location of existing and proposed facilities, sanitation and water facilities, easements (where appropriate), landscaping, common areas, and phasing boundaries.
(u) General plans of proposed water distribution systems, sewage disposal systems, and drainage systems. The plans shall include system location and sizes, sources of water supply, location and size of storage reservoirs, location of drainage outlet, and other major features and shall be certified by a professional engineer.
(v) Layout of proposed alleys, walkways, bicycle paths, and parcels to be dedicated or reserved for school, park, playground, well site or other use.
(w) Sequential numbers to all lots within subdivision and identify proposed phases.
(x) Location of critical areas, shorelines and base flood elevation, where applicable.

(3) Additional Information:
(a) Title report.
(b) Written narrative of how the proposed preliminary plat will meet development and/or level of service standards for:
(i) Water supply;
(ii) Sewage disposal;
(iii) Fire protection service;
(iv) Public school system;
(c) Project area;
(d) Area in lots, square feet, and percentage of total;
(e) Zoning designation and zone density;
(f) Number of lots;
(g) Average lot size, area, and maximum lot size;
(h) Area of streets, area in rights-of-way, and percentage of total;
(i) Area of parks, open space, and percentage of total;
(j) Area of impervious surface proposed;
(k) Soil types and classifications;
(l) Utility service types and name of provider;
(m) School and fire district;
(n) Boundary survey, prepared and certified by a professional land surveyor;
(o) Additional reports as required at the pre-application meeting, prepared by qualified professionals, including but not limited to:
(i) Traffic impact analysis and concurrency study;
(ii) Stormwater design report;
(iii) Soils and/or geological report;
(iv) Wetlands delineation and/or critical areas assessment report;
(v) Soil testing results for pesticides for subdivisions on land historically used for raising row crops;
(p) Topographic map of sufficient contour interval, acceptable to the county engineer or subdivision administrator, to show the topography of the land to be subdivided.

(4) Eleven sets of the above required information shall be submitted. The subdivision administrator may require the applicant to submit the information in an electronic format, and may reduce the number of required sets if provided in an alternative format.

Chapter 21.06

FINAL LONG SUBDIVISIONS

Sections:
21.06.010 Purpose.
21.06.015 Council Chair-Director authorized.
21.06.020 Final approval of subdivisions.
21.06.030 Subdivision vacation and alteration.
21.06.040 Security.
21.06.050 Requirements for a fully completed application for final long subdivisions. Reserved.
21.06.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of final long subdivisions. The procedure is intended to provide orderly and expeditious processing of such applications.

21.06.015 Director Council chair authorized.
The planning and development services director (director) chair of the Whatcom County council is authorized to act on behalf of the legislative authority or county council in the signing of final subdivision plats pursuant to the requirements set forth in this chapter. [Changes to RCW 58.17.100 and .170 authorize the legislative body to delegate final signature of the mylar to a department official.]

21.06.020 Final approval of subdivisions.
(1) An applicant requesting final approval of a subdivision shall submit to the subdivision administrator copies of the materials specified in WCC 21.06.050the department’s administrative manual.

(2) The applicant shall submit a current title report issued no more than 60 days prior to the county council chair director signing the final plat original drawing. The owner of record and the surveyor of record shall sign the final plat original drawing prior to filing it for record with the county auditor. In addition, the applicant shall submit one paper copy to the county assessor.

(3) Each final plat submitted to the county council chair director for approval shall be accompanied by a recommendation for approval or disapproval from the subdivision administrator as to compliance with the terms of preliminary plat approval. Prior to making his or her recommendation, the subdivision administrator should consult with the appropriate city, if the proposed land division is located within that city’s urban growth area.

(4) Final plats shall contain a statement of approval from the following:

(a) The county engineer as to the layout of streets, alleys, and other rights-of-way, and the design of bridges, sanitary sewer and water systems, drainage and surface water management facilities, and other physical improvements required by the conditions of preliminary plat approval;

(b) The county treasurer stating that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied, or discharged;

(c) The county health and human services department as to the adequacy of potable water supply and sewage disposal; and
(d) The county council chair/director stating that the final plat conforms to all terms of the preliminary subdivision approval, meets the requirements of Chapter 58.17 RCW and other applicable state laws, and meets the requirements of this title that were in effect at the time of vesting of the preliminary plat application.

(5) Final plats shall be approved, disapproved, or returned to the applicant for modification or correction within 30 calendar days of submittal to the planning and development services department.

(6) The Whatcom County auditor shall not accept a final plat for filing until it has been accepted by the approving authorities as indicated on the instrument by the appropriate signature. The signature of the approving authorities shall not be affixed until the developer has posted the guarantees as stipulated in the appropriate standards.

(7) After approval by the council chair/director, two the original drawings of the subdivision shall immediately be filed by the professional land surveyor of record with the county auditor. After filing, the county auditor shall retain one original drawing and the county engineer shall retain one original drawing.

21.06.030 Subdivision vacation and alteration.

(1) The vacation and alteration of subdivisions shall be in accordance with RCW 58.17.212 and 58.17.215, respectively.

(2) Alteration of subdivisions shall meet the following requirements:

(a) The alteration shall result in a lot(s) that qualifies as a valid land use pursuant to Whatcom County Code, including but not limited to lot area, lot width, building setbacks, critical areas protection or shorelines protection;

(b) The alteration shall not cause boundary lines to cross zoning or UGA boundaries, cross on-site sewage disposal systems or their reserve areas, prevent suitable area for on-site sewage disposal systems, prevent adequate access to water supplies, or not meet fire protection standards;

(c) The alteration will not detrimentally affect access, access design, sight distance, grade, road geometry or other public safety and welfare concerns. The alteration shall be reviewed by the department of health, public works, and any other agency or department with expertise;

(d) Complies with zoning, land division regulations and development regulations applicable to the alteration that are in effect at the time the application for the alteration was submitted; and

(e) Complies with development standards applicable to the alteration that are in effect at the time the application for the alteration was submitted.

(3) Vacation of subdivisions shall meet the following requirements:
(a) The application shall include a written description of the vacation, the reasons for the vacation, and a map showing the vacation.

(b) The vacation shall be approved if the vacation does not conflict with the public interest.

(c) An order of vacation containing the signatures of all parties having an ownership interest in the plat or the portion of the plat being vacated shall be filed for record with the county auditor. The order shall state that the vacation is with the free consent and in accordance with the desires of the owners.

(d) Title to the vacated property shall vest with the rightful owner(s) as shown in the county records.

(e) Vacations – Involving Public Dedications. The vacation and alteration of a subdivision shall be processed in accordance with RCW 58.17.212 and 58.17.215, respectively, when the alteration or vacation eliminates or reduces the width or length of a public dedication.

(4) A new original drawing shall be submitted for approved alterations or vacations. The original drawing shall be prepared in accordance with the requirements of WCC 21.06.060 the department’s administrative manual and filed for record with the county auditor.

21.06.040 Security.
As an alternate to complete installation of required improvements, the subdivider applicant may elect to post securities, with the approval of the appropriate county authority, as set forth in the Whatcom County development standards and WCC Title 20, guaranteeing completion of the work. No occupancy permit, final inspection, or use of the lot(s) created by a subdivision shall be issued or allowed until all necessary infrastructure improvements as specified by this title have been met.

21.06.050 Requirements for a fully-completed application for final long subdivisions. Reserved.

(1) Written and Other Data and Fees: [proposed to be moved to administrative manual]

(a) Name, address, and phone number of owner, applicant, and contact person.
(b) A separate map scaled at one inch equals 400 feet for assignment of addresses.
(c) Lot closures for the parcel being subdivided, each lot, and any dedicated right-of-way.
(d) Title report issued no more than 60 days prior to final signature by the county council chair.
(e) Copies of covenants, conditions and restrictions.
(f) As-built drawings for road and drainage improvements.
(g) Fees as specified in the Unified Fee Schedule.

(2) Map Data:

(a) Final plat size is 24 inches by 24 inches.
(b) Name of owner(s).
(c) Name of proposed long subdivision.
(d) Section, township, range, and municipal and county lines within the vicinity.
(e) Common engineering map bar scale (one inch equals 100 feet or larger), north arrow, legend, and sheet numbers.
(f) Perimeter of the subdivision shall be depicted with heavier lines.
(g) File number of the preliminary plat.
(h) Existing and proposed street names.
(i) Legal description of the land being subdivided.
(j) All lot and tract areas.
(k) Vicinity map.
(l) Names and numbers of any adjacent subdivisions, short subdivisions, and binding site plans.
(m) Complete bearings, lineal dimensions, radii, arcs, and central angle of all lines and curves of any lot or boundary lines within the subdivision.
(n) Location of permanent control monuments used as ties to establish boundary of subdivision, basis of bearing, and line held.
(o) Type and location of monuments and the date set.
(p) Sequential numbers of all lots in the subdivision, including all of its phases.
(q) Location and width of all easements shown as dashed lines, and a description of the purpose of the easement (including beneficiary).
(r) Location and description of all fence and building encroachments and other matters which, in the judgment of a professional land surveyor, give rise to alternate boundary locations resulting from occupational evidence or prescriptive rights.
(s) Location, width, geometry, centerline, and names of all roads within and adjoining the subdivision.
(t) Roads not dedicated to the public must be clearly marked.
(u) A reference to any covenants, conditions and restrictions.
(v) Dedication and declaration-signature block.
(w) Acknowledgement blocks.
(x) Land surveyor's certificate, signature block and seal.
(y) County engineer's certificate.
(z) County health and human services department certificate.
(aa) County treasurer's certificate.
(bb) County council's certificate.
(cc) County auditor's certificate.
(dd) Land surveyor notes.
(ee) Addresses as assigned by the county.

(3) Eleven sets of the above required information shall be submitted. The subdivision administrator may require the applicant to submit the information in an electronic format, and may reduce the number of required sets if provided in an alternative format.
21.06.060 Final original drawing submittal. Reserved. [proposed to be moved to administrative manual]

(1) One original drawing.
(2) Two sets of covenants, conditions and restrictions.
(3) Maintenance bond for road and drainage improvements.

21.06.070 Disclosures and notes.
The following disclosures and notes, if applicable, shall be recorded in the county auditor’s office and a statement identifying the subject and the auditor’s file number for each such instrument shall be on the final plat map under surveyor’s notes prior to final approval by the county:

(1) Right to farm, right to practice forestry, or mineral resource disclosures.
(2) Critical area notes and protective easements as required.
(3) Boundary discrepancies.
(4) Drainage maintenance agreement block.
(5) Road maintenance agreement block (private roads only).
(6) Significant pipeline in vicinity disclosure when the subject property is within 500 feet of a pipeline shown on Map 5-2, Chapter 5 of the Whatcom County Comprehensive Plan.

Chapter 21.07
PRELIMINARY BINDING SITE PLANS

Sections:
21.07.010 Purpose.
21.07.020 Binding site plan alternative.
21.07.030 Binding site plan procedure.
21.07.031 Pre-application meeting.
21.07.032 Preliminary approval decision criteria.
21.07.033 Phasing, expiration and time extensions for preliminary binding site plan approval.
21.07.040 Development requirements.
21.07.050 Roads.
21.07.060 Public and community sites.
21.07.070 Easements.
21.07.080 Water supply – Health requirement.
21.07.090 Sewage disposal.
21.07.100 Fire protection.
21.07.110 Modifications to approved preliminary binding site plans.
21.07.120 Requirements for a fully completed application for preliminary binding site plans. *Reserved.*
21.07.130 Additional information for preliminary binding site plans. *Reserved.*

21.07.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of preliminary binding site plans. The procedure is intended to provide orderly and expeditious processing of such applications.

21.07.020 Binding site plan alternative.
As an alternative to applying for short subdivision or long subdivision approval, an application for binding site plan approval may be submitted for the following:

(1) Land divisions into lots zoned for industrial or commercial use;

(2) Land divisions for the purpose of creating lease spaces in a mobile home park or RV park when no other residential structures are permitted; and

(3) Land divisions that result from subjecting a portion of a lot to condominium ownership as provided in Chapter 64.32 or 64.34 RCW.

21.07.030 Binding site plan procedure.
*Binding Site Plan* applications shall be processed in accordance with WCC 22.05, except as otherwise stated in this chapter.

21.07.031 Pre-application meeting.
Pre-application meeting required pursuant to WCC 22.05. Any person contemplating preparation of a preliminary binding site plan application shall submit information required in the department’s administrative manual.

(1) Preliminary Approval of Binding Site Plans:

(a) The applicant seeking preliminary binding site plan approval shall submit to the administrative official copies of the materials stipulated in WCC 21.07.120, the department’s administrative manual.

(b) Upon receipt of a complete application and the payment of fees, the department of planning and development services shall:

(i) Provide notification in accordance with WCC 2.33.06022.05.060.

(ii) Notify and provide copies of project plans to a city when the binding site plan is within that city’s urban growth area, agencies potentially having jurisdiction relevant to the application, and public or private utility organizations if within one-eighth mile (660 feet) from the area submitted in the application. Such cities, agencies, and utility organizations shall be given 15 calendar days to respond. If they do not respond within 15 days, the
administrator, SEPA official and technical review committee may conclude their review of the application without such comments.

(c) Upon review of the application the county shall schedule and immediately notify the applicant and the appropriate city, if the proposed land division is located within that city's urban growth area, of the time and place of the technical review committee meeting at which the application will be considered.

(d) Before the technical review committee meeting, the county shall review the application and prepare preliminary recommendations for:

(i) Staff recommendation and proposed county conditions of approval for the project if applicable;

(ii) Any additional data required to complete the review of the application; and

(iii) Appropriate time extensions required allowing the applicant to provide additional information.

(e) At the technical review committee meeting, members of the technical review committee shall present and discuss the county’s preliminary findings with the applicant. These findings shall include county recommendations and proposed county conditions of approval.

The technical review committee shall also provide the applicant with a written request detailing (i) any additional data or information required, (ii) why such data is required, and (iii) proposed time extensions to allow the applicant to revise the application or collect additional data.

Should the applicant object to either the substance or timing of requirements for additional information, the applicant may appeal these requests to the Whatcom County hearing examiner. This appeal must be made within 14 calendar days of the technical review committee meeting or all information requests shall be binding.

(f) Within 14 calendar days after the technical review committee meeting (or within 14 calendar days of receiving requested information from the applicant), the technical review committee shall prepare a final staff report (including all recommendations and all proposed conditions of approval) and submit it in written form to both the applicant and the Whatcom County hearing examiner.

(g) The hearing examiner shall schedule and hold an open record hearing; review the application and make a decision or recommendation, as appropriate, in accordance with the provisions of Chapter 20.9222.05 WCC.

(h) **21.07.032 Preliminary Approval Decision Criteria.**
Approval of a preliminary binding site plan shall be accompanied by written findings that:

1. Appropriate provisions have been made for the public health, safety, and general welfare and for such open spaces, drainage ways, stormwater management, streets or roads, pedestrian and bicycle paths, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and the public use and interest will be served by the platting of such binding site plan and dedication; and

2. The proposal is in conformity with applicable land division, zoning, critical areas, shoreline management, and other land use regulations.

Within 30 calendar days of preliminary binding site plan approval, the applicant shall submit four copies of a revised preliminary binding site plan. These revised drawings shall depict modifications to the layout of lots, roads, open space, or any other geometrical changes to the plat that were required by conditions of approval of the preliminary binding site plan. The hearing examiner shall review the revised preliminary binding site plan and, if it complies with the terms of preliminary binding site plan approval, the hearing examiner, property owner and surveyor shall sign the four copies of the revised preliminary binding site plan. Once signed, one copy of the revised preliminary binding site plan shall be given to the applicant; one copy shall be retained in the file of the hearing examiner, one copy shall be retained in the file of planning and development services, and one copy shall be retained in the file of the division of engineering.

Unless an applicant for preliminary binding site plan approval requests otherwise, a preliminary binding site plan shall be processed simultaneously with applications for rezones, variances, planned unit developments, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing. All preliminary binding site plan proposals accompanied by a major project permit or planned unit development application will be processed in a procedure consistent with and subordinate to the major project permit or planned unit development requirements.

An applicant may place a preliminary binding site plan application, which has not yet been approved, on hold for a cumulative maximum of two years. After the two years, the county shall continue processing the application and either approve or deny the application. This two-year period shall not include time the applicant is performing studies required by the county when the study is provided within the time frame agreed to by the county and the applicant.

21.07.033 Phasing, Expiration and Time Extensions for preliminary binding site plan approval.

Approval of a preliminary binding site plan shall become invalid unless a general binding site plan and all specific binding site plans are submitted in proper form for approval, within five years of the date of preliminary binding site plan approval. This expiration date may be extended as follows:
(a) An applicant files a written request with the subdivision administrator prior to expiration of the five-year expiration period. The request shall state the specific work items, standards, and criteria which have not been completed and the reasons therefor. The request shall also indicate when the work will be completed within the requested period. The subdivision administrator shall review the request and provide a recommendation to the hearing examiner.

(b) The hearing examiner shall have authority to grant one one-year extension subsequent to the original preliminary plat approval.

(c) The one-year extension may be granted if, after taking into consideration technical, economic and other matters beyond the control of the applicant, the hearing examiner finds that there is reasonable justification for the granting of an extension.

(d) In granting the one-year extension the hearing examiner shall take into consideration such changes in rules, regulations, ordinances, or development standards, or portions thereof, that have occurred since the time the original approval was granted.

(e) The hearing examiner may condition the extension so as to require compliance with any such subsequently adopted rules, regulations, ordinances, or development standards, or portion thereof, that are deemed necessary to protect the public health, safety and welfare.

(i) An applicant files a written request with the Whatcom County Council prior to expiration of the five-year expiration period.

(ii) The Whatcom County council shall have authority to grant three one-year extensions subsequent to the original preliminary plat approval. Each one-year extension may be granted if after taking into consideration technical, economic and other matters beyond the control of the applicant the council finds that there is reasonable justification for the granting of an extension. In granting each one-year extension, the council may take into consideration such changes in rules, regulations, ordinances, or development standards, or portions thereof, that have occurred since the time the original approval was granted. The council may condition the extension so as to require compliance with any such subsequently adopted rules, regulations, ordinances, development standards, or portion thereof, that the council deems necessary to protect the public health, safety and welfare. Requests for extension shall be made in writing to the Whatcom County council prior to expiration of preliminary binding site plan approval.

(b2) As an alternative to being subject to the expiration and time extension rules in subsection (5)(a1) of this section, an applicant may seek approval of a phasing plan at the time of preliminary binding site plan approval. A preliminary binding site plan that has been approved with a phasing plan shall expire 10 years from the date of preliminary approval unless Whatcom County establishes a different expiration
period at the time of preliminary approval. Each phase submitted after five years from the date of preliminary approval shall comply with the Whatcom County Development Standards, regulations and ordinances in effect as of the date construction plans are submitted for each phase.

21.07.040 Development requirements.
(1) All binding site plans shall comply with the applicable standards, requirements and procedures of the Whatcom County Development Standards and local, state, and federal laws and regulations. The county, to the extent practicable, will require new land divisions located within city urban growth areas to conform to city development standards, in accordance with adopted interlocal agreements.

(2) Improvements are required to be installed and completed by the subdivider prior to general or specific binding site plan approval, unless security is provided under WCC 21.08.030.

(3) Improvements and other requirements shall be provided to the extent that each specific binding site plan will be adequately served by all roads, utilities, drainage facilities, easements and other amenities necessary to its existence in the event that subsequent phases are not completed.

21.07.050 Roads.
Roads shall be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and drainage conditions, public convenience and safety, and the proposed uses of the land served.

(1) Dedications for the realignment and widening of the adjacent rights-of-way, in accordance with county standards, shall take place whenever a binding site plan abuts a county road. Frontage roads or parallel access roads may be required to eliminate direct access to arterial and collector roads.

(2) Frontage improvements to the public roadway(s) adjacent to the subject property shall be completed to the current functional classification prior to recording the general or specific binding site plan, unless security is provided under WCC 21.08.030.

(3) Minor and local access roads should discourage through traffic.

(4) All binding site plans shall abut and be accessed by a constructed and maintained public road or a private road as allowed under the Whatcom County Development Standards. The number of access points shall create efficient on- and off-site circulation patterns and facilitate emergency response. A traffic analysis may be required by the county engineer in order to analyze present and future traffic circulation patterns to determine the appropriate location and number of access points to the site, and to ascertain the appropriate classification and character of the proposed roads.

(5) Where reasonably necessary to join with existing roads or needed for future circulation, road rights-of-way and/or easements shall be extended to the outside boundaries of the binding site plan.
(6) Public road rights-of-way and/or easements shall be extended to the boundaries of binding site plans that abut public lands and public bodies of water, if requested by the administrator of said public lands. Such access roads need not be provided at an interval more frequent than one-half mile.

(7) Private roads may be permitted in a binding site plan when in compliance with the Whatcom County Development Standards.

**21.07.060 Public and community sites.**
The dedication of sites for schools, parks, and other public or community purposes may be required to the extent that such dedication is suitable to and reasonable for the needs anticipated by full development of the binding site plan. Dedicated school sites must meet the requirements of Chapter 246-366 WAC.

**21.07.070 Easements.**
(1) Easements shall be provided where applicable for development related facilities.

(2) All easements shown on binding site plans shall include:

(a) The beneficiary of the easement;

(b) The purpose of the easement; and

(c) A clear depiction of the easement (including dimensions) on the face of the binding site plan.

(3) The owner may specify the burdening of the easement. Examples of burdening may include the average daily trips for ingress and egress easements, the equivalent single-family units for water, sewer, and on-site sewage disposal systems, and the maximum peak flow rate expressed in accepted units for drainage easements. The owners of the subservient estates are not entitled to rely upon the county to enforce the limitations of the easements so granted, and no cause of action shall lie against the county for errors or omissions occurring in connection with the administration of, or issuance of, permits for development of properties that burden the easements referred to herein.

**21.07.080 Water supply – Health requirement.**
(1) Water from a public water system(s) shall be provided to serve each lot or lease space in a binding site plan.

(2) The applicant shall demonstrate that adequate water right(s) exist to serve the binding site plan, except when water withdrawal is exempt from obtaining a water right permit under RCW 90.44.050.

(3) If a group B public water system is created to serve the binding site plan, the number of wells shall be limited to the minimum needed to serve the water needs of the binding site plan as determined by the health department.

(4) All requirements of Chapter 246-290 WAC, Group A Public Water Systems, or Chapter 246-291 WAC, Group B Public Water Systems, must be met prior to specific binding site plan approval.
21.07.090 Sewage disposal.
(1) Within urban growth areas, public sewer shall be required in binding site plans unless the on-site sewage disposal requirements of WCC 24.05.220, Developments, subdivisions, and minimum land area requirements, can be met.

(2) Outside of urban growth area and small town Comprehensive Plan designations, binding site plans shall not be approved that require extension or expansion of public sewer except when:

(a) Public sewer is necessary to protect the public health, safety or environment; and

(b) Public sewer is financially supportable at rural densities and does not permit urban development.

(3) On-site sewage disposal systems shall meet the requirements of WCC 24.05.220, Developments, subdivisions, and minimum land area requirements.

(4) All portions of a community on-site sewage system that are held in common ownership shall be constructed and approved prior to specific binding site plan approval.

21.07.100 Fire protection.
Binding site plans shall incorporate adequate capability for fire protection in accordance with sound engineering practices and locally adopted codes and development standards and shall be approved by the county fire marshal.

21.07.110 Modifications to approved preliminary binding site plans.
(1) The technical review committee may approve minor changes to a preliminary binding site plan. In order to qualify as a minor change, the proposal must not adversely impact neighbors or the environment, and the density, uses and basic design of the approved preliminary binding site plan must be maintained.

(2) The hearing examiner or county council, whichever approved the original preliminary binding site plan, may approve major changes to the binding site plan. Major changes are those that, in the opinion of the technical review committee, would adversely impact neighbors or the environment, alter the density, alter the uses or alter the basic design of the preliminary binding site plan. The SEPA official shall review major changes and determine whether the original SEPA determination is still valid or a new determination required. The hearing examiner or county council shall hold a public hearing prior to issuing the decision. The appropriate city shall be notified of the request and given the opportunity to comment on major changes, if the land division is located within that city’s urban growth area.

21.07.120 Requirements for a fully completed application for preliminary binding site plans:Reserved. [proposed to be moved to administrative manual]
Requirements for a fully-completed application must be provided in order to vest an application.

(1) Written and Other Data and Fees:
☐ Seven copies of written data.
☐ Completed application form.
☐ Name, address and phone number of owner(s), applicant, and contact person.
☐ The names, addresses and telephone numbers of the involved engineers, surveyors, and consultants.
☐ Intended uses.
☐ List of variances and waivers requested.
☐ Names and addresses of all persons, firms, and corporations holding legal interests in the land, such as easements, of which the applicant has knowledge.
☐ Assessor’s parcel number (of the parent parcel).
☐ List of names and addresses of owners of property within 300’ of site’s boundaries (based on the latest assessor’s equalized tax roll), together with corresponding parcel numbers and assessor’s parcel map.
☐ Proposed covenants, conditions, and restrictions (CC&Rs).
☐ SEPA checklist.
☐ Preliminary stormwater proposal, preliminary traffic analysis, utility, critical area study, and soils reports, as specified in the applicable development standards. All reports shall be certified by qualified professionals experienced in the applicable field of science.
☐ Brief statement covering the number of lots, proposed uses of lots, method of water supply and sewage disposal, approximate road length, total acreage; percentage of total acreage used for roads, lots, open space and other uses; and average lot size and number of lots per gross acre.
☐ Fees as specified in the Unified Fee Schedule.

(2) Map Data:
☐ Acceptable map size is 18" x 24" to 24" x 36".
☐ Seven map copies of map proposal.
☐ Date of revisions, if any.
☐ Name of owner.
☐ Name, address, and telephone number of the surveyor or consultant preparing the map proposal.
☐ Name of proposed binding site plan.
☐ Names or numbers of any adjacent divisions.
☐ General layout of proposed land division.
☐ Approximate locations of existing utilities, infrastructure, roads, drainage and rights-of-way within 300’ of the boundary of the proposed land division.
☐ Vicinity map at a scale not less than 1" = 2000’.
☐ Common engineering scale (1" = 100’ or larger), sheet numbers, and north arrow.
☐ Section, township, range, municipal and county lines in the vicinity.
Location of monuments and fences located by any boundary survey and the date of the survey.

General boundaries of the site with general dimensions shown; perimeter boundary marked with a bold line.

Legal description of the land being subdivided.

Proposed access (including proposed improvements to on-site and off-site roadways).

Other proposed on-site or off-site utilities and facilities.

The location and widths of all proposed roads, rights-of-way, and easements.

When appropriate, location of natural features, including bodies of water, natural drainage areas, native vegetation, critical areas, and buffers.

Location of buildings, and parking on-site or contiguous to the site.

General location of existing and proposed facilities including: sanitation, water service, easements, landscaping, common areas, phasing boundaries, and (for mobile home and RV parks) typical details of individual lease spaces.

Existing and proposed street names.

General plans of proposed water distribution systems, sewage disposal systems, and drainage systems. The plans shall include system location and sizes, sources of water supply, location and size of storage reservoirs, location of drainage outlet, and other major features and shall be certified by a professional engineer.

Layout of proposed alleys, walkways, bicycle paths, and parcels to be dedicated or reserved for school, park, playground, well site or other use.

Sequential numbers to all lots within binding site plan and identify proposed phases.

21.07.130 Additional information for preliminary binding site plans: Reserved. [proposed to be moved to administrative manual]

Additional information is not required for vesting, but is required prior to county processing of the application.

Title report.

Written verification, as applicable, from agencies attesting to the availability of:

- Water supply.
- Sewage disposal.
- Fire protection service.
- Public school system.

Code compliance checklist for WCC Title 20 and this title, on a form provided by the county, including:

- Project area.
- Area in lots, square feet, and percentage of total.
- Zoning designation and zone density.
- Number of lots.
- Average lot size, area, and maximum lot size.
- Area of streets, area in right-of-way, and percentage of total.
- Area of parks, open space, and percentage of total.
✓ Area of impervious surface proposed.
✓ Soil types and classifications.
✓ Utility service types and name of provider.
✓ School and fire district.
☐ Boundary survey, prepared and certified by a professional land surveyor.
☐ Additional reports, as required, prepared by qualified professionals may include the following:
✓ Traffic study.
✓ Stormwater design report.
✓ Soils and/or geological report.
✓ Wetlands delineation and/or report.
✓ Soil testing results for pesticides for binding site plans on land historically used for raising row crops.
☐ Topographic map of sufficient contour interval, acceptable to the county engineer or director of planning and development services, or his/her designee, to show the topography of the land to be subdivided.

Chapter 21.08

GENERAL AND SPECIFIC BINDING SITE PLANS

Sections:
21.08.010 Purpose.
21.08.020 Final approval of general and specific binding site plans.
21.08.030 Security.
21.08.040 Binding site plan vacation and alteration.
21.08.050 Requirements for a fully completed application for general binding site plans and specific binding site plans: Reserved.
21.08.060 Final original drawing submittal. Reserved.
21.08.070 Disclosures and notes.

21.08.010 Purpose.
The purpose of this chapter is to establish or reference the procedure and requirements for the application, review and approval of general and specific binding site plans. The procedure is intended to provide orderly and expeditious processing of such applications.

21.08.020 Final approval of general and specific binding site plans.
(1) An applicant requesting final approval of a general and/or specific binding site plan shall submit to the administrative official copies of the materials specified in WCC 21.08.050 the department's administrative manual. The request shall be accompanied by a statement from the county engineer that Whatcom County has accepted as complete all on-site and off-site improvements required by the
conditions of preliminary binding site plan approval, or has received cost estimates and performance guarantees to assure completion thereof.

(2) The applicant shall submit a current title report issued no more than 60 days prior to the director signing the general or specific binding site plan original drawing. The owner of record and the surveyor of record shall sign the general or specific binding site plan original drawing prior to filing it for record with the county auditor.

(3) The general binding site plan that will be filed with the county auditor shall contain a statement of approval from the following:

(a) The county engineer as to the layout of streets, alleys, and other rights-of-way, and the design of bridges, drainage and surface water management facilities, and other physical improvements required by the conditions of preliminary binding site plan approval;

(b) The county treasurer stating that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied, or discharged;

(c) The county health and human services department as to the adequacy of potable water supply and sewage disposal; and

(d) The director stating that the general binding site plan conforms to all terms of the preliminary binding site plan approval, the requirements of Chapter 58.17 RCW and other applicable state laws, and meets the requirements of this title that were in effect at the time of vesting of the preliminary binding site plan application.

(4) Each specific binding site plan shall contain a statement of approval from the following:

(a) The county engineer as to the layout of streets, alleys, and other rights-of-way, and the design of bridges;

(b) The county treasurer stating that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied, or discharged;

(c) The county health and human services department as to the adequacy of potable water supply and sewage disposal; and

(d) The director stating that the specific binding site plan conforms to all terms of approval of the preliminary and general binding site plan, the requirements of Chapter 58.17 RCW and other applicable state laws, and meets the requirements of this title that were in effect at the time of vesting of the preliminary binding site plan application.
(5) General and specific binding site plans shall be approved, disapproved, or returned to the applicant with corrections within 30 days of submittal to the county, unless the applicant consents to an extension of such time period.

(6) The Whatcom County auditor shall not accept a binding site plan for filing until the approving authorities have approved it, as indicated on the instrument by the appropriate signature. The signature of the approving authorities shall not be affixed until the developer has posted the guarantees as stipulated in the appropriate standards.

(7) After approval, _two_one_ original drawings of the general or specific binding site plan shall immediately be filed by the professional land surveyor of record with the county auditor. _After filing, the county auditor shall retain one original drawing and the county engineer shall retain one original drawing._

**21.08.030 Security.**

As an alternate to complete installation of required improvements, the _subdivider applicant_ may elect to post securities, with the approval of the appropriate county authority, as set forth in the Whatcom County Development Standards guaranteeing completion of the work. No occupancy permit, final inspection, or use of the lot(s) created by a binding site plan shall be issued or allowed until all necessary infrastructure improvements as specified by this title have been met.

**21.08.040 Binding site plan vacation and alteration.**

The vacation and alteration of a binding site plan shall be processed in accordance with RCW 58.17.212 and 58.17.215, respectively, when the vacation or alteration involves a public dedication. Other vacations and alterations shall be approved by the hearing examiner, except for alterations to lot lines, which may be accomplished through the boundary line adjustment process.

**21.08.050 Requirements for a fully completed application for general binding site plans and specific binding site plans.** _Reserved. [proposed to be moved to administrative manual]_

(1) Written and Other Data and Fees:

- Name, address, and phone number of owner, applicant, and contact person.
- A separate map scaled at 1" = 400' for assignment of addresses. Addresses assigned by the county shall be shown on the original drawing prior to filing with the county auditor.
- Lot closures for the parcel being subdivided, each lot, and any dedicated right-of-way.
- Title report issued no more than 60 days old.
- Copies of covenants, conditions and restrictions.
- As-built drawings for road and drainage improvements.
- Any fees as specified in the Unified Fee Schedule.

(2) Map Data:

- General or specific binding site plan size is 18" x 24".
Seven map copies from original drawings.
Name of owner(s).
Name of the binding site plan.
Section, township, range, and municipal and county lines within the vicinity.
Common engineering map bar scale (1" = 100' or larger), north arrow, legend, and sheet numbers.
Perimeter of the binding site plan shall be depicted with heavier lines.
File number of the preliminary binding site plan.
Existing and proposed street names.
Legal description of the land being divided.
All lot and tract areas.
Vicinity map.
Names and numbers of any adjacent subdivisions, short subdivisions, and binding site plans.
Complete bearings, lineal dimensions, radii, arcs, and central angle, of all lines and curves of any lot or boundary lines within the binding site plan.
Location of all permanent control monuments found and established at the controlling corners of the parcel being divided and within the land division.
Location of all monuments or other evidence used as ties to establish the land division boundaries and the basis of bearing.
Type and location of monuments and the date set.
Sequential numbers assigned to all lots (specific binding site plans only).
Location and width of all easements shown as dashed lines, and a description of the purpose of the easement (including beneficiary).
Location and description of all fence and building encroachments and other matters which, in the judgment of a professional land surveyor, give rise to alternate boundary locations resulting from occupational evidence or prescriptive rights.
Location, width, geometry, centerline, and names of all roads within and adjoining the binding site plan.
Identify and locate all stormwater facilities, areas set aside for stormwater management, utilities, permanent wells, and associated protective zones.
Roads not dedicated to the public must be clearly marked.
A reference to any covenants, conditions and restrictions.
The statement required under RCW 58.17.040 (7)(e).
Dedication and declaration signature block.
Acknowledgement blocks.
Surveyor's certificate, signature block and seal.
County engineer's certificate.
Director of planning and development services certificate.
County health and human services department certificate.
County treasurer's certificate.
County auditor's certificate.
21.08.070 Disclosures and notes.
The following disclosures and notes, if applicable, shall be recorded in the county auditor’s office and a statement identifying the subject and the auditor’s file number for each such instrument shall be on the general binding site plan and each specific binding site plan original drawing under surveyor’s notes prior to final approval by the county:

☐ Right to farm, right to practice forestry, mineral resource disclosures.
☐ Critical area notes.
☐ Boundary discrepancies.
☐ Protective covenants, conditions and restrictions.
☐ Drainage maintenance agreement block.
☐ Road maintenance agreement block (private roads only).
☐ Latecomers’ agreements.
☐ Significant pipeline in vicinity disclosure when the subject property is within 500 feet of a pipeline shown on Map 5-2, Chapter 5 of the Whatcom County Comprehensive Plan.

Chapter 21.09

SURVEYS AND DEDICATIONS Reserved

[proposed to be moved to administrative manual]
21.09.090—Dedications.

21.09.010-Plats, short plats and binding site plans.
The survey and preparation of every final plat, short plat and general and specific binding site plan shall be made by or under the direct supervision of a Washington State professional land surveyor. All surveys shall conform to Chapters 18.43 and 58.09 RCW and Chapter 332-130 WAC.

21.09.020-Survey data:
The county engineer shall be furnished with a complete survey of the section or sections in which the land division is located, or as much thereof as may be necessary to properly orient the land division within the section or sections. The land division survey shall be submitted with complete field and computation notes showing the original or re-established corners with descriptions of same and the actual traverse showing error or closure and method of balancing. Accuracy standards shall conform to Chapters 18.43 and 58.09 RCW and Chapter 332-130 WAC. A copy of the final short plat or plat shall be provided in an electronic format as required by the subdivision administrator.

21.09.030-Area data:
The surveyor shall provide data as to the area of each lot smaller than one acre to the nearest square foot, the area of each lot one acre or larger to the nearest one-hundredth of an acre, and the area of the entire subdivision, short subdivision, or general binding site plan to the nearest one-hundredth of an acre.

21.09.040-Control monuments:
(1) Permanent control monuments shall be established in accordance with Whatcom County Development Standards, and shall conform to RCW 58.17.240, and shall be placed at:

(a) All exterior corners on the boundaries of the original parcel being divided.
   For phased developments, monuments shall be placed at all intersections of the phase lines and the exterior boundary.

(b) The intersections of centerlines of rights-of-way within the land division.

(c) At the beginning and ends of curves on centerlines of rights-of-way.

(2) An alternative plan of intervisible monuments may be proposed by the surveyor subject to the approval of the county engineer.

21.09.050-Road monuments:
Permanent control monuments within the streets shall be set after the roads are constructed to final grade.

21.09.060-Lot corners:
Every lot corner shall be marked by a permanent marker as approved by the county engineer, except where extreme terrain necessitates establishment of a staking line.
21.09.070 Waterfront.
If any land in a subdivision, short subdivision, or binding site plan is contiguous to a body of water, a staking line shall be established along the shore at an appropriate distance back from the ordinary highwater mark. Property lying beyond the staking line shall be defined by distances along the side property lines extended from the staking line. If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey.

The county engineer may permit the placing of permanent control monuments and lot corners after filing of the final plat, short plat or binding site plan, provided the applicant ensures that:

(1) Securities (of 150 percent of the estimated cost) guaranteeing completion of said surveying within one year shall be posted in an acceptable form and amount; and

(2) Temporary surveyed and referenced markers are placed prior to filing of the plat, short plat, or binding site plan; and

(3) A certificate by a surveyor that is tied to the securities and states that the said surveying will be completed within one year is filed with the county auditor; and

(4) A certificate by a surveyor that states that the said surveying has been completed is filed within one year with the county auditor.

21.09.090 Dedications.
The owner shall provide evidence of his or her intent to dedicate by presenting for filing a final long plat, short plat or binding site plan showing the dedication thereon. The acceptance by the public shall be evidenced by:

(1) The approval of a final long plat for filing by the county council.

(2) The approval of a short plat or binding site plan for filing by the county engineer for road right-of-way purposes.

(3) The approval of a short plat or binding site plan for filing by the county council for purposes other than road right-of-way dedications.

Chapter 21.10
Definitions

21.10.020 Definitions.
(24) "Party of record" means any person, agency or entity entitled to receive notice of application or decision under this title, or any person, agency or entity providing written comments on any application received under this title, or any person, agency or entity providing written comments on any application received under this title or notified local government of their desire to receive a copy of the final
decision on a permit and who have provided an address for delivery of such notice by mail or email.
Whatcom County
Planning & Development Services
Staff Report

Land Use and Development Procedures Amendment

I. BACKGROUND INFORMATION

File # PLN2016-00008

File Name: Land Use and Development Procedures

Applicants: Whatcom County Planning and Development Services (PDS)

Summary of Request: Amend Whatcom County Code to add a new Title 22 Land Use and Development Procedures, and amend Titles 2, 9, 15, 16, 20, 21, 23, and 24 to move procedural content to the new Title 22.

Location: County-wide.

Staff Recommendation: Approval. The proposal adds clarity to the County’s project permit procedures and is intended to make processing of various applications more efficient.

Background
In 1995 the state adopted legislation regarding procedures for county land use and development applications (ESHB 1724; 36.70B RCW). The intent of the legislation was to ensure that applications were processed in a timely, predictable manner, and that different applications involving the same project could be consolidated. Whatcom County Code adopted a new Chapter 2.33 in 1996 in response to the 1995 state legislation. This new chapter contained many of the project permit review procedures, but many procedural sections remained in various sections of the County code, including Title 15 Building and Codes, Title 16 Environment, Title 20 Zoning, Title 21 Land Division Regulations, Title 23 Shoreline Management and Title 24 Health. These procedural sections typically involve requirements for application materials, review timelines, legal notifications, public hearings, and appeals.

With these requirements scattered throughout the code, there are some overlaps and inconsistencies. Staff now proposes consolidating all land use and development procedures in a new Title 22. (The County Council rescinded the
previous Title 22, the Guide Meridian Improvement Plan, as part of a series of code amendments made in conjunction with the 2016 Comprehensive Plan update process, Ord. 2016-035).

II. ZONING CODE AMENDMENT

Overview by Chapter
Staff proposes a new Title 22 Land Use and Development Procedures to contain administrative procedures that are now located throughout different titles and chapters in Whatcom County Code, eliminating redundancy and, in some cases, inconsistency between code chapters. In addition, staff proposes amendments to the code chapters showing the removal of procedural sections and revising references to code sections being changed.

The overall purpose of the proposed amendments is to make the code clearer and easier for the public to use, and to improve efficiency and clarity in processing applications for project permits and legislative actions.

The new Title 22 would be made up of five chapters. The first chapter, 22.05 Project Permit Procedures, would consolidate procedures for project permits in one place. Project permits are defined in RCW 36.70B.020(4) as:

"...Any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations..."

This chapter would generally follow the project permit process in chronological order and provide a new table listing the steps required for each type of project permit application. Some highly detailed requirements currently found in the code (for example, a list of items that need to be shown on a site plan and how many copies of the plan to submit) are proposed to be removed from code and consolidated into an Administrative Manual that can be updated without requiring a code amendment.

The second chapter, 22.10 Legislative Procedures, combines procedures for comprehensive plan amendments and zoning amendments (including both zoning map changes and code text amendments), from current Chapters 2.160 and 20.90, respectively. The goal is to make the process easier to understand, especially when a zoning amendment requires a comprehensive plan amendment and both are processed at the same time.

The third chapter would be 22.15 Code Compliance Procedures, consolidating...
code enforcement procedures from Chapter 20.94 with other enforcement procedures scattered throughout the code. For this process, this chapter title will be reserved as a placeholder for when the separate process of consolidating those procedures is completed at a later date.

The fourth chapter, **22.20 Land Use and Development Code Interpretation Procedures**, would add procedures for citizens to request PDS interpretations of the County’s land use and development codes to clarify conflicting or ambiguous wording. Interpretation procedures commonly appear in other jurisdictions’ codes, but Whatcom County Code has no such provision. The proposed language for this relatively short chapter borrows wording from the City of Bellingham’s code.

The fifth chapter, **22.25 Land Use and Development Fees**, would place the fee provisions, now located in the general provisions of Title 20 Zoning, in Title 22, where it would apply to all development related titles of the County Code. These fee provisions include references to the Unified Fee Schedule, and procedures for refunds.

**Substantive Changes**
For the most part, these amendments move procedural provisions from one part of the County Code to another (often making grammatical improvements) but does not alter the substance of the procedures. However, in some instances, staff proposes substantive changes in the procedures to improve clarity and predictability in the permitting process or to remove inconsistencies with state law. These proposed substantive changes are detailed below.

**WCC Chapter 22.05 Project Permit Procedures**
- WCC 22.05.060 and 20.05.140 – The proposed changes to **vesting and expiration** regulations are among the most significant changes in the draft amendments. Under state law, vesting refers to the “zoning or other land use control ordinances” a particular project permit must adhere to. In order to ensure fairness and predictability, those rules are established (vest) for a project as of the time a complete application, even if changes are made to those rules later.

The County’s vesting rules are currently located in WCC 20.04.31. Because vesting principles apply to applications beyond those described in Title 20 Zoning, and are in many places unclear in meaning, PDS proposes moving the vesting provisions to the new Title 22, which would apply to all land use and development projects, and making the wording clearer. The revised wording in the proposed 22.05.060 uses the state law’s phrase, “zoning or other land use control ordinances” so that County regulations will be consistent with state statute and case law. Several recent court decisions have interpreted what types of regulations are
included within that phrase (See the Municipal Research and Services Center’s “Vested Rights Overview” at mrc.org) and interpreted when vesting applies. Proposed WCC 22.05.060 also clearly designates the date on which vesting occurs in various circumstances throughout the land use process. Proposed WCC 22.05.060(7) clarifies that vesting is in effect until withdrawal or expiration of the application.

Proposed subsection (3) would prevent the requirement of a preapplication meeting from delaying vesting, provided the preapplication materials are complete enough that a project permit can be applied for within 30 days of the preapplication notice of site-specific requirements. This is consistent with the West Main Assocs. vs. Bellevue decision.

Subsection (4) would extend vesting from an approved land use permit to a complete building permit application. Current code does not contain clear vesting procedures after approval of a land use permit. The proposed language is drafted from similar language found in Snohomish County and the City of Bellingham.

Under subsection (5), the 5- or 7-year vesting that applies specifically to long plats in RCW 58.17.170 is proposed to be extended to short plats and binding site plans in Whatcom County. State law does not appear to extend building permit vesting to short subdivisions or binding site plans (see the Alliance vs. Ellensburg decision). Staff is proposing to match short subdivision timeframes to the state allowance for long subdivisions which is consistent with approvals related to critical areas reports and other development standards.

Subsection (6) clarifies that building and fire code vest at the time of complete building permit application, whereas land use controls (e.g. zoning and critical areas) vest with the original project permit (e.g. subdivision or conditional use permit), which is consistent with the current 20.04.031(3)(d).

Subsection (7) clarifies that, except for applications described in subsections (5) and (6), vesting runs with the application until the application is denied, expires or is withdrawn.

Expiration of applications is covered in proposed 22.05.140. It provides time frames for applications to move to the next step of approval or implementation, or expire. This is intended to provide for consistent, predictable outcomes and establish clear expectations between the applicant and the County. This section would allow two years from date of approval to take action on the application before it expires with a possible one year extension. A project permit application can also be expired if there is no response to the notice of additional requirements.
• WCC 22.05.020(1)/22.05.110(5) - Appeals of hearing examiner decisions would go directly to Superior Court rather than County Council on most project permits. This is more consistent with the quasi-judicial role of the hearing examiner and legislative role of the council.

• WCC 22.05.020(1)/22.05.040(6) – This would require preapplication meetings for more types of projects (specifically administrative use permits and conditional use permits) and allow the meetings to be scheduled within 30 (currently 20) days of applicant’s request. The 30-day time frame is consistent with the current Shoreline Master Program and will allow additional time for staff site visits and review. In addition, the amendment would give the director or designee the option to waive the preapplication meeting, which is not in the current code other than in Title 15.

• WCC 22.05.040(8) – This amendment would allow staff 14 calendar days (currently 10 days) to issue comments and site-specific submittal requirements to the applicant following pre-application meeting. This change will result in the comment response date to be within the work week rather than falling on a weekend.

• WCC 22.05.070(4)(b) Would remove language that requires the notice of application to be sent to neighbors at least 15 days prior to the public hearing. Current code (2.33.030) and RCW 36.70B.110 requires the notice of application within 14 days of the determination of completeness and solicits for comments early in the review process. The hearing date is generally unknown at the time the notice of application is issued.

• WCC 22.05.090(4) and 22.05.120(4) – Staff proposes adding these sections to clarify that applications meeting the definition of quasi-judicial actions in RCW 42.36 must be processed in accordance with the Appearance of Fairness Doctrine described in that chapter of state law.

• WCC 22.05.100(3) Staff report to the Hearing Examiner due 10 (currently 17) calendar days before the public hearing. This is consistent with the notice of hearing requirements.

• WCC 22.05.120(4)(b) and (c) For Major Project Permits and Planned Unit developments, time limits for the Hearing Examiner to file a recommendation with the County Council and for the County Council to hold a public meeting are both currently 45 calendar days. These limits make it highly unlikely the permit would be processed within the required 120 days, as required by state law (RCW 36.70B.080) and the new WCC 22.05.130(1). This section changes the limits to 21 and 28 calendar days, respectively, with the possibility for the County Council to
increase the time limit for holding the public meeting if it makes findings that a specified amount of additional time is needed to process a specific application or project type, as authorized by RCW 36.70B.080(1). This would allow more time for the few large, complex projects while requiring a shorter time for the majority of applications.

- **WCC 22.05.120(5)(c)** – An optional additional *review by the Planning Commission is proposed for omission* because that review would make it highly unlikely the permit would be processed within the 120 days. State law and this section of WCC require that there can be only one public record hearing. That hearing is done by the Hearing Examiner and any subsequent meeting by the County Council (or currently the Planning Commission) is only for discussion and must be based entirely on the record established by the Hearing Examiner.

- **WCC 22.05.130** – The proposal would revise the current 2.33.090(G), which is not clearly worded but apparently states an application is automatically approved if not processed within the prescribed timelines. This provision is not supported by state law, and could place an application in unclear legal status if it gains approval without meeting State or County regulations. Staff instead proposes a process which holds the County accountable for following permit review procedures by allowing for a meeting with the director for *dispute resolution*, potentially including refund of applications fees.

- **WCC 22.05.160** – This section would add specific *requirements for a written appeal*, copied from the City of Bellingham’s code.

**WCC Chapter 22.10 Legislative Action Procedures**

- **WCC 22.10.020** – Docketing methods would include a majority vote by County Council, addition by Planning and Development Services (PDS), a suggestion by a citizen to PDS, which PDS could place on the docket if it is not quasi-judicial, and an application by a citizen. This is similar to the current list of docketing options, except the suggested amendment is proposed to be distinguished from a citizen application, and the Planning Commission would not be able to directly docket an application (though nothing would prevent individual members from submitting suggestions or applications as citizens).

- **WCC 22.10.030(4)** – Similar to the proposed 22.05.090(4), staff proposes this section to clarify that the actions that meet the state law’s definition of quasi-judicial actions in RCW 42.36.010 are subject to the Appearance of Fairness Doctrine. An example would be an application for a zoning map amendment that would affect a single lot.
WCC 22.10.050 – Staff proposes removing the requirement that the applicant provide stamped envelopes because PDS now prepares the mailed notices.

WCC 22.10.060(1) – Staff proposes deleting from the list of Comprehensive Plan consistency review criteria the current requirement that UGA expansions require acquisition of development rights. Staff believes this criterion may be inconsistent with RCW 82.02.

WCC 22.10.060(2) – Staff proposes adding a requirement that the Planning Commission and County Council make a finding that a proposed amendment is consistent with the Comprehensive Plan in order to approve the application.

WCC Chapter 22.20 Land Use and Development Code Interpretation Procedures

Current Whatcom County Code does not prescribe a procedure for requesting or appealing an interpretation of the code. The proposed wording is largely borrowed from the Bellingham Municipal Code (BMC 21.10.270) with the addition of a provision to publish interpretations on the County’s web site.

WCC Chapter 22.25 Land Use and Development Fees

This chapter would contain the fee provisions now contained in WCC 20.04.090 -.092 so that it would apply to other development-related titles of the Whatcom County Code. Aside from clarifying that these fee provisions apply to the other development-related titles of the code, no changes to these fee provisions are proposed.

III. COMPREHENSIVE PLAN EVALUATION

The Whatcom County Comprehensive Plan supports streamlined regulations in Chapter 2:

Regulations
It is very important to Whatcom County citizens to maintain local control over land use decisions. Regulations should be clear, concise, and predictable with enough flexibility to allow for reasonable and efficient decision making. Regulations should be enforced. 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.

IV. PROPOSED FINDINGS OF FACT AND REASONS FOR ACTION

Staff recommends the Planning Commission adopt the following findings of fact and reasons for action:

1. Whatcom County Planning and Development Services has submitted an application for amendments to add a new Title 22 Land Use and Development Procedures, and amend Titles 2, 9, 15, 16, 20, 21, 23 and 24 to move procedural content to the new Title 22.

2. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on October 16, 2017.

3. Notice of the subject amendment was submitted to the Washington State Department of Commerce on September 20, 2017.


5. The Planning Commission held a public hearing on the proposed amendments on October 26, 2017.

6. In 1995 the State Legislature adopted legislation regarding procedures for county land use and development applications (ESHB 1724; 36.70B RCW). The intent of the legislation was to ensure that applications were processed in a timely, predictable manner, and that different applications involving the same project could be consolidated.

7. Whatcom County Code adopted a new Chapter 2.33 in 1996 in response to the 1995 state legislation. This new chapter contained many of the project permit review procedures, but many procedural sections remained in various sections of the County code, including Title 16 Environment, Title 20, Zoning, Title 21 Land Division Regulations, and Title 23 Shoreline Management.

8. The proposed Title 22 Land Use and Development Procedures would contain administrative procedures that are now located throughout
different titles and chapters in Whatcom County Code, eliminating redundancy and, in some cases, inconsistency between code chapters.

9. The proposed Chapter 22.05 Project Permit Procedures would consolidate procedures for project permits in one place.

10. RCW 36.70B.020(4) defines project permits as "...any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations..."

11. Because vesting principles apply to applications beyond those described in Title 20 Zoning, the vesting provisions are proposed to be moved from Title 20 to the new Title 22, which applies to all land use and development projects. The revised wording in the proposed 22.05.060 uses state law's phrase, "zoning or other land use control ordinances" so that County regulations will be consistent with state statute and case law.

12. RCW 19.27.095(1) states, "A valid and fully complete building permit application for a structure, that is permitted under the zoning or other land use control ordinances in effect on the date of the application shall be considered under the building permit ordinance in effect at the time of application, and the zoning or other land use control ordinances in effect on the date of application."

13. RCW 58.17.033(1) states, "A proposed division of land, as defined in RCW 58.17.020, shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the appropriate county, city, or town official."

14. The proposed Chapter 22.10 Legislative Procedures combines procedures for comprehensive plan amendments and zoning amendments (including both zoning map changes and code text amendments), from current Chapters 2.160 and 20.90, respectively.

15. The proposed Chapter 22.20 Land Use and Development Code Interpretation Procedures would add procedures for citizens to request PDS interpretations of the County's land use and development codes to
clarify conflicting or ambiguous wording. Interpretation procedures commonly appear in other jurisdictions’ codes, but Whatcom County Code has no such provision.

16. The proposed Chapter 22.25 would contain the fee provisions now contained in WCC 20.04.090 - .092 so that it would apply to other development-related titles of the Whatcom County Code beyond Title 20 Zoning.

17. Some highly detailed requirements currently found in the code are proposed to be removed from code and consolidated into an Administrative Manual that can be updated without requiring a code amendment.

18. The Whatcom County Comprehensive Plan supports streamlining regulations.

V. PROPOSED CONCLUSIONS

1. The amendments to the zoning code are in the public interest.

2. The amendments are consistent with the Whatcom County Comprehensive Plan.

VI. RECOMMENDATION

Planning and Development Services recommends the Planning Commission forward the proposed amendments to the County Council with a recommendation of approval.

ATTACHMENTS

A. Draft amendments adding WCC Title 22 Land Use and Development Procedures (clean and with redlines)
B. Draft amendments to WCC Title 2 Administration and Personnel
C. Draft amendments to WCC Title 9 Public Peace, Morals and Welfare, Title 15, Title 16 Environment, Title 23 and Title 24 Health
D. Draft amendments to WCC Title 20 Zoning
E. Draft amendments to WCC Title 21 Land Division Regulations
WHATCOM COUNTY
PLANNING COMMISSION

Land Use and Development Procedures Code Amendments

FINDINGS OF FACT AND REASONS FOR ACTION

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CONCLUSIONS

1. The amendments to the zoning code are in the public interest.

2. The amendments are consistent with the Whatcom County Comprehensive Plan.

RECOMMENDATION

Based upon the above findings and conclusion, the Whatcom County Planning Commission recommends approval of the proposed amendments as shown on Exhibits A through E.

WHATCOM COUNTY PLANNING COMMISSION

Nicole Oliver, Chair

Becky Boxx, Secretary

Date

Commissioners present at the October 26, 2017 meeting when the vote was taken: Natalie McClendon, Gary Honcoop, Nicole Oliver, David Hunter, Kelvin Barton, Kate Blystone and Dominic Moceri.

Vote: Ayes: 7, Nays: 0, Abstain: 0, Absent: 1. Motion carried to adopt the above amendment.