



## MEETING OF THE PUBLIC HEALTH ADVISORY BOARD

May 2, 2024  
7:00 a.m. to 8:30 a.m.

### Hybrid Meeting

In person: Administrative Conference Room, 509 Girard Street, Bellingham, WA 98225

Public Zoom Link:

<https://us06web.zoom.us/j/84408045776?pwd=Y0PYQuaoAI375GK4DJJa2eAC1kjt5.FW3j5nBo9ETyow27>

Join by phone: 1 253 215 8782, Webinar ID: 844 0804 5776, Passcode: 98225

**(members and presenters: please use Zoom link in your meeting invitation)**

## AGENDA

Meeting Topics		Presenter	
1.	Call to order. Acknowledgments. Roll call of PHAB Members. Approve minutes from March meeting. (Pages 2-12)	7:00 - 7:05	Sterling Chick
2.	Fentanyl Emergency – County Council Resolution and Executive Order (Pages 13-25)	7:05 – 7:35	Barry Buchanan Kayla Schott-Bresler
3.	2025 Update – Whatcom County Comprehensive Plan (Pages 26-51)	7:35 - 7:55	Matt Aamot, PDS
4.	Discuss PHAB sub-group next steps (Pages 52-54)	7:55 - 8:10	Sterling Chick
5.	Public Comment	8:10 - 8:15	Sterling Chick
6.	Health Director/Health Officer Update	8:15 - 8:25	Erika Lautenbach/Greg Thompson
7.	Final Comments/Next Steps/Adjourn	8:25 - 8:30	Sterling Chick
<p>The public is invited to email written comments on agenda items or other topics of interest to the Public Health Advisory Board at <a href="mailto:PHAB@co.whatcom.wa.us">PHAB@co.whatcom.wa.us</a>. Please put “PHAB Public Comment” in the subject line. Written comments received at least 48 hours before the meeting will be distributed to board members prior to the meeting. Oral comments from the public will be limited to topics on the agenda.</p> <p>Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Board.</p>			
<b>Adjourn</b>			

***Community members who require special assistance to participate in a committee meeting are asked to contact the meeting facilitator at least 4 business days in advance.***





## WHATCOM COUNTY PUBLIC HEALTH ADVISORY BOARD MEETING MINUTES

MARCH 7, 2024

**Present:** Sterling Chick (Chair), Teri Bryant, Kelli Carroll, Madison Emry, Christine Espina, Jeffery Hart, Joni Hensley, Chris Kobdich, Michael Massanari, Guy Occhiogrosso, Emily O'Connor, Robyn Phillips-Madsen, Adrienne Renz, Jon Scanlon, Julie Terry, Ashley Thomasson, Greg Thompson, Shu-Ling Zhao

**Absent:** Edna Revey, Vesla Tonnessen, Leah Wainman

Topic	Discussion/Outcome
<b>Call to order</b>	Sterling Chick presented a land acknowledgement. Roll call of Public Health Advisory Board (PHAB) members.
<b>Approve Minutes</b>	Minutes from the meeting held on January 11, 2024 were approved. <b>Ayes: 17, Nays: 0, Abstain: 0 (17 members were present during minutes approval).</b>
<b>Fentanyl Declaration of Emergency Status</b>	<p>Councilmember Barry Buchanan gave an update on what the County Council is doing regarding the Fentanyl crisis in Whatcom County. The Council is working on a series of three resolutions to free up funding, provide community awareness and declare a state of emergency. Council has been working closely with Lummi Councilmember and National Congress of American Indians Secretary Nick Lewis on this three-pronged strategy. The first resolution asked the Governor for a state declaration of emergency, the second resolution asked the President and our Congressional Delegation for a federal declaration of emergency and the third resolution, currently being drafted, will ask the County Executive to declare a state of emergency. Councilmember Buchanan presented a current draft of the resolution (appended to these minutes) and requested feedback from PHAB members.</p> <p>PHAB Chairman Sterling Chick invited comments from PHAB members.</p> <p>Joni Hensley asked to clarify definition of "action" and confirmed PHAB will not take any action on this item. An action would be taking a vote on motion.</p> <p>Guy Occhiogrosso expressed concerns about the impact the Fentanyl crisis is having on the business community and encouraged conversation among elected officials. He pointed out that the business community funds a lot of operations and the community risks losing funding over the issue.</p> <p>Councilmember Buchanan highlighted the disproportionate impact the Fentanyl crisis has on youth.</p> <p>Shu-Ling Zhao shared a statistic indicating that individuals leaving the carceral system are 45% more likely to overdose from Fentanyl. She suggested the resolution address the need for reintegration systems that support individuals leaving the carceral system.</p> <p>Greg Thompson, Whatcom County Health and Community Services Health Officer, shared a statistic indicating that there is a 40% increase in death rate within the first 2 weeks of being released from prison, compared to the general population. He emphasized the importance of treatment within the jail system and support during the transitional period upon release. He stated there are things that can be done to improve the way medications are</p>

	<p>delivered, using long acting medications to provide longer protection than just once a day type dosing, such as 30-day injectable medications.</p> <p>Teri Bryant pointed out that people returning from treatment are also very vulnerable to overdose because they don't know how much they should be using. She also emphasized that this crisis effects our entire community. She shared that 50% of her outreach team's contacts are related to Opioid Use Disorder.</p> <p>Emily O'Connor voiced her concern that the resolution leans into criminal and judicial responses to the crisis without having adequate supports in place to help people through the process. She inquired if statements could be less specific in what they're prescribing and more dedicated to resourcing entities for ground-level response.</p> <p>Councilmember Buchanan responded that they are trying to balance the harm reduction component with the criminal legal component, but have not had time to include all of the harm reduction part into the resolution yet. He indicated they will be working in coordination with the Executive's Office, which is going to have a companion executive order that will be a lot more specific and direct resources. The final resolution will have direct action steps on both the harm reduction side and criminal legal side.</p> <p>Emily asked where the resolution goes from here and Councilmember Buchanan stated there was a motion to hold until the Health Board/PHAB meeting on March 26, during which the final vote will happen.</p> <p>Councilmember Jon Scanlon encouraged PHAB members to forward their feedback to Erika Lautenbach, Whatcom County Health and Community Services (WCHCS) Director by March 14 so that she can forward to Councilmembers Buchanan and Scanlon prior to the Health Board meeting and vote.</p> <p>Joni inquired if Opioid Task Force will weigh in on the resolution and Councilmember Buchanan indicated he will be meeting with the Multi-Agency Coordination (MAC) Group. Erika also invited him to contact Joe Fuller, a Prevention Specialist with the Opioid Task Force.</p>
<p><b>Homeless/Housing Coordination Group Update</b></p>	<p>Ann Beck, Community Health and Human Services (CHHS) Manager, shared that the department is working on a new 10-year plan. She also announced that they will be closing down the Severe Weather Shelter next week. In addition to the 10-year plan, CHHS is working on creating a homelessness workgroup. She asked Councilmember Scanlon what the Council is thinking regarding this topic and he indicated that he and Councilmembers Buchanan and Galloway started a task force group, which initially focused on shelter, but will expand more broadly into housing.</p> <p>Ann outlined the purpose of the proposed workgroup, indicating that they want to bring forward a series of recommendations that will help reduce the number of unsheltered homeless people in the community. She presented a draft (appended to these minutes), created by Housing Supervisor Chris D'Onofrio, of what a homelessness workgroup might look like and said that it is based on the Prevention, Intervention, Treatment and After Care (PITA) model. She then invited feedback from PHAB members.</p> <p>Emily urged caution in setting up a structure before defining what the desired outcome is. She emphasized the importance of identifying what resources will be available to this group before calling people together. She also reminded those present that many groups have already undertaken similar efforts and pointed out that it can be frustrating to start over when so much has already been done.</p> <p>Teri highlighted the changes that have occurred since the last homeless strategies workgroup and expressed that a new workgroup could be helpful, but needs to be really focused on unsheltered homelessness. She suggested removing the word "housing" from the name of the group because that is a much bigger issue than just unsheltered homelessness. She also indicated she would like to part of the workgroup if possible.</p> <p>Joni suggested that the current Housing Advisory Committee could vet some of the proposals and then bring them to PHAB rather than starting another group.</p> <p>Kelli asked why the stated goal is to "reduce" and not "end" or "eliminate" unsheltered homelessness. Ann responded that the goal is to get to "functional zero" because we can never eliminate all the causes that contribute to unsheltered homelessness. This would mean that beds are always available. Kelli also asked what</p>

	<p>the “inputs” would be as the document only shows “outputs.” Chris clarifies that the inputs would be the work and research that would go into coming up with recommendations and the outputs would be those recommendations, not the solutions themselves being put into practice. Kelli encouraged using strong metrics and reporting.</p> <p>Erika clarified the difference between this proposed group and the one Council members are envisioning. She said this group is about having a better understanding of who is actually unsheltered and what are their specific needs. She highlighted the continuum of housing needs and stated the goal of the group would be to investigate those different situations and make recommendations. It would be a tactical group that could identify the needs, outline the cost of possible solutions, and bring forward the data so that it can be presented to decision-makers.</p> <p>Sterling shared that Fentanyl and methamphetamine have infiltrated a lot of our public housing, making it very difficult to maintain.</p> <p>Guy emphasized the importance of the 10-year comp plan and reminded those present that for the last 40 years, we have not planned for growth. He stressed the need to add housing so that the current unsheltered population has a place to go after we have provided other wraparound services.</p> <p>Ashley cautioned against making assumptions that organizations have the capacity to say yes to this group’s proposals. She emphasized the need for more providers and more opportunities for new organizations to partner in this work. Ann responded that the goal of the group would be to identify what we need more specifically, including new providers, how much funding, how many shelters, etc.</p> <p>Councilmember Scanlon invited PHAB members to email him any additional feedback. He reminded them that we have to get things together early in order to present them to legislature in the next session. He said the Washington State Association of Counties is already asking what we want on their agenda for next year. If a group can get together some recommendations, we can get that to our legislators this summer and fall.</p>
<p><b>Discuss PHAB meeting structure and subgroup options</b></p>	<p>Sterling gave an update on subgroups. About half the PHAB members have indicated a preference for subgroups. Members aren’t required to join a subgroup, but there are some tasks that need to be accomplished.</p> <p>Recap of subgroups:</p> <ul style="list-style-type: none"> <li>• Equity – Framework for making decisions. 3 members so far.</li> <li>• Nominations – Need agreement with County Council on how members are replaced. 1 member so far.</li> <li>• Communications – PHAB website needs improvement. 2 members so far.</li> <li>• Code Changes – 2 members so far.</li> <li>• Operationalizing the Model– Need a plan for how the hub and spoke model will work.</li> <li>• Board/Commission Assessment Implementation – Implement recommendations in the Board and Commission Assessment. 2 members so far.</li> </ul> <p>Joni shared a handout (appended to these minutes) showing how the hub and spoke model works with the population health framework. She also asked for clarification on how much independence advisory groups have and how PHAB members can communicate without violating the Open Public Meeting Act (OPMA).</p> <p>Councilmember Scanlon said that Royce Buckingham, the lawyer who advises the County Council, has indicated that an advisory board has more options than a decision-making board. He also said we want to make sure our subgroups are functional. He will check with Royce on quorum rules in this situation.</p> <p>Erika asked those PHAB members who haven’t yet responded to sign up for a subgroup within the next week or so. Staff members assigned to each subgroup will then reach out to PHAB members to set up times to meet and start their work before the May Health Board meeting.</p>
<p><b>Public Comment</b></p>	<p>The following people spoke:</p> <ul style="list-style-type: none"> <li>• Natalie Chavez</li> <li>• Misty Flowers</li> </ul>

	<ul style="list-style-type: none"> <li>• Heather (last name not stated)</li> </ul>
<b>Health Director/Health Officer Update</b>	<p>Erika shared several updates. She introduced Sabrina Houck, the new Financial Services Manager for the department. She shared that WCHCS is producing their first annual report for the community, which will have information about financials, programs, services, and what's coming for the year. The plan is to update this each year. She indicated that she will also be visiting all of the City Councils this month in person to present the annual report. Regarding new legislature, Erika said the Washington State Association of Local Public Health Officials (WSALPHO) had 3 bills that have all moved through. One would allow locals to do child fatality reviews with multi-organization partners so we can better understand and prevent child fatalities. Another would allow medical assistants to provide syphilis treatment, especially in the field, as cases of syphilis have increased statewide. The third bill amended some of the language around vaccines and would allow the new RSV vaccine for infants as well as adults. In regards to capital, WCHCS has asked legislature for another 2.35 million dollars, in addition to the 9 million dollars requested in the 2023 legislative session, to build a 23-hour crisis facility. It will be years before it is started, but is going to have a really big impact on the community. She also shared that the Lummi Nation received 12 million dollars for a secure detox facility, which they have been working on for years with the legislature.</p>
<b>Final Comments/Next Steps</b>	<p>Sterling thanked PHAB members for coming to the meeting and reiterated the need to get the subgroups up and going so they can make the hub and spoke model really work.</p>
<b>Adjourn</b>	8:23 AM
<b>Next Meeting</b>	<b>There will be a joint Health Board/PHAB meeting on March 26, 2024 at 10 AM. The next regular PHAB meeting is scheduled for May 2, 2024 at 7 AM.</b>

RESOLUTION NO. \_\_\_\_\_

**IDENTIFYING WHATCOM COUNTY APPROACHES  
TO THE FENTANYL EMERGENCY**

**WHEREAS**, according to WhatcomOverdosePrevention.org, overdose deaths in Whatcom County in 2023 (132 to date) exceed deaths in the prior year and have markedly increased every year since 2018; and

**WHEREAS**, the United States is facing the worst drug crisis in its history, and the resulting tragedies are decimating families and contributing to extraordinary levels of despair in our communities; and

**WHEREAS**, there exists a substantial likelihood of risk to persons and property unless further efforts are taken to reduce the threat from fentanyl; and

**WHEREAS**, the U.S. Department of Drug Enforcement (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin; and

**WHEREAS**, Seven out of ten DEA tested pills with fentanyl are potentially deadly making it likely that 'one pill can kill,' and in 2023, the DEA seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, our community's approach to the fentanyl use and fentanyl-related crimes must be different than our approach to other illegal drug use in our community; and

**WHEREAS**, the use of Fentanyl continues spreading throughout our community, and new and immediate avenues to enhance capabilities, coordination, and collaboration across local, state, tribal, and federal agencies are needed to promote public health and safety; and

**WHEREAS**, in June 2023, healthcare workers, tribal leaders, educators, community members and law enforcement gathered for a 2-day workshop, All Hands Whatcom: Opioid Summit, as a call to listening, healing, and action for the Whatcom community in response to the devastating consequences of fentanyl, meth, and opioids; and

1           **WHEREAS**, in June 2023, a coalition of government agencies, community-based  
2 organizations, healthcare providers, and others from across Whatcom County formed a Multi-  
3 Agency Coordination (MAC) Group in response to the local opioid and overdose crisis; and  
4

5           **WHEREAS**, according to the Federal Emergency Management Agency (FEMA), a  
6 Multiagency coordination system (MAC) is used for extraordinarily large, complex incidents  
7 occurring in the city or county involving numerous agencies and/or jurisdictions; and  
8

9           **WHEREAS**, the mission of the MAC Group is to coordinate the ongoing community-wide  
10 response efforts to the opioid crisis, identify and prioritize additional short-term objectives and  
11 strategies to reduce drug-related deaths, and mitigate the impacts on property and public safety  
12 in Whatcom County; and  
13

14           **WHEREAS**, the Whatcom County MAC group aligns with the Washington State Opioid and  
15 Overdose Response (SOOR) plan, which includes five priority goals

- 16           1. Prevent opioid misuse,
- 17           2. Identify and treat substance use disorder,
- 18           3. Ensure and improve the health and wellness of individuals that use drugs,
- 19           4. Use data to detect opioid misuse/abuse, monitor illness, injury and death, and  
20           evaluate interventions,
- 21           5. Support individuals in recovery; and  
22

23           **WHEREAS**, on September 22, 2023, the Lummi Indian Business Council approved  
24 Resolution 2023-145, declaring a state of emergency in response to the fentanyl crisis; and  
25

26           **WHEREAS**, Resolution 2023-145 provides the Lummi Indian Business Council with new  
27 and immediate avenues to enhance capabilities, coordination, and collaboration across tribal,  
28 local, state, and federal agencies and bring together state agencies, local law enforcement, and  
29 internal and external partners to pursue and achieve solutions that promote public health and  
30 safety on the Lummi Reservation; and  
31

32           **WHEREAS**, on October 24, 2023, the Whatcom County Council approved Resolution 2023-  
33 041 supporting the Lummi Indian Business Council's (LIBC) state of emergency declaration in  
34 response to the fentanyl crisis; and  
35

36           **WHEREAS**, on December 12, 2023, Whatcom County Councilmembers Buchanan and  
37 Elenbaas sent a letter requesting that President Biden declare a national emergency on the opioid  
38 epidemic and open additional resources and authorities to address the crisis; and  
39

40           **WHEREAS**, the Whatcom County Council understands coordination between all agencies  
41 in our county as well as state and federal supports is needed to fight the fentanyl crisis; and

1           **WHEREAS**, declarations of emergency at the federal, state, and county levels can open up  
2 additional resources, funding, and assistance to address the fentanyl emergency; and

3  
4           **WHEREAS**, Chapter 36.27 RCW establishes the Whatcom County Prosecuting Attorney as  
5 the independent legal advisor of the legislative authority, prosecutor of all criminal and civil  
6 actions, including felony charges, among other duties; and

7  
8           **WHEREAS**, Chapter 9.94A RCW establishes accountable standard ranges for sentencing in  
9 the criminal justice system, and the Prosecuting Attorney makes sentencing recommendations;  
10 and

11  
12           **WHEREAS**, Whatcom County Council Resolution 2024-002 respectfully requests that the  
13 Governor of the State of Washington declare a national emergency to address the fentanyl crisis;  
14 and

15  
16           **WHEREAS**, Whatcom County Council Resolution 2024-003 respectfully requests that the  
17 President of the United States declare a national emergency to address the fentanyl crisis.

18  
19           **NOW THEREFORE BE IT RESOLVED** that the Whatcom County Council acknowledges  
20 there is a countywide fentanyl crisis impacting people, businesses, and properties in our  
21 communities; and

22  
23           **NOW THEREFORE BE IT FINALLY RESOLVED** that the Whatcom County Council  
24 recommends the following approaches to the fentanyl crisis:

- 25  
26           1. Request official declarations of emergency.
- 27           a. Request that both state and federal emergency declarations be made to expand  
28 efforts and open up additional resources and tools to protect the lives, public  
29 health, and safety of our community members
  - 30           b. Request that the Whatcom County Executive in coordination with the County  
31 Sheriff, declare a countywide emergency for fentanyl in accordance with the  
32 Comprehensive Emergency Management Plan (CEMP) allowing the following:
    - 33           i. Entering into contracts and incurring obligations necessary to combat  
34 such emergency situations to protect the health and safety of persons;  
35 and
    - 36           ii. Providing appropriate emergency assistance to victims, and
    - 37           iii. Other actions deemed appropriate by the Health Officer and Director of  
38 Emergency Management or their designees.
- 39  
40           2. Enhance legal methods to address fentanyl-related crimes.
- 41           a. Encourage using the full force of the law to address major crimes and offenses  
42 related to fentanyl;
  - 43           b. Request that the judicial branch and courts impose the strictest sentences  
44 available for fentanyl related crimes;
  - 45           c. Request that the judicial branch and courts offer treatment and recovery  
46 options in lieu of lengthy sentences when appropriate and effective to persuade  
47 people to choose treatment over punishment;

- d. Request that the Whatcom County Prosecutor utilize their power and discretion to prioritize the prosecution of fentanyl-related crimes and seek strict sentences;
  - e. Advocate at the state and federal levels to increase sentencing for fentanyl-related crimes above and beyond levels for other drug crimes.
3. Provide staffing and financial resources to local efforts.
- a. Prioritize county staff and financial resources to address the fentanyl crisis; and
  - b. Explore options to expand navigator programs to increase efforts on overdose prevention; and
  - c. Provide full support to the MAC group working on the fentanyl crisis.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

      /s/ Royce Buckingham/by email 1/9/2023/ch  
Civil Deputy Prosecutor

**Proposal for Reconfiguration of Hub and Spoke Model:**

**RCW 70.46.140 Community health advisory boards: 3 (a)** The board's composition shall include: (a) Members with expertise in and experience with: (i) **Health care access and quality**; (ii) **Physical environment**, including built and natural environments; (iii) **Social and economic sectors, including housing, basic needs, education, and employment**; (iv) **Business and philanthropy**; (v) **Communities that experience health inequities**; (vi) **Government**; and (vii) **Tribal communities and tribal government**; (b) **Consumers of public health services**; (c) **Community members with lived experience in any of the areas listed in (a) of this subsection**; and (d) **Community stakeholders, including nonprofit organizations**, the business community, and those regulated by public health.

**Consider the Population Health Framework: (\* are those identified above; italics are those programs identified in current model)**

**1. Social & Economic\***

- a. Education
- b. **Housing Security**
  - i. *Housing Advisory Board*
- c. **Community Safety & Violence**
  - i. *Domestic Violence Commission*
- d. **Income and Poverty**
  - i. *Children and Family Well-being taskforce (pay disparities, childcare, etc)*
  - ii. *Healthy Whatcom (housing, childcare, family support)*
- e. **Social Support**
  - i. *Developmental disabilities*
  - ii. *Veterans Advisory Board*
- f. **Employment**
  - i. *Business & Commerce Committee\**

**2. Physical Environment\***

- a. **Build Environment**
  - i. Solid Waste Advisory Board
- b. **Air & Water Quality**
- c. **Transportation**

**3. Health Behaviors\***

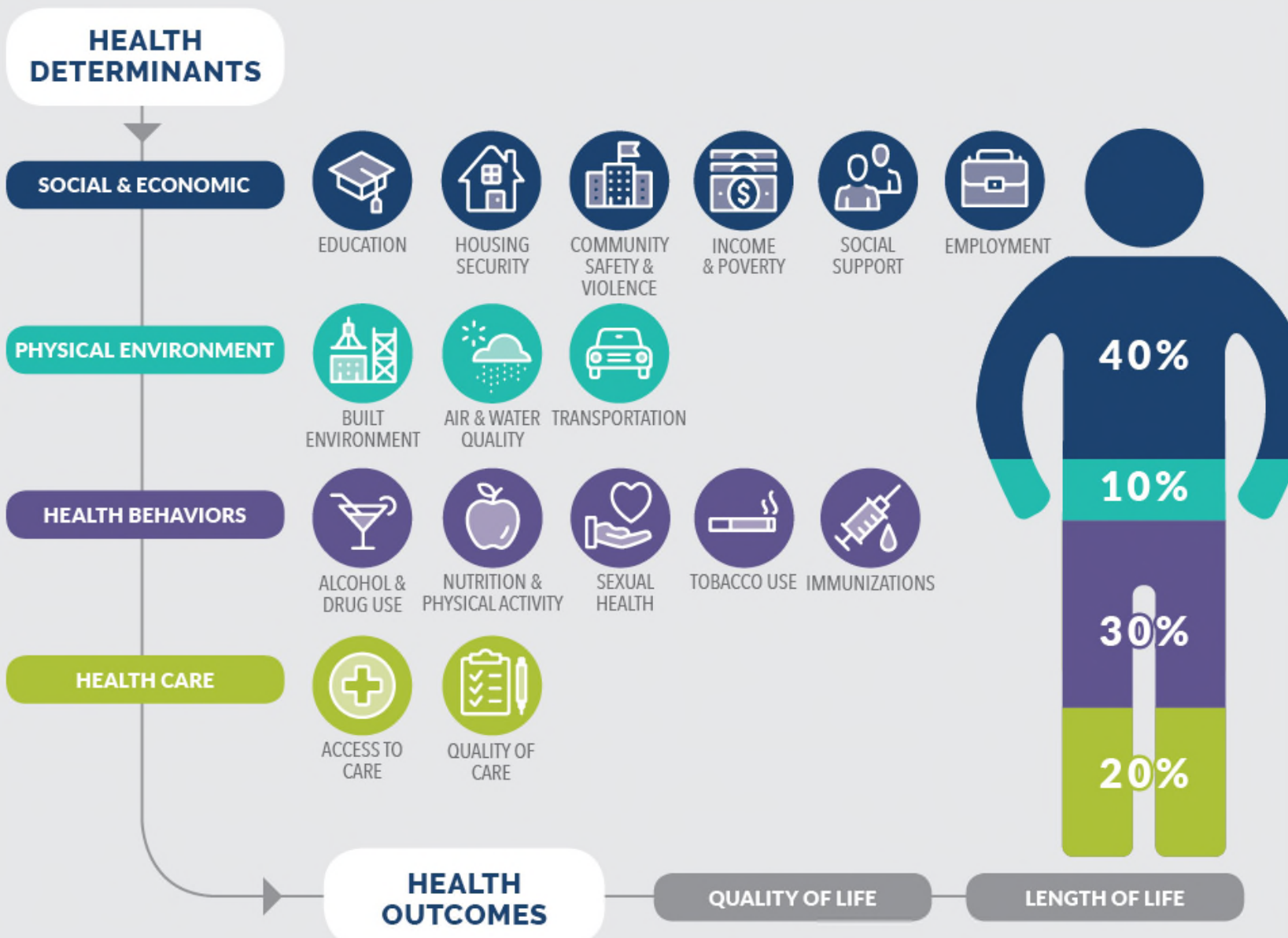
- a. **Alcohol and Drug Use**
  - i. **Opioid Taskforce\***
- b. **Nutrition & Physical Activity**
  - i. Food System Committee
- c. **Sexual Health**
- d. **Tobacco Use**
- e. **Immunizations**

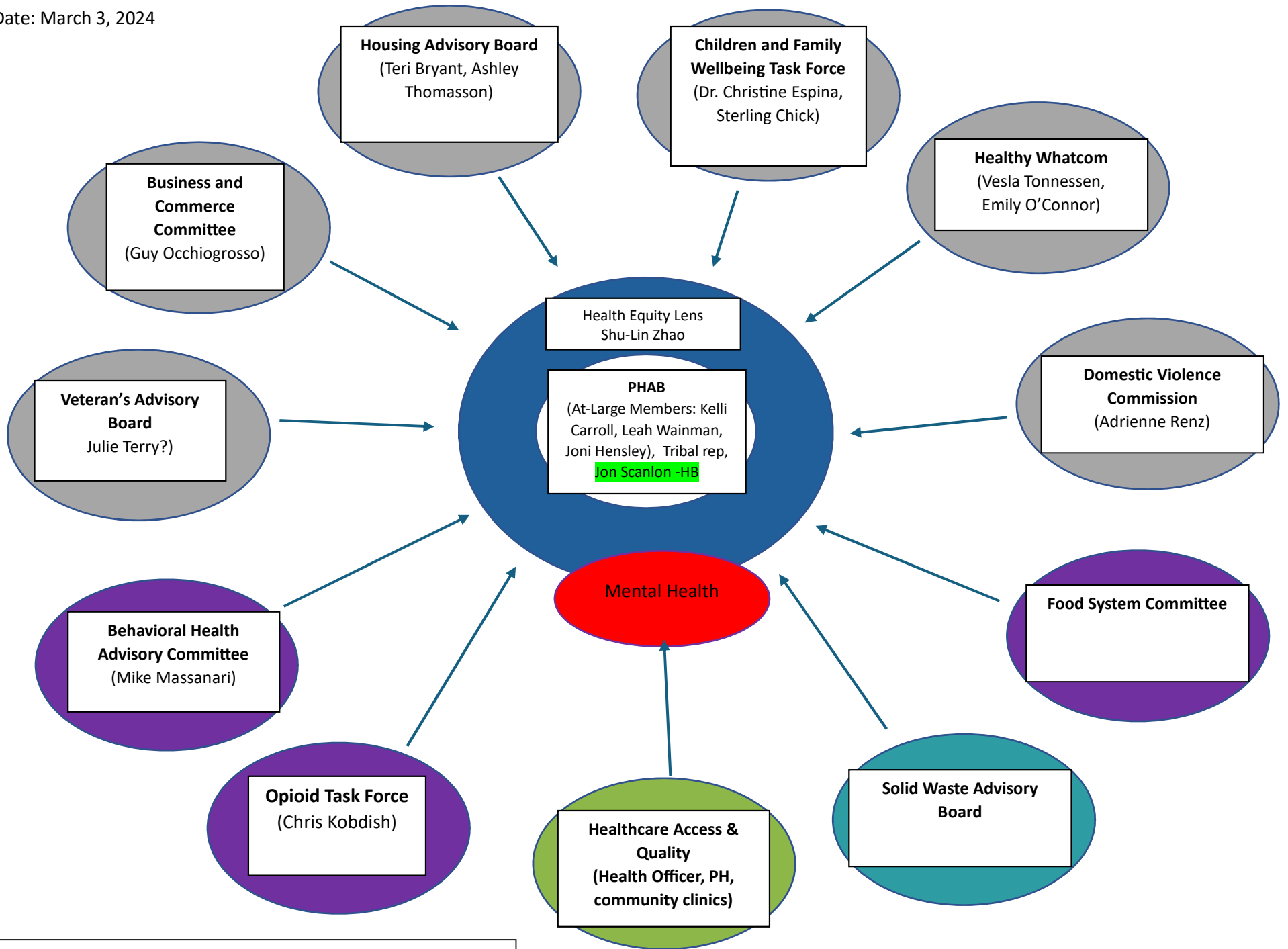
**4. Health Care\***

- a. **Access to Care**
- b. **Quality of Care**

Racial Equity, Government, Tribes should be considered At-Large Members and consumers of these services and those with lived experience should all have representation on various committees and boards.

# Population Health Framework: What Goes Into Health?





This schematic is based on and color-coded to demonstrate the Population Health Framework and the determinants of a Healthy community.



**PUBLIC HEALTH ADVISORY BOARD  
Discussion Form**

May 2, 2024

**AGENDA ITEM #2:** *Fentanyl Emergency Actions: County Council Resolution and Executive Order*

**PRESENTERS:** *Barry Buchanan, Chair, Whatcom County Council; Co-sponsor of the resolution  
Kayla Schott-Bresler, Deputy County Executive*

**BOARD ACTION:**       Action Item       Discussion       FYI - Only

On April 9, Whatcom County Council passed Resolution 2024-017, *Recognizing the Fentanyl Crisis an Emergency in Whatcom County and Identifying Approaches to the Emergency*, recommending approaches within government coordination, and accountability and data collection. Councilmember Barry Buchanan will join the PHAB meeting to discuss the resolution.

On April 10, County Executive Satpal Sidhu issued Executive Order 2024-02, *Addressing Fentanyl in Whatcom County*. This Executive Order directs County departments to take a series of specific actions to address the crisis. The order recognizes fentanyl's extraordinary toll on the community and lists more than three dozen actions to bolster and expand efforts around prevention, intervention, treatment, aftercare and coordination. Deputy Executive Kayla Schott-Bresler will join the PHAB meeting to discuss the Executive Order, and what happens next.

**EQUITY CONSIDERATIONS**

***(include data or information about how topic impacts or could impact equity, including racial equity)***

Certain populations, including residents who are unsheltered and those with pre-existing behavioral health, substance use disorder, or history of trauma, are at disproportionate risk of using and overdosing from fentanyl. Supporting these populations will impact those most vulnerable to overdose death or poor health outcomes.

**BOARD ROLE / ACTION REQUESTED**

Provide feedback to Council and Executive's Office.

**ATTACHMENT(S)**

1. Resolution AB2024-090
2. Executive Office Media Release, April 10, 2024: Whatcom County Ramps Up Local Response to Fentanyl Crisis
3. Executive Order 2024-02



Health Board edits 3/26/2024

Additional edits received after Health Board

Amended in Committee of the Whole 4.9.2024

PROPOSED BY: BUCHANAN, ELENBAAS  
INTRODUCTION DATE: FEBRUARY 6, 2024

**RESOLUTION NO. \_\_\_\_\_**

**DECLARING RECOGNIZING THE FENTANYL CRISIS AN EMERGENCY IN WHATCOM COUNTY AND IDENTIFYING APPROACHES TO THE EMERGENCY**

**WHEREAS**, according to WhatcomOverdosePrevention.org, overdose deaths in Whatcom County in 2023 (132) exceeded deaths in the prior year and have markedly increased every year since 2018; and

**WHEREAS**, the United States is facing the worst drug crisis in its history, and the resulting tragedies are decimating families and contributing to extraordinary levels of despair in our communities; and

**WHEREAS**, there exists a substantial likelihood of risk to persons and property unless further efforts are taken to reduce the threat from fentanyl; and

**WHEREAS**, the U.S. Department of Drug Enforcement (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin; and

**WHEREAS**, Seven out of ten DEA tested pills with fentanyl are potentially deadly making it likely that 'one pill can kill,' and in 2023, the DEA seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, our community's approach to fentanyl use and fentanyl-related crimes must be different than our approach to other illegal drug use in our community; and

**WHEREAS**, the use of fentanyl continues spreading throughout our community, and new and immediate avenues to enhance capabilities, coordination, and collaboration across local, state, tribal, and federal agencies are needed to promote public health and safety; and

**WHEREAS**, involuntarily displacement of people experiencing homelessness is estimated to worsen overdose and hospitalizations, decrease initiations of medications for opioid use disorder, and contribute to deaths among people experiencing homelessness; and

**WHEREAS**, the housing crisis in Whatcom County limits access and availability to safe, secure, supportive, and affordable housing which is essential for stability, recovery, sobriety, and preventing drug use and overdose; and

**WHEREAS**, in June 2023, healthcare workers, tribal leaders, educators, businesses, community members and law enforcement gathered for a 2-day workshop, All Hands Whatcom: Opioid Summit, as a call to listening, healing, and action for the Whatcom community in response to the devastating consequences of fentanyl, meth, and opioids; and

**WHEREAS**, in June 2023, a coalition of government agencies, community-based organizations, healthcare providers, and others from across Whatcom County formed a Multi-Agency Coordination (MAC) Group in response to the local opioid and overdose crisis; and

**WHEREAS**, according to the Federal Emergency Management Agency (FEMA), a multiagency coordination system (MAC) is used for extraordinarily large, complex incidents occurring in the city or county involving numerous agencies and/or jurisdictions; and

**WHEREAS**, the mission of the MAC Group is to coordinate the ongoing community-wide response efforts to the opioid crisis, identify and prioritize additional short-term objectives and strategies to reduce drug-related deaths, and mitigate the impacts on property and public safety in Whatcom County; and

**WHEREAS**, the Whatcom County MAC group aligns with the Washington State Opioid and Overdose Response (SOOR) plan, which includes five priority goals

1. Prevent opioid misuse,
2. Identify and treat substance use disorder,
3. Ensure and improve the health and wellness of individuals that use drugs,
4. Use data to detect opioid misuse/abuse, monitor illness, injury and death, and evaluate interventions,
5. Support individuals in recovery; and

**WHEREAS**, on September 22, 2023, the Lummi Indian Business Council approved Resolution 2023-145, declaring a state of emergency in response to the fentanyl crisis; and

**WHEREAS**, Resolution 2023-145 provides the Lummi Indian Business Council with new and immediate avenues to enhance capabilities, coordination, and collaboration across tribal, local, state, and federal agencies and bring together state agencies, local law enforcement, and internal and external partners to pursue and achieve solutions that promote public health and safety on the Lummi Reservation; and

**WHEREAS**, on October 24, 2023, the Whatcom County Council approved Resolution 2023-041 supporting the Lummi Indian Business Council's (LIBC) state of emergency declaration in response to the fentanyl crisis; and

**WHEREAS**, on December 12, 2023, Whatcom County Councilmembers Buchanan and Elenbaas sent a letter requesting that President Biden declare a national emergency on the opioid epidemic and open additional resources and authorities to address the crisis; and

**WHEREAS**, the Whatcom County Council understands coordination between all agencies in our county as well as state and federal supports is needed to fight the fentanyl crisis; and

**WHEREAS**, declarations of emergency at the federal, state, and county levels can open up additional resources, funding, and assistance to address the fentanyl emergency; and

**WHEREAS**, Chapter 36.27 RCW establishes the Whatcom County Prosecuting Attorney as the independent legal advisor of the legislative authority, prosecutor of all criminal and civil actions, including felony charges, among other duties; and

**WHEREAS**, Chapter 9.94A RCW establishes accountable standard ranges for sentencing in the criminal justice system, and the Prosecuting Attorney makes sentencing recommendations; and

**WHEREAS**, on July 11, 2023, Whatcom County Council adopted the Whatcom County Justice Project Implementation Plan (Ord. 2023-039), which identifies priority projects vetted by the community and categorized in five key strategy areas:

- I. Ensure Oversight, Accountability, and Transparency
- II. Increase Access to Behavioral Health Services
- III. Build Facilities Needed to Promote Public Health, Safety, and Justice
- IV. Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration
- V. Make Systems Changes with Local, Regional, State, and Federal Partners; and

**WHEREAS**, Whatcom County Council Resolution 2024-002 respectfully requests that the Governor of the State of Washington declare a statewide emergency to address the fentanyl crisis; and

**WHEREAS**, Whatcom County Council Resolution 2024-003 respectfully requests that the President of the United States declare a national emergency to address the fentanyl crisis; and

**WHEREAS**, community leaders, agency staff, and other stakeholders convened in early 2024 to informally discuss near term solutions to address the fentanyl crisis in our community; and

**WHEREAS**, Bellingham Mayor Kimberley Lund issued Executive Order 2024-01 on February 20, 2024 to address the fentanyl crisis in Downtown Bellingham; and

**WHEREAS**, this resolution details near term approaches, which are not intended to replace the long-term approaches detailed in more comprehensive county policy documents.

**NOW THEREFORE BE IT RESOLVED** that the Whatcom County Council acknowledges there is a countywide fentanyl crisis impacting people, businesses, and properties in our communities; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Whatcom County Council recommends the following near-term approaches to address the fentanyl crisis:

Government Coordination:

1. Advocate for the declaration of emergencies at state and federal levels, thereby opening up additional resources to address the crisis.

2. Unite national efforts by encouraging other local jurisdictions to approve a resolution requesting an emergency be declared at the state and federal levels.
3. Encourage Executive Sidhu to **release an County Emergency Declaration or Executive Order with action plan** that -details specific action items and funding options to intensify- efforts, in alignment with Opioid Task Force and MAC group recommendations.
4. Develop a budget and plan to address staffing shortages, positions needed in order to implement an **Emergency Declaration or Executive Order with action plan**, and action steps requiring funding.
5. Using [whatcomoverdoseprevention.org](http://whatcomoverdoseprevention.org) website and Council Committee of the Whole, provide regular updates to the public on progress of action steps, outcomes of efforts, and funds expended on initiatives.

Accountability and Data Collection:

6. Advocate for legislative changes that strengthen laws regarding children’s exposure to fentanyl, Ricky’s law, and other related measures.
7. Enhance legal methods to address fentanyl-related crimes, distinguish fentanyl related crimes from other drug crimes, and offer treatment and recovery options in lieu of lengthy sentences when appropriate.
8. Request that Sheriff and local police to track data on utilization of Medication Assisted Treatment (MAT) in jail and what arrests do not end in jail time because of booking restrictions.
9. Make non-fatal overdoses reportable; interrupt overdose cycle and connect individuals to treatment and services; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Whatcom County Council recommends Whatcom County Elected officials such as the Executive, Prosecutor, and Sheriff, consider items in **Exhibit A** for future action; and

**NOW THEREFORE BE IT FINALLY RESOLVED** that the Whatcom County Council respectfully requests that the Executive, Sheriff, local municipalities, and other community partners consider their roles and take action to move forward near-term approaches to address the fentanyl crisis.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Civil Deputy Prosecutor

## EXHIBIT A

During stakeholder meetings to refine and develop the Council's resolution, members heard the following suggestions, ideas, and requests for action.

Council requests that the Executive consider these exhibit items for potential inclusion in **an Executive Declaration of Emergency or Order with action plan.**

1. Fund and employ narcotics-detection dogs to keep drugs out of the jail.
2. Expand the ability to use test strips beyond Health and Community Services to law enforcement and first responders.
3. Provide additional training on common and emerging illicit drugs to police for improved response and identification of fentanyl and other drugs.
4. Identify potential modifications to booking restrictions in the jail and develop operational plans to address inmate increases.
5. Encourage using strict legal measures to address major crimes and offenses related to fentanyl **for distribution**.
6. Provide more opportunities for youth diversion, especially for people ages 18-25 years old.
7. Evaluate alternative court programs for higher utilization and capacity.
8. Identify options and funding sources to provide more lower cost housing and creative housing solutions.
9. Fund and launch a multi-jurisdictional, multi-language public education program, including youth public education.
10. Consider the benefits and potential local applications of the Icelandic Model, a community-based approach to substance use that decreases the likelihood of adolescent substance use by strengthening the supportive role of parents and schools and the network of opportunities around them.
11. Provide training for healthcare providers and first responders on the benefits of and how to administer Medication-assisted treatment.
12. Increase funding for treatment programs to increase availability of detox beds, provide voluntary treatment while waiting for sentencing, provide access to treatment in lieu of sentencing.
13. Provide additional resources for recovery court, including a secure facility other than the jail.
14. Ensure services are available for juveniles, not just adults.
15. Ensure medically assisted treatment (MAT) offerings inside the jail match community-based options.
16. Provide support and training for first responders and behavioral health staff dealing with trauma and burnout related to overdose responses.
17. Create and implement an overdose response team.
18. Support efforts by Lummi Nation to build a Secure Withdrawal Management and Stabilization (SWMS) facility.
19. Analyze options for expanding the Alternative Response Team, including providing 24-hour responses.
20. Provide programs in the jail (e.g., Narcotic Anonymous, Alcoholics Anonymous, GED, counseling)

21. Create a publicly accessible monitoring and evaluation system to track goals, outcomes, and data regarding Whatcom County's response to the fentanyl emergency
21. Expand the community paramedics program.
22. Identify options to expand supportive housing programs and re-entry housing for people seeking substance use disorder treatment who have a history of incarceration.
23. Explore partnerships with neighboring SWISS counties, Whatcom County cities, Lummi Nation, Nooksack Tribe, North Sound ACH, state, and federal agencies to fund a coordinated response to the fentanyl emergency
24. Study new local sources of revenue to fund Whatcom County's response to the fentanyl emergency
25. Explore additional substance use disorder treatment options for pre- and postpartum patients
26. Continue to work with the Incarceration Prevention and Reduction Task Force to identify policy options to reduce and prevent incarceration

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

County Courthouse  
311 Grand Avenue, Suite #108  
Bellingham, WA 98225-4082



**Satpal Singh Sidhu**  
County Executive

## **Whatcom County Ramps Up Local Response to Fentanyl Crisis**

*Order from Executive Sidhu bolsters efforts around prevention, intervention, treatment and aftercare.*

**April 10, 2024** – Responding to a fentanyl crisis that has escalated sharply in Whatcom County over the past two years, County Executive Satpal Sidhu signed an executive order directing County departments to take a series of specific actions to address the crisis. The order recognizes fentanyl's extraordinary toll on the community and lists more than three dozen actions to bolster and expand efforts around prevention, intervention, treatment, aftercare and coordination.

Executive Sidhu made the following statement upon signing the executive order:

“Fentanyl is a pernicious poison that is wreaking havoc in our community. Its human toll is devastating. We must intensify our response to correspond to the magnitude of the crisis, and that is what I aim to do today.

My executive order is both broad in scope and specific on what steps we are taking. We have identified actions that are impactful, achievable and feasible with the resources available to the county and our local partners. They include expansion and acceleration of programs that are already in place as well as new services and new types of facilities.

Coordination across jurisdictions is critical. Our actions follow meaningful crisis response steps taken by the Lummi Nation and City of Bellingham, who are important partners in this work. I am grateful for the County Council's action yesterday to recognize the fentanyl crisis as an emergency in Whatcom County and provide policy guidance. Our Health and Community Services Department will consult closely with the countywide EMS system and Whatcom County Sheriff's Office as well as other elected leaders and service providers in the development of our 24-month emergency response plan.

However, I want to be clear about our expectations. Our local response alone cannot solve the fentanyl crisis. The resources and tools available to our county and our cities are not sufficient to fully address the socioeconomic drivers of addiction, need for recovery supports, or flow of narcotics into our county. We need more help from our partners in state and federal government, and I have hope that they too are beginning to better understand this need.”

\* \* \*

[Executive Order 2024-02 Addressing Fentanyl in Whatcom County](#)

[County Council Resolution 2024-017 Recognizing the Fentanyl Crisis an Emergency in Whatcom County and Identifying Approaches to The Emergency](#)

For more information about overdose prevention, see [WhatcomOverdosePrevention.org](https://www.whatcomoverdoseprevention.org)

### **Contact Information**

Kayla Schott-Bresler, Deputy County Executive  
360 778 5220 | [kschottb@whatcomcounty.us](mailto:kschottb@whatcomcounty.us)

Jed Holmes, Community Outreach Facilitator  
360 778 5209 | [jholmes@whatcomcounty.us](mailto:jholmes@whatcomcounty.us)

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

County Courthouse  
311 Grand Avenue, Suite #108  
Bellingham, WA 98225-4082



**Satpal Singh Sidhu**  
County Executive

**WHATCOM COUNTY  
EXECUTIVE ORDER 2024-02  
ADDRESSING FENTANYL IN WHATCOM COUNTY**

**WHEREAS**, according to [WhatcomOverdosePrevention.org](https://www.whatcomoverdoseprevention.org), there were 136 overdose deaths in Whatcom County in 2023, exceeding prior year deaths and representing a trend of marked increase every year since 2018; and

**WHEREAS**, the United States is facing the worst drug crisis in its history, and the resulting tragedies are decimating families and contributing to extraordinary levels of despair in our communities; and

**WHEREAS**, there exists a proven risk to persons and property and further efforts must be taken to reduce the threat from fentanyl; and

**WHEREAS**, the U.S. Department of Drug Enforcement (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin; and

**WHEREAS**, seven out of ten DEA tested pills with fentanyl are potentially deadly making it likely that 'one pill can kill,' and in 2023, the DEA seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, our community's approach to the fentanyl use and fentanyl-related crimes must be different than our approach to other illegal drug use in our community; and

**WHEREAS**, the use of Fentanyl continues spreading throughout our community, and new and immediate avenues to enhance capabilities, coordination, and collaboration across local, state, tribal, and federal agencies are needed to promote public health and safety; and

**WHEREAS**, in June 2023, healthcare workers, tribal leaders, educators, community members and law enforcement gathered for a 2-day workshop, All Hands Whatcom: Opioid Summit, as a call to listening, healing, and action for the Whatcom community in response to the devastating consequences of fentanyl, meth, and opioids; and

**WHEREAS**, in June 2023, a coalition of government agencies, community-based organizations, healthcare providers, and others from across Whatcom County formed a Multi-Agency Coordination (MAC) Group in response to the local opioid and overdose crisis; and

**WHEREAS**, according to the Federal Emergency Management Agency (FEMA), multi-agency coordination system (MAC) is used for extraordinarily large, complex incidents occurring in the city or county involving numerous agencies and/or jurisdictions; and

**WHEREAS**, the [mission of the MAC group](#) is to coordinate the ongoing community-wide response efforts to the opioid crisis, identify and prioritize additional short-term objectives and strategies to reduce drug-related deaths, and mitigate the impacts on property and public safety in Whatcom County; and

**WHEREAS**, the Whatcom County MAC group aligns with the Washington State Opioid and Overdose Response (SOOR) plan, which includes five priority goals

1. Prevent opioid misuse,
2. Identify and treat substance use disorder,
3. Ensure and improve the health and wellness of individuals that use drugs,
4. Use data to detect opioid misuse/abuse, monitor illness, injury and death, and evaluate interventions,
5. Support individuals in recovery; and

**WHEREAS**, in July 2023, the Whatcom County Council passed [Ordinance 2023-039](#) and an accompanying [Justice Project Implementation Plan](#), which outlines Whatcom County’s vision for reducing unnecessary incarceration through behavioral health, diversion, and other investments and programs; and

**WHEREAS**, on September 22, 2023, the Lummi Indian Business Council approved Resolution 2023-145, declaring a state of emergency in response to the fentanyl crisis; and

**WHEREAS**, Resolution 2023-145 provides the Lummi Indian Business Council with new and immediate avenues to enhance capabilities, coordination, and collaboration across tribal, local, state, and federal agencies and bring together state agencies, local law enforcement, and internal and external partners to pursue and achieve solutions that promote public health and safety on the Lummi Reservation; and

**WHEREAS**, on October 24, 2023, the Whatcom County Council approved Resolution 2023-041 supporting the Lummi Indian Business Council’s (LIBC) state of emergency declaration in response to the fentanyl crisis; and

**WHEREAS**, Whatcom County Council Resolution 2024-002 respectfully requests that the Governor of the State of Washington declare a statewide emergency to address the fentanyl crisis; and

**WHEREAS**, Whatcom County Council Resolution 2024-003 respectfully requests that the President of the United States declare a national emergency to address the fentanyl crisis; and

**WHEREAS**, Whatcom County has taken local steps to address substance use and in particular opioid and fentanyl use; and

**WHEREAS**, in the area of prevention, Whatcom County has provided additional Behavioral Health funds to school districts to provide more services to students; participated in All Hands Whatcom to deliver community training and engagement; developed education and marketing tools regarding fentanyl and other opioids; coordinated prevention efforts among four community prevention coalitions; and launched the [Whatcomoverdoseprevention.org](#) website with local overdose data, education materials, relevant laws, and Narcan available for order; and

**WHEREAS**, in the area of intervention, Whatcom County has funded additional re-entry specialists at jail to support transitions and ensure continuity of medication; opened the Anne Deacon Center with detox and

BH support; launched the Co-Responder program, the Alternative Response Team (ART) with an embedded position at WhatComm 911 dispatch, and the MRC and Response Systems Street Medicine Teams; expanded Ground-Response and Coordinated Engagement (GRACE), Law Enforcement Assisted Diversion (LEAD); and expanded Mental Health Court to include Mental Health Sentencing Alternatives; distributed nearly 12,000 doses of Narcan to community members; and

**WHEREAS**, Whatcom County has convened both the MAC Group and workgroups to improve Crisis System and Hospital care coordination and system improvement, and hired a dedicated Opioid Response Specialist position; and

**WHEREAS**, coordination and unified action with other levels of government, institutions, and community is critical for addressing fentanyl overdoses and their consequences on individuals, families, and society; and

**WHEREAS**, Bellingham Mayor Kimberley Lund issued Executive Order 2024-01 on February 20, 2024 to address the fentanyl crisis, with a particular focus in Downtown Bellingham; and

**WHEREAS**, on April 9, 2024, the Whatcom County Council passed Resolution 2024-017, which recognizes the fentanyl crisis as an emergency in Whatcom County and identifies approaches to the emergency.

**BE IT ORDERED BY THE WHATCOM COUNTY EXECUTIVE**, that Whatcom County departments shall undertake the following actions to address the Prevention, Intervention, Treatment, and Aftercare/Recovery (PITA) needs of our community, dependent on budget authority to be provided by the Whatcom County Council:

A. In the area of Prevention:

- a. Initiate a multi-jurisdictional, multi-media substance use disorder and overdose prevention education campaign;
- b. Continue prevention coalition and other work to explore and apply evidenced based prevention models to Whatcom County;
- c. Expand opportunities for community, first responder, and medical training on opioids, overdose prevention and intervention, use of Narcan, and medication for opioid use disorder (MOUD);
- d. Increase litter clean-up in public spaces;
- e. Implement strategies to reduce the number of people experiencing unsheltered homelessness and mitigating the individual and public health impacts of encampments;
- f. Purchase and distribute lock bags for personal use safe storage of both prescription and illicit drugs; and
- g. Install and promote the use of at least one naloxone vending machine at a central location;
- h. Promote proper disposal of unused medications; and
- i. Ensure a community resource hub and website that includes service and treatment options for those who use fentanyl.

B. In the area of Intervention:

- a. Promote Good Samaritan Law protections in overdose situations;
- b. Embed Substance Use Disorder Professionals in key sites like the emergency department to connect people who have recently overdosed, or new parents who are currently using fentanyl or other substances, with treatment beds and resources;

- c. Embed Community Health Workers and Social Workers in outpatient healthcare clinics to improve outcomes, particularly for mothers and infants; and
  - d. Explore making non-fatal overdoses a reportable condition to Health & Community Services, implementation of an electronic reporting system, and the addition of capacity to contact all individuals who have experienced an overdose within one business day;
  - e. Work with partners to open a temporary facility, until a 23-hour crisis care center is built, to provide transportation, intake, resource connection, case management, basic medical care, and re-entry services to individuals who need a safe place to recover post-overdose or transition from jail or other institution to community;
  - f. Partner with fire and emergency medical systems and other jurisdictions to support an Overdose Response Team to connect people to follow up care and services, including the possible utilization of Community Health Workers in rural areas;
  - g. Expand community-wide access to supplies and services, such as naloxone, that decrease harm/risk to those with substance use disorder;
  - h. Explore the development of additional emergency shelter and transitional housing options specifically dedicated to substance use intervention and recovery;
  - i. Increase Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity (LEAD) program capacity and explore options for expansion of Alternative Response Team (ART), community paramedicine, and short-term case management;
  - j. Explore options for use of MOUD in the field; and
  - k. Create an overdose death review panel with relevant partners.
- C. In the area of Treatment:
- a. Identify County properties for public/private treatment projects or investments and develop a pipeline and prioritization of facility-based treatment projects, informed by stakeholder input;
  - b. Work with treatment and service providers to expand program capacity, including for youth and pregnant women; enhance wraparound services and coordination; improve outcomes; and promote local workforce development and hiring.
  - c. Expand and diversify treatment services available in the jail; and
  - d. Support Whatcom County-based projects such as Lummi Nation's Stabilization and Withdrawal Management Service (SWMS) facility; and
  - e. Advocate at the state and federal level for adequate reimbursement rates for treatment services.
- D. In the area of Aftercare/Recovery:
- a. Increase recovery housing;
  - b. Partner to create additional recovery support facilities and community networks, like peer supports, support groups, and drop-in recovery spaces;
  - c. Enhance supported employment services;
  - d. Partner to provide additional transportation resources between jail, hospital, and services; and
  - e. Enhance re-entry services within and outside of the Whatcom County jail, including reducing barriers to successful re-entry such as criminal legal obligations.
- E. In the area of interdepartmental and multiagency coordination:
- a. By May 31, 2024, Whatcom County Health and Community Services shall prepare and submit to the Executive, in coordination with the Department of Emergency Management, a twenty-four month emergency response plan, staffing requests, and budget proposal to operationalize the above actions, including proposed work items that can be postponed; such plan shall incorporate related items from the Whatcom County

Justice Project Implementation Plan and include targets which would allow for rescission of this Executive Order; and

- b. Whatcom County Administrative Services shall coordinate with County Departments to prepare necessary budget requests to the Whatcom County Council to provide funding for the above response activities; and
- c. Institute an internal readiness group to resource and coordinate Executive Order deliverables so they are given the highest priority for Whatcom County government;
- d. Support efforts by the Whatcom County Sheriff to reduce booking restrictions, enhance in-custody treatment and transition services, and bolster re-entry supports; and
- e. Create mechanisms for close coordination and reporting with the City of Bellingham to ensure the Whatcom County Executive Order and City of Bellingham Executive Order are aligned and implemented effectively; and
- f. Create a publicly accessible monitoring and evaluation system to track goals, outcomes, and data regarding Whatcom County's response to the fentanyl emergency, including targets which would allow Whatcom County to stand down this emergency response; and
- g. Coordinate with the Whatcom County Council, city governments, tribal governments, and other partners to advocate for increased state, federal, private, and philanthropic funding to support local response to the fentanyl crisis, and to identify and advocate for local, state, and federal policy changes necessary to address this crisis, with the recognition that significant outside resources will accelerate the pace and scale of the County's work.
- h. Regularly convene Whatcom County's independently elected officials to coordinate fentanyl response and Justice Project implementation.

Dated this 10<sup>th</sup> day of April, 2024



Satpal Singh Sidhu  
Whatcom County Executive



## PUBLIC HEALTH ADVISORY BOARD Discussion Form

May 2, 2024

**AGENDA ITEM #3:** *2025 Whatcom County Comprehensive Plan Update Presentation*  
**PRESENTERS:** *Matt Aamot, Senior Planner, Whatcom County Planning and Development Services*

**BOARD ACTION:**       Action Item       Discussion       FYI - Only

Whatcom County's Comprehensive Plan (Comp Plan) is a planning document designed to guide growth in unincorporated areas for the next 20 years in coordination with city comprehensive plans. The Comp Plan is a framework of goals and policies to guide growth, land use, capital facility and transportation planning, and environmental protection.

The Washington State Growth Management Act (GMA) requires Whatcom County to update our Comp Plan by June 30, 2025. County Planning and Development Services has started the process for updating the plan, which includes bringing relevant Comp Plan provisions to advisory groups for review. A memo from Executive Sidhu requests that advisory groups focus on two priorities:

- GMA compliance
- Council priorities.

Learn more about the 2025 Comprehensive Plan Update process here: <https://wa-whatcomcounty.civicplus.com/4373/2025-Comprehensive-Plan-Update>

***EQUITY CONSIDERATIONS (include data or information about how topic impacts or could impact equity, including racial equity)***

The Comprehensive Plan has health equity implications, especially for people living in rural areas of our community, and can impact access to services, housing, and more.

***BOARD ROLE / ACTION REQUESTED***

PHAB members will be asked to make general recommendations, in the form of a memo, on how to meet the GMA requirements and Council priorities.

***ATTACHMENT(S)***

1. Executive Memo to Advisory Committees re: 2025 Comp Plan Update
2. County Council Resolution relating to a schedule for joint County and City review of Urban Growth Areas: 2023 – 013, May 9, 2023
3. Public Participation Plan: Whatcom County Comprehensive Plan and Development Regulation Amendments, May 9, 2023





*Satpal Singh Sidhu*  
*Whatcom County Executive*



To: Advisory Committees  
From: Satpal Singh Sidhu, County Executive  
Date: November 28, 2023  
Subject: 2025 Comprehensive Plan Update

The Growth Management Act (GMA) requires Whatcom County to update our Comprehensive Plan by June 30, 2025. Whatcom County has various advisory committees that provide both technical expertise and citizen perspectives on important issues. I value the work and recommendations from these committees.

Updating the Whatcom County Comprehensive Plan will be a large, complex, and important effort. We have two priorities for the update:

1. *GMA Compliance* – The GMA is a state law and we must ensure our Comprehensive Plan meets the requirements of this law. This is necessary to address the critical issues of our day. It is also needed to ensure Whatcom County continues to be eligible to receive grant funding from the State.
2. *Council Priorities* – The Whatcom County Council approved [Resolution 2022-036](#) (also attached to this email) in August 2022 setting priorities for the update. Some of these priorities overlap with GMA requirements, but some are unique to our update.

County Planning and Development Services staff will identify Comprehensive Plan topics or chapters that each advisory committee will review. The process will proceed as follows:

- December 2023, SCJ Alliance (the consultant for the project) will contact and meet with committee chairs and lead staff to discuss the Comp Plan update.
- January – February, staff will bring relevant Comp Plan provisions to the advisory committees for review. The committees will review the applicable Comp Plan provisions and make general recommendations on how to meet the GMA requirements and Council priorities.
- February – June 2024, the County's consultant will develop preliminary draft wording changes to the various Comp Plan chapters to address GMA compliance and Council priorities, with consideration of the advisory committee's general recommendations.
- July 2024 – October 2024, the advisory committees will review the consultant's wording changes and make recommendations on these changes.

Public participation is an important component of the GMA. Therefore, I am requesting that each advisory committee set aside time at your meetings to receive and consider public comment. Additionally, because of the state deadline for GMA compliance, I am asking each committee to focus on the two priorities set forth above: GMA compliance and Council priorities. There may be other issues that come up in your discussions, but we need to be focused on the large and important tasks at hand. Each committee can create a list of other issues that may be considered after the 2025 Comp Plan update process is completed.

Thank you for the time, effort, local knowledge, and expertise that you provide! Your work makes Whatcom County a better place. We look forward to engaging with you on the Comp Plan update process. Staff will reach out to you soon to start the review process.

Sincerely,



Satpal Singh Sidhu  
County Executive



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010

## Agenda Bill Master Report

File Number: AB2023-312

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<b>File ID:</b>	AB2023-312	<b>Version:</b>	1	<b>Status:</b>	Approved
<b>File Created:</b>	04/24/2023	<b>Entered by:</b>			
<b>Department:</b>		<b>File Type:</b>	Resolution		
<b>Assigned to:</b>	Council Planning and Development Committee			<b>Final Action:</b>	05/09/2023
<b>Agenda Date:</b>	05/09/2023			<b>Enactment #:</b>	RES 2023-013

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Primary Contact Email: [maamot@co.whatcom.wa.us](mailto:maamot@co.whatcom.wa.us)

### TITLE FOR AGENDA ITEM:

Resolution relating to a schedule for joint County and City review of Urban Growth Areas

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The Growth Management Act indicates that county and city comprehensive plans must be coordinated and consistent (RCW 36.70A.100). Additionally, interlocal agreements between Whatcom County and the cities state the County and the cities will coordinate the comprehensive plan and Urban Growth Area (UGA) reviews required by the GMA through “. . . Approving, by resolution of the respective legislative bodies, a schedule for joint County and City review of the UGA. . . “ The proposed Resolution is intended to facilitate coordination between the County and the cities and facilitate consistency between the jurisdictions’ respective comprehensive plans and UGA planning.

### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
05/09/2023	Council Planning and Development Committee	RECOMMENDED FOR APPROVAL	
	Aye: 2	Elenbaas, and Galloway	
	Nay: 0		
	Absent: 1	Byrd	
05/09/2023	Council	APPROVED	
	Aye: 7	Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
	Nay: 0		

**Attachments:** Staff Memo, Draft Resolution

Sponsored by: \_\_\_\_\_

Proposed by: \_\_\_\_\_

Introduction date: 5/09/2023

RESOLUTION NO. 2023 - 013

RELATING TO A SCHEDULE FOR JOINT  
COUNTY AND CITY REVIEW OF URBAN GROWTH AREAS

WHEREAS, the Growth Management Act (GMA) requires county and city comprehensive plans to be coordinated and consistent (RCW 36.70A.100); and

WHEREAS, the GMA requires Whatcom County and cities located in the County to review and, if needed, update their respective comprehensive plans by June 30, 2025 (RCW 36.70A.130); and

WHEREAS, the GMA, county-wide planning policies and inter-local agreements indicate that review of urban growth areas (UGAs) should be coordinated between the County and the cities; and

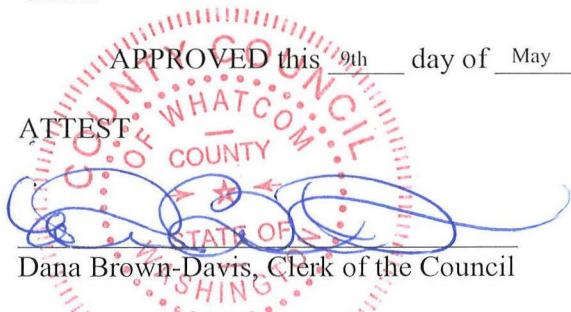
WHEREAS, the GMA states urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period by June 30, 2025 (RCW 36.70A.130); and

WHEREAS, County/city coordination of time-frames and process is needed in the review of UGAs.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council hereby agrees that the County and cities should utilize the attached UGA Review Schedule (Exhibit A) to guide coordinated planning efforts for the UGA review. The schedule is general in nature, and failure to strictly adhere to the schedule shall not be deemed to be a failure to comply with the GMA.

APPROVED this 9th day of May 2023.

ATTEST



Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON



Barry Buchanan, Council Chair

APPROVED AS TO FORM:

/s/ Royce Buckingham  
Civil Deputy Prosecutor

## Exhibit A

Year	Primary Activities
2023	<ul style="list-style-type: none"> <li>• Meetings of City &amp; County elected officials (if convened by the County Executive pursuant to the Interlocal Agreements).</li> <li>• Land capacity analysis methodology review.</li> <li>• Preparation of background information and future allocations of population, housing and employment.</li> <li>• Preliminary population, housing and employment allocations to transportation analysis zones and special purpose districts.</li> </ul>
2024	<ul style="list-style-type: none"> <li>• Meetings of City &amp; County elected officials (if convened by the County Executive pursuant to the Interlocal Agreements).</li> <li>• Initial City and County proposals for population, housing and employment</li> <li>• Initial review and preliminary Planning Commission recommendations for population, housing and employment projections and allocations to urban growth areas (UGAs).</li> <li>• Non-binding multi-jurisdictional resolution regarding allocation of population, housing and employment growth to UGAs.</li> <li>• City proposals regarding UGA growth allocations and UGA boundaries.</li> <li>• Land capacity analysis results.</li> <li>• Transportation model results.</li> <li>• Develop draft capital facility plans.</li> <li>• SEPA review (likely including development of an environmental impact statement).</li> </ul>
2025	<ul style="list-style-type: none"> <li>• Meetings of City &amp; County elected officials (if convened by the County Executive pursuant to the Interlocal Agreements).</li> <li>• Land capacity analysis results.</li> <li>• County Planning Commission public hearings and recommendations.</li> <li>• City council and County Council public hearings, review and adoption of respective comprehensive plan and capital facility plans.</li> </ul>

# Public Participation Plan

## **Whatcom County Comprehensive Plan and Development Regulation Amendments**

Approved by the Whatcom County Council  
May 9, 2023

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## Chapter 1. Introduction

This Public Participation Plan (PPP) is intended to guide the County in reviewing comprehensive plan and development regulation amendments. The Plan is required by state law (RCW 36.70A.140), which indicates:

***“Comprehensive plans – Ensure public participation. Each county and city that is required or chooses to plan under RCW 36.70A.040 shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. . . .”***

The bolded sentence of RCW 36.70A.140 above guided the County in developing this PPP. Prior to implementation, this plan will have been reviewed by the planning commission and the county council, with opportunity for the public to comment. The plan will be implemented as adopted.

The issues that will be considered as part of County’s review and amendment of the comprehensive plan and development regulations are divergent and far-reaching. A one-size-fits-all approach to this public participation plan for all of these very different types of issues would not be effective and would do a disservice to the residents of Whatcom County.

This PPP outlines the public participation approach that will be taken with each issue rather than a generic overall approach. The objective of this plan is to provide a clear process for each issue so residents can easily determine how best to be involved in the issues they care about most.

There are other planning issues that require public participation that may not be mentioned in this plan, including standard map and text amendments to Title 20 Zoning that are initiated for review after approval of this plan. At minimum, these items will be processed as Level 1 projects. If additional public participation is required or another approach is appropriate, the Planning and Development Services Department will upgrade the item to a more vigorous approach. Please see Chapter 4 for more information about public participation approaches.

Ongoing programs administered through the Planning Department also provide opportunities for public participation through their respective advisory committees. The Agricultural Advisory Committee, Conservation Easement Program Oversight Committee, Forestry Advisory Committee, Surface Mining Advisory Committee, and Wildlife Advisory Committee meet as needed to assist in the administration of their programs, and may recommend amendments to the comprehensive plan and County Code. These advisory committee meetings are open to the public. More information on these programs can be found at: <http://www.whatcomcounty.us/210/Boards-Commissions>.

*The PPP is designed to meet the following objectives:*

- Provide a roadmap for the public, outlining a clear and accessible public process for comprehensive plan and development regulation amendments;
- Ensure input is sought from a broad base of public participants and is elicited in a timely fashion, considered, and incorporated as appropriate into review of Comprehensive Plan and Development Regulation amendments; and
- Make a concerted and continuous effort to ensure that elected officials and staff are fully aware of and understand community and stakeholder concerns.

## 1.1. Public Participation Plan Format

To meet PPP objectives consistent with GMA goals this document:

- Outlines the **issues** that will be considered (Chapter 2);
- Identifies the potential project **participants** in the comprehensive planning process (Chapter 3), and;
- States the **approach** that will be taken with each issue (Chapter 4).

## 1.2. Remote Participation

The County should identify methods for remote public participation for all public hearings (for example, on-line or telephonic participation).

## Chapter 2. The Issues

The issues that Comprehensive Plan and development regulation amendments will address can be divided into two categories: statutory requirements and docketed requests. This section of the PPP outlines these issues, within these categories. Each issue has been assigned a number beginning first with an “S” or “D” for “statutory” or “docket” respectively. These numbers will carry with each issue to Chapter 4 of this document. Chapter 4 will go into greater detail on the public participation approach that the County will take on each of these issues.

### 2.1. Statutory Requirements

The Growth Management Act (GMA) requires Whatcom County to address certain issues in the comprehensive plan and/or development regulations. The following is a current list of identified statutory requirements:

- S-1. **2025 Comprehensive Plan, Development Regulation, and UGA Update** (RCW 36.70A.130(1) and RCW 36.70A.130(3)) - Review and, if needed, revise the Whatcom County Comprehensive Plan and development regulations by June 2025 to ensure compliance with the requirements of RCW 36.70A. Review urban growth areas and densities permitted within urban growth areas by June 2025, in conjunction with the Cities. If necessary, revise urban growth areas and/or associated development regulations to accommodate the urban growth projected for the succeeding twenty-year period.
- S-2. **Utilities to Schools in Rural Areas** (RCW 36.70A, amended in 2017 by HB 2243) - The State Legislature amended the GMA to indicate it does not prohibit extension of public facilities and utilities to serve a school in a rural area if certain conditions are met.

- S-3. **Shoreline Management Program Update** (RCW 90.58.080). Review and, if necessary, revise the Whatcom County Shoreline Management Program to assure it complies with applicable law and guidelines and to assure consistency with the County's comprehensive plan and development regulations. The County Council approved the amendments by resolution on May 24, 2022. The County is now waiting for Department of Ecology's approval prior to adopting the update by ordinance.
- S-4. **Tribal Participation in Planning** (RCW 36.70A.210(3)(i) and (4), RCW 36.70A.040(8), and 36.70A.110(1)), amended in 2022 by SHB 1717). Develop Countywide Planning Policies that address the protection of tribal cultural resources. Develop and implement a memorandum of agreement (MOA) with federally recognized Indian tribes that voluntarily choose to participate in the planning process. If a MOA is adopted, the County, cities and tribe will coordinate their planning efforts for UGAs and other areas consistent with the terms outlined in the MOA.

## 2.2. Docketed Amendment Requests

The items in this section were initiated for further review by the County Council under Resolution 2023-005. As with statutory requirements in the previous section, this list will be updated on an annual basis.

- D-1. **2025 Comprehensive Plan, Development Regulation and UGA Update** (PLN2023-00001) - Review and, if needed, revise the Whatcom County Comprehensive Plan and development regulations by June 2025 to ensure compliance with the requirements of RCW 36.70A. Review urban growth areas and densities permitted within urban growth areas by June 2025, in conjunction with the Cities. If necessary, revise urban growth areas and/or associated development regulations to accommodate the urban growth projected for the succeeding twenty-year period. NOTE: This is the same project as S-1 above.
- D-2. **Zoning Code Density and Lot Size Amendments** (PLN2023-00002) - Amend the text of the Urban Residential District (WCC 20.20), Urban Residential Medium Density District (WCC 20.22), General Commercial District (WCC 20.62), Resort Commercial District (WCC 20.64), Supplementary Requirements (WCC 20.80), and Definitions (WCC 20.97). The text amendments include allowing smaller minimum lot sizes, requiring minimum net densities, reducing setbacks, and defining minimum net density.
- D-3. **Whatcom County Code Amendments** (PLN2023-00003) - Review and revise the Whatcom County Zoning Code and other sections of the County Code to implement Comprehensive Plan policies and/or address issues identified in the administration of the codes. Revisions needed to achieve consistency with the Growth Management Act may also be considered.

- D-4. **Cherry Point Shoreline Access** (PLN2022-00005) – Review and, if necessary, revise county code and the Comprehensive Plan to protect, enhance, and expand public access to shorelines of Cherry Point. The review should include but not be limited to planning to facilitate the development of the Coast Millennium Trail, land swaps, development mitigation allowances, easements, and land purchases.
- D-5. **Lake Whatcom Watershed Seasonal Closure Exemption** (PLN2022-00006) - Amend the Whatcom County Code to allow for an exemption to seasonal clearing activity closures in the Lake Whatcom watershed for trail maintenance and limited trail construction under certain circumstances.
- D-6. **Bellingham UGA Expansion** (PLN2021-00007) - Amend the Whatcom County Comprehensive Plan by expanding the Bellingham Urban Growth Area (UGA) on 339 acres (the site is currently designated as UGA Reserve). Rezone this land to Urban Residential - Mixed (URMX) and commercial zoning.
- D-7. **Shoreline Management Program Update** (PLN2020-00006) - Update the Whatcom County Shoreline Management Program (Title 23). Move the goals and policies of the Shoreline Management Program to the Whatcom County Comprehensive Plan. NOTE: This is the same project as S-3 above.
- D-8. **Mineral Resource Lands Expansion – Breckenridge Rd.** (PLN2019-00002) - Amend the comprehensive plan designation from Rural to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 22.8 acres off Breckenridge Rd., east of Nooksack. The underlying zoning is Rural one dwelling/ five acres (R5A).
- D-9. **Wind Energy System Amendments** (PLN2018-00008) – Review and, if needed, revise WCC 20.14 Wind Energy Systems.
- D-10. **Mineral Resource Lands County-wide Designation Process** (PLN2017-00004) - Through a county-led countywide assessment, seek to identify and designate potential commercially significant mineral resource lands, to meet future demand, compatible with water resources, agricultural lands, forest lands and other GMA goals pursuant to Comprehensive Plan Policy 8R-1.
- D-11. **Sign Regulations Update** (PLN2016-00009) - Review and revise Whatcom County Code 20.80.400 (Sign Regulations), including updating the code for consistency with the U.S. Supreme Court’s decision in *Reed v. Town of Gilbert* (2015) and *City of Austin, Texas v. Reagan National Advertising of Austin* (2022).
- D-12. **Vacation Rental Regulations** (PLN2014-00020/PLN2016-00011) - Amend Whatcom County Code Title 20 (Zoning) & Title 23 (Shoreline Management Program) to allow vacation rentals under certain conditions as a use within certain zones and shoreline designations.
- D-13. **Code Enforcement Amendments** (PLN2015-00003) - Create a new Whatcom County Code (WCC) Chapter 22.15, called “Code Compliance Procedures,” to establish an efficient

system to address enforcement of building, critical areas and zoning codes. The proposal would consolidate the existing code enforcement provisions from WCC 15, 16.16, and 20 into a new WCC 22.15. The proposed amendments include provisions that would allow the County to record a document at the Whatcom Auditor's office indicating that there is a code violation on a property.

**D-14. Weddings and Special Events (PLN2014-00016)** - Amend the Official Whatcom County Zoning Ordinance (Title 20) to allow for "Weddings and Special Events" in specific zone districts through an approved Conditional Use Permit (CUP). Authorization to approve this amendment will result in the county needing to define "Special Events" under the "Definitions" section of WCC 20.97 and an additional amendment made to the "Parking Space Requirements" under WCC 20.80.580.

**D-15. Agricultural Strategic Plan Implementation (PLN2012-00007)** - Resolution 2018-027 was approved by the County Council on 8/8/2018 declaring support for the updated Whatcom County Agricultural Strategic Plan. Immediate priorities in this plan include reviewing designation of Agricultural Lands of Long-term Commercial Significance and the agricultural zoning code. Reviewing the Rural Study Areas as listed in the 2007 Rural Land Study and making recommendations for possible changes in accordance with Resolution 2009-040 (100,000 acre target), Resolution 2018-027 (Updated Agricultural Strategic Plan) and RCW 36.70A.170 and .177 will be included. Other short-term and medium-term priorities in this plan include development of policies and regulations that provide for protection of the best agricultural areas while supporting development at zoned densities and continued work on development of the Natural Resource Marketplace. These activities may lead to proposed changes to the agricultural portions of the Comprehensive Plan and zoning regulations.

**D-16. Mineral Resource Lands Expansion - North Star Rd. (PLN2012-00009)** - Consider proposal to amend the comprehensive plan designation from Rural to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 19.7 acres on the west side of North Star Rd., south of Brown Rd. The underlying zoning is Rural one dwelling/five acres (R5A).

## 2.3. Comprehensive Plan and Development Regulation Appeals

The Whatcom County Council may address appeals brought to the Growth Management Hearings Board (GMHB) or the courts. Public participation for settlement activities that will result in an ordinance amending the comprehensive plan and/or development regulations will include, at a minimum:

- Posting an initial draft proposal on the County website and sending it to anyone requesting notification at least 30 days prior to the public hearing. Posting any revised draft on the County website and sending it to anyone requesting notification at least 10 days prior to the public hearing.
- If urban growth areas are being modified, sending the draft proposal to cities and any citizen planning groups for non-City UGAs at least 30 days prior to the public hearing. Sending any revised draft to cities and any citizen planning groups for non-City UGAs at least 10 days prior to the public hearing.
- Publishing notice of the hearing in the newspaper and the on County website and, if urban growth areas are being modified, e-mailing notice to cities at least 10 days prior to the public hearing; and
- Holding a public hearing.

## Chapter 3. Project Participants

The Public Participation Plan is designed to reach all audiences that may have an interest in Comprehensive Plan and development regulation amendments. It is also designed to reach out to other groups and individuals – those that may not yet have an interest or be inclined to participate – to encourage their awareness, understanding and involvement in the process. The PPP also promotes use of existing communication networks to encourage involvement in the Whatcom County Comprehensive Plan and development regulation amendment process.

### 3.1. The Public

The general public is defined as members of the community including residents, groups, property owners, farmers, business owners and any others that might be interested in the Comprehensive Plan and development regulation amendments. The following sections contain a breakdown of some specific types of community groups and organizations that the County will attempt to engage in the process.

#### 3.1.1. Interested Property Owners and Developers

Interested property owners and developers are defined as members of the community that have an interest in growth plans and development regulations, especially as they relate to their private property rights. They may have an interest in developing or preserving their property. This might include farmers, real estate and development groups and other related professionals.

#### 3.1.2. Community Organizations

Community organizations are loosely defined as groups, associations, or committees that come together for a common interest or cause. This includes service groups, environmental groups, chambers of commerce, non-profit organizations, advocacy groups, community councils,

neighborhood associations, local granges, social service organizations, religious organizations, and others. Community organizations also include groups that are centered around non-city UGAs like the Birch Bay steering committee and others.

### **3.1.3. Other Groups and Individuals**

WAC 365-196-600(4) states that “Each county or city should try to involve a broad cross-section of the community, so groups not previously involved in planning become involved.” People may add themselves to County e-mail lists on the “Notify Me” site at:

<http://www.co.whatcom.wa.us/list.aspx>

## **3.2. Governmental/Quasi-Governmental Groups**

Governmental and quasi-governmental groups are defined as organizations that have a connection to local government, including Whatcom Council of Governments; Whatcom County Council; City Councils; Whatcom County and individual cities’ Planning Commissions; area tribes; local special purpose districts; Whatcom Transportation Authority; citizen advisory committees and others. Groups typically consist of elected officials, appointed or volunteer community members, or jurisdictional staff. The list below shows a selected group of advisory committees that may be asked to comment on comprehensive plan and development regulation amendments.

### **Selected Whatcom County Advisory Boards/Committees and Commissions**

- Agricultural Advisory Committee
- Bicycle/Pedestrian Advisory Committee
- Birch Bay Shellfish Protection District Advisory Committee
- Birch Bay Watershed and Aquatic Resources Management Advisory Committee
- Business and Commerce Advisory Committee
- Child and Family Wellbeing Taskforce
- Climate Impact Advisory Committee
- Conservation Easement Program Oversight Committee
- Development Standards Technical Advisory Committee
- Drayton Harbor Shellfish Protection District Advisory Committee
- Flood Control Zone District Advisory Committee
- Flood Control Sub-Zone District Advisory Committee
- Food System Committee
- Forestry Advisory Committee
- Marine Resource Committee
- Parks and Recreation Committee
- Portage Bay Shellfish Protection District Advisory Committee
- Public Health Advisory Board
- Racial Equity Commission
- Rural Library Board
- Surface Mining Advisory Committee

- Whatcom Council of Governments: Community Transportation Advisory Group
- Whatcom County Family & Community Network
- Whatcom County Housing Advisory Committee
- Whatcom Transportation Authority’s Citizen Advisory Panel
- Wildlife Advisory Committee
- WRIA 1 –Management Team
- WRIA 1 – Planning Unit

### 3.2.1. Planning Commission

Implementation of the GMA as it relates to public participation is covered within WAC 365-196-600 “Public Participation.” WAC 365-196-600(3)(c) states: “The public participation program should clearly describe the role of the planning commission, ensuring consistency with requirements of chapter 36.70, 35.63, or 35A.63 RCW.” RCW 36.70 is the Planning Enabling Act, which requires:

- Notice of the time, place and purpose of any public hearing shall be given by one publication in a newspaper of general circulation in the county at least ten days before the hearing (RCW 36.70.390 and .590).
- A recommendation of approval of comprehensive plan or official control (e.g. development regulation) amendments shall be by the affirmative vote of not less than a majority of the total members of the planning commission. Such approval shall be by a recorded motion which shall incorporate the findings of fact of the planning commission and the reasons for its action (RCW 36.70.400 and .600).

The Planning Commission is an appointed group of citizens that work directly with Planning and Development Services to craft legislation and make recommendations to the County Council. They also hear and make recommendations on applications for amendments to the Whatcom County Code and the Comprehensive Plan from private individuals, agencies and other applicants. Currently, the Planning Commission hears from the public primarily during public hearings and through written correspondence.

It is the goal that most town hall meetings, open houses and other public participation activities will occur with some involvement of the Planning Commission. In this way, the Planning Commission will hear straight from the public on each issue and will be more involved in crafting policies, earlier in the process. The public is encouraged to communicate with planning commissioners through the email and mailing address listed in Chapter 5 of this document in addition to attending planning commission meetings.

### 3.3. The Cities

Whatcom County will continue to engage with the Cities on issues of common interest, including UGA planning.

## Chapter 4. Public Participation Approach

### 4.1. Overall Approach

The Washington Administrative Code (WAC) provides guidelines and rules for public involvement in comprehensive planning. WAC 365-196-600 “Public Participation” states that “The public participation program should clearly describe the role of the planning commission, ensuring consistency with requirements of chapter 36.70, 35.63, or 35A.63 RCW.”

Through this public participation program the planning commission will act as a central hub for many public participation activities. In this way, the planning commission will have maximum exposure to the public perspective no matter how complex or minute the issue.

Starting in section 4.2, issues are broken down into 3 types for the purposes of public participation. Each type of issue has a different approach and the approach is described in each section. All the issues retain the numbers assigned to them in Chapter 2, so if more information is needed about an issue, the reader may refer back to Chapter 2.

Planning Commission and County Council meetings will be conducted in accordance with the Washington State Open Public Meetings Act (RCW 42.30). Specifically, RCW 42.30.240(1) states:

Except in an emergency situation, the governing body of a public agency shall provide an opportunity at or before every regular meeting at which final action is taken for public comment. The public comment required under this section may be taken orally at a public meeting, or by providing an opportunity for written testimony to be submitted before or at the meeting. If the governing body accepts written testimony, this testimony must be distributed to the governing body. The governing body may set a reasonable deadline for the submission of written testimony before the meeting.

This means that the Planning Commission and County Council need to take oral or written public comment when they take final action, even if the meeting is not a public hearing.

## 4.2. Level 1 Issues

Level 1 issues are generally less complicated, have already been through extensive public process or are quasi-judicial actions<sup>1</sup>. This level is also appropriate for most standard map and text amendments to Title 20 Zoning. A more vigorous public participation approach may be assigned at the discretion of the Planning and Development Services Department, which may include referring the proposal to an advisory committee for review.

### 4.2.1. Approach

Level 1 issues will be subject to the public process required by the code. Typically, they will follow this process:

- 1) **Proposal:** Staff generates a proposal or a recommendation on an application.
- 2) **Proposal posted:** Proposal is posted to the website and announced through email list. Legal notice will be given as required and applicable. Public may make comment to the Planning Commission via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 3) **Public hearing:** Planning Commission holds public hearing on issue.
- 4) **Work session and recommendation:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 5) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee and a public hearing. The Council will approve the recommendation, modify, or deny.

### 4.2.2. Level 1 Projects

- S-2. **Utilities to Schools in Rural Areas** (RCW 36.70A, amended in 2017 by HB 2243)
- D-2. **Zoning Code Density and Lot Size Amendments** (PLN2023-00002)
- D-3. **Whatcom County Code Amendments** (PLN2023-00003)
- D-5. **Lake Whatcom Watershed Seasonal Closure Exemption** (PLN2022-00006)
- D-11. **Sign Regulations Update** (PLN2016-00009)

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<sup>1</sup> Quasi-judicial actions of local decision-making bodies are "those actions of the legislative body, planning commission, hearing examiner, zoning adjuster, board of adjustment, or boards which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding" (RCW 42.36.010). These require adjudication in a court-like process, in which the guidelines for public participation are different from other actions. Notice requirements for quasi-judicial rezones are set forth in the Whatcom County Code.

- D-12. **Vacation Rentals** (PLN2014-00020/PLN2016-00011)
- D-13. **Code Enforcement Amendments** (PLN2015-00003)
- D-14. **Weddings and Special Events** (PLN2014-00016)

## 4.3. Level 2 Issues

Level 2 issues require a little more than the code-required public process. The issues in this category are of a sensitive or political nature and/or the public has come out to oppose or support them in the past. They are generally more complicated.

### 4.3.1. Approach

Typically, level 2 issues will follow this process:

- 1) **Alternatives:** Staff generates alternative approaches to the issue, when applicable.
- 2) **Alternatives posted:** Alternatives are posted to the website and announced through email list.
- 3) **Advisory Committee/Agency/City Review and Comment:** The alternatives will be submitted to the appropriate advisory committee, department, city or agency for review and comment.
- 4) **Proposal:** Staff generates a proposal considering any feedback received on the alternatives.
- 5) **Proposal posted:** Proposal is posted to the website and announced through email list and legal notice as required and applicable. Public may make comment to the Planning Commission via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 6) **Public hearing:** Planning Commission holds public hearing on issue.
- 7) **Work session:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 8) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee and a public hearing. The Council will approve the recommendation, modify, or deny.

### 4.3.2. Level 2 Projects

- D-4. **Cherry Point Shoreline Access** (PLN2022-00005)
- D-6. **Bellingham UGA Expansion** (PLN2021-00007)

- D-8. **Mineral Resource Land Expansion – Breckenridge Rd.** (PLN2019-00002)
- D-9. **Wind Energy System Amendments** (PLN2018-00008)
- D-15. **Agricultural Strategic Plan Implementation** (PLN2012-00007). Coordination with the Agriculture Advisory Committee and applicable Cities.
- D-16. **Mineral Resource Lands Expansion – North Star Rd.** (PLN2012-00009)
- S-4. **Tribal Participation in Planning**

## 4.4. Level 3 Issues

These issues are generally more complicated and are of interest to the general public. All of these issues will have many opportunities for public comment, including a town-hall style meeting where people are able to openly share their thoughts and feelings on the alternatives proposed or just the issue in general. When appropriate, town hall meetings will be planned close to areas that will be or are being impacted by the issue.

### 4.4.1. Approach

Typically, level 3 issues will follow this process:

- 1) **Alternatives:** Staff generates alternative approaches to the issue, when appropriate.
- 2) **Alternatives posted:** Alternatives are posted to the website and announced through email list.
- 3) **Advisory Committee/Agency/City Review and Comment:** The alternatives will be submitted to the appropriate advisory committee, department, city or agency for review and comment.
- 4) **Town hall meeting(s):** A town hall style meeting(s) is held to seek public input on the issue and the proposed alternatives. When appropriate, the meeting is held in a location that is reasonably located near an area affected by the issue. Planning Commission may be in attendance at this town hall meeting. Announcements of town hall meetings will be done through the website, email list, media releases, and local postings as appropriate.
- 5) **Proposal:** Staff generates a proposal considering feedback received on the alternatives, including feedback heard at the town hall meeting.
- 6) **Proposal posted:** Proposal is posted to the website and announced through email list. Legal notice will be given as required and as appropriate. Public may make comment to the Planning Commission via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 7) **Public hearing:** Planning Commission holds public hearing on issue.

- 8) **Work session:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email, other electronic file transfer protocols set up by the County, and/or US mail.
- 9) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee and a public hearing. The Council will approve the recommendation, modify, or deny.

#### 4.4.2. Level 3 Projects

- S-1/D-1. **2025 Comprehensive Plan, Development Regulation and UGA Update** (PLN2023-00001)
- D-10. **Mineral Resource Lands County-wide Designation Process** (PLN2017-00004)
- S-3/D-7. **Shoreline Management Program Update** (PLN2020-00006)

## Chapter 5. Conclusion

This public participation plan will guide the review of comprehensive plan and development regulations amendments. It is a living document that should be updated as conditions change or new methods are discovered. This public participation plan meets the requirements of the RCW and the requirements of the WAC. Specifically, the Planning and Development Services Department hopes that this public participation program will “involve a broad cross-section of the community, so groups not previously involved in planning become involved” as WAC 365-196-600(4) suggests it should.

To provide written feedback on this public participation plan, please contact Planning and Development Services at [pds@co.whatcom.wa.us](mailto:pds@co.whatcom.wa.us). If you wish to provide comment on any issue to the Planning Commission or County Council, please utilize the following addresses:

Whatcom County Planning Commission  
c/o Secretary  
5280 Northwest Drive  
Bellingham, WA 98226  
[PDS\\_Planning\\_Commission@co.whatcom.wa.us](mailto:PDS_Planning_Commission@co.whatcom.wa.us)

County Council  
311 Grand Ave, Ste 105  
Bellingham, WA 98225  
[council@co.whatcom.wa.us](mailto:council@co.whatcom.wa.us)



**PUBLIC HEALTH ADVISORY BOARD  
Discussion Form**

May 2, 2024

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**AGENDA ITEM #4:** *Sub-group follow up*  
**PRESENTERS:** *Sterling Chick, PHAB Chair*

**BOARD ACTION:**       Action Item       Discussion       FYI - Only

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The PHAB discussed and decided to adopt a sub-group model so additional work/progress could occur outside regular meetings. The purpose of this discussion is to follow up, ensure all questions are answered, and discuss sub-group membership if certain sub-groups are underrepresented.

***EQUITY CONSIDERATIONS***

***(include data or information about how topic impacts or could impact equity, including racial equity)***

Sub-groups allow the PHAB to more quickly and nimbly achieve its goals and state/legal purpose, which include advancing equity, developing an equity framework, and providing more opportunity to receive community feedback.

***BOARD ROLE / ACTION REQUESTED***

Discuss next steps for launching sub-groups.

***ATTACHMENT(S)***

1. Sub-group explanation document.



## **PUBLIC HEALTH ADVISORY BOARD SUB-GROUP OPTIONS**

### **Equity**

*Goal/Purpose:* One of the overarching areas for department and community strategic action is to decrease health disparities and inequities. Health and Community Services (HCS) will welcome a dedicated Equity position in early January, who can provide support to PHAB members in identifying an equity framework (per WAC – use a health equity framework to conduct, assess, and identify the community health needs of the jurisdiction...) and developing recommendations for implementation of the ‘Racism as a Public Health Crisis’ resolution. This group will also work collaboratively with the Whatcom Racial Equity Commission to ensure work aligns and supports their goals.

*Membership:* 3-4 members

*Frequency:* monthly or every other month for the year

### **Nominations**

*Goal/Purpose:* As PHAB implements its hub and spoke model, this committee would be responsible for contacting boards, commissions, and key partners that lack a member. This group would also review applicants and make recommendations to the full PHAB and County Council on who to appoint.

*Membership:* 3 members

*Frequency:* As needed/as vacancies occur

### **Communications**

*Goal/Purpose:* PHAB does not currently have formalized or effective methods to communicate with partners, the public, the county council, and other boards and commissions. Per WAC, PHAB is responsible for ‘providing community forums and hearings’ and ‘promoting public participation in and identification of local public health needs’. This group would develop options, make recommendations and support staff in producing and disseminating information about PHAB priorities and activities.

*Membership:* 3-4 members

*Frequency:* Monthly for the year



### **Code Changes**

*Goal/Purpose:* The current code does not support joint decision-making between boards/commissions and the county council regarding applicant recommendations and does not allow for time to review. This group would work with staff to develop code change recommendations for Council approval to ensure better engagement and decision-making.

*Membership:* 2-3 members

*Frequency:* One meeting to review and finalize draft

### **Operationalizing the Model**

*Goal/Purpose:* When former Chair Steve Bennett and Director Erika Lautenbach presented the Hub and Spoke Model, there were significant questions about how to operationalize the model. This group will be charged with supporting department and PHAB leadership in developing a working organization around the model.

*Membership:* 5-6 members

*Frequency:* Monthly for the year

### **Board/Commission Assessment Implementation**

*Goal/Purpose:* This group will support staff in selecting priority items and implementing the recommendations made in the 2023 Board and Commission Assessment. This group will also provide recommendations and support for other HCS boards and commissions to implement the assessment.

*Membership:* 4-5 members

*Frequency:* Monthly or every other month for the year