

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
360-778-5900, TTY 800-833-6384  
360-778-5901 Fax



**Mark Personius, AICP**  
Director

# **Agricultural Advisory Committee** **Special Meeting**

## **LOCATION**

**Hybrid Meeting: Zoom (details below) and  
Northwest Annex Conference Room  
Whatcom County Planning and Development Services  
5280 Northwest Drive, Bellingham, WA 98226**

**Date: September 11, 2024**

**Time: 2:00-4:00 P.M. Pacific Time PM Pacific Time (US and Canada)**

Whatcom County PDS is inviting you to a scheduled in person or Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86432152429?pwd=matGxIV4BjnL6vS8DMoQDxVMShkReJ.1>

Meeting ID: 864 3215 2429

Passcode: 000000

One tap mobile

+12532158782,,86432152429#,,,,\*000000# US (Tacoma)

Dial by your location

• +1 253 215 8782 US (Tacoma)

**WHATCOM COUNTY**

Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
360-778-5900, TTY 800-833-6384  
360-778-5901 Fax



**Mark Personius, AICP**  
Director

## **Agricultural Advisory Committee Special Meeting Agenda**

for  
September 11, 2024  
2:00-4:00 P.M.

---

1. Roll Call & Introductions (5 min)
  - Determination of Quorum
2. Agenda Review & Adjustments (5 min)
3. Open Public Session (5 min)
4. Review and Approval of Previous Meeting Minutes (5 min)
  - May 8, 2024
  - July 17, 2024
5. Report of Subcommittee Activities (75 min)
  - Comp Plan Coordination Sub-Committee
  - VSP, Strategic Plan, Rural Land Study, Ag Planner Sub-Committee
6. Staff & Member Updates (15 min)
7. New Business (5 min)
8. Action Items & Next Agenda (5 min)
9. Adjournment

Attachments:

- Draft minutes for AAC Meeting 5/8/24
- Draft minutes for AAC Meeting 7/17/24
- Approved AAC Comp Plan Recommendation
- Comp Plan Discussions Memo
- Email re: Comp Plan CEPOC Sub-committee Meeting
- Comprehensive Plan Chapters
- RES2022-036 Resolution Establishing Priorities for 2025 Comp Plan Update

Individuals who require special assistance to participate in the meetings are asked to contact AAC staff at least 96 hours in advance at: [dstranik@whatcomcounty.us](mailto:dstranik@whatcomcounty.us), 360-778-5911.

**Agricultural Advisory Committee  
Meeting Summary  
May 8, 2024**

Start Time:	3:00 p.m.
Location:	Hybrid Meeting – Zoom & at Whatcom County Planning & Development

Meeting Highlights
There were 13 people in attendance (Voting members: 9 of 10, Staff members: 2, Ex-Officio: 2 Members of the public: 0).

Attendees – Members	Affiliation	Present
Chapman, Alan (chair)	Whatcom Conservation District	<input checked="" type="checkbox"/>
Kubalek, Roger (vice chair)	Ag Producer	<input type="checkbox"/>
McDermott, Matthew	Ag Producer	<input checked="" type="checkbox"/>
Harron, Elli	Ag Producer	<input checked="" type="checkbox"/>
Welch, Chantel	Ag Programs	<input checked="" type="checkbox"/>
Likkel, Fred	Whatcom Family Farmers	<input checked="" type="checkbox"/>
Pehl, Clay	Consumer of Ag Products	<input checked="" type="checkbox"/>
Hawley, Roger	Ag Producer	<input checked="" type="checkbox"/>
Steele, Eliza	Ag Producer	<input checked="" type="checkbox"/>
Del Giorgio, Isaiah	Ag Producer	<input checked="" type="checkbox"/>
VACANT	Ag Producer	
VACANT	Ag Producer	
VACANT	Ag Processing	

<b>Quorum Present</b>	<b>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></b>
-----------------------	--

Attendees – Ex-Official/Contributing	Affiliation	Present
Corina Cheever	Whatcom Conservation District	<input checked="" type="checkbox"/>
Benedict, Chris	WSU Extension	<input checked="" type="checkbox"/>
Hall, Alex	NRCS	<input type="checkbox"/>
Hallberg, Brooklyn	FFA Youth	<input type="checkbox"/>

Attendees - Staff	Present
Dakota Stranik	<input checked="" type="checkbox"/>
Lauren Templeton	<input checked="" type="checkbox"/>

Others Present
none

**Zoom Recording:**

[https://us02web.zoom.us/rec/play/fzVsJOo0gNvhET3zq6CpA0NNxwbhdgolEvSIIdZcd91ob6GuSueA\\_0CEadZmQwYwT03Uo\\_CRdLa1CpzP.6EWWr7B5wDvV9Eb6?canPlayFromShare=true&from=my\\_recording&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FOz0wK-u2ohvIWDsdhT3S\\_aEAXhOqMyW1VYZo8I6NPXonT5NB-PFbnFyDnYR-Q.nYxAdJpUO0z0VEgH](https://us02web.zoom.us/rec/play/fzVsJOo0gNvhET3zq6CpA0NNxwbhdgolEvSIIdZcd91ob6GuSueA_0CEadZmQwYwT03Uo_CRdLa1CpzP.6EWWr7B5wDvV9Eb6?canPlayFromShare=true&from=my_recording&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FOz0wK-u2ohvIWDsdhT3S_aEAXhOqMyW1VYZo8I6NPXonT5NB-PFbnFyDnYR-Q.nYxAdJpUO0z0VEgH)

**1- Roll call and introductions** - starting at 00:02:17

WCC 2.34.040 establishes that “a quorum shall consist of at least half of the appointed voting members.” A quorum was established with 9 of 10 appointed voting members present.

**2- Agenda Review & Adjustments** - starting at 00:04:54

No alterations were made to the current agenda.

**3- Open Public Session** - starting at 00:05:03

There was no public comment.

**4- Review & Approval of Previous Meeting Minutes** - starting at 00:05:24

Motion to approve by Roger Hawley, seconded by Fred. With no objections, the April minutes were unanimously approved.

**5- Further Discussion on Voluntary Stewardship Program (VSP)** - starting at 00:07:55

Dakota gave a brief review of her presentation in tandem with Whatcom CD to County Council’s Planning & Development Committee on May 7<sup>th</sup>. The presentation reviewed the Conservation Program on Agricultural Lands (CPAL) and how it provides landowners with a pathway for agricultural use of Critical Areas and buffers if a Farm Plan is submitted and approved by Whatcom County Planning & Development Services (PDS). Landowners may choose to develop a farm plan and enroll in CPAL, or adhere to the standard protective buffers described in the Critical Areas Ordinance (CAO) defined in WCC 16.16. Dakota compared the current regulatory approach of CPAL & the CAO to a possible alternative that Whatcom County Council could choose to adopt – the Voluntary Stewardship Program (VSP). VSP is a state program facilitated by the State Conservation Commission (SCC) in partnership with a variety of other agencies. VSP is a fully voluntary program that addresses protection of Critical Areas functions and values through voluntary cooperation from landowners. A comparison chart showing the differences between VSP & CPAL/CAO was reviewed and discussed by the group. Areas of particular interest were economic viability for agriculture & watershed monitoring.

The definition of Ongoing Agriculture was also briefly discussed, and how that concept interfaces differently with both VSP and CPAL/CAO.

Chantel clarified that American Farmland Trust is working in partnership with Puget Sound Partnership to create an Ag Viability analysis looking at various areas including how VSP is working, comparing Comprehensive Plan approaches, etc. That project should be wrapped up in about a year and should provide some insights on these considerations.

The AAC may choose to clarify its stance on whether or not adoption of VSP would be beneficial and provide an advisory to County Council for consideration. It is possible that there could also be modifications made to CPAL to incorporate some aspects of VSP such as monitoring, a work group, etc. A mocked up VSP work plan could possibly help inform these decisions as well. Fred & Chantel formed a

subcommittee to look more closely at VSP and develop a preferred approach by early 2025.

**6- Update on Whatcom County Agricultural Statistics** - starting at 00:53:24

Chris Benedict gave a brief presentation on the most recent Ag Census (2022) and how it pertains to Whatcom County agriculture. He clarified that while this data has some issues due to its reliance on landowner reporting, it does a good job at demonstrating long term trends. Key points included:

- Decreasing mid-size farms and increasing small & large sized farms. Small farms are defined as those having less than \$250,000 in gross annual sales.
- Total number of farms is decreasing both at the State level and in Western WA.
- The agricultural economy as a whole has essentially doubled in value since 1997 (not accounting for inflation).
- Dairy sales are declining and berry sales are increasing. Similarly, livestock sales are declining and crop sales are increasing.
- For dairy industry, number of cows is decreasing but value of milk product is increasing. Some concern on accuracy of the numbers here.
- Direct Sales (between farmer and consumer) have decreased at the State level but increased in Western WA & Whatcom County. Direct Sales account for 2% or less of Total Sales.
- Organic production is growing overall but has decreased in Western WA over the last 5 years.
- Raspberry production is fairly steady while blueberry production is growing. This is a long term landscape change as raspberries are commonly rotated amongst other crops (potatoes, corn, silage grass) but blueberry plantings are essentially permanent in many cases.

Cropscap is a satellite mapping project for annual tracking of different crop acreage. In addition, WSDA produces annual data derived from windshield surveys.

A brief update on the Whatcom County Rural Land Study was given starting at 1:11:24 in the recording. Chris Elder at Whatcom County Public Works is working on an update to the Rural Land Study to reflect what land in Whatcom County is available for agriculture, what areas are most at risk for development and what areas should be prioritized for protection of ag lands. Chris was looking for AAC volunteers to help interface with the update. Eliza volunteered to help.

**7- Report of Subcommittee Activities** – starting at 01:26:00

Alan, Roger, and Elli have distributed an invite to collaborate with other committees to find aligned interests in relationship to the Comp Plan update. The following committees have been contacted:

- Climate Impact Advisory Committee (enthusiastic response)
- Food System Committee (interested)
- Shellfish Advisory Committee (Fred can represent)
- Surface Mining Advisory Committee
- Staff teams involved in salmon recovery & water

- Housing Committee at Health Dept
- Forestry Advisory Committee
- Flood Control District Board Advisory Committee
- Marine Resources Committee
- CEP Advisory Committee has not been approached yet formally

Idea is to start off with what each committee wants, what are the barriers, and where is there room for alignment & common ground. Work will continue on this effort during the summer.

### **8- Review of Current Year's Work - starting at 01:33:25**

Overall positive feedback, still working on getting new members up to speed and building up to a clear vision of where to focus in the future. Mixed reviews on the value of the Rural Study Areas and the Ag Strategic Plan and if they are things we should continue to focus on. While committee members didn't feel that the AAC had moved much forward in the last year, there was interest in engaging more in areas such as VSP considerations, ag land preservation, economic viability, etc. as well as supporting the creation of an Agricultural Planner to support county ag programs & efforts. A work plan is needed for future organization.

It was decided to circulate a Doodle Poll to schedule a special June meeting before the summer hiatus in order to clarify subcommittee work.

### **9- Staff & Member Updates**

This item was not discussed

### **10- New business**

There was no new business

### **11- Action items and next agenda**

This item was not discussed

### **12- Adjournment**

The meeting adjourned at 5:02 p.m. A special meeting will be scheduled in June or July before the normal summer hiatus begins.

**Agricultural Advisory Committee  
Meeting Summary  
July 17, 2024**

Start Time:	1:00 p.m.
Location:	Hybrid Meeting – Zoom & at Whatcom County Planning & Development

Meeting Highlights
There were 9 people in attendance (Voting members: 7 of 10, Staff members: 1, Ex-Officio: 1 Members of the public: 0).

Attendees – Members	Affiliation	Present
Chapman, Alan (chair)	Whatcom Conservation District	<input checked="" type="checkbox"/>
Kubalek, Roger (vice chair)	Ag Producer	<input checked="" type="checkbox"/>
McDermott, Matthew	Ag Producer	<input type="checkbox"/>
Harron, Elli	Ag Producer	<input checked="" type="checkbox"/>
Welch, Chantel	Ag Programs	<input type="checkbox"/>
Likkel, Fred	Whatcom Family Farmers	<input checked="" type="checkbox"/>
Pehl, Clay	Consumer of Ag Products	<input checked="" type="checkbox"/>
Hawley, Roger	Ag Producer	<input checked="" type="checkbox"/>
Steele, Eliza	Ag Producer	<input checked="" type="checkbox"/>
Del Giorgio, Isaiah	Ag Producer	<input type="checkbox"/>
VACANT	Ag Producer	
VACANT	Ag Producer	
VACANT	Ag Processing	

<b>Quorum Present</b>	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/>
-----------------------	---

Attendees – Ex-Official/Contributing	Affiliation	Present
Corina Cheever	Whatcom Conservation District	<input checked="" type="checkbox"/>
Benedict, Chris	WSU Extension	<input type="checkbox"/>
Hall, Alex	NRCS	<input type="checkbox"/>
Hallberg, Brooklyn	FFA Youth	<input type="checkbox"/>

Attendees - Staff	Present
Dakota Stranik	<input checked="" type="checkbox"/>

Others Present
none

**Zoom Recording:**

[https://us02web.zoom.us/rec/play/Jk7RADSIWaELpQtPAo7HKIzWQ-93KRJu9QH4dJ3-YtN6TE8ASwmIaG6PpeYbKGWcazmhbK0-1roRvKOO.BwLt1tQPa5rgiiA-?canPlayFromShare=true&from=my\\_recording&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FJTyzl6nMKYHKDiJ1TBLVSbDH4TrWNs4pjdTOF\\_rhm8EXWdXX\\_XDo8tKz-pUHLzvG.0WxmDkGmw0hx2b8e](https://us02web.zoom.us/rec/play/Jk7RADSIWaELpQtPAo7HKIzWQ-93KRJu9QH4dJ3-YtN6TE8ASwmIaG6PpeYbKGWcazmhbK0-1roRvKOO.BwLt1tQPa5rgiiA-?canPlayFromShare=true&from=my_recording&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus02web.zoom.us%2Frec%2Fshare%2FJTyzl6nMKYHKDiJ1TBLVSbDH4TrWNs4pjdTOF_rhm8EXWdXX_XDo8tKz-pUHLzvG.0WxmDkGmw0hx2b8e)

**1- Roll call and introductions** - starting at 00:00:13

WCC 2.34.040 establishes that "a quorum shall consist of at least half of the appointed voting members." A quorum was established with 7 of 10 appointed voting members present.

**2- Agenda Review & Adjustments** - starting at 00:01:17

Discussion of Fall Meeting Schedule was moved up to #4 after the Open Public Session.

**3- Open Public Session** - starting at 00:01:55

There was no public comment.

**4- Discussion of Fall Meeting Schedule** - starting at 00:02:01

It was agreed to resume meetings one month early this fall, re-starting meetings in September rather than October. The start time was also permanently changed to 2pm for all future meetings. Motioned by Fred, seconded by Roger, and passed unanimously with no objections.

**5- Planning for Summer Subcommittee Activities** - starting at 00:09:10

It was determined that there would be two subcommittees working over the summer.

- Subcommittee for Comp Plan Coordination (Alan, Roger, Elli)
- Subcommittee for Review of VSP & Ag Strategic Plan (Fred, Clay, Chantel, Eliza)

**6- Staff & Member Updates** – starting at 00:32:20

Alex Harris has been hired as Outreach Coordinator for the Conservation Easement Program

**7- New business**

There was no new business

**8- Action items and next agenda**

This item was not discussed

**9- Adjournment**

The meeting adjourned at 2:01 p.m. The next meeting will be scheduled on Wednesday, September 11<sup>th</sup> from 2pm to 4pm. The meeting will be held as a hybrid between Zoom and in person at Whatcom County Planning & Development Services (5280 Northwest Drive).

# 2025 CompPlan Update

---

## Agricultural Advisory Committee Recommendations

### General Comments

- Ag zoning ought to be expanded to cover more lands:
  - The AAC has determined that the Rural Study Areas meet the Agricultural Lands of Long-Term Commercial Significance criteria and therefore recommends that the Council rezone these areas to Agricultural zoning contingent on pursuing/providing compensatory funding to property owners for lost development rights.
  - The AAC recommends evaluating and eliminating nonconforming lots (combine nonconforming plots under same ownership) located in Agricultural Zones. Parcelization of existing agricultural zoned land has occurred and is relatively widespread in the Ag Zone, with an average parcel size of 17 acres.
  - Change the Agriculture Protection Overlay to apply to clusters of land 10 acres or larger, rather than 20 acres.
- The AAC supports recommendations from the Housing Advisory Committee that encourage options for urban infill to reduce UGA expansion.
- Regarding climate change:
  - There is a noticeable lack of climate-related language in here, an acknowledgement of the effects of a changing climate and strategies to maintain agricultural viability would be useful.
  - We need to more clearly integrate climate change, equity, and economic security throughout the CompPlan.
  - Support a thriving local agriculture and food system economy and food security, considering the impacts of climate change on agriculture as well as equity and housing needs of farmworkers.
- Regarding land/infrastructure preservation:
  - Continue to protect ag lands through existing County programs
  - Explore new ways to support ag-land succession that keeps ownership local.
  - Develop new strategies to reduce urban sprawl and preserve rural characteristics of urban edge development
  - Incentivize agricultural operations and work cooperatively to improve existing and install new state of the art infrastructure.
- Regarding water rights and use:
  - Protect agriculture as an allowed use for permit exempt wells.
  - Support efficient application process for new water rights.
  - Throughout the document strengthen the need to address water security for farms. Note the Council's goals in goal 6 of their priorities resolution: Work to provide secure and legal access to water for all farmers with an end goal of water use efficiency to drive profitability for a diverse agriculture economy, recognizing that the "use it or lose it doctrine" of water rights does not promote water use efficiency.
- Update the ag descriptive language and charts using the 2022 Ag Census

- While the goals are useful in indicating a policy direction to protect agricultural lands, the policies lack adequate specificity to be able measure progress toward achieving those goals.
  - There are no metrics to measure the effectiveness of the identified actions. The policies are full of relative terms like involve, support, encourage, assist, work cooperatively, discourage.
  - Few of the stated policies identify who will be responsible for implementing them, and several policies have been worked on by other organizations.
  - There is a question whether advisory committees are supported sufficiently to have the information to evaluate options to discharge their responsibilities.
  - Several of the policies are under the authority of State agencies, though land use is the cause of most water quality and quantity issues are under the authority of the City and County Governments.
  - There should be a restriction on putting people on land that cannot support the needs for water and waste treatment, rather than developing infrastructure to provide those services.
- Regarding conflicting goals:
  - When there are competing goals, there should be guidance on how to balance them (e.g., ag vs. mining vs. fish and wildlife habitat).
  - The conflicting policies within the Natural Resources Chapter 8 are not adequately addressed. How do you choose which resource is of greater value?
  - It is important to look at both the Mineral Resource section and Agriculture section on Chapter 8 as to the conflicting codes and policies.
- The relative coordination between the County and Cities on actions that impact viable agriculture should be made more transparent in the goal statements. The UGAs are still under County authority.
- Replace the term "agriculture industry" "agriculture community."
- We're all aware that flooding has become a major issue, but what most don't know (yet) is that the river has lost 30% of its capacity above Everson since the 90's. This is where the nexus of salmon habitat and farming becomes a bit challenging, but it is our job as an Ag Committee to advocate strongly for drainage to be maintained if farming is going to survive. Again, the Council priorities under goal 6: Enhance flood control and drainage vitally important to protecting people, farm families, and infrastructure. If agricultural land is used for "overflow areas," the County should also plan to facilitate drainage to enable the ability of the land to be productively farmed. Manage drainage areas, including wildlife control, to protect land intended to produce food and fiber, except where they have been placed in the conservation programs.
- Can including educating the public and involving them in the struggles farmers, farmland, and agriculture face be dispersed throughout the plan?
- The Food Systems Plan has some Goals and Action plans that I thought were clearer and may be a model to look at.
- The Co. should better support value-added processing facilities and services (e.g., meat processing, etc.) so as to better support ag viability.

## Specific Comments

- Policy 8A-3, 3.d: It is mentioned in the background that diversity of agriculture has increased. If the diversity of crops has increased and some commodities that have been growing for longer have decreased in production, are there newer agriculture practices and commodities that

would have a longer-term commercial significance than other commodities that have been operating before 1985?

- 8D-4 & 5 Surface Mining and Mineral Resource Extraction: The language suggests accommodating these activities in the Ag zone, which are currently not permitted. Concerning, given this topic has previously been discussed and determined to not be conducive to ag and/or the returning of soils to productive ag activities after surface mining/extraction activities.
- Policy 8C-4: Are there programs to help small farms that are struggling, not just new farmers?
- Policy 8E-3: Instead of just encouraging the use of these practices to protect water quality, is there a way to help these farmers perform these practices?
- Policy 8A-1 Conserve productive agricultural lands and agricultural resource lands, including areas with prime soils that are not now zoned agriculture. With a 20 – 100-year plan.
  - ADD Give high priority to these lands over MRL that could contribute to the degradation of these rural lands with prime soils.
- Chapter 8 page 12, Mining activities, such as the extraction of sand and gravel, are often an alternative use of land zoned agriculture. Such activities may limit options for later agricultural use, depending upon the intensity of the activity and the extent of soil rehabilitation efforts.
- Policy 2 DD-2 Protect the character of the rural area through the County's development regulations. What are the county's development regulations that address this? These regulations should be addressed herein, stated with clarification on how that goal will be met.
- 8M-2. Protect areas where existing residential uses predominate against intrusion of mineral extraction and processing.
  - What is the density that makes an area residential instead of rural? Why protect residential areas and not rural areas from intrusion of mineral extraction?
  - This needs to be expanded to state: Protect areas where existing residential and rural uses predominate against intrusion of mineral extraction and processing.

## Individual's Comments

### Chantel

- To maintain long-term agricultural viability, the Whatcom County Council has set a goal of preserving 100,000 acres of farmland within the county (RES 2009-040)

To achieve this goal, the Agricultural Advisory Committee recommends the following:

1. The 2019 Rural Land Study identified 28,449 acres with 'high agricultural value' as determined by; 1) Proximity to active agricultural areas; 2) Current land use characterized by agriculture – visual analysis; 3) High percentage of APO and prime soils; 4) Parcelization of the area; 5) Land use as identified on Assessors records (Agricultural Open Space), and 6) Evaluation of forested areas for potential ecological benefits adjacent to agricultural use. These spatial data were applied to evaluate the Agricultural Lands of Long-Term Commercial Significance designation criteria as identified in Whatcom County Comprehensive Plan policy 8A-3. **The AAC determines that the Rural Study Areas meet the Agricultural Lands of Long-Term Commercial Significance criteria and therefore recommends that the council rezone these areas to Agricultural zoning and pursue/provide compensatory funding to property owners for lost development rights.**  
\*Current agricultural zoning has a minimum parcel size of 40 acres, which may be appropriate for these areas though it is noted that many farms in these areas are smaller commercial farms and therefore a minimum parcel size of 20 acres might be more appropriate.
2. Parcelization of existing agricultural zoned land has occurred and is relatively widespread in the Ag Zone with an average parcel size of 17 acres, the AAC recommends **evaluating and eliminating nonconforming lots** (combine nonconforming plots under same ownership) located in Agricultural Zones.
3. Change the **Agriculture Protection Overlay to apply to clusters of land 10 acres or larger**, rather than 20 acres.

Additionally, we highlight the connections between our recommendations that strengthen and support the work of other committees—notably the Wildlife Advisory Committee, the Climate Impact Advisory Committee, and the WRIA 1 Planning Unit—and support recommendations from the Housing Advisory Committee that encourage options for urban infill to reduce UGA expansion.

- I mainly have questions about what has been done and where the main roadblocks are for protecting the remaining 12,000(ish) acres of ag land to reach 100,000 acres. If I read correctly, that amount of land was designated back in the 1990s, so what are the main reasons for it still not being secured? Knowing the roadblocks may provide a clearer path ahead and allow for better recommendations for 8A-2 and 8A-3. The 2019 Rural Lands Study Update made a pretty clear case for expanding APO to the areas of greatest concern that are also adjacent to protected lands, and noted " Existing programs, such as the Purchase of Development Rights Program and Open Space Farm and Agriculture Current Use Assessment program, are known to be effective tools to provide heightened agricultural protection measures" so I would recommend that we strengthen language around expanding APO and funding compensation for development rights.
- There is a noticeable lack of climate-related language in here, an acknowledgement of the effects of a changing climate and strategies to maintain agricultural viability would be useful. For example, how will we support producers through increased winter precipitation (managing

flooding) and decreased summer precipitation (managing drought). I see this as an expansion of the following 8A-2 bullets "Working cooperatively...to address water quality impacts" and "securing an adequate, sustainable, and legal supply of irrigation water...." as well as \*E & 8F.

## Matt

- Exhibit A of the Executive Memo related to the Resource Lands Chapter: Emphasis on sustainable ag, climate smart ag, resilient ag, etc. and suggestions of incentives to help farmers change practices might need clearer definitions. And, overall, a means to measure/track the goals seems essential to measure impact.
  1. "Consider the impacts of climate change, water resources..." Wondering how this overarching statement translates to policy action?
  2. Water: Supporting a pivot from "use it or lose it" makes good sense, as does water supply planning.
  3. Promote ag/processing sustainability: Great and how?
  4. Implement Whatcom County Food Assessment: Great
  5. Improve wages, housing, etc.: Curious how the actionable details would look from a policy standpoint?
  6. Ensure safe and affordable on-farm housing, transport, insurance: Same, curious how actionable details would play out.
  7. Increase demand for local...: Sounds good
  8. Increase local food producer capacity: I think the important component here is to support policy/permit pathways that accommodate various size/scale operations rather than a one-size fit all. I think that's what's trying to be relayed in original statement?
  9. Ag Research: Great
  10. Enhance flood control: Great
  11. Encourage climate smart farming...: How is this different from #3 above?
  12. Preserve productive farmland, implement Ag Strategic Plan, RSA rezoning...: Yes, supports the 100,000-acre goal
  13. Expand allowable ag to non-traditional farm models: What examples are being targeted?
- CompPlan Goals Reviewed:
  1. 8A Conserve/Enhance Land base
    - 100,00-acre land base: #12 from above, including RSA rezone, support this goal
    - Is the density credit program active? Or is this being proposed for the 1<sup>st</sup> time?
  2. 8D Reduce Land Use Conflict:
    - 8D 4/5 Surface Mining and Mineral Resource Extraction: The language suggests accommodating these activities in the Ag zone, which are currently not permitted. Concerning, given this topic has previously been discussed and determined to not be conducive to ag and/or the returning of soils to productive ag activities after surface mining/extraction activities.

## Roger

1. Ag Support Programs:
  - a. Best Management Practices
    - i. Incentives - environmentally friendly and conservation practices
    - ii. Focus on regenerative (buzz word, but likely to stay relevant for foreseeable future)
    - iii. Climate Resilience
    - iv. Measure and report
  - b. Marketing and Infrastructure Improvement
    - i. Highlight Whatcom County products

- ii. Encourage agritourism
- iii. Help protect/buffer from import price gouging
- iv. Gain funds for grants and loan assistance to Farmers and supporting industries
- v. Public Education towards the value of agriculture within the county and fair representation of sensitive issues involving agriculture
- vi. Measure and report
- c. Land/infrastructure Preservation
  - i. Continue to protect ag lands through existing county programs
  - ii. Explore new ways to support ag-land succession that keeps ownership within Whatcom County or Washington State and reduces/deters foreign or out-of-state land holders.
  - iii. Develop new strategies to reduce urban sprawl and preserve rural characteristics of urban edge development
  - iv. Incentivize agricultural operations and work cooperatively to improve existing and install new state of the art infrastructure.
- d. Water Rights
  - i. Protect agriculture as an allowed use for permit exempt wells.
  - ii. Support efficient application process for new water rights.

## Chris

Some suggestions. Depending on how things play out with Ecology some of the language in here will be outdated.

- The most recent ag census (2022) should be out any day, so depending on when this gets updated could pop in those numbers.
- The economic impacts of agriculture on Whatcom County are substantial. According to the U.S. Department of Agriculture's 2012 (2017) Census of Agriculture, 1,483 (1,712) Whatcom County farms produced a market value of \$326 (\$372) million in crops and livestock that year, ranking eighth in the state. Milk produced locally in 2013 (2017) reached an all-time high market value of \$246.1 (\$180.5) million. Raspberries and blueberries combined for a record market value of \$123.6 (\$114 - though this number is considerably higher in 2023) million in 2014. There are new values for these as well.
- Average annual agricultural employment in Whatcom County in 2014 was 3,512, with substantial seasonal variation within that average, according to the Washington State Employment Security Department. Locally, agricultural jobs soared to 5,661 in the third quarter of 2015. In addition, farms and support businesses, such as equipment retailers, veterinarians, processing facilities, and feed suppliers employ many Whatcom County residents.
- (*New numbers in parenthesis*): In 1949, 200,000 acres of land were reported to be in farm production in Whatcom County. Between 1949 and 1992, land in farm production declined. In 2012 (2017), agriculture accounted for 115,831 (102,253) acres, nearly 85,000 (97,747 or 49%) fewer acres than 1949. However, since 1992, the amount of land in farms has remained relatively stable (between 100,000 and 125,000 acres). But at the same time, both the number and diversity of farms in the County has been increasing. Even while the amount of land in agricultural use has remained relatively stable over the past two decades, the economic value of the products produced on those farms has increased by more than \$100 million in the same time period.
- Update chart: Whatcom County Land in Farms/ Product Market Value Over Time

## Alan

1. The goals stated are useful in indicating a policy direction to protect agricultural lands in Whatcom County, but the sub goals lack specificity to measure their impact on progress toward achieving those goals.
  - a. There are no metrics to measure the effectiveness of the identified actions. The sub goals are full of relative terms like involve, support, encourage, assist, work cooperatively, discourage.
  - b. Few of the stated sub goals identify who will be responsible for implementing them, and several sub-goals have been worked on by other organizations.
  - c. There is a question whether Committees are supported sufficiently to have the information to evaluate options to discharge their responsibilities.
  - d. Several of the sub-goals are under the authority of state Agencies, though land use is the cause of most water quality and quantity issues are under the authority of the City and County Governments
  - e. There should be a restriction on putting people on land that can not support the needs for water and waste treatment, rather than developing infrastructure to provide those services.
2. From the goal statement it is extremely difficult to understand what guidance is provided to determine tradeoffs when there are differences in actions required to make progress on competing goals in the plan or required in the GMA.
  - a. Even within the Agricultural section there is no guidance on how to balance the protection of agricultural lands with the mining of mineral resources.
  - b. There is no guidance on how to balance the needs of agriculture and fish and wildlife for habitat and water.
  - c. Similarly, there is a lack of guidance on how to reconcile affordable housing and the infrastructure to support it.
  - d. Prime agricultural lands are included in GMAs to the disadvantage of Agriculture.
3. The relative coordination between the County and Cities on actions that impact viable agriculture should be made more transparent in the goal statements. The UGAs are still under county authority.

## Fred

1. I would check the document for every place it says "agriculture industry" and consider replacing it with "agriculture community". There are places where the "industry" term is used that makes the farming community out to be an impersonal business, when the reality is that farming is at its essence a community function. We use that often for fishing and tribal resources, and we should reflect the same thing for agriculture. The vast majority of farmers aren't in it for the money!
2. The last time this was written water rights issues were a distant issue, and now they are very much at the forefront. Goal 8F recognizes this need, but with the upcoming adjudication the issue of safe, secure water is now a very real threat to the farming community. We are already seeing farms shut down because of uncertain water rights, letters from Ecology threatening fines of \$10,000/day if irrigation doesn't cease, and now banks starting to seriously devalue land where water rights are in question. Throughout the document we could use to strengthen the need to address water security for farms. I would note especially the council's goals in goal six: Work to provide secure and legal access to water for all farmers with an end goal of water use efficiency to drive profitability for a diverse agriculture economy, recognizing that the "use it or lose it doctrine" of water rights does not promote water use efficiency. I know the Planning Unit has been working on some language from a group of diverse stakeholders that agree with this. Perhaps we should grab onto their language to look at using for our own comments?

3. Another area I see needing to be strengthened is the drainage issues. As I know you are aware, flooding has become a major issue. What most don't know (yet) is that the river has lost 30% of its capacity above Everson since the 90's. This is where the nexus of salmon habitat and farming becomes a bit challenging, but it is our job as an ag committee to advocate strongly for drainage to be maintained if farming is going to survive. Again, the council priorities under goal six: Enhance flood control and drainage vitally important to protecting people, farm families, and infrastructure. If agricultural land is utilized for " overflow areas," the County should also plan to facilitate drainage to enable the ability of the land to be productively farmed. Manage drainage areas, including wildlife control, to protect land intended to produce food and fiber, except where they have been placed in the conservation programs.

## Brooklyn

- In Background Summary, will current market values for crops be added and will these be properly compared to older values and other crops? Will current average annual agricultural employment be added and how has it changed over the years? Will current acres of farmland and economic value of products be revised? How has the number and diversity of farms changed?
- Policy 8C-4: Are there programs to help small farms that are struggling, not just new farmers?
- Policy 8E-3: Instead of just encouraging the use of these practices to protect water quality, is there a way to help these farmers perform these practices?
- Can including educating the public and involving them in the struggles farmers, farmland, and agriculture face be dispersed throughout the plan?
- Policy 8A-3, 3.d: It is mentioned in the background that diversity of agriculture has increased. If the diversity of crops has increased and some commodities that have been growing for longer have decreased in production, are there newer agriculture practices and commodities that would have a longer-term commercial significance than other commodities that have been operating before 1985?

## Elli

- The Food Systems Plan has some Goals and Action plans that I thought were clearer and may be a model to look at.
- Priorities for Whatcom County's 2025 comprehensive plan. As stated by the County Council in resolution 2022-036, there are chapters on many intersectional issues impacted by climate change, equity, and economic security including Land Use, Housing, etc.
- We are experiencing increased severe and frequent effects of climate change and we are running out of time to mitigate and adapt to the worst of these effects on climate change, therefore we need to more clearly integrate climate change, equity and economic security throughout the CompPlan.
- Preservation of the Whatcom County Farmlands and agriculture industries is a common goal.
- Support a thriving local agriculture and food system economy and food security, considering the impacts of climate change on agriculture as well as equity and housing needs of farmworkers.
- The conflicting codes within the Natural Resources Chapter 8 are not adequately addressed. How do you choose which resource is of greater value?
- It is important to look at both the Mineral Resource section and Agriculture section on Chapter 8 as to the conflicting codes and policies.
- The main goals under Agriculture are:
  - 1) Conserve and enhance Whatcom County's agricultural land base for the continued production of food and fiber

- 2) Maintain and Enhance Whatcom County's agricultural products industry as a long-term and sustainable industry.
- 3) Preserve and enhance the cultural heritage that is related to agriculture.
- 4) Reduce land use conflicts between Whatcom County's agriculture and non-agricultural landowners.
- I agree with the strategies outlined for Goal 1, Conserve productive agricultural lands and agricultural resource lands with prime soils, etc., Encourage farming on rural lands, etc.
- Policy 8A-1 Conserve productive agricultural lands and agricultural resource lands, including areas with prime soils that are not now zoned agriculture. With a 20 – 100-year plan.
  - ADD Give high priority to these lands over MRL that could contribute to the degradation of these rural lands with prime soils.
- Chapter 8 page 12, Mining activities, such as the extraction of sand and gravel, are often an alternative use of land zoned agriculture. Such activities may limit options for later agricultural use, depending upon the intensity of the activity and the extent of soil rehabilitation efforts.
  - This would also be the case for agricultural lands in close proximity to a MRL.
  - What criteria are used to assess the impacts of mining activity on agricultural lands, such as, soil, dust, water supply, air quality, industrial site established versus rural character.
  - 8A-7. Work with farmers and the rural community to prioritize agricultural activity in land use decisions when land is composed of prime and/or productive agricultural soils and agriculture is the highest value resource. How is the highest value resource determined? Based on economics? On rural character or community concerns? On cultural heritage of rural life? Environmental preservation or Impact on climate change?
- Policy 2 DD-2 Protect the character of the rural area through the County's development regulations. What are the county's development regulations that address this? These regulations should be addressed herein, stated with clarification on how that goal will be met.
- Policy 2 DD7. Maintain the historic character and cultural roles of each rural area and community. What are the characteristics that need to be preserved in each area.? Who decides what these characteristics are? No more than one home per 5 acres? Proximity to urban growth areas? Historic use of property?
- 8M-2. Protect areas where existing residential uses predominate against intrusion of mineral extraction and processing.
  - What is the density that makes an area residential instead of rural? Why protect residential areas and not rural areas from intrusion of mineral extraction?
  - This needs to be expanded to state: Protect areas where existing residential and rural uses predominate against intrusion of mineral extraction and processing.
- Goal 4) Reduce land use conflicts between Whatcom County's agriculture and non-agriculture uses.
  - When a MRL overlay has not been updated with new information on population growth within 2 miles of MRL and the County has allowed new residential areas to locate near MLR, that new information will take precedence over allowing application to be granted.
  - When conflicts within these areas are brought to the County Planning Department, via application for land use that impacts historic character and rural character, that has adverse impacts on surrounding farmland, and dramatically changes the rural character of the area, what criteria are used to determine impacts and whether application is allowed to proceed?
  - How do you protect farmland when you allow adverse impacts within the rural area to develop, even when you already have codes and policies that should protect farmland in

place? Farmland with prime soils should take precedence over other land uses that meet the criteria outlined in the Whatcom County Agricultural Strategic Plan, Resolution 2018-027. When determined that the proximity of land conflicts will have major negative impacts of farmland. Which codes take precedent? Water is critical for farming; which resource gets the water?

For Example

- 8 K-3. Avoid adversely impacting ground water and surface water quality. The protection of aquifers and recharge zones should have precedence over surface mining in the event it is determined by the county that adverse impacts cannot be avoided through the standard use of best management practices for reclamation or on-site storage.
- Groundwater is essential to farming, impacting water quality or reducing ground water that should be used for farming which should once again be given priority.
- This code should state:  
The following criteria will be used to determine the impacts on ground water and aquifers.
  - Location of fish bearing streams that will be impacted
  - Proximity to Creeks and Rivers
  - Proximity to residences that may have their wells impacted.
  - Proximity to farmland that has future significance that meets the following criteria, based on
    - Whatcom County's Agricultural Strategic Plan
    - The majority of the area contains Prime Farmland Soils
    - Land use settlement practices are generally compatible with agricultural practices
    - The predominate parcel size in the area is large enough to adequately maintain agricultural operations.
    - Proximity to agricultural markets.
    - Prime Farm Land should have precedence over all other land use conflicts and meets many of the Councils Goals for GMA 2025, Including
      - Chapter 8, Natural Resources
      - Additional Criteria for Designated Agricultural Areas
  - 15. Prohibit MRL designations in areas designated Agriculture by the Whatcom County Comprehensive Plan that contain "Prime Farmland Soils" determined by the Natural resource Conservation Service.
  - Furthermore, meets the Councils Goals of:
    - Build resilience to climate change
    - More thoroughly consider impacts of climate change, equity, and economic security in relation to natural hazards mitigation and emergency response
    - Incorporate climate change mitigation adaptation, resilience, and greenhouse gas emission reduction throughout the Comprehensive Plan.
    - Protect Farmland
    - Support a thriving local agriculture and food system economy and food security, considering the impacts of climate change on agriculture as well as equity and housing needs of farmworkers.
    - Plan for future farmland preservation.

- The Agricultural Advisory committee will have a meaningful role in identifying agricultural lands for preservation.

## Memorandum

To : Agriculture Advisory Committee

From: Comp Plan Sub-Committee

Subject: Discussions with other Advisory Committees

The Comprehensive Plan is supposed to meet the goals of the Growth Management Act. Copies of the comments forwarded from all Committees were obtained for background. The County website identified 55 County Boards and Commissions. All have rolls that are likely to relate to goals in the Comp Plan. Fourteen committees were identified where goals and policies would deal with issues also important to agriculture. This includes competition for land and water and impacts on natural processes that would have to be replaced by infrastructure that would be expensive to build and operate in the interest of public health and safety.

We had preliminary meetings with representatives of 5 committees and have contacted 3 additional committees. It was difficult to get the discussions going because they were not sure where the exercise was going. All seemed reluctant to suggest times for introductory meetings. We ended up sending out times when we would have some of our sub-committee available and an outline of our expectations. This got things moving.

The objective was to introduce ourselves and our interests and what we were trying to accomplish and get the same information from other committee representatives. We used a version of an overarching goal of an economically viable, environmentally responsible agriculture community to provide food and fiber, provide jobs and conserve natural processes and the valued goods and services they provide to the whole community. We provided copies of our submission to the PDS, and I stripped out the goals and policies/objectives in the current plan so people could easily see what is in the current plan without wading through the verbiage. The discussions indicated where there might be more likelihood of agreement on action priorities that might make the Comprehensive Plan more implementable.

### Preliminary Takeaways

- 1) The current plan is not a strategic plan with actions to make progress on all goals, it is a check list on the wishes of many.
- 2) The goals were interactive, and it was difficult to find the connections between them because they were siloed in different chapters, and sometimes contradicted one another.
- 3) The goals are very general, they were generally acceptable, but the lack of specificity made it difficult to understand how progress would be made.
- 4) In the mantra of if you can't measure it, you can't measure it, the lack of metrics on goals made evaluation of policies intended to make progress across the board.

- 5) There was no assignment of authority, responsibility and funding required to prioritize scarce county resources to identify the most effective path to progress on all goals.
- 6) There is a need for an implementation plan associated with monitoring and reporting to allow for adaptive management.
- 7) Because guidance of the GMA requires goals that require adaptation to the local community choices on how to make progress in the framework of state and federal mandates, the comp plan needs to have representatives of stakeholder groups involved in developing goals and actions to make progress on them

### **Business and Commerce Committee**

The initial meeting went well. They have a broad mandate to look to future needs in business and commerce. We agreed on the need for urban infill to reduce UGA expansion and they heard out concern for expanding development on prime ag lands. They were interested in the results of the Rural Lands Study. They want to make sure that housing is developed to meet current and future needs, and it is affordable, protect mobile home parks, advocate condominium reform, allow ADUs. They have targets of rental vacancy rate of 4-7%, housing sale for 4-6 months supply and expand housing to 2100% of AMI. This will require code updates, invest in wetland mitigation and create a housing ombudsman.

There is substantial room for additional discussion as many of the actions may have impacts on prime agricultural soils and require substantial funding and expand UGAs. The devil is in the details.

### **Food System Committee**

They see commonality in some of their objectives in support of agriculture, but they seemed to be more focused on social issues. They are focused on the 5 elements of their plan adopted by the Council.

- 1) Equity and justice in the food system
- 2) Protect and regenerate our soil, water and land
- 3) Build a resilient and vibrant local food economy
- 4) Ensure access to healthy food for all
- 5) Reduce food systems GHG emissions and adapt the system to a changing Climate

While there were many commonalities in ensuring that prime agricultural soils remain available for agriculture, and that small parcels could contribute to the agriculture sector and local food supply, there were questions about how to achieve a living wage, affordable housing and living wages for agricultural workers while still ensuring food for those who did not have the resources to purchase basic food needs. There is certainly much more left to discuss to identify common goals dealing with conditions under the county authority.

### **Shellfish Production Districts:**

The overlapping interests were in water quality that has impacted the harvest of shellfish for human consumption because of fecal contamination. This also deals with zoning and ensuring that domestic water and adequate wastewater treatment is available for shoreline parcels in the face of sea level rise being experienced and projected. Zoning to ensure economic development that conserves the landscape processes the ensure clean air and water, open spaces and critical fish and wildlife habitat. We are looking for additional meetings to get more representation from their committees

### **Forestry Advisory Committee**

They are concerned about the sustainability of a healthy forest economy because of regulations that have severely limited the harvests, and the lack of wood supply is eroding the infrastructure that will cause further decreased profitability. They need the infrastructure and institutions (mills, equipment suppliers, and trained loggers, planners, managers and truckers) to compete on world markets, They understand the impact of climate change on the long-term health of the forests and are prepared to support the value of carbon storage in wood products that will address some of the greenhouse gas issues. They would like to see a balance of environmental, recreational and logging issues in the state and federal lands that could support the industry. Many of these issues are like those the agricultural sector faces. Ag and forestry sectors have more in common than is typically realized at first glance. Our workforces share similar skills. Building on this, some common focus could be on workforce development for the ag, forestry, and fishing sectors and including into that affordable housing projects for these working groups

### **Surface Mining Advisory Committee**

We met with a subgroup of the committee focused on concerns about a mining operation in the Saar Creek that was in the process of being permitted. The concerns were related to the way the rules were being implemented and the lack of concern by county officials to follow the intent of the comp plan goals and policies in matters related to impacts on agriculture, the water table and health and welfare of the local populations. Much of this was attributed to the lack of detail in the rules that seemed to handicap permit writers, and the lack of monitoring associated with issues identified. The basic issue is how to balance the need for aggregate for the construction needs and protection of agricultural soils. Criteria on how to achieve that balance are needed. They will report the discussions to their committee which has many vacancies and is focused more on mining than environmental and public health issues

### **Climate Action Implementation Committee.**

This group has the responsibility to advise on the implementation of the Climate Action Plan. We focused on issues related to adjusting to the projected impacts of warmer temperatures, changes in precipitation and impact of the stream hydrographs and associated ecosystem processes. They have conducted the same exercise of searching for mentions of climate in the current plan and find it in many chapters, but are concerned that more clarity in goal statements, clarify what adaptations to climate change would be necessary. They are also in the process of working with a consultant that is creating a chapter in the plan to incorporate state mandated climate plans.

### Conclusions

- 1) What is the value of a plan without an implementation strategy?
- 2) Goals need to be developed by the wide range of affected parties to ensure that there is enough agreement creating a political will for implementation including authority, responsibility, resources necessary to implement and monitor progress.
- 3) We have met many amazing volunteers who all want to have a more concise GMA plan.
- 4) We all see issues with implementation and how to proceed.
- 5) It is worth the effort to continue the process to see how collective action might be able to influence a more effective Comp Plan reflecting the values of our community.

### Attachments:

AAC Comments

Introductory Email

All Current Goals and Policies

Council Resolution 2022-036

There are 55 Boards and Commissions listed on the County Web Site. A thorough review of goals and shows that there is stiff competition between many goals that interact with issues of importance to all of the All of the

<b>Advisory Committee/Board</b>	<b>Contacted</b>	<b>Met</b>
Agricultural Advisory Committee		
Business and Commerce Advisory Committee	yes	Yes
Conservation Easement Program Oversight Committee	Yes	
Economic Development Investment Board		
Flood Control Zone District Advisory Committee	Yes	
Food System Committee	Yes	Yes
Forestry Advisory Committee	Yes	Yes
Housing Advisory Committee		
Marine Resource Committee	Yes	
Parks and Recreation Commission		
Planning Commission		
Drayton Harbor Portage Bay Shellfish Protection District Advisory Committee	yes	Yes
Surface Mining Advisory Committee	Yes	Yes
Transfer and Purchased Development Rights		
Wildlife Advisory Committee		

I will add

Copies of a sample invitation, the full list of goals and a copy of Resolution 2022 036 setting out Council priorities.

## Dakota Stranik

---

**From:** alan chapman <alanchapman398@gmail.com>  
**Sent:** Wednesday, August 28, 2024 5:07 PM  
**To:** Paul Schissler; dave kershner  
**Cc:** Elli Harron; Roger Kubalek  
**Subject:** Re: Comp Plan CEPOC Sub-committee Meeting

Greetings:

Sorry to be inundating you with requests,

It has been difficult to arrange times to get together, but I think I can get some of our sub-committee members Thursday morning, and any time Friday and Monday. If you can identify a time in that window that works for your sub-committee. I can set up an hour Zoom meeting. The idea is to get to know one another and try to get a clear understanding of the desired future conditions in the opinion of other advisory committees goals and how, together, we might influence the Comp Plan to provide metrics for goals, funding, authority and accountability for making progress on goals through policies and actions that provide more certainty that the plan will be implemented.

Sorry for the late notice, but we would appreciate any time to meet on the three days mentioned.

---

Here is a rework of information sent earlier. We may be trying to build the airplane as we fly.

When first approached about updating the Whatcom County Comprehensive Plan, The Ag Advisory Committee reviewed the goals (attached) in the agricultural section of the current plan. We found that the goals were consistent with the objectives of the Committee and its products ([https://www.whatcomcounty.us/DocumentCenter/View/36414/2018\\_AgStratPlan\\_FINAL\\_ADOPTED](https://www.whatcomcounty.us/DocumentCenter/View/36414/2018_AgStratPlan_FINAL_ADOPTED)) and (<https://www.whatcomcounty.us/DocumentCenter/View/78002/Rural-Land-Study-2019-Update>). We forwarded comments to PDS agreed by the Committee along with comments from individual members that contributed to the discussion at the Committee level. We wondered why there were no metrics related to the goals and policies that would allow evaluation of the effectiveness of the Policies (assuming implementation) contributions to the progress toward the goal. There was also no identification of the entities with the authority and responsibility for implementing the Policies (actions?)

For purposes of evaluating goals and policies throughout the current comp plan I came up with the attached word document which upon review allows some understanding of where goals and policies may conflict. It is the objective of initial discussion with other sub-committees interested in clarifying goals and policies of common interest and perhaps refining goals and policies that might otherwise conflicts between Committees preferred goals and policies.

I have been working on a rough outline of the overall goal of the Agriculture Strategic Plan for the purpose of identifying the barriers to making progress on this goal which will perhaps identify where we have a need for common action and where there may be adjustments where actions concern progress toward other goals.

Ideas on major goals and sub-goals as a focus of the Ag Advisory Committee. The Sub-Sub Goals are only to further the discussion.

Goal 1 An economically viable, environmentally responsible agricultural economic sector that provides employment, enhances local food security, and conserves natural resources of air, soil and water

Sub-Goal 1.A Agricultural soils of long term commercial significance are reserved for agricultural operations

Sub-Goal 1.A.1 Minimum of 100,000 acres

Sub-Goal 1.A.2 Rural Study Area target protection (28,449 acres in 2019)

Sub-Goal 1.A.3 Densification of urban areas in order to protect ag land /natural processes

Sub-Goal 1.B Water available for agricultural sector that will sustain profitability with most effective water use efficiencies.

Sub-Goal 1.B.1 Local management of available water resources

Sub-Goal 1.B.2 Viable natural salmonid populations

Sub-Goal 1.C Institutions and infrastructure that will increase agricultural operations ability to operate viably and responsibly

Sub-Goal 1.C.1 Processing facilities

Sub-Goal 1.C.2 Local markets

Sub-Goal 1.C.3 Farm to market

Sub-Goal 1.C.4 Equipment supplies and maintenance

Sub-Goal 1.C.5 Technical and financial support

Sub-Goal 1.C.6 Training

Sub-Goal 1.C.6 Farm worker housing

Sub-Goal 1.D -Public recognition of the importance of a viable, responsible agricultural economic sector to the entire community.

Sub-Goal 1.D.1 Local food

Sub-Goal 1.D.2 Employment.

Sub-Goal 1.D.3 Open space

Sub-Goal 1.D.4 Fish and Wildlife habitat

These ideas are still developing and do not represent the consensus of the Comp Plan Coordination sub-committee or the Agricultural Committee at this time.

Progress toward goals has been slow, either because of lack of political will or lack of agreement on county goals, policies or resources to implement the policies that would make progress on the goals.

Thank you

Alan

Alan B Chapman

628 East Hemmi Road Lynden WA 98264

[Alanchapman398@gmail.com](mailto:Alanchapman398@gmail.com) Phone: (360) 224 3129



Virus-free. [www.avg.com](http://www.avg.com)

On Sun, Aug 25, 2024 at 8:24 PM <[alanchapman398@gmail.com](mailto:alanchapman398@gmail.com)> wrote:

Good Day:

My objective is to see if the sub-committee of the CEPOC committee could provide a several options when they could be available for an hour in the next two weeks to discuss common interests in the Comprehensive Plan update. With this information, we try to match that with the schedule of the ACC sub-committee members and schedule a zoom meeting.

When first approached about updating the Whatcom County Comprehensive Plan, The Ag Advisory Committee reviewed the goals (attached) in the agricultural section of the current plan. We found that the goals were consistent with the objectives of the Committee and its products ([https://www.whatcomcounty.us/DocumentCenter/View/36414/2018\\_AgStratPlan\\_FINAL\\_ADOPTED](https://www.whatcomcounty.us/DocumentCenter/View/36414/2018_AgStratPlan_FINAL_ADOPTED)) and (<https://www.whatcomcounty.us/DocumentCenter/View/78002/Rural-Land-Study-2019-Update>). We forwarded comments to PDS agreed by the Committee along with comments from individual members that contributed to the discussion at the Committee level. We wondered why there were no metrics related to the goals and policies that would allow evaluation of the effectiveness of the Policies (assuming implementation) contributions to the progress toward the goal. There was also no identification of the entities with the authority and responsibility for implementing the Policies (actions?)

For purposes of evaluating goals and policies throughout the current comp plan I came up with the attached word document which upon review allows some understanding of where goals and policies may conflict. It is the objective of initial discussion with other sub-committees interested clarifying goals and policies of common interest and perhaps refining goals and policies that might otherwise conflicts between Committees preferred goals and policies.

We have been considering an elevator summary description of the agricultural goals as A sustainable economically viable, environmentally responsible agriculture sector producing food and fiber for the community as well as employment and protection of vital environmental processes of clean air, clean and adequate water for humans as well as for treasured fish and wildlife habitat. Progress toward goals has been slow, either because of lack of political will or lack of agreement on county goals, policies or resources to implement the policies that would make progress on the goals.

Thank you

Alan

Alan B Chapman

628 East Hemmi Road Lynden WA 98264

[Alanchapman398@gmail.com](mailto:Alanchapman398@gmail.com) Phone: (360) 224 3129



Virus-free [www.avg.com](http://www.avg.com)

## **Whatcom County Comprehensive Plan**

### [Chapter One](#)

#### **Original Adoption and Amendments**

**Goal 1A:           Ensure that government activities, regulations and policies are transparent, accountable and easy to understand.**

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

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

Policy 1A-3:       Ensure all acronyms and abbreviations used in public documents have clearly defined and readily accessible explanations.

Policy 1A-4:       Maintain a user-friendly, intuitive, and helpful website.

Policy 1A-5:       Ensure forms, permits, applications, and similar documents are readily available to the public and are updated often to reflect changes to regulations and contact information. These documents should be present on the County website and cross- referenced appropriately so the public can easily find and access them.

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

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

Policy 1A-8:       No rule, regulation, restriction, or requirement shall be imposed by the County that is not embodied in local, state, or federal law.

### [Chapter Two](#) **Land Use**

#### **Introduction**

The fundamental precepts of the Whatcom County Comprehensive Plan are to comply with the Growth Management Act (GMA), adhere to the Countywide Planning Policies and implement the Vision for Whatcom County.

**\*\*\* VISION \*\*\***

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

**GMA Goals and Countywide Planning Policies**

The Land Use chapter supports many of the GMA goals. The land use plan is based on a vision of Whatcom County that concentrates growth in urban areas but recognizes the need for economic diversity across the county. This chapter has been coordinated with all other chapters in the plan. Natural resource industries are encouraged and property rights and the permitting process are addressed.

Countywide Planning Policies (CWPP), found in Appendix C, are supported throughout the Land Use chapter in goals, policies, and land use designations.

The "Urban Versus Rural Distinctions" and "Urban Growth Areas" sections of the CWPP are addressed by discouraging urban levels of development outside urban growth areas, allowing small cities adequately sized UGAs, accommodating the projected population and calculating needed land area, defining rural areas and drawing distinct boundaries between rural and urban areas, and minimizing impacts on resource lands and environmentally sensitive areas.

The "Contiguous, Orderly Development and Planning in Urban Growth Areas" section of the CWPP is addressed through the urban growth area analysis and identification of areas where timely and adequate services can be provided.

The "Open Space/Greenbelt Corridors" section of the CWPP is addressed and supported in goals and policies in the Open Space section of this chapter and in the designation of Open Space Corridors.

Goal 6 of the Growth Management Act, regarding Property Rights and the "Private Property Rights" section in the CWPP have been addressed by the emphasis on incentives including transfer of development rights rather than downzoning. The Fiscal Impact section of the CWPP has been addressed by providing urban growth areas in the county, providing for economic development opportunities in the eastern portion of the county and addressing fiscal impact in interlocal agreements with cities.

The Citizen Participation goals of both the Growth Management Act and the Countywide Planning Policies have been addressed in the development of this chapter through citizen committee participation, town hall meetings, and public hearings. Also, specific goals and policies give direction for property owner notification and the establishment of on-going citizen committee input.

The Land Use chapter also incidentally addresses and is coordinated with many other Countywide Planning Policies.

**Overall Land Use**

**Goal 2A: Ensure designation of sufficient land and densities, with**

**consideration of water availability, to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish, and wildlife, which are the cornerstone qualities that make the county a desirable place to live.**

- Policy 2A-1: Concentrate urban levels of development within designated urban growth areas.
- Policy 2A-2: Draw a distinct boundary between urban and rural uses.
- Policy 2A-3: Provide a range of land use designations that consider locational and market factors as well as required quantities of land.
- Policy 2A-4: Designate land uses that reflect the best use of the land.
- Policy 2A-5: Provide predictability to property owners in land use designation.
- Policy 2A-6: Allow appropriate development in existing small self-contained communities through the use of the "Rural Community" land use designation.
- Policy 2A-7: Establish sufficient levels of developable residential, commercial, and industrial lands informed by approved population and economic forecasts, inventory of existing use, land capacity outside of critical areas and buffers, cost of infrastructure, legally available water, and goals and policies of all chapters of this plan.
- Policy 2A-8: Include business/industry parks, tourist/resort areas, and allowance for existing crossroads commercial areas within urban growth areas or limited areas of more intensive rural development.
- Policy 2A-9: Retain existing rural and heavy industrial areas in the northwestern region of the county within urban growth areas or limited areas of more intensive rural development.
- Policy 2A-10: Recognize the importance of tourism and its influence on the need for land for various types of development.
- Policy 2A-11: Ensure that the development potential of contiguous lands in common ownership is not compromised when urban growth boundaries and/or LAMIRD boundaries are designated. This should be accomplished without expanding UGA boundaries beyond that ownership and without bridging natural divisions of urban/rural land uses such as roads, rivers, and other natural features.
- Policy 2A-12: Adoption of residential, industrial, and commercial comprehensive plan or zoning designations in rural areas must comply with the criteria for "limited areas of more intensive rural development" in the Growth Management Act (RCW 36.70A.070(5)).
- Policy 2A-13: Allow for adequate economic development to provide economic sustainability, adequate employment opportunities, and services in and for the rural areas.
- Policy 2A-14: Maintain a density credit program to incentivize increased land

use intensity in designated areas and decrease residential density in agricultural and rural areas by authorizing density credits. Density credits allow development incentives, such as increased density, in exchange for a voluntary contribution towards preserving agricultural lands and open space. This is accomplished through a voluntary payment of funds to Whatcom County for use in the Conservation Easement Program (WCC 3.25A) in order to allow a higher density as specifically set forth in the Whatcom County Zoning Code.

Policy 2A-15: Strive to improve predictability to property owners regarding the connection between legal water use, and land use and development by:

- Supporting completion of groundwater studies that provide a better understanding of water quantities available and the connection between groundwater use and instream flow levels.
- Supporting the efforts of water purveyors to develop new legal water sources and the infrastructure and systems necessary to transport that water to existing water users that lack safe potable water or sufficient water rights.
- Encouraging a negotiated water rights quantification and settlement between the Lummi Nation, Nooksack Indian Tribe and other water users in the Nooksack River basin.
- Encouraging the Department of Ecology to protect instream flows, particularly in times of extremely low summer flows.
- Coordinating with the Department of Ecology to find solutions to provide adequate water for out-of-stream users while protecting instream flows. Potential solutions may include consideration of recycling, conservation, water banking, public water system interties, stream recharge augmentation, change in place of use, desalinization and other alternative water supply measures.
- Requesting the Department of Ecology to create a water management plan for exempt wells in closed water basins that better aligns instream flows with current water rights and legal decisions on hydraulic continuity.

### **Resort Communities and Master Planned Resorts**

**Goal 2B: Encourage the continued viability of existing resort communities and allow the development of new Master Planned Resorts in the future.**

Policy 2B-1: Permit through the planned unit development process master planned resorts in settings of significant natural amenities within urban growth areas.

- 
- Policy 2B-2: New large-scale resort development in rural areas outside of UGAs and outside established resort areas, should only be permitted as Master Planned Resorts and only when substantially in compliance with these policies and with RCW 36.70A.360.
- Policy 2B-3: Work with property owners in the resort communities to develop an understanding of the unique needs of these areas and evaluate land use regulations for their responsiveness to these needs.
- Policy 2B-4: New resort development and Master Planned Resorts should be developed consistent with the development regulations established for critical areas.
- Policy 2B-5: No new urban land uses should be allowed in the vicinity of Master Planned Resorts, except in areas otherwise designated as urban growth areas under the Comprehensive Plan.
- Policy 2B-6: Capital facilities, utilities, and services, including those related to sewer, water, stormwater, security, fire suppression, and emergency medical, provided onsite shall be limited to meeting the needs of the master planned resort. Such facilities, utilities, and services may be provided to a master planned resort by outside service providers, including municipalities and special purpose districts, provided that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities, provided that such facilities and utilities serve only the master planned resort or urban growth areas.
- Policy 2B-7: Master Planned Resorts should only include other residential uses within their boundaries if residential uses are integrated into and support the onsite recreational nature of the resorts. The density of such residential uses should be consistent with density requirements of the zoning code.
- Policy 2B-8: Master Planned Resorts should only be approved when it can be demonstrated that onsite and offsite impacts to public services and infrastructure have been fully considered and mitigated.

Policy 2B-9: Master Planned Resorts should not be located on designated agricultural lands. Master Planned Resorts should not be located on forestry resource lands designated under the Comprehensive Plan.

**Capital Facilities**

**Goal 2C: Channel growth to areas where adequate services can be provided.**

Policy 2C-1: Coordinate capital facilities and land use planning.

Policy 2C-2: Support the comprehensive plan with capital facility plans that facilitate urban growth in UGAs at acceptable urban levels of service.

Policy 2C-3: Preclude urban development within a UGA until public services and facilities are available.

Policy 2C-4: Prior to modifying growth allocations or UGA boundaries, ensure that capital facility plans address the following elements:

- Provide a 20-year facility plan to serve urban growth within the UGA boundaries.
- Provide financial plans addressing at least a 6-year period with funding sources.
- Address existing unserved areas as well as new UGA expansion areas.

Policy 2C-5: The County will coordinate with city, special district, and other service providers to ensure amendments to capital facility plans support the Comprehensive Plan.

**Regulations**

**Goal 2D: Refine the regulatory system to ensure accomplishment of desired land use goals in a fair and equitable manner.**

Policy 2D-1: Eliminate unnecessary regulations.

- Policy 2D-2: Eliminate regulations that could be more effectively achieved through incentive or education programs.
- Policy 2D-3: Streamline development regulations to eliminate unnecessary time delays.
- Policy 2D-4: Coordinate permitting requirements among jurisdictions to minimize duplication and delays.
- Policy 2D-5: Provide enforcement of regulations.
- Policy 2D-6: Review and update the Whatcom County Shoreline Management Program in accordance with the schedule in the Shoreline Management Act (RCW 90.58.080). Updates should improve the integration of the Shoreline Program with Growth Management and with the Cherry Point Aquatic Reserve Management Plan in order to provide predictability and consistency in regulation, and eliminate regulatory redundancy.
- Policy 2D-7: Incompatible uses will be discouraged adjacent to public use airports to preserve the safety and efficient use of these airports. Incompatible uses are land uses that:
- Could be impacted by airplane noise;
  - Could create or be impacted by airplane accidents; or
  - Create height hazards that could adversely impact aircraft that are taking off or landing.
- Policy 2D-8: Require disclosure of potential airport noise impacts to people who are buying or obtaining a permit on property within one mile of a public use airport.
- Policy 2D-9: Land uses that are incompatible with the operation of the Bellingham International Airport or Lynden Airport should be discouraged when Whatcom County evaluates conditional use permits and rezones. Specifically, Whatcom County should follow the process set forth below when considering whether proposed conditional use permits and rezones would allow incompatible land uses:
- Notify the applicable airport representative of the proposed conditional use permit or rezone. Consider comments submitted by the airport representative relating to compatibility of the proposed land use with the operation of the airport; and
  - Determine whether the proposed conditional use or rezone is within zone 1 (runway protection zone), zone 2 (inner approach/departure zone), zone 3 (inner turning zone), zone 4 (outer approach/departure zone), zone 5 (sideline zone),

or zone 6 (traffic pattern zone) as shown in the Safety Compatibility Zone Examples from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38). Safety compatibility zone “example 1” will be applied to the Lynden Airport and safety compatibility zone “example 3” will be applied by the Bellingham International Airport; and

- Compare any proposed or potential land uses within zones 1 through 6 with the Basic Safety Compatibility Qualities and the Safety Compatibility Criteria Guidelines in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-44, 9-45 and 9-47) and identify incompatible land uses.
- The above provisions of Policy 2D-9 do not apply to property owned by the airport. However, airport owners should assess the compatibility of land uses proposed on airport property with operation of the airport.

Policy 2D-10: Discourage tall structures around public use airports that hamper the efficient and safe use of navigable airspace. Specifically, discourage structures from exceeding the height of the imaginary surfaces defined in Federal Aviation Regulations (FAR) Part 77 around airports that have mapped such imaginary surfaces (airports that have mapped Part 77 imaginary surfaces are shown in Appendix I of the Whatcom County Comprehensive Plan).

**Goal 2E: Encourage both a stewardship ethic and respect for cultural resources and natural systems and processes as well as support individual responsibility to achieve community values.**

Policy 2E-1: Provide education on the assets of the community and offer incentives for individual citizens to take responsibility to protect those assets.

**Goal 2F: Make use of incentive programs that can effectively encourage achievement of land use goals.**

Policy 2F-1: Develop a set of incentives, including economic, which encourages property owners to achieve land use goals.

Policy 2F-2: Base incentive programs on suggestions from citizens, government officials, and experts in the field.

Policy 2F-3: Revise regulations to include incentive programs.

Policy 2F-4: Review and adopt, where appropriate, incentive programs such as density bonuses in urban growth areas in association with the

density credit program, Conservation Easement Program, transfer of development rights, and tax deferrals.

Policy 2F-5: Monetary compensation as an economic incentive shall be based only on market value at the time of compensation, not on "possible" future value of the land.

Policy 2F-6: Monitor incentive programs on a five-year basis to ensure the comprehensive plan goals are being achieved. Develop an alternate approach if necessary, using adaptive management steps to effect compliance with individual programs.

### **Public Participation in Decision Making**

**Goal 2G: Encourage citizen participation in the decision making process.**

Policy 2G-1: Examine and improve methods to notify affected property owners of proposed land use changes.

Policy 2G-2: Ensure early and continuous public involvement in planning decisions through development and implementation of public participation plans for large-scale, long-range planning activities.

### **Property Rights**

**Goal 2H: Preserve private property rights while recognizing the importance of the rights of the community, including protecting the natural environment and conserving resources.**

Policy 2H-1: Review and retain regulations that serve to protect the public welfare, health, and safety.

Policy 2H-2: Establish incentive programs such as density bonuses in urban growth areas in association with the density credit program and Conservation Easement Program, where appropriate, to compensate property owners if rights are unduly infringed.

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

### **Diverse Cultural Composition**

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

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

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

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

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

---

**Flooding**

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

- Policy 2K-1: Limit lands in one-hundred year floodplains to low-intensity land uses such as open space corridors or agriculture.
- Policy 2K-2: Use the *Lower Nooksack River Comprehensive Flood Hazard Management Plan* as a basis to balance land use and flooding.
- Policy 2K-3: Prohibit expansion of urban growth areas into floodplains, except where allowed under the GMA, and consider danger to individuals related to flooding when designating land use in other areas.
  
- Policy 2K-4: Encourage multi-purpose problem solving relative to flooding, aquifer recharge, improved water quality, water for human consumption, and fish habitat. Consider the purchase of land along the Nooksack River for flood water storage that could be used by cities and water providers.
- Policy 2K-5: Development in flood prone areas must comply with adopted regulations to mitigate identified flood hazards.

**Regions of Whatcom County**

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

- Policy 2L-1: Use the subarea planning process, where appropriate, to identify and support distinctions among different areas of the county.
- Policy 2L-2: Retain and periodically review the adopted Subarea Plans (Lummi Island, Urban Fringe, Birch Bay Community Plan, Foothills, and Point Roberts).
  - 1. Utilize a process which ensures consistency between the Whatcom County Comprehensive Plan and subarea plans. The subarea plan review process should include the following steps:
    - a. Consistency Analysis. The County should review subarea plans based on the priority order in subsection “2” for gaps, overlaps, or inconsistencies. Topics include, but are not limited to, plan boundaries, growth forecasts, land uses, capital facilities and services, horizon year, and other appropriate issues.
    - b. Regional and Local Government Coordination. The County should consult and coordinate with cities where city-associated UGAs are included in subarea plan boundaries.
    - c. Public Participation. Each subarea plan update process will be based on a public participation program that addresses citizen input on the key issues associated with the subarea plan update.
    - d. Subarea Plan Amendment. Only those portions of existing

subarea plans in conflict with the Comprehensive Plan are required to be amended. Local issues of concern or changed conditions may be addressed.

- e. Comprehensive Plan Revisions. Where the subarea plan process recommends growth levels, growth boundaries, or other essential features, Comprehensive Plan amendments will be considered in conjunction with the subarea plan update process. Land capacity analysis may also be updated if appropriate.
2. Prioritize review of subarea plans. Subarea plans should be reviewed in the following order.
    - a. Post-GMA Subarea Plans addressing UGAs. These subarea plans should be reviewed and amended, if necessary, during Whatcom County's periodic review of the comprehensive or repealed. Subarea plans addressing UGAs associated with a city should be coordinated with the city's comprehensive plan update process.
    - b. Post-GMA Subarea Plans addressing Rural Areas. These subarea plans should be subject to a consistency review. If significant inconsistencies are found, these should be considered for potential update during Whatcom County's periodic review of the comprehensive plan or repealed. Minor updates may be considered through the County's docket process in subsequent years.
    - c. Pre-GMA Subarea Plans. These should be repealed or updated in accordance with County department work programs or the docketing process. Priority criteria may be used to determine the order of update. Example criteria include:
      - i. whether update is needed for health, safety, or welfare concerns;
      - ii. whether there is a city-associated UGA included in the subarea plan boundaries – in which case, the subarea plan update could be timed to be developed in association with or following city comprehensive plan update process;
      - iii. whether the subarea plan would benefit from broader policy concepts to be completed in advance or in tandem, such as agricultural land protection measures;
      - iv. whether a significant policy objective would be met by amending the plan.

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

Policy 2L-3: Emphasize forestry uses with some provision for rural and

agricultural uses in the south and southeastern regions of the county.

Policy 2L-4: Support the rural economic base by permitting natural resource based industries, cottage industries, forestry, fishing and agriculture in rural areas, as well as commercial and industrial activity contained within designated Rural Communities.

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

**Fish and Wildlife**

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

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

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

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

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

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

Policy 2M-6: Engage the Wildlife Advisory Committee to develop recommendations of critical habitat and species protection areas, and for a system to monitor the status of fish and wildlife habitat function.

Policy 2M-7: Engage in efforts to better define groundwater resources and connection to surface water, current water usage, water rights, adequate instream flows, and policy barriers that create conflicts between these things.

**Urban Growth Areas**

**Introduction**

This section presents policies, map designations and rationale for the urban growth areas for Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, Sumas, Birch Bay, Columbia Valley, and Cherry Point. **Map 2-1** shows designated urban growth areas.

**Purpose**

**Goal 2N: Within Urban Growth Areas, outside present city limits, the County will maintain jurisdiction until annexation or**

**incorporation of the property. During this interim period the following policies shall be in place to assure that the purposes of this plan and growth management are in fact accomplished.**

- Policy 2N-1: Establish urban growth areas for cities, first, by determining the capacity of the existing city limits to accommodate growth in the 20 year planning period. If it is determined that additional land is needed to accommodate the projected allocated growth, or to meet other goals of the GMA, then include contiguous areas which have urban characteristics; and, finally, by including other suitable areas that demonstrate the ability to provide adequate public facilities and services at urban levels of service to accommodate growth.
- Policy 2N-2: Reevaluate UGA boundaries when significant changes in city land uses are proposed.
- Policy 2N-3: Consider development incentives, such as density bonuses, in UGAs in association with the density credit program. Encourage cities to consider development incentives in association with a cooperative City-County density credit program.
- Policy 2N-4: Ensure that cities or other service providers do not extend sewer or urban levels of water service to serve areas outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development.
- Policy 2N-5: Protect resource lands by controlling or buffering adjacent uses and encouraging increased densities within existing city boundaries before expanding into county resource lands.
- Policy 2N-6: Encourage provision of serviced industrial sites by cities.
- Policy 2N-7: Consider mixed-use zoning, where appropriate, to encourage walkability.

**Goal 2P: Whatcom County seeks to support and encourage the cities in efforts to increase residential densities within their jurisdictions throughout the planning period, as a way to increase vitality, reduce the cost of services, manage outward growth, and protect the environment. The County encourages cities to approve new residential developments at citywide average net densities as shown below, while respecting unique characteristics of each city:**

- **Bellingham – six to 24 units per net acre;**
- **Ferndale – six to 10 units per net acre;**
- **Lynden – six to 10 units per net acre;**
- **Blaine – four to six units per net acre;**
- **Everson – four to six units per net acre;**

- **Nooksack – four to six units per net acre; and**
- **Sumas – four to six units per net acre.**

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

- **Birch Bay – five to ten units per net acre; and**
- **Columbia Valley – four to six units per net acre.**

Policy 2P-1: Encourage cities to adopt and implement policies and development regulations that promote urban densities.

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

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

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

**Goal 2Q: Ensure that development in the Birch Bay and Columbia Valley Urban Growth Areas is of an urban level and proceeds in a logical and efficient manner.**

Policy 2Q-1: Ensure that service providers do not extend sewer or urban levels of water service to serve areas outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development.

Policy 2Q-2: Work with urban service providers located within Urban Growth Areas to coordinate urban service and facility planning with land use planning.

Policy 2Q-3: Encourage the establishment of an advisory committee for the Birch Bay and Columbia Valley Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.

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

Policy 2Q-5: Encourage and assist the citizens of Birch Bay and Columbia Valley Urban Growth Areas with incorporation when appropriate.

**Goal 2R: Establish an interlocal agreement with each city which sets out general guidelines to address revenue sharing, the**

**provision of services, management of growth, annexation, protection of critical areas, and designation of open space within urban growth areas.**

- Policy 2R-1: Include in interlocal agreements, a clear, predictable, and fair formula for revenue sharing agreements which compensates jurisdictions that suffer revenue loss without attendant reduction in service demands as a result of annexation.
- Policy 2R-2: Establish procedures for development project review within urban growth areas which protect the interests of both the city and the county.
- Policy 2R-3: Responsibility for construction of capital facilities, including transportation facilities to accommodate urban levels of growth, generally, should be assigned to cities. In some cases, timing may require installation of these improvements prior to annexation. In these cases, interlocal agreements should address allocations of costs and revenues between cities and the county.
- Policy 2R-4: Limit development within urban growth areas with no municipal sewer and water service through zoning at a density no greater than one unit per ten acres.
- Policy 2R-5: Coordinate with cities on UGA planning, facilitating urban development, balancing commercial, industrial and residential lands in the UGA, timing of annexations, service extensions and linking greenbelts and open space.
- Policy 2R-6: Use the existing geographical information system and encourage its use and coordinate with the cities to provide a consistent and economical data base for making land use decisions.

**Goal 2S: Ensure adequate land supply is provided to accommodate twenty years of growth within urban growth areas.**

- Policy 2S-1: Review all urban growth areas at least every eight years in accordance with the Growth Management Act. Coordinate with cities to determine the population and employment growth projected to occur within the urban growth areas, and revise the urban growth area boundaries, if necessary, to ensure they are appropriately sized to accommodate the projected growth within the planning period.
- Policy 2S-2: Ensure that land use plans provide for development at urban densities within the 20-year planning period.
- Policy 2S-3: Facilitate phasing of development within urban growth areas as follows:
  - Require at least ten acre minimum lot sizes within unincorporated portions of urban growth areas until public facilities and services are provided to serve such development at urban levels of service.
  - Recognizing that UGAs are sized to accommodate urban growth over a 20 year period and that all land within UGAs will not be required to meet urban land needs immediately, allow

Agriculture and Rural Forestry zoning designations, on an interim basis, within UGAs. These zones function as holding districts that will allow continued resource land uses in the near term while protecting these areas from suburban sprawl. It is anticipated that they will be rezoned to allow phased urban development within the 20-year planning period when public facilities and services can be provided at urban levels of service.

Policy 2S-4: Coordinate with cities to maintain a land capacity analysis methodology that is consistently applied to all urban growth areas, including a common definition of net developable land. When determining urban land needs, assume that urban densities will be developed within UGAs over the 20-year planning period.

Policy 2S-5: Annually monitor population growth and publish a report no later than November 1 of each year that analyzes population growth trends over five years in comparison with the adopted population growth projections. If the trend over five years indicates that population growth in urban growth areas is significantly higher than adopted projections, coordinate with the cities to consider appropriate action. Actions may include amending growth projections, or amending urban growth area densities or boundaries.

**Goal 2T: Establish Urban Growth Areas within which annexations and urban levels of development can occur and outside of which urban levels of development will not occur. This is intended to be a sprawl preventing measure.**

Policy 2T-1: Land within a UGA that is not served by public water and sewer will have the following limitations on development which shall be included in the County development regulations:

**Development shall be done in a manner which will not preclude development at urban levels of density when the area is annexed into the city.**

- No residential development shall occur at a gross density greater than one dwelling unit per ten acres.
- All residential land divisions will be developed as cluster subdivisions. All clustered lots will be grouped together in one cluster. Clustered lots will be as small as possible in order to maintain a large reserve tract available for future urban development. Wells, sewage disposal systems, and easements associated with these facilities may be placed on the reserve tract only if it is not feasible to place them within the boundaries of the clustered lots.
- When public water and sewer serve the site, the reserve tract of a cluster subdivision may be developed with urban densities allowed in the zoning district.
- If the clustered lots are served by wells, sewage disposal facilities and/or associated easements that are located on the reserve tract, then the clustered lots will be required to hook up to public water and sewer when the reserve tract is developed with urban densities. The intent of this provision is to ensure that the reserve tract can be developed to its fullest potential, and such development will not be restricted by the existence of wells, sewage disposal facilities and easements associated with these facilities.

**Bellingham**

**Goal 2U: Evaluate every eight years or as necessary Bellingham’s Urban Growth Area to determine if the UGA is sufficient in size to accommodate twenty year growth projections, provide an adequate supply of affordable housing, industrial, commercial and recreational development and recognize historical development patterns and commitments for service.**

Policy 2U-1 Consider new data, research and public participation when conducting the UGA review.

Policy 2U-2: Periodically update procedures for joint city/county review of development proposals in the UGA prior to annexation.

Policy 2U-3: Work with Bellingham to identify and establish a system of neighborhood parks, greenbelts and open space to serve the urban growth area as it develops.

Policy 2U-4: Review land supply analysis and consider appropriate urban growth area boundaries consistent with the Growth Management Act and Countywide Planning Policies.

Policy 2U-5: Review and update the interlocal agreement with Bellingham, prior to expiration of the current interlocal agreement, to provide for:

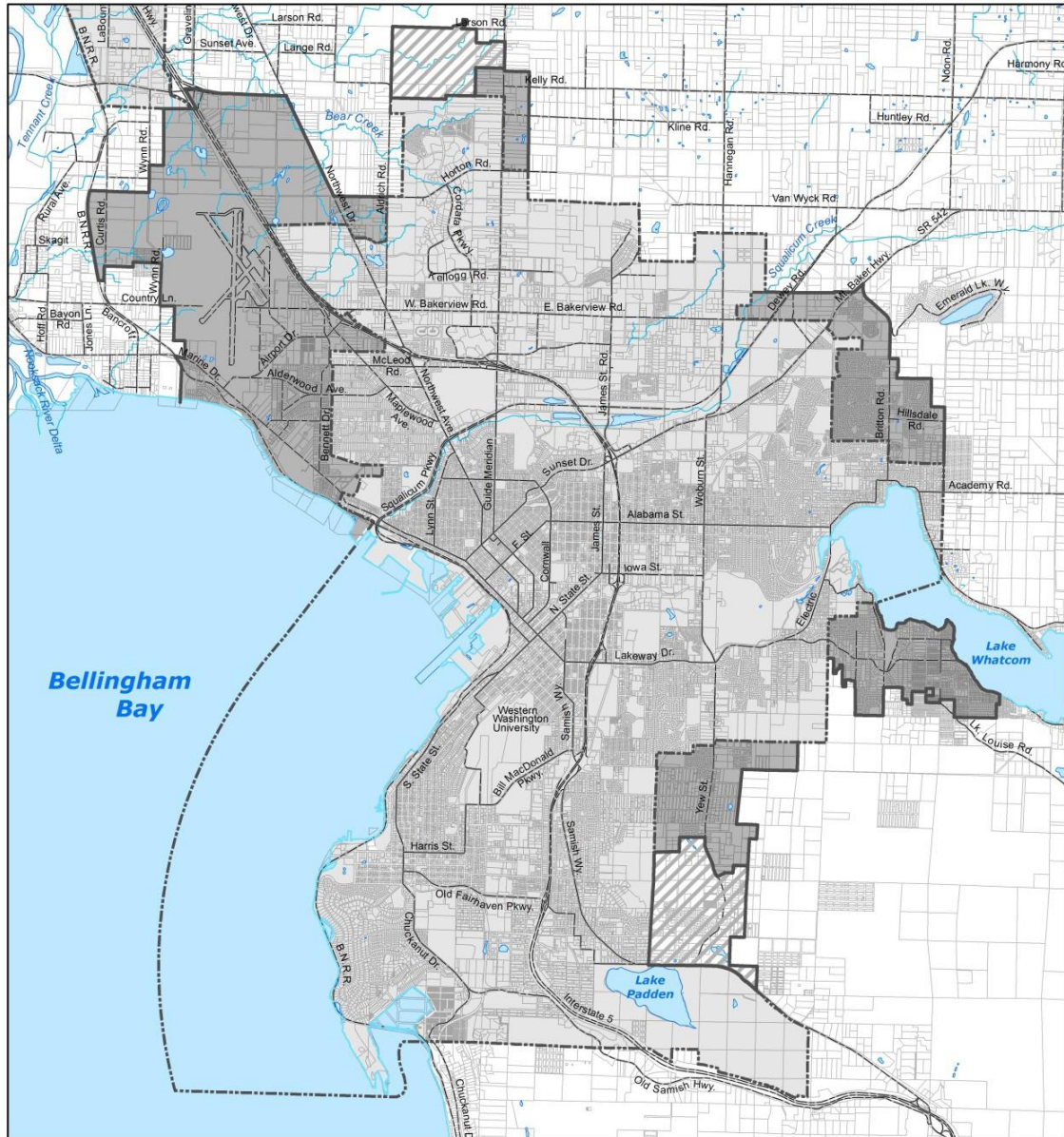
- Coordinated growth management and capital facility planning;
- timing and provision of utility services and other urban services;
- timing and procedures to be used for review of adequate land supply;
- timing of annexations;
- revenue sharing formulas prior to and after annexation;
- development standards and regulations;
- joint City/County review of development proposals in the UGA;
- affordable housing; and
- a density credit program and/or transfer of development rights within the City of Bellingham.

Policy 2U-6: Whatcom County and Bellingham should continue to coordinate protection and development within the Watershed.

Policy 2U-7: Whatcom County and Bellingham should designate areas that can accommodate density bonuses in association with a density credit program and/or receiving areas within the City of

Bellingham and its UGA for Transfer of Development Rights from the Lake Whatcom Watershed.

- Policy 2U-8: The City and Whatcom County should designate appropriate zoning and residential densities in Bellingham’s UGA consistent with Whatcom County’s Comprehensive Plan and Bellingham’s Comprehensive Plan as amended.
- Policy 2U-9: Annexation should be considered prior to or concurrently with the extension of City sewer and water and prior to urban development. Annexations should be a logical extension of the city boundaries and not create unincorporated islands.
- Policy 2U-10: The Geneva and Hillsdale areas, located within the Lake Whatcom Watershed, are designated urban growth areas in order to allow the City of Bellingham to annex these areas. The City has a long-term interest in the water quality of Lake Whatcom because the City is responsible for providing Bellingham with safe drinking water from the Lake. Whatcom County and the community also have long-term interests in the watershed based upon the special environmental sensitivity of the Lake Whatcom Watershed as a drinking water source and the Total Maximum Daily Load (TMDL) findings requiring a reduction of phosphorus inputs into the lake. Therefore, only non-urban densities should be allowed in that portion of the Urban Growth Area within the watershed.



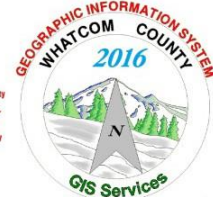
### - Bellingham Urban Growth Area

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

**USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:**

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, losses, or liabilities arising from any use of this map.

0 0.375 0.75 1.5 Miles



**Blaine**

**Goal 2V: Provide a sufficient Urban Growth Area for Blaine to accommodate future growth needs, ensure adequate housing, commercial and industrial land supplies and meet Growth Management Act and county land use goals.**

Policy 2V-1: Work cooperatively with Blaine to increase critical area protection and water quality controls sufficient to protect shellfish harvesting and marine resources in Drayton Harbor.

Policy 2V-2: Encourage Blaine to implement infill policies in the *Blaine Comprehensive Plan*.

Policy 2V-3: Readjust the Urban Growth Area as urban services are planned and need is demonstrated.

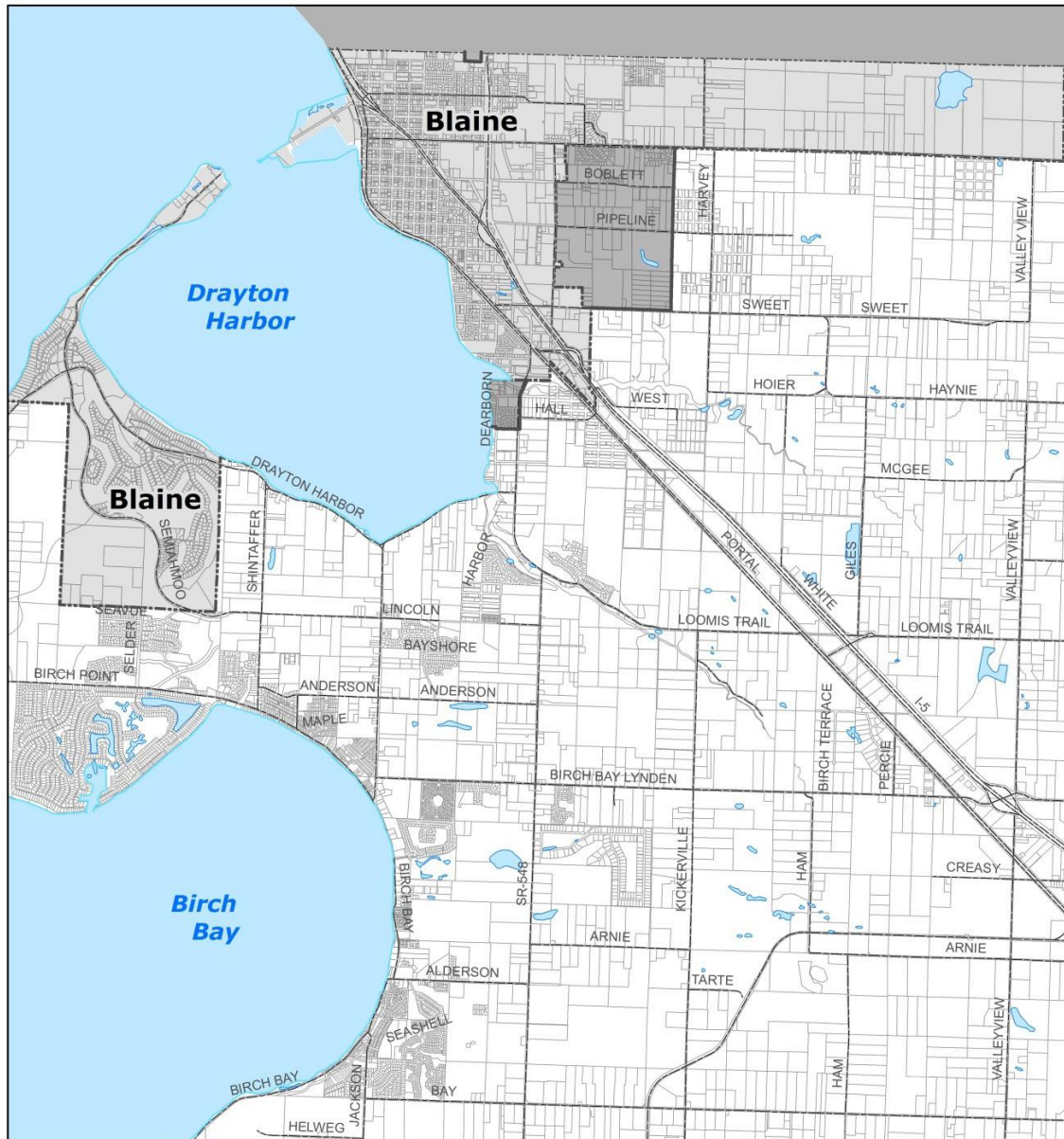
Policy 2V-4: Ensure that adequate capital facilities can be provided to the Blaine Urban Growth Area.

Policy 2V-5: Review and update the interlocal agreement with Blaine, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- County maintenance of 10-acre zoning for the UGA which would allow urban densities to develop only with extension of city water and sewer;
- identification of needed capital improvements and establishment of funding mechanisms;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the Coordinated Water System Plan.

Whatcom County | Comprehensive Plan

Map UGA-2



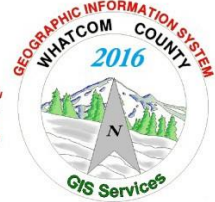
- Blaine Urban Growth Area

-  Incorporated City
-  Urban Growth Area

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 0.25 0.5 1 Miles



**Everson**

**Goal 2W: Provide an Urban Growth Area for Everson which accommodates future growth needs and recognizes constraints imposed by Nooksack River flooding and adjacent designated agriculture and mineral resource lands.**

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

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

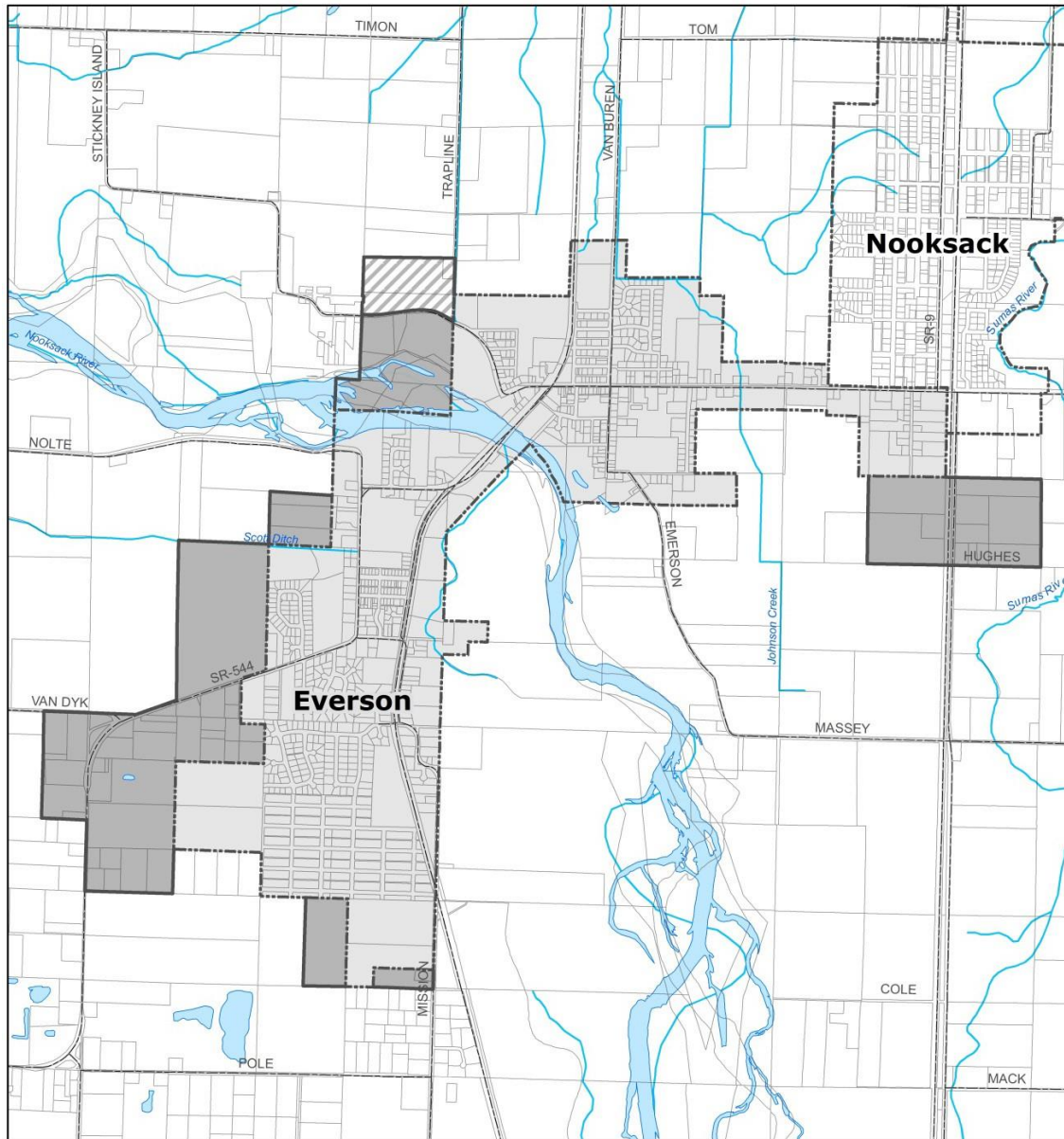
Policy 2W-3: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Everson wellfield.

Policy 2W-4: Review and update the interlocal agreement with Everson, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequate land supply;
- consistency with the Coordinated Water System Plan;
- cooperation regarding conversion of mineral resource lands; and
- long term measures to assure compatibility with resource lands.

**Whatcom County** | Comprehensive Plan

**Map UGA-3**



**- Everson Urban Growth Area**

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

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 0.125 0.25 0.5 Miles



**Ferndale**

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

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

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

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

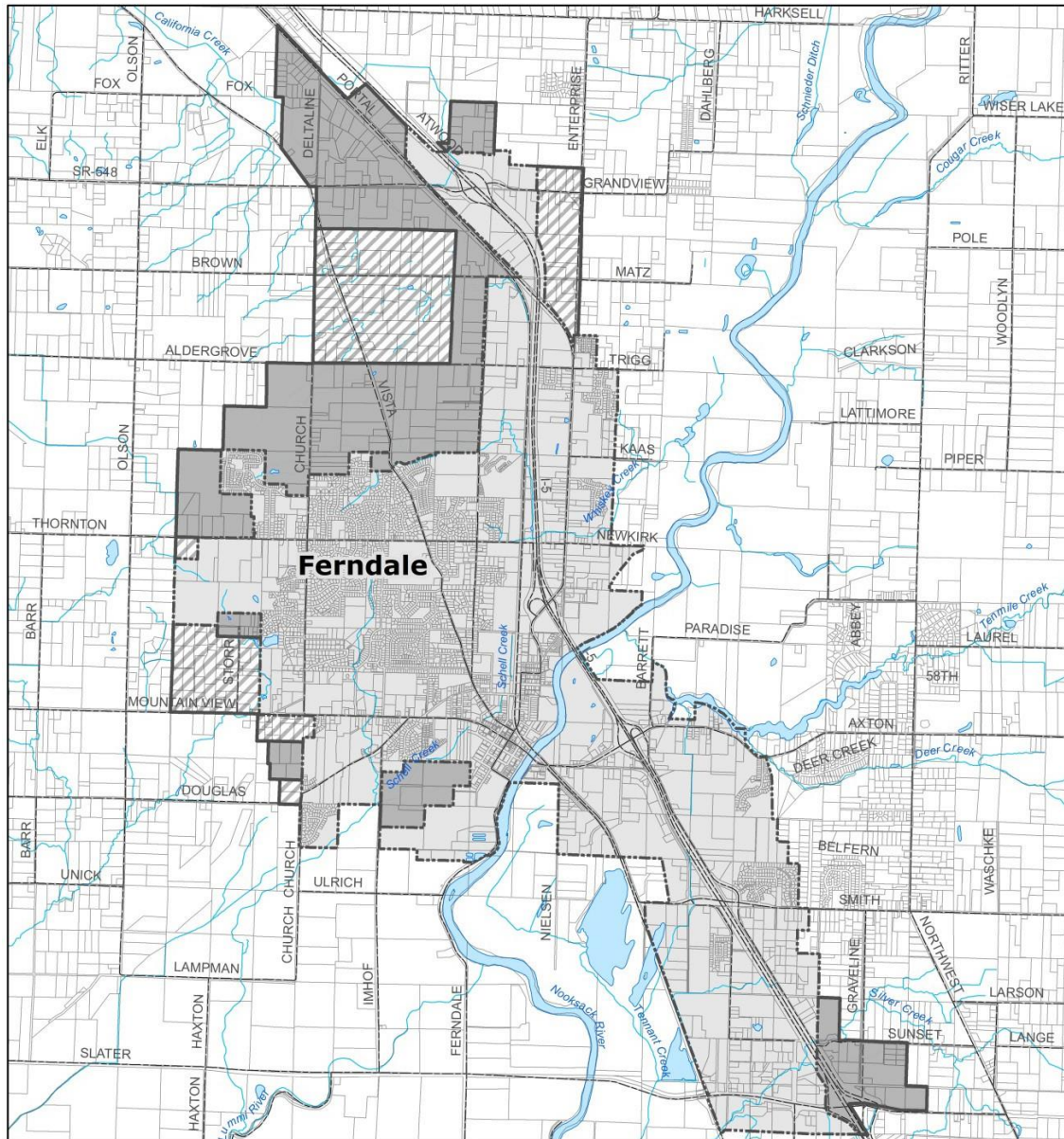
Policy 2X-4: Encourage Ferndale to work towards development of a "wetland bank" to mitigate impacts of development on scattered wetland areas within the city.

Policy 2X-5: Review and update the interlocal agreement with Ferndale, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- policies regarding utility service outside the UGA;
- identification of needed capital facility improvements and funding mechanisms;
- zoning designations and density within the UGA;
- coordination with the county of greenbelts and open space;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the Coordinated Water System Plan.

**Whatcom County** | Comprehensive Plan

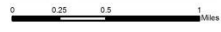
**Map UGA-4**



**- Ferndale Urban Growth Area**

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

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:  
 Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.



## Lynden

**Goal 2Y:** **Provide an Urban Growth Area for Lynden of sufficient size to accommodate future growth, protect the existing character of Lynden, and minimize impact on county resource lands.**

Policy 2Y-1: Ensure that conditional uses in the agricultural zone do not discourage the development of such uses within the City of Lynden.

Policy 2Y-2: Work with Lynden to develop long term measures to assure compatibility of adjacent uses to designated agricultural resource lands.

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

- Coordinated growth management and capital facility planning;
- restrict extension of urban levels of service to the urban growth areas;
- identification of needed capital facility improvements and establishment of funding mechanisms;
- zoning designations and density within the UGA;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the *Coordinated Water System Plan* and demonstration of sufficient water rights for current and projected needs.

Policy 2Y-4: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged when rezoning land in the Urban Growth Area west of Benson Rd. and south of Badger Rd. Specifically, Whatcom County should follow the process set forth below when considering whether a proposed rezone discourages incompatible land uses:

- Determine whether any land in the proposed rezone is within zone 1 (runway protection zone), zone 2 (inner approach/departure zone), or zone 3 (inner turning zone) as shown on Safety Compatibility Zone Example 1 from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38).
- Compare the land uses allowed by the proposed zoning with the Basic Safety Compatibility Qualities for zones 1, 2, and 3 and the Safety Compatibility Criteria Guidelines for zones 1, 2, and 3 in the *California Airport Land Use Planning*

*Handbook* (Shutt Moen Associates, January 2002, pp. 9-44 and 9-47) and identify incompatible land uses.

- Determine whether land in zone 1, 2 or 3 is proposed for a zoning district that allows residential land uses, schools, day care centers, hospitals, nursing homes, or above ground bulk fuel storage.
- Unless no alternatives are feasible, require residential land uses, schools, day care centers, hospitals, and nursing homes to be clustered or otherwise located outside of zones 1, 2 and 3 and require above ground bulk fuel storage to be located outside of zones 1, 2 and 3. The intent is to preserve as much open space as possible in zones 1, 2 and 3.

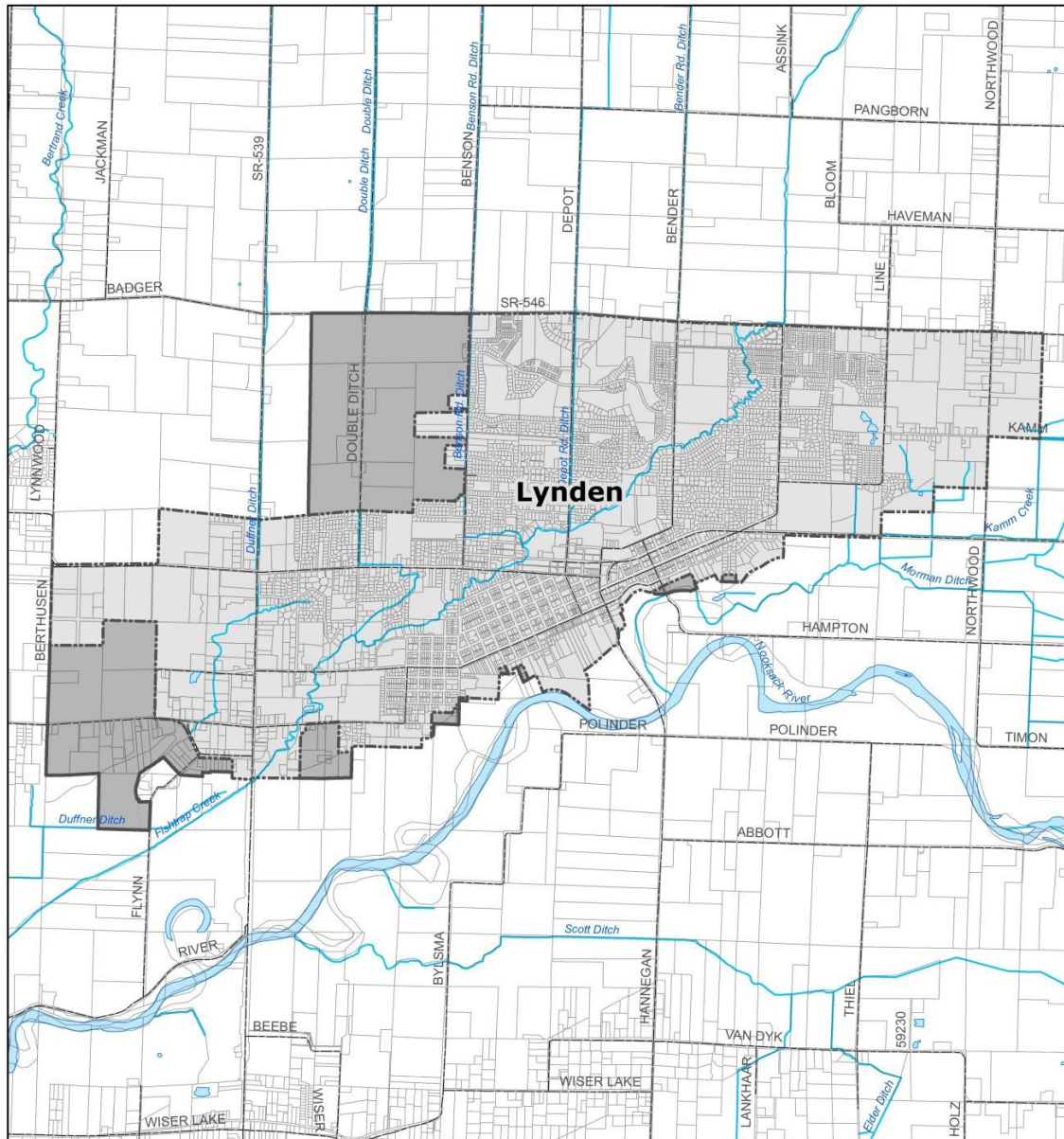
Policy 2Y-5:

Land uses that are incompatible with the operation of the Lynden Airport should be discouraged if expansion of the Urban Growth Area west of Benson Rd. and south of Badger Rd. is considered. Specifically, the Lynden Urban Growth Area should not be expanded in this area unless it can be demonstrated that:

- Residential land uses, schools, day care centers, hospitals, nursing homes, and above ground bulk fuel storage would be clustered or otherwise located outside zone 2 (inner approach/departure zone), zone 3 (inner turning zone), and zone 4 (outer approach/departure zone) as shown on Safety Compatibility Zone Example 1 from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38).

Whatcom County | Comprehensive Plan

Map UGA-5



- Lynden Urban Growth Area

-  Incorporated City
-  Urban Growth Area

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 0.25 0.5 1 Miles



**Nooksack**

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

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

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

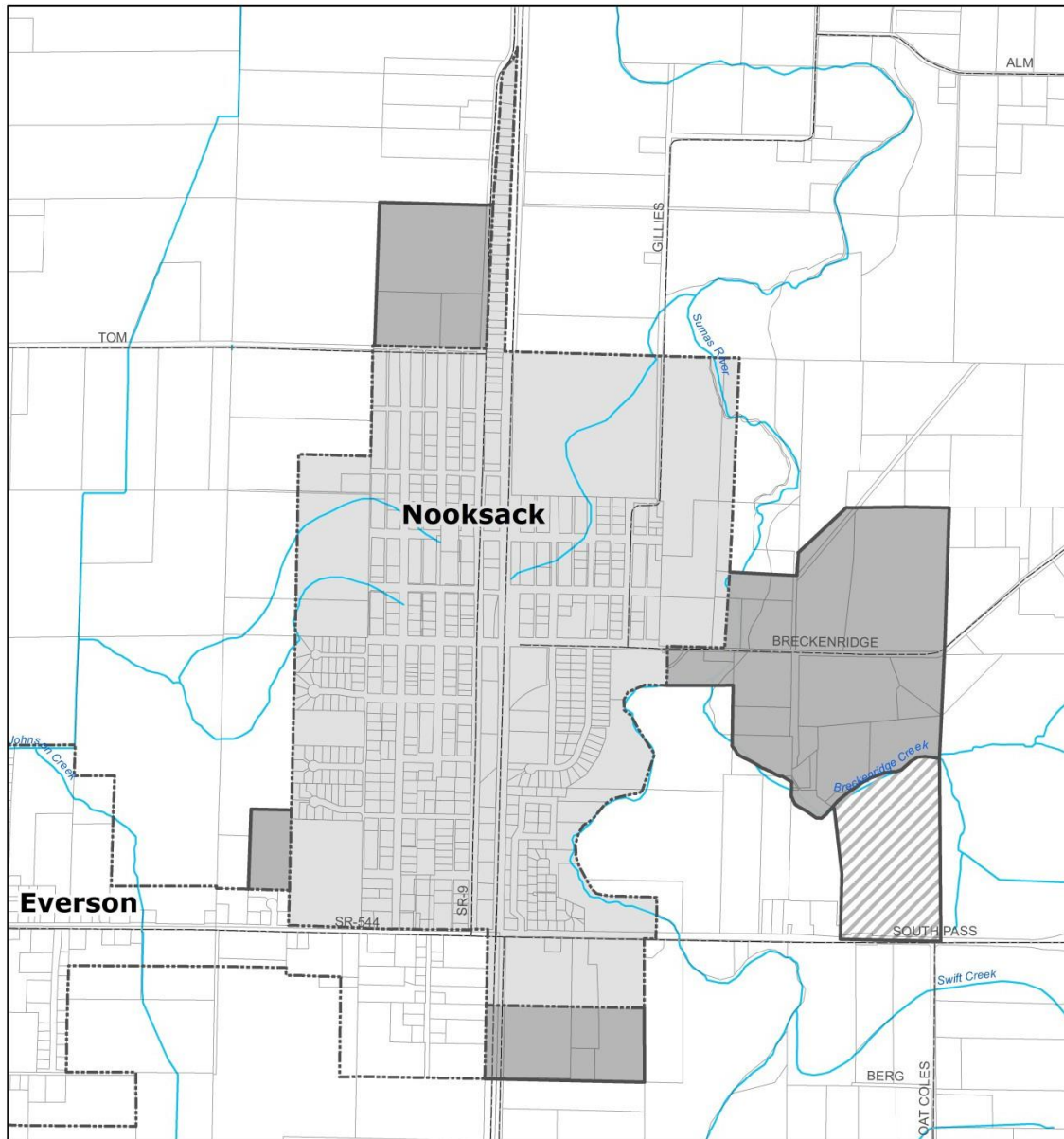
Policy 2Z-3: Ensure Nooksack can provide adequate urban services to accommodate projected population growth within the urban growth area.

Policy 2Z-4: Review and update the interlocal agreement with Nooksack, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequacy of land supply;
- consistency with the Coordinated Water System Plan;
- periodic reexamination of flood prone and agricultural areas;
- measures for protection of adjacent resource lands through control of incompatible uses and/or buffers; and
- long term measures to assure compatibility with resource lands.

Whatcom County | Comprehensive Plan

Map UGA-6



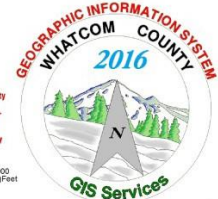
- Nooksack Urban Growth Area

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

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 500 1,000 2,000 Feet



**Sumas**

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

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

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

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

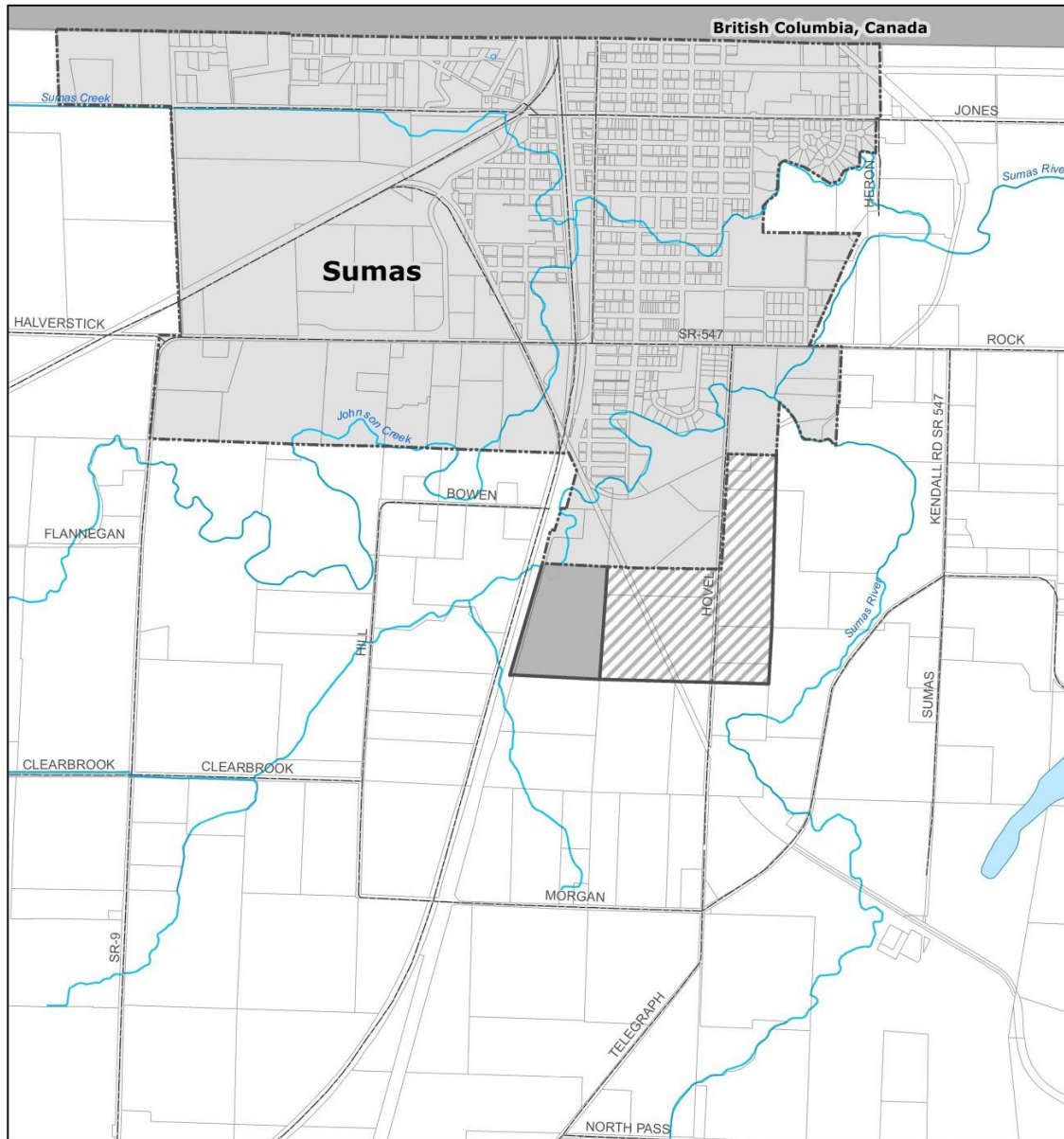
Policy 2AA-4: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Sumas City wellfield and May Road wellfield.

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

- Coordinated growth management and capital facility planning;
- restriction of extension of urban levels of service outside the urban growth area;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequate land supply;
- consistency with the Coordinated Water System Plan;
- protection of groundwater quality within the wellhead protection areas of the Sumas wellfields;
- reexamination of the densities outside the floodplain to see if they can be increased; and
- long term measures to assure compatibility with resource lands.

Whatcom County | Comprehensive Plan

Map UGA-7

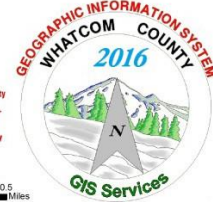
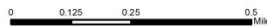


- Sumas Urban Growth Area

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

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.



### **Birch Bay and Columbia Valley Urban Growth Areas**

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

Policy 2BB-1: Work with the Birch Bay Water and Sewer District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction.

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

Policy 2BB-3 Recognize the resort nature of Birch Bay, including the significant second home factor when analyzing land supply for urban growth area boundaries. Recognize the recreational nature of a portion of the Columbia Valley UGA when analyzing land supply for urban growth area boundaries.

Policy 2BB-4: Birch Bay is unique with its traditional cottages on small lots that enhance the character of the area. In order to facilitate continuation of this traditional character, encourage small lot single family development in the Birch Bay UGA. Propose amendments to the Resort Commercial zoning district, applicable only to single family dwellings, that increase density to between 10 and 20 dwelling units/acre, reduce setbacks, and require pervious surfaces for driveways or other methods of stormwater infiltration.

Policy 2BB-5 Encourage incorporation of Birch Bay when financial viability can be achieved without including the Cherry Point Industrial Area within proposed city boundaries.

Policy 2BB-6: Recognize the impacts of tourist development on local residents in the Birch Bay and Columbia Valley UGAs and provide for mitigation of those impacts.

Policy 2BB-7: Work with Water District 13 and the Columbia Valley Water District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan.

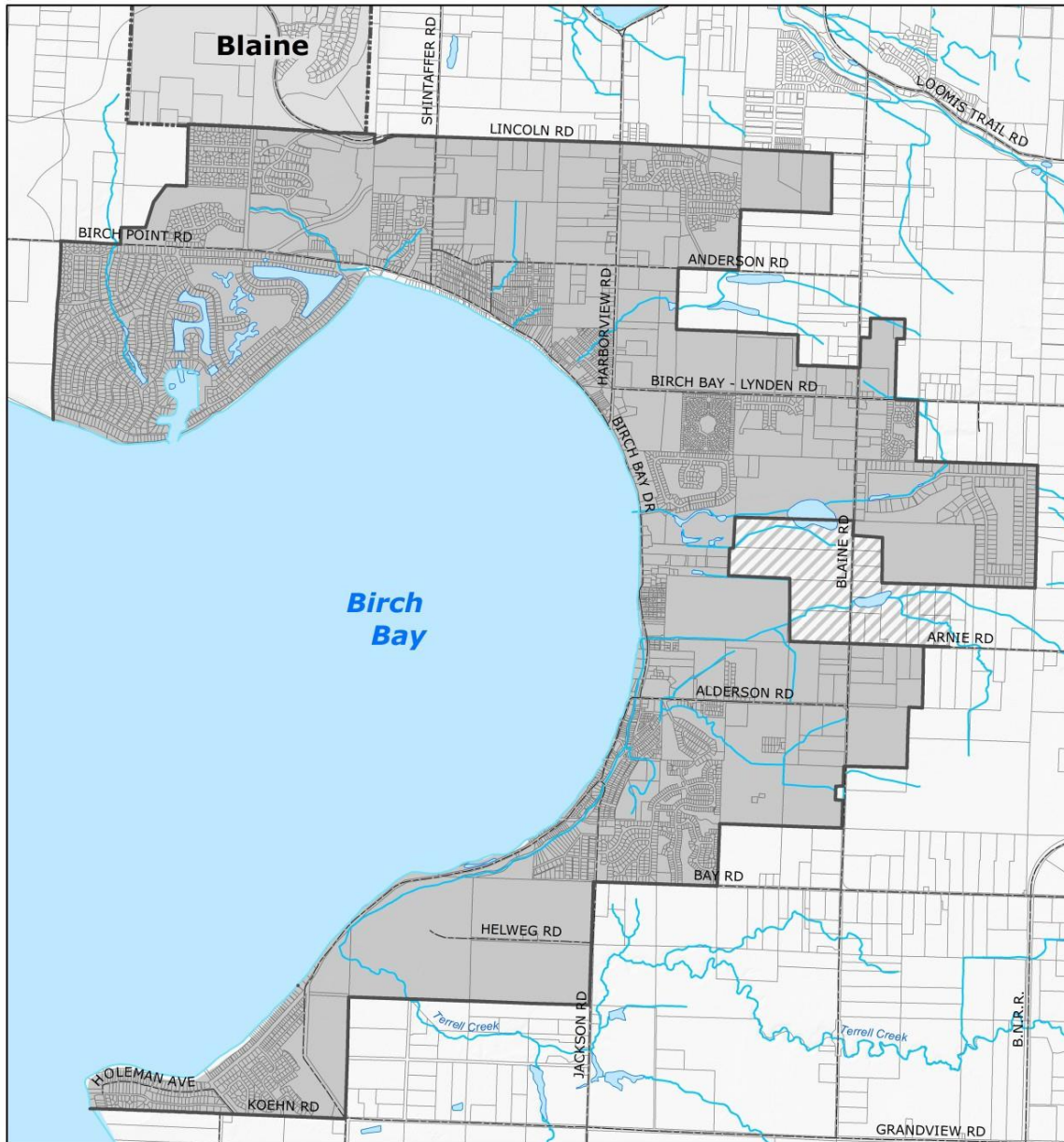
Policy 2BB-8 Work with Fire District 14, the Mount Baker School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Columbia Valley UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan. Capital facility plans should provide the information required by RCW 36.70A.070(3).

Policy 2BB-9: Study the Columbia Valley UGA to identify the factors necessary

- to create an economically viable city, the implications of such development within the County overall, and make recommendations as to how and when incorporation should be initiated.
- Policy 2BB-10: Require unplatted areas in the Columbia Valley UGA to obtain “ability to serve” letters from schools, fire districts, and water and sewer service providers and demonstrate adequate road capacity in order to receive county approval for new subdivisions.
- Policy 2BB-11: For new subdivisions, encourage the use of clustering with adequate setbacks along Kendall Creek, Kendall and Sprague lakes, and wetlands to avoid environmental degradation of surface waters, to enhance/restore fish habitat relative to complying with listings under the Endangered Species Act, where they might apply, and to protect the aquifer underlying the Columbia Valley.
- Policy 2BB-12: For existing lots in the Columbia Valley UGA, encourage the use of appropriate stormwater best management practices and connection to public sewer to protect surface waters and the aquifer. Any new building permits on existing lots must be able to demonstrate that the water service is available to provide adequate water as a precondition to the issuance of a permit.
- Policy 2BB-13: Encourage use of low impact development (LID) standards in the Columbia Valley UGA.
- Policy 2BB-14: Recognize the need for light impact industrial land uses within the Columbia Valley Urban Growth Area. Consider establishing a light impact industrial zone located on the north side of Limestone Road in accordance with the policies of the Foothills Subarea Plan.
- Policy 2BB-15: Recognize the Columbia Valley UGA as a developing urban community with potential to establish a viable town center, which includes commercial uses, a variety of residential housing types, and institutional uses.

Whatcom County | Comprehensive Plan

Map UGA-8



**-Birch Bay Urban Growth Area**

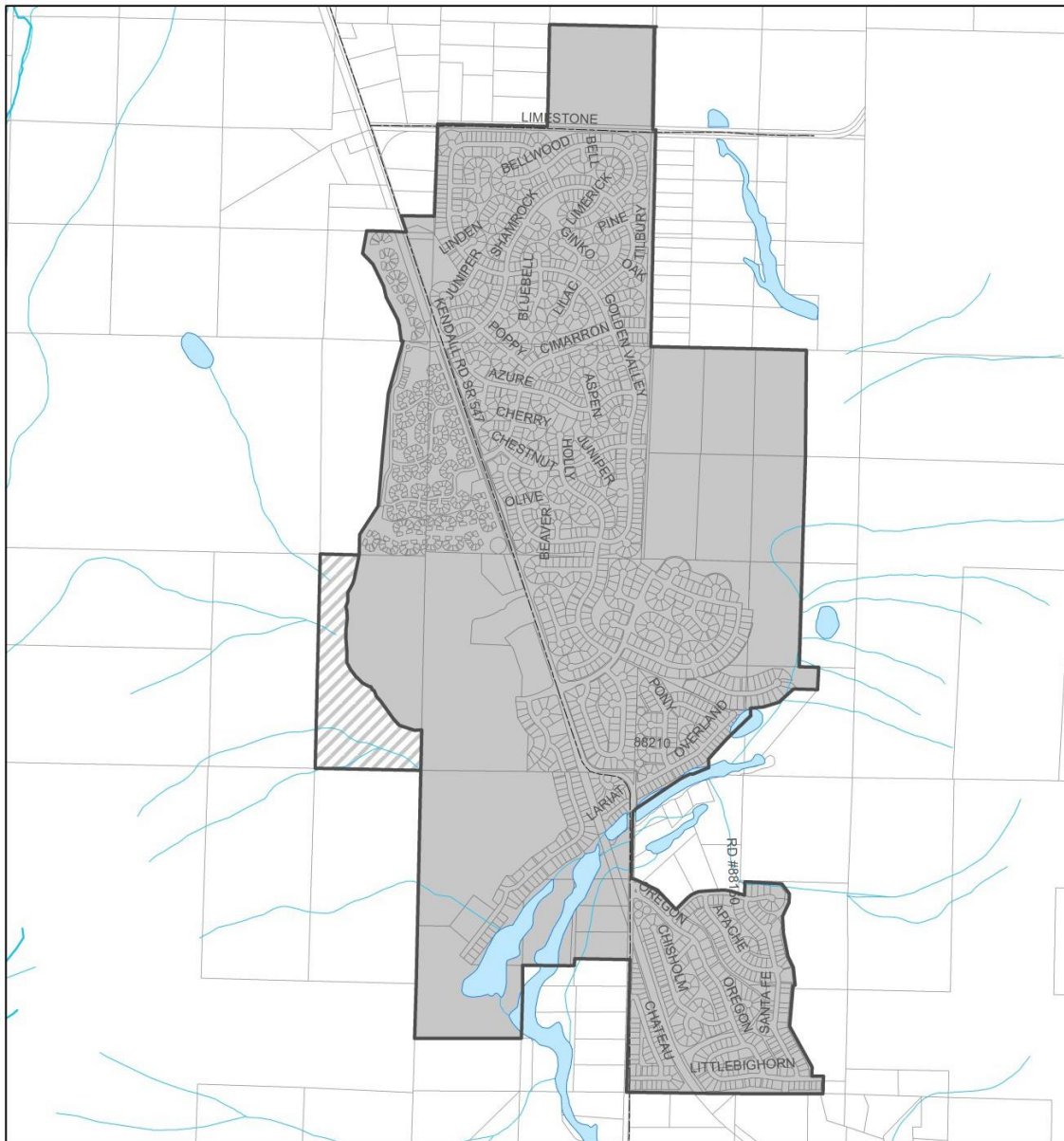
-  Incorporated City
-  Urban Growth Area
-  Urban Growth Area Reserve

**USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:**  
 Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damage, loss, or liability arising from any use of this map.



Whatcom County | Comprehensive Plan

Map UGA-9



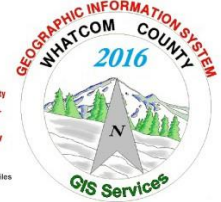
- Columbia Valley Urban Growth Area

- Urban Growth Area
- Urban Growth Area Reserve

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 0.125 0.25 0.5 Miles



**Major Industrial Urban Growth Area / Port Industrial**

Cherry Point

**Goal 2CC: Maintain Cherry Point as an unincorporated urban growth area based on its unique location, characteristics and its significant contribution to the overall industrial land supply and Whatcom County's tax base.**

Policy 2CC-1: Designate Cherry Point as a major industrial Urban Growth Area to accommodate major users that need to be located away from concentrated urban residential areas and that can manage their activities in such a way that they do not conflict with the goals of the Aquatic Reserve Management Plan.

Policy 2CC-2: Encourage developments in the Cherry Point UGA to maintain and operate under management plans consistent with the Aquatic Reserve Management Plan.

Policy 2CC-3: Encourage that future developments or expansions within the Cherry Point UGA are consistent with the following:

- Clean and reduced carbon emitting technology;
- Avoidance of estuaries and near shore wetlands;
- Archeological review;
- Water recycling technology to minimize water use; and
- Enhance existing and future industries.

Policy: 2CC-4: Assure that Cherry Point's unique features of large parcelization, port access, and pipeline, vehicular and rail transportation availability are maintained and protected from incompatible development.

Policy: 2CC-5: Require the master planning of each large parcel in advance of any development or subdivision at Cherry Point.

Policy: 2CC-6: Require the designation and site plan for a major user (generally 40 acres or more) before the development of accessory or supporting uses to assure that accessory or supporting uses are compatible with and will not interfere with the major industrial user.

Policy: 2CC-7: Specify 160 acres as a minimum area for planning, prior to the commitment of a parcel for a major user (40 acres or more, singularly or as a cluster or group).

Policy 2CC-8: Permit support activities, warehousing, shipping, machine repair and service, educational services, food service and conveniences, to locate on a parcel only after the completion of a master plan, and the identification and site plan approval for the major user.

Policy 2CC-9: Exclude Cherry Point as part of any future incorporation of Birch Bay.

- to protect interests of the property owner in terms of

- taxation and urban regulations;
  - to preclude urbanism near "smokestack" industries;
  - to preserve county government tax base.
- Policy 2CC-10: Continue to work with service providers that serve Cherry Point to ensure the delivery of services and to allow it to develop to its fullest potential.
- Policy 2CC-11: It is the policy of Whatcom County to limit the number of industrial piers at Cherry Point to the existing three piers, taking into account the need to:
- Act conservatively in land use matters at Cherry Point to prevent further harm to habitat important to the Cherry Point Herring stock and Southern Resident Killer Whales;
  - Optimally implement the Whatcom County Shoreline Master Program to fulfill the Shoreline Management Act’s shorelines of statewide significance policy to preserve natural character, result in long-term over short-term benefit, and protect the resources and ecology of the shoreline;
  - Encourage the continued agency use of best available science;
  - Support and remain consistent with the state Department of Natural Resources’ withdrawal of Cherry Point tidelands and bedlands from the general leasing program and the species recovery goals of the Cherry Point Aquatic Reserve designation and Management Plan;
  - Recognize federal actions upholding treaty rights;
  - Protect traditional commercial and tribal fishing; and
  - Prevent conflicts with vessel shipment operations of existing refineries that could lead to catastrophic oil or fuel spills.
- Policy 2CC-12: RCW 36.70A.365 requires the implementation of Traffic Demand Management (TDM) programs for the designating of a Major Industrial Urban Growth Area. Any employer in the Cherry Point Urban Growth Area that employs one hundred or more fulltime employees at a single worksite who begin their regular work day between 6:00 am and 9:00 am on weekdays for at least twelve continuous months during the year are required to meet the TDM requirements of WCC 16.24.
- Policy 2CC-13: Work with the Cherry Point industries to maximize public access to the Cherry Point beaches without compromising industrial security.
- Policy 2CC-14: Cooperate with the DNR and existing industries to monitor the effects of industrial activities on water quality and habitat functions in and adjacent to the Cherry Point Aquatic Reserve.
- Policy 2CC-15: Whatcom County will encourage federal agencies, including the U.S. Army Corps of Engineers, to enforce the provisions of the Magnuson Amendment (33 USC Sec. 476). To accomplish this the County will make appropriate federal agencies aware of applications for development permits submitted to the County

that staff thinks may be subject to federal agency review under the Magnuson Amendment.

Policy 2CC-16: The County will, through its adopted SEPA policies and applicable permitting processes, seek to limit the negative impacts on public safety, transportation, the economy, and environment from new fossil fuel facilities, including new or expanded crude oil, coal, liquefied petroleum gases, and natural gas facilities within the Cherry Point UGA.

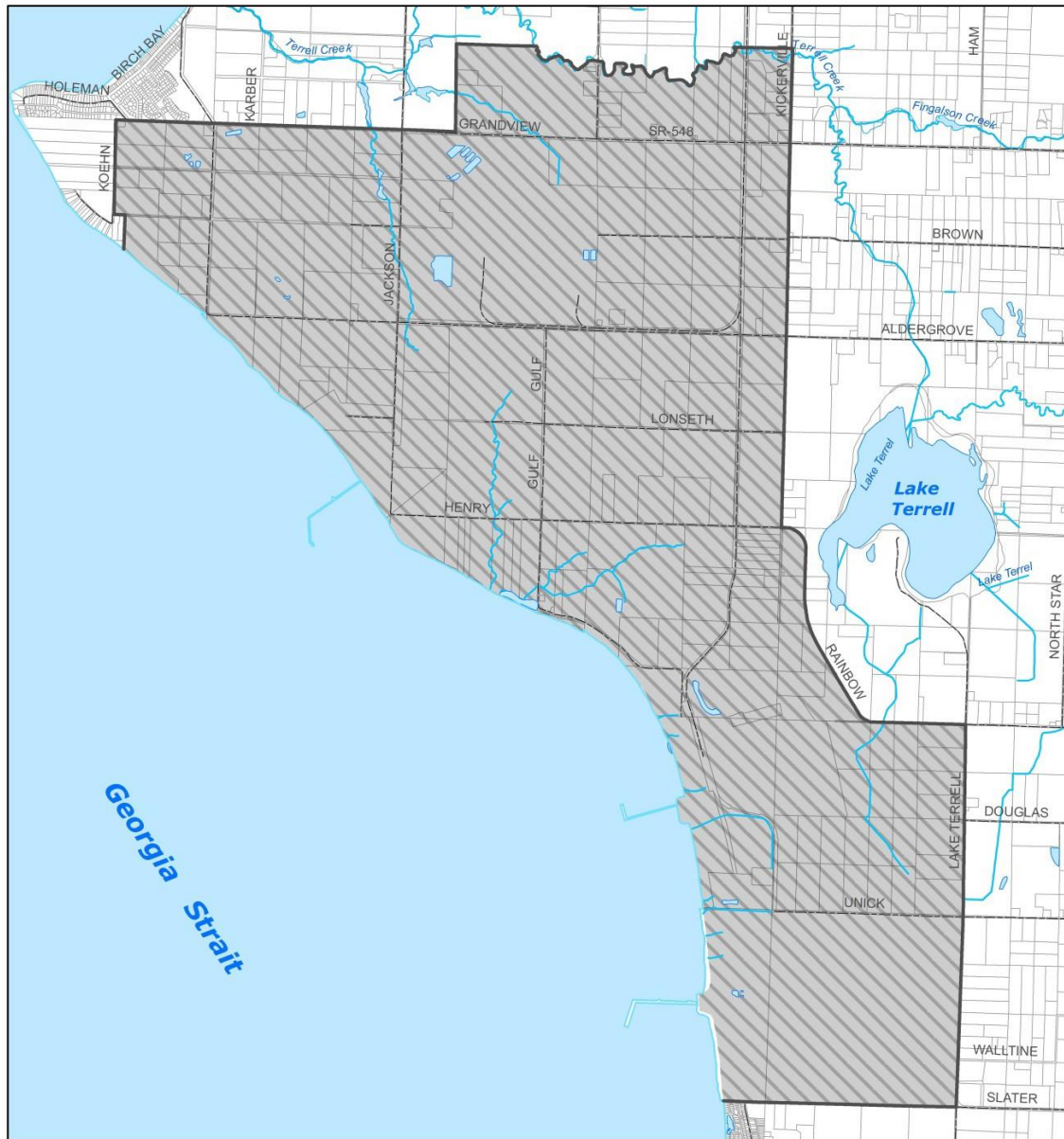
The County Administration should provide the County Council written notice of all known preapplication correspondence or permit application submittals and notices, federal, state, or local that involve activity with the potential to expand “Fossil Fuel Refinery, Renewable Fuel Refinery, Fossil Fuel Transshipment Facility, or Renewable Fuel Transshipment Facility,” as defined in the Whatcom County Code (Chapter 20.97).

Policy 2CC-17: Allow existing operations or maintenance of existing fossil-fuel related facilities operating as of August 8, 2021, with limited expansions subject to environmental review, greenhouse gas emission analysis, and conformance with Policies 2CC-3 and - 11.

Policy 2CC-18: This chapter is intended to allow the on-going operation, maintenance, and repair of existing facilities, modifications designed to comply with adoption and implementation of new product standards and fuel standards, operational and site safety improvements, environmental improvements, and regulatory compliance projects.

**Whatcom County** | Comprehensive Plan

**Map UGA-10**



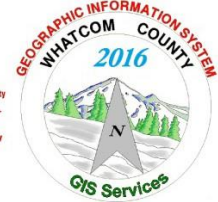
**- Cherry Point Urban Growth Area**

 Major Port/Industrial UGA

**USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:**

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damages, loss, or liability arising from any use of this map.

0 0.25 0.5 1 Miles



## **Rural Lands**

.

**Rural Character and Lifestyle****Goal 2DD: Retain the character and lifestyle of rural Whatcom County.**

Policy 2DD-1: Concentrate growth in urban areas per the population projections in Chapter 1 of this plan, and recognize rural lands as an important transition area between urban areas and resource areas. As part of the population growth monitoring report required in Policy 2S-5, compare nonurban population growth trends with the adopted nonurban population growth projection. If the trend over five years indicates that nonurban growth is significantly higher than adopted projections, the County shall take action to address the discrepancy. Actions may include changing the allocation of the projected population growth during the comprehensive plan update required per RCW 36.70A.130(1), or changing development regulations to limit growth outside the urban growth areas. In addition, as the County and cities review the capacity for growth in the urban growth areas, the county should coordinate with the cities to ensure that policies are in place that are consistent with encouraging growth in the urban areas and reducing demand for development in rural areas.

Policy 2DD-2: Protect the character of the rural area through the County's development regulations. In addition to the policies of this plan that provide measures governing rural development, the following County's key development regulations are incorporated into this plan by reference to assure that the plan contains measures to protect rural character:

A. Measures to contain or otherwise control rural development and reduce the inappropriate conversion of undeveloped land into sprawling, low-density development:

1. Limit the expansion of areas of more intensive development and higher rural densities through Policies 2A-8, 2A-9, 2DD-1, 2DD-8, 2GG-2, 2GG-3, 2JJ-1 through 8, 2KK 1 and 2, 2LL-1 through 4, and 2MM-1 through 4 of this plan.

2. Provide options to reserve areas of land suitable for agriculture, forestry, or open space through lots clustering in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.32.305, .310, and .320, Lot clustering, Residential Rural District;
    - b. WCC 20.34.305, .310, and .320, Lot clustering, Rural Residential Island District;
    - c. WCC 20.36.305, .310, and .320, Lot clustering, Rural District;
    - d. WCC 20.71.350, .351, and .352, Lot clustering, Water Resource Protection Overlay District.
  3. Prohibit short subdivisions outside of urban growth areas and limited areas of more intensive rural development that would require extension of public sewer except for health or safety reasons through the following Whatcom County Land Division regulations adopted herein by reference:
    - a. WCC 21.04.100, Sewage Disposal, Short Subdivisions.
    - b. WCC 21.05.090 Sewage Disposal, Preliminary Long Subdivisions.
- B. Measures to assure visual compatibility of rural development with the surrounding rural area:
1. Ensure that the visual landscapes traditionally found in rural areas and communities are preserved through limitations on structural coverage of lots in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.32.450 Lot coverage, Residential Rural District;
    - b. WCC 20.36.450 Lot coverage, Rural District.
  2. Require that lots developed under the lot clustering option be designed and located to be compatible with valuable or unique natural features as well as physical constraints of the site through standards provided in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.32.310 Lot clustering design standards, Residential Rural District;
    - b. WCC 20.34.310 Lot clustering design standards, Rural Residential-Island District;

- c. WCC 20.36.310 Lot clustering design standards, Rural District;
    - d. WCC 20.71.351 Lot clustering design standards, Water Resource Protection Overlay District.
  3. Protect the aesthetic assets of the rural areas and soften the impact of structures through landscape buffers and setback requirements provided in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.80.200 Setback requirements;
    - b. WCC 20.80.300 Landscaping.
  4. In the Point Roberts Rural Community, regulated visual aspects of development through the standards in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.72.350 Building setbacks/buffer areas, Point Roberts Special District;
    - b. WCC 20.72.651 Facility design, Point Roberts Special District;
    - c. WCC 20.72.653 Tree canopy retention, Point Roberts Special District;
    - d. WCC 20.72.654 Site design/view corridors, Point Roberts Special District.
- C. Measures to protect critical areas and surface and groundwater resources:
  1. Protect the functions and values of critical areas (geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and habitat conservation areas) and the ecological processes that sustain them, through WCC 16.16 Critical Areas provisions, adopted herein by reference.
  2. Minimize the adverse effects of discharges from onsite sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.
  3. Preserve and protect unique and important water resources through development standard in WCC 20.71 Water Resource Protection Overlay District and WCC 20.51 Lake Whatcom Watershed Overlay District, adopted herein by reference.

4. Protect surface and groundwater resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630 through .636, WCC 20.51 and 12.08.035 referenced in the following Zoning Code provision, adopted herein by reference:
  - a. 20.32.656 Drainage, Residential Rural District;
  - b. 20.34.659 Drainage, Rural Residential-Island District;
  - c. 20.36.656 Drainage, Rural District;
  - d. 20.37.655 Drainage, Point Roberts Transitional District;
  - e. 20.44.652 Drainage, Recreation and Open Space District;
  - f. 20.59.704 Drainage, Rural General Commercial District;
  - g. 20.60.655 Drainage, Neighborhood Commercial District;
  - h. 20.61.704 Drainage, Small Town Commercial District;
  - i. 20.63.654 Drainage, Tourist Commercial District;
  - j. 20.64.655 Drainage, Resort Commercial District;
  - k. 20.67.653 Drainage, General Manufacturing District;
  - l. 20.69.655 Drainage, Rural Industrial and Manufacturing District.
5. Assure that subdivisions meet requirements for critical areas, shoreline management, and stormwater management through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
  - a. WCC 21.04.034 Application Procedures, Short subdivisions.
  - b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions.
6. Limit water withdrawals resulting from land division through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
  - a. WCC 21.04.090 Water supply, Short Subdivisions.
  - b. WCC 21.05.080 Water supply, Preliminary Long Subdivisions.

7. Regulate groundwater withdrawals by requiring purveyors of public water systems and private water system applicants to comply with Washington State Department of Ecology water right requirements per WCC 24.11.050, adopted herein by reference.
  8. Require evidence of an adequate water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.
  9. Determine adequacy of water supply for building permit applications proposing to use a well, spring, or surface water, per WCC 24.11.090, .100, .110, .120, .130, .160, and .170, adopted herein by reference.
  10. Limit phosphorus entering Lake Whatcom through WCC 20.51 Lake Whatcom Watershed Overlay District and Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential laws and public properties through WCC 16.32, adopted herein by reference.
  11. Protect vital drinking water, sensitive habitats, and recreational resources within the Department of Ecology’s designated Western Washington Phase II Municipal Stormwater Permit area and the Lake Whatcom watershed by prohibiting illicit discharges to the county’s stormwater collection system through WCC 16.36 Illicit Discharge Detection and Elimination Program, adopted herein by reference.
  12. Maintain standards for clearing activity in highly valued water resource areas, environmentally sensitive areas, or areas where natural conditions are so unstable that clearing activity in the area can result in hazardous conditions per WCC 20.80.735 Water Resource Special Management Area, adopted herein by reference.
- D. Measures to protect against conflicts with the use of agricultural, forest, and mineral resource lands:
1. Ensure separation of new residences from agricultural and forestry uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.80.255 Agricultural District, Supplementary Requirements;
    - b. WCC 20.80.256 Forestry districts, Supplementary Requirements;

- 
- c. WCC 20.80.258 All districts, Supplementary Requirements.
2. Ensure separation of businesses from agricultural uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
    - a. WCC 20.59.600 Buffer area, Rural General Commercial District;
    - b. WCC 20.60.550 Buffer area, Neighborhood Commercial District;
    - c. WCC 20.61.600 Buffer area, Small Town Commercial District;
    - d. WCC 20.63.600 Buffer area, Tourist Commercial District;
    - e. WCC 20.64.550 Buffer area, Resort Commercial District;
    - f. WCC 20.67.550 Buffer area, General Manufacturing District;
    - g. WCC 20.69.550 Buffer area, Rural Industrial and Manufacturing District.
  3. Require that all discretionary project permits within one half mile of areas designated in this plan as Rural, Agriculture, Commercial Forestry, or Rural Forestry, or within 300 feet of areas designated as Mineral Resource Lands, be subject to disclosure practices in the in the following Whatcom County Code provisions, adopted herein by reference:
    - a. WCC 20.40.662 Use of Natural Resources, Agriculture District;
    - b. WCC 20.42.652 Use of Natural Resources, Rural Forestry District;
    - c. WCC 20.43.662 Use of Natural Resources, Commercial Forestry District;
    - d. WCC 14.02 Right to Farm;
    - e. WCC 14.04 Right to Practice Forestry;
    - f. WCC 14.16 Mineral Resource Land Disclosure.
- Policy 2DD-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (RCW 84.34).

- Policy 2DD-4: Conserve open space, park land, and trails for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.
- Policy 2DD-5: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County's agricultural land base.
- Policy 2DD-6: In the "Agriculture Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered where it would not create more conflicts with accepted agricultural practices, on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.
- Policy 2DD-7: Maintain the historic character and cultural roles of each rural area and community.
- Policy 2DD-8: Allow more intensive uses in limited areas of more intensive rural development designated consistent with RCW 36.70A.070(5)(d), which provide public and commercial services and employment opportunities. Reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area by establishing clearly defined boundaries for these areas as well as criteria for creating or changing those boundaries consistent with RCW 36.70A.070(5)(d).
- Policy 2DD-9: Promote economic prosperity for rural areas and allow rural property owners reasonable use of their land by continuing to allow legal nonconforming uses.
- Policy 2DD-10: Adopt and maintain incentive programs, such as the Conservation Easement Program, the density credit program, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so.

### **Rural Services**

- Goal 2EE:** **Ensure that rural areas are provided with services consistent with the rural character and that development patterns do not encourage an increased service level or degrade water quality.**
- Policy 2EE-1: Recognize domestic water systems, volunteer fire protection, emergency services, law enforcement protection, transportation, public transit services, and public utilities typically associated with rural development as appropriate services in designated rural areas. Rural services do not include storm or sanitary sewers.
- Policy 2EE-2: Coordinate and plan public facilities, services, roads, and utilities

- 
- to ensure that rural areas have appropriate and adequate rural levels of service necessary to maintain a rural lifestyle. Coordinate with rural service providers to ensure efficient and effective service to rural areas.
- Policy 2EE-3: Pursue measures through which new development would help pay for increased demands on critical rural services such as fire and emergency service.
- Policy 2EE-4: Prohibit extension or expansion of municipal public sewer systems outside urban growth areas or LAMIRDs except where it is necessary to protect public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.
- Policy 2EE-5: Ensure that adequate onsite wells and onsite sewage and septic systems are properly installed, monitored, and maintained. Provide technical assistance to property owners, and require necessary improvements when needed to protect health, safety and environmental quality.
- Policy 2EE-6: Promote better land use practices and protect water quality by encouraging landowners and developers to investigate and implement innovative subdivision, septic system designs, and stormwater management.
- Policy 2EE-7: Ensure county coordination with service providers to determine if new or infill development will have necessary services. Require concurrent review of new development to ensure adequate level of service at rural standards are available at the time of development.
- Policy 2EE-8: Public services and public facilities necessary for rural commercial and industrial uses shall be provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

### **Rural Employment Opportunities**

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

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

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

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

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

### **Land Use**

#### **Rural Designation**

**Goal 2GG: Designate Rural areas to contain a variety of uses and densities while retaining their traditional rural character.**

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

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

Policy 2GG-3: Proposed uses and densities within the Rural designation should reflect established rural character. Rezones within the Rural designation should be consistent with the established rural character and densities. Land in the R10A district may be rezoned to a rural zone that allows a higher density only if:

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

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

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

Policy 2GG-6: Ensure that flexible development patterns such as cluster subdivisions effectively preserve open space and agricultural land and do not create the need for more intensive rural services.

Policy 2GG-7: Development within Rural designations shall be consistent with rural character as described in this chapter.

**Limited Areas of More Intensive Rural Development (LAMIRDs)**

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

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

- A. Location Criteria. Rural Communities may be designated in an area that:
  - 1. Was characterized by existing development more intensive than surrounding rural areas (residential or non-residential) as of July 1, 1990, and
  - 2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
- B. Additional Location Criteria. The following may serve as additional criteria for Rural Community designation (relative to the specific circumstances of the area, and in combination with each other):
  - 1. The existing (1990) residential built environment was more intensively developed than surrounding areas;
  - 2. Public services are available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control; or
  - 3. The area is planned for more intensive development in a post-GMA local subarea plan.
  - 4. Existing zoning prior to designation as a Rural Community,

except existing zoning may not be a sole criterion for designation.

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

Policy 2HH-2:

Rural Tourism (Type II LAMIRD) designation criteria

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

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

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

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

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

B. Additional Criteria.

1. A Rural Business designation on a lot or small group of lots containing nonresidential uses shall be separated from other LAMIRD designations, regardless of type, by no less than one-half mile by public road, except where the other LAMIRD is separated by a major physical feature such as a waterbody, freeway, major road, or other physical feature.
2. In the event that the listed criteria result in the need to choose one proposed designation over another, preference is given to a proposed use that:
  - a. Provides the greatest number of job opportunities for rural residents.
  - b. Is located at a controlled public road intersection.

**Rural Communities**

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

Policy 2JJ-1: Areas designated as Rural Communities shall meet the criteria stated in this chapter and the requirements of RCW 36.70A.070(5)(d)(i),

which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed use areas, including necessary public facilities and public services to serve the limited area.

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

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

Policy 2JJ-4: Within the Rural Communities, encourage adequate economic development to provide current and future residents’ employment needs, and provide rural residents places to shop, eat, and access to public services.

Policy 2JJ-5: Within Rural Communities development or redevelopment in terms of size, scale, use, or intensity shall be consistent with the character of the area on July 1, 1990.

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

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

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

**Rural Tourism**

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

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

dwelling unit accessory to the business for use by the owner-manager or caretaker).

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

**Rural Business**

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

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

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

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

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

**Rural Neighborhoods**

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

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

Policy 2MM-2: In the Whatcom County Code, the Rural and Rural Residential zoning districts may include Rural Residential Density Overlays that may be applied to areas within the Rural Neighborhood designation where higher density rural residential development has already occurred. The overlay should allow for infill development with lot sizes consistent with those of surrounding lots, where public water service is available. The overlay shall limit eligibility of lots based on the percentage of surrounding lots that were developed in 2011, and shall establish a maximum density that may be achieved using the overlay. The Rural Residential Density

Overlays shall not be created or expanded outside of Rural Neighborhoods or into areas where higher density rural development has not occurred; such expansion is not consistent with maintaining the traditional character of the surrounding rural areas.

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

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

**Urban Growth Area Reserves**

**Sudden Valley**

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

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

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

Policy 2NN-3: Recognize the existing parcelization and the remaining development potential of multifamily parcels in Sudden Valley.

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

Policy 2NN-5: If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County may acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value.

Policy 2NN-6: Support Lake Whatcom Water and Sewer District’s effort to maintain adequate sewer capacity and control stormwater runoff in keeping with appropriate environmental controls and the Sudden Valley Community Association's density reduction goal.

Policy 2NN-7: Work with all parties to maintain, and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop appropriately.

**Private Parcels Surrounded by National Park or National Forest**

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

Policy 2PP-1: Increase the potential for land exchanges, and other voluntary mechanisms, in order to reduce the checkerboard ownership and

---

jurisdictional patterns within eastern Whatcom County.

**Subdivisions on the Lummi Reservation**

**Goal 2QQ:            Seek solutions that satisfy the requirements of Growth Management, the needs of the non-tribal residents and the goals of the Lummi Nation.**

Policy 2QQ-1:    Work with the residents and the Lummi Nation to establish adequate water and sewer for the existing platted lots.

Policy 2QQ-2:    Whatcom County will administer land use policy on fee lands and prohibit discriminatory land use practices.

### Comprehensive Plan Designations Map

The Comprehensive Plan designations map (**Map 2-1**) provides direction for future land use decisions in Whatcom County. It is officially adopted as part of this document. Because of the scale of the map, specific boundaries are identified on maps in the County Planning and Development Services office.

These descriptors are intended to be general in nature. More specific criteria and explanation may be incorporated into comprehensive plan chapters or subarea plans.

**Title: Urban Growth Areas**

Purpose: To denote where future urban growth may occur.

Definition: Areas characterized by urban growth that have adequate existing public facility and service capacities; areas characterized by urban growth that can be served adequately by a combination of both existing public facilities and any additional public facilities and services that are provided by either public or private sources; and lands adjacent to areas characterized by urban growth.

Locational Criteria: First urban growth may be located on lands characterized by urban growth that have adequate existing public facility and service capacities; next urban growth may be located on lands characterized by urban growth that can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources; and finally urban growth may be located on lands adjacent to areas characterized by urban growth.

**Title: Urban Growth Area Reserve**

Purpose: To denote lands which appear to be suitable for future inclusion in an adjacent and contiguous Urban Growth Area when the need arises and adequate public facilities and services can be provided, and other issues identified in the comprehensive plan are addressed.

Definition: Areas that are not yet suited for urban growth but are logical areas in which the urban area would likely grow beyond current growth allocations after being properly designated as an Urban Growth Area.

Locational Criteria: Areas adjacent and contiguous to Urban Growth Areas in which urban development would likely occur beyond current growth allocations.

**Title: Major Industrial Area/Port Industrial – Urban Growth Areas**

**Issues, Goals, and Policies**

**Open Space Areas**

**Goal 2QQ: Conserve or enhance important natural, cultural, and scenic resources.**

Policy 2RR-1: Protect and encourage voluntary restoration of streams, stream corridors, wetlands, natural shorelines, fish habitat and aquifers through education and incentive programs. For willing landowners, purchase property or acquire easements for riparian and channel migration zone areas to protect habitat of threatened and endangered species.

Policy 2RR-2: Protect soil resources.

Policy 2RR-3: Protect unique or critical wildlife and native plant habitat.

Policy 2RR-4: Promote conservation principles by example or by offering educational opportunities.

Policy 2RR-5: Enhance the values of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space lands.

Policy 2RR-6: Enhance recreation opportunities.

Policy 2RR-7: Preserve scenic vistas, historic, and archaeological sites.

**Open Space Corridors**

**Goal SS: Identify and protect open space corridors within and between urban growth areas. These corridors should include trails and other lands useful for recreation, while emphasizing wildlife habitat, and connection of critical areas, where feasible.**

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

- Policy 2SS-2: Identify contiguous forested landscapes as essential elements of open space corridors.
- Policy 2SS-3: Identify tidelands and floodplains as essential elements of open space corridors.
- Policy 2SS-4: Identify estuaries, lakes, and rivers as naturally occurring open space corridors.
- Policy 2SS-5: Plan greenway corridors within urban growth areas. Ensure development is consistent with these corridors through the permit process and incentive programs.
- Policy 2SS-6: Include common open space in which pedestrian and bicycle pathways may be integrated in new developments.
- Goal 2TT: Promote coordination among the county, cities, Port of Bellingham, and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.**
- Policy 2TT-1: Encourage all jurisdictions to provide adequate neighborhood parks and play areas within safe walking and bicycling distances of residential neighborhoods.
- Policy 2TT-2: Link county open space corridors with those of adjacent jurisdictions where viable.
- Policy 2TT-3: Encourage separation of urban growth areas through planning, development regulations, open space purchase, conservation easements, and other appropriate mechanisms.

### **Encouraging Open Space Conservation**

- Goal 2UU: Ensure equity between the public benefit and the private burden while encouraging open space retention.**
- Policy 2UU-1: Retain valuable agriculture and forestry lands by enrollment in Whatcom County's open space taxation program.
- Policy 2UU-2: Recognize that some parcels in the open space taxation program, while key components of the open space system, may not be open to the public.
- Policy 2UU-3: Support the conservation of fish and wildlife habitat through enrollment in Whatcom County's open space taxation program.
- Policy 2UU-4: Support the retention of open space and open space corridors through the use of education and incentives, such as Conservation Easement Program, density bonuses within UGAs in association with the density credit program, cluster development, and acquisition of easements.
- Policy 2UU-5: Augment land use regulations by engaging in a proactive program of public investment, landowner incentives, and other actions aimed at preserving open space.

- Policy 2UU-6: Improve public access to shorelines and other lands using such mechanisms as the Conservation Easement Program, density bonuses within UGAs in association with the density credit program, and open space tax status.
- Policy 2UU-7: Evaluate conservation opportunities, comparing conservation alternatives, and developing a list of priority sites.
- Policy 2UU-8: Make expenditures for public purposes, such as open space, parks or greenbelts, with existing public funds and other sources as appropriate. New local taxes for these purposes should be imposed only upon the vote of the people.
- Policy 2UU-9: Support the conservation of unique environmental features through the creative use of cluster subdivisions.
- Policy 2UU-10: Support the incorporation of stream greenbelts into subdivision design as common open space and provide incentives for stream buffers greater than those legally required.
- Policy 2UU-11: Support the important role of public and private conservation organizations.
- Policy 2UU-12: Support public and private land trusts in acquiring conservation easements that provide open space attributes, consistent with the intents of property owners.
- Policy 2UU-13: Review the goals of *Preserving a Way of Life: A Natural Heritage Plan for Whatcom County*, endorsed by the Whatcom County Council in 1991 and continue to implement those goals which are appropriate, beneficial, consistent with this plan, and within the County's fiscal capabilities.
- Policy 2UU-14: Consider an update to *Whatcom County Open Space Policies and Criteria and Public Benefit Rating System* (as amended in 1995 under Ord. No. 1995-040) to further incentivize voluntary fish and wildlife habitat enhancement and protection on privately owned lands and shorelines.

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

- Policy 2VV-1: Adhere to the process for essential public facility site selection as outlined in the comprehensive plan and zoning ordinance. This process is summarized as follows:
- An applicant for an essential public facility should consult with the Whatcom County Planning & Development Services Department very early in the process of developing a proposal to determine the siting criteria and County permit requirements for the proposed facility.
  - Essential public facilities that are allowed as a permitted use are processed administratively by the Planning & Development Services Department.
  - Essential public facilities that require a conditional use permit

require a public hearing before the hearing examiner.

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

Policy 2VV-2: Where possible, use essential public facilities sites jointly for public benefit; trails or open space, for example, could share a corridor or site used primarily for transportation.

Policy 2VV-3: The Growth Management Act identifies certain essential public facilities and the County Council has taken legislative action, with the assistance of an essential public facilities advisory committee, to identify additional essential public facilities. A proponent or government agency shall apply for a comprehensive plan amendment to add a particular land use to the adopted list of essential public facilities. In order to be added to the list of essential public facilities, the applicant must demonstrate that the facility:

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

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

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

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

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

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

Policy 2WW-4 State and regional highways in unincorporated Whatcom County that have been designated as essential state or regional transportation facilities are I-5, State Route 539 (the Guide Meridian), State Route 546/9 (Badger from the Guide to Sumas), and State Route 20 to eastern Washington. Other transportation facilities in unincorporated Whatcom County that have been designated as essential public facilities are Amtrak Cascades

passenger rail service, the Burlington Northern Santa Fe railroad tracks, and the Cherry Point marine port facilities. Such facilities in the City of Bellingham include Fairhaven Station (intercity passenger rail terminal), Bellingham Cruise Terminal (Alaska Ferry), and the Port of Bellingham (marine port). Additionally, State Route 543 (the truck route at the Blaine border) is an essential public facility located within the city limits of Blaine.

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

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

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

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

Freight railroad switching yards and terminals should be located in industrial zones.

Marine port facilities should be located within the Heavy Impact Industrial zone of the Cherry Point Major/Port Industrial Urban Growth Area. Allow existing facilities and limited expansions consistent with the State of Washington Department of Natural Resource Cherry Point Aquatic Reserve Management Plan.

Policy 2WW-5: Airports in Whatcom County are the Bellingham International Airport and the Lynden Municipal Airport. Bellingham International Airport, which is in unincorporated Whatcom County, serves both general aviation traffic and commercial airline traffic. Lynden

airport, which is within the city limits, serves general aviation traffic. There is also a sea plane base called Floathaven on Lake Whatcom.

Within unincorporated Whatcom County, general aviation and commercial airports will be sited in the Airport Operations District. Compatibility of surrounding land use, including evaluation of height hazards, safety based upon aircraft accident data, and noise impacts, will be evaluated when a new Airport Operations District or an expansion of an existing Airport Operation District is proposed, as follows:

- Height hazards – Towers and other objects that penetrate the imaginary surfaces established in *14 CFR Part 77 Safe, Efficient Use, and Preservation of the Navigable Airspace*, shall be identified and mapped by the applicant. The applicant shall demonstrate to the County that existing objects that penetrate the imaginary surfaces as defined in *14 CFR Part 77* will not create a hazard to operation of the proposed airport. The applicant shall also demonstrate to the County that objects that could be allowed by zoning to penetrate the imaginary surfaces as defined in *14 CFR Part 77* will not create a hazard to operation of the proposed airport.
- Safety – Aircraft accident data shall be evaluated in the context of the densities and types of existing land uses and land uses allowed by zoning that are in proximity to the proposed airport. Specifically, for general aviation airports or commercial airports that also serve general aviation traffic, existing land uses and zoning around the proposed Airport Operations District shall be compared to the Safety Compatibility Zone Examples, Basic Safety Compatibility Qualities, and Safety Compatibility Criteria Guidelines in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40, 9-44, 9-45, and 9-47). Special attention shall be given to whether or not the proponent has purchased the land in safety compatibility zone 1 as identified in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40).
- Noise – The applicant shall map the projected 55, 60 and 65 DNL noise contours. The County shall evaluate noise impacts to existing land uses and land uses allowed by zoning within the mapped 55, 60 and 65 DNL noise contours.
- The County shall consult with and consider the comments of the Federal Aviation Administration and the Washington Department of Transportation – Aviation Division.
- Mitigation, such as removing objects that create height hazards, will be encouraged to achieve compatibility with surrounding land uses.

Policy 2WW-6: State education facilities in Whatcom County are Western Washington University, Whatcom Community College and Bellingham Technical College and related facilities. The main campuses of these state education facilities are located within the city limits of Bellingham. It is anticipated that they will remain within Bellingham over the planning period. However, research, recreational, satellite educational and other facilities associated with these institutions may be located outside of Bellingham within unincorporated Whatcom County.

State education facilities should generally be located in commercial, rural, residential, light impact industrial, or general manufacturing areas. They should only be allowed in the Airport Operations zone if related to airport operations training. They should not be located on resource lands, except that educational facilities related to forestry should be allowed in the forestry designations and educational facilities relating to agricultural operation training should be allowed in the agriculture designation.

Policy 2WW-7 Correctional facilities in Whatcom County are the Public Safety Building (County Jail), the minimum security correction facility, and the juvenile detention facility in the County Courthouse. These three facilities are in Bellingham.

Within unincorporated Whatcom County, new correction facilities should be sited in accordance with all of the following principles. New facilities should be located:

- With convenient access to major transportation corridors;
- With convenient access to frequent transit service;
- In areas that will not create excessive traffic, noise, or glare impacts on surrounding residential properties;
- In areas that have access to adequate utilities and infrastructure;
- In areas where there is convenient access to the courts, the sheriff’s office, law offices, medical services, fire protection services, and community & social services.
- Outside the 100-year floodplain;
- Outside seismic hazard areas. If no suitable sites are available outside of seismic hazard areas, correction facilities may be located within such areas if adequate mitigation measures are undertaken;
- Outside of landslide hazard areas;
- Outside of mine hazard areas;
- Outside of alluvial fans;
- Outside the 65 DNL noise contour of airports;
- At least 500’ from gas pipelines with a maximum operating pressure 500 or greater pounds/square inch gage (psig);
- At least 100’ from gas pipelines with a maximum operating

pressure between 251 – 499 psig;

- At least one quarter mile from public and private schools.

Policy 2WW-8: Solid waste handling facilities in Whatcom County currently include two primary transfer stations, drop box collection stations, moderate risk waste fixed facilities (small business and household hazardous waste collection), a vector waste transfer station, and composting and recycling facilities. Additionally, there are anaerobic digesters, biosolids land application facilities, private industrial landfills, and landfills in post-closure status. The two primary transfer stations are located within the City of Ferndale. Municipal solid waste transported to these transfer stations, by either self-haulers or one of two local certificated haulers, is transported to landfills located outside of Whatcom County.

Within unincorporated Whatcom County, solid waste handling facilities will be sited in accordance with all of the following principles:

1. Type III solid waste handling facilities as defined by WCC 20.97.429, including but are not limited to municipal solid waste landfills, incinerators, and transfer stations (but excluding uses set forth in subsection (2)) will be located:
  - a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;
  - b. At least 1,500' from all zoning district boundaries, except commercial forestry and industrial zones;
  - c. At least 1,500' from public parks, public recreation areas, or publicly owned wildlife areas;
  - d. At least 1,500' from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;
  - e. At least 1,500' from shorelines that are within the jurisdiction of the Shoreline Management Program;
  - f. At least 1,500' from rivers, streams or creeks that contain documented threatened or endangered fish species;
  - g. Outside the 10-year time of travel boundary of a public water system's delineated wellhead protection area;
  - h. Outside the Lake Whatcom watershed;
  - i. Outside the 100-year floodplain;
  - j. In accordance with *Hazardous Wildlife Attractants on or Near Airports* (Federal Aviation Administration Advisory Circular 150/5200-33), solid waste facilities and sites that handle putrescible waste will be located:
    - i. At least 10,000' from airports serving turbine-powered aircraft (Bellingham International Airport);

- ii. At least 5,000’ from airports serving piston-powered aircraft (Lynden Municipal Airport).
2. Inert material landfills will be located:
- a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;
  - b. At least 500’ from all zoning district boundaries, except commercial forestry and industrial zones;
  - c. At least 500’ from public parks, public recreation areas, or publicly owned wildlife areas;
  - d. At least 500’ from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;
  - e. At least 500’ from shorelines that are within the jurisdiction of the Shoreline Management Program;
  - f. At least 500’ from rivers, streams or creeks that contain documented threatened or endangered fish species;
  - g. Outside the 10-year time of travel boundary of a public water system’s delineated wellhead protection area;
  - h. Outside the Lake Whatcom watershed;
  - i. Outside the 100-year floodplain.

Commercial composting facilities are solid waste handling facilities, but do not qualify for essential public facility status.

Policy 2WW-9: Personal wireless communication facilities and broadcast towers have been constructed at various locations around Whatcom County.

Personal wireless communication facilities, such as cell phone towers, shall be sited in accordance with Whatcom County Code 20.13.

Broadcast towers, such as TV and radio towers, are allowed with a conditional use permit in all zoning districts.

Proximity to airports and potential hazards to aviation will be considered when siting new towers or increasing height of existing towers.

Policy 2WW-10: Sewage treatment plants in Whatcom County currently serve cities, water & sewer districts, the Lummi Nation, and a state park.

Within unincorporated Whatcom County, sewage treatment plants will be sited in accordance with all of the following principles:

- 1. New sewage treatment plants will be located outside of the 100-year floodplain, unless the applicant demonstrates that alternative sites are not feasible;

2. New sewage treatment plants will be located outside the 10-year time of travel boundary of a public water system’s delineated wellhead protection area;
3. New sewage treatment plants will be located, in accordance with *Hazardous Wildlife Attractants on or Near Airports* (Federal Aviation Administration Advisory Circular 150/5200-33), as follows:
  - a. At least 10,000’ from airports serving turbine-powered aircraft (Bellingham International Airport); At least 5,000’ from airports serving piston-powered aircraft (Lynden Municipal Airport); New sewage treatment plants will be buffered from existing high-density residential land uses. Expansion of existing sewage treatment plants will provide buffering from existing high-density residential land uses to the extent possible;
4. New sewage treatment plants and expansion of existing sewage treatment plants will be constructed in a manner to shield light and glare from surrounding land uses.

Policy 2WW-11: Water treatment plants in Whatcom County are currently operated by cities, water & sewer districts, water associations and other public water system operators such as industries at Cherry Point.

Within unincorporated Whatcom County, water treatment plants will be sited in accordance with all of the following principles:

1. New water treatment plants will be located outside of the 100-year floodplain, unless the applicant demonstrates that alternative sites are not feasible;
2. New water treatment plants and expansion of existing water treatment plants will be constructed in a manner to shield light and glare from surrounding land uses.
3. New water treatment plants will be located:
  - a. At least 500' from natural gas pipelines with a maximum operating pressure of 500 or greater pounds/square inch gage (psig).
  - b. At least 100' from natural gas pipelines with a maximum operating pressure between 250 and 499 psig;
  - c. At least 500' from pipelines that carry liquid gas, oil or other petroleum products.

Policy 2WW-12: Water storage facilities owned and operated by a public water utility for the sole purpose of providing required fire flow are a permitted use in all zoning districts provided:

- Volume does not exceed 50,000 gallons; and
- Height does not exceed 12 feet above the ground level measured within 20 feet in all directions of the tank.

Other water storage facilities for potable water and/or fire flow owned and operated by a public utility are allowed with a

conditional use permit in all zoning districts.

Policy 2WW-13: Substance abuse facilities, mental health facilities, and group homes have been constructed at various locations around Whatcom County.

1. In compliance with RCW 36.70A.410, Whatcom County will not treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. "Handicaps" are as defined in the federal fair housing amendments act of 1988.
2. Within unincorporated Whatcom County, substance abuse crisis facilities and mental health crisis facilities will not be located within 600' from any of the following:
  - Public schools;
  - Private schools;
  - School bus stops,
  - Licensed day care
  - Licensed preschool facilities;
  - Public parks;
  - Publicly dedicated trails;
  - Sports fields;
  - Playgrounds;
  - Recreational and community centers;
  - Public libraries; and
  - Public and private youth camps

Policy 2WW-14: There are currently no secure community transition facilities for sex offenders located in Whatcom County.

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

1. Secure community transition facilities shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of existing risk potential facilities, which are:
  - Public schools;
  - Private schools;
  - School bus stops,
  - Licensed day care
  - Licensed preschool facilities;
  - Public parks;
  - Publicly dedicated trails;
  - Sports fields;

- Playgrounds;
- Recreational and community centers;
- Churches, synagogues, temples or mosques;
- Public libraries;
- Public and private youth camps; and
- Other uses identified by the State Department of Social and Health Services pursuant to RCW 71.09.020(13).

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

1. No more than one secure community transition facility, with a maximum of three people (other than staff), shall be located within Whatcom County.
2. The average response time of emergency services to a proposed secure community transition facility will be balanced against the proximity of the proposed secure community transition facility to the above risk potential facilities. Great weight will be given to sites that are farthest removed from the risk potential facilities listed above.
3. In identifying potential sites within a county for the location of a secure community transition facility, the State Department of Social and Health Services shall work with local governments to provide for the equitable distribution of such facilities. In coordinating and deciding upon the siting of secure community transition facilities, great weight shall be given by the county and cities within the county to:
  - a. The number and location of existing residential facility beds operated by the department of corrections or the mental health division of the department of social and health services in each jurisdiction in the county; and
  - b. The number of registered sex offenders classified as level II or level III and the number of sex offenders registered as homeless residing in each jurisdiction in the county.

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

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

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

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

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

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

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

**Adult Businesses**

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

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

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

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

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

Policy 2ZZ-5: Nonconforming adult businesses were terminated by operation of the Whatcom County Code in 2000. A maximum of four one-year extensions could have been granted if needed to recoup financial expenditures made in the business.

**Historic and Cultural Resources**

**Goal 2AAA: Recognize Whatcom County's historical and archeological attributes and identify and encourage the preservation of**

**lands, sites, and structures that have historic or archeological significance.**

- Policy 2AAA-1: Whatcom County shall prepare a cultural resource inventory to identify and document archeological and historic resources.
- Policy 2AAA-2: The County’s cultural resource inventory shall be updated on a continuing basis to ensure the inventory’s usefulness as a historic preservation and land use tool.
- Policy 2AAA-3: The County’s cultural resource inventory shall be coordinated with similar programs maintained by municipalities and Tribes within the county to ensure the comprehensiveness of the inventory.
- Policy 2AAA-4: Consistent with its resources and based on the standards of the cultural resources inventory, the County shall provide technical assistance to local groups whose work can be incorporated into the County’s inventory.
- Policy 2AAA-5: The County shall seek to preserve and enhance archeological, historic, and cultural resources by enacting a qualifying historic preservation ordinance and carrying out the mandates of that ordinance.
- Policy 2AAA-6: The County shall meet its cultural resource management obligation under federal, state, and local regulations in an efficient and effective manner.
- Policy 2AAA-7: Consistent with its resources, the County shall provide technical assistance on cultural resource matters.
- Policy 2AAA-8: The County shall promote preservation of identified archeological, historic, and cultural resources.
- Policy 2AAA-9: On projects under its authority, the County shall consistently seek to mitigate negative impacts to cultural resources.
- Policy 2AAA-10: The County shall undertake through a public/private partnership a coordinated long-range planning in conjunction with representatives of arts, heritage, and tourism organizations, to develop strategies for preserving and enhancing cultural resources.
- Policy 2AAA-11: The County shall continue to cooperate with cultural groups and the organized representatives of the tourism industry to promote cultural tourism and ensure that cultural tourism projects remain eligible for funding assistance through its hotel/motel tax fund program.

**Chapter Three  
Housing**

**Goal 3A: Minimize the time required for processing housing- related development and construction permits in the interest of overall cost reduction.**

Policy 3A-1: Streamline and simplify existing and proposed permitting processes.

Policy 3A-2: Educate interested parties in the permitting processes required for land use actions using easy to understand publications such as brochures, handouts, workshops and websites readily available to the public.

Policy 3A-3: Consistently apply the International Building Codes.

**Mixed Land Uses with Appropriate Buffering and Siting Criteria**

**Goal 3B: Support residential housing near employment opportunities and transit.**

Policy 3B-1: Enable and support housing development opportunities integral with, and near, compatible industrial and commercial activities and transit.

Policy 3B-2: Establish commercial zoning regulations that accommodate residential uses at a density higher than surrounding residential or rural zoning provided adequate transportation access and services are available.

Policy 3B-3: Establish industrial zoning regulations that accommodate temporary residential uses at a density higher than surrounding residential or rural zoning provided adequate transportation access is available.

Policy 3B-4: Residential development adjacent to major transportation routes may require buffering.

**Goal 3C: Create opportunity for a broad range of housing types and encourage mixed affordability.**

Policy 3C-1: Support lot clustering, varied lot sizes, small-scale multi-family dwellings, accessory housing, especially accessory dwelling units (ADUs) in single-family zoning, and reductions in infrastructure requirements for subdivisions as incentives for development of housing obtainable by purchasers with the greatest possible mix of needs and household incomes.

Policy 3C-2: Support programs in which residents participate in the construction of their own home.

Policy 3C-3: Support development of manufactured and mobile home parks and establish design criteria that will enable them to fit into the surrounding community.

- Policy 3C-4: Develop zoning criteria in order to appropriately site group homes and accessory dwelling units within county residential urban growth areas.
- Policy 3C-5: Review any changes to regulations affecting the provision of housing for current housing preferences and needs.
- Policy 3C-6: In UGAs, consider easing lot consolidation criteria, increasing density, and decreasing minimum lot sizes, in the interest of serving housing affordability.
- Policy 3C-7: Coordinate with the cities to ensure efficient development in UGAs including, for example, appropriate public utility extension and annexation policies, and consideration of cost allocation to provide urban capital facilities.
- Policy 3C-8: Encourage adequate urban land supply to provide for a broad range of housing types commensurate with residential market demand.

### **Access to Housing**

#### **Goal 3D: Encourage adequate housing types at every income level.**

- Policy 3D-1: Participate with other local, state, and federal agencies, non-profit organizations, and jurisdictions to provide housing options for all income levels by considering donating land, providing expertise, expediting permits, and other appropriate mechanisms.
- Policy 3D-2: Enable the ability of the farmer to provide housing for all agricultural workers.
- Policy 3D-3: Support programs which assist agricultural workers seeking affordable housing opportunities.
- Policy 3D-4: Consider establishing a housing development fund, accessible to individuals qualified for affordable housing assistance who are legal residents of the county, administered by an agency and funded by contributions from developers wishing to utilize affordable housing incentives and bonuses, but not wishing to include affordable housing in the project receiving the incentives or bonuses.

#### **Goal 3E: Provide for future housing needs by responding to changing household demographics.**

- Policy 3E-1: Review and revise existing regulations to identify inhibitions to housing for the varying preferences of those needing housing. Focus on population segments with particular needs such as temporary, transitional, or emergency housing.
- Policy 3E-2: Evaluate all new regulations or codes developed at the county level to ensure they accommodate housing preferences and needs existing at that time.

- Policy 3E-3: Encourage financial institutions to participate in creative housing solutions which respond to changing demographics and needs.
- Policy 3E-4: Support the development of housing specifically for young adults, seniors, groups, and single parents.

**Incentives for Affordability**

**Goal 3F: Provide incentives to create affordable housing.**

- Policy 3F-1: Include incentives in land use regulations, in UGAs and in Planned Unit Developments (PUDs), to offset the reduced profit inherent in more affordable types of housing. Incentives might include density bonuses, fee waivers, expedited permit review, and/or infrastructure concessions to protect developers wherever special needs populations are specifically served.
- Policy 3F-2: Review accessory housing regulations for effectiveness and appropriateness and revise when necessary.
- Policy 3F-3: Support innovative housing ideas including co-housing (essentially a micro-community with some centralized facilities), elder cottages (housing units for healthy but aging family members), accessory dwelling units (ADUs) in single family zoning of all jurisdictions, including cottage designs available at planning department front desk, and shared living residences or group quarters in UGAs, and educate the public about them.
- Policy 3F-4: Support existing agencies which provide for, or provide assistance in obtaining, low- or no-interest loans for those needing assistance to purchase homes.
- Policy 3F-5: Study the new innovative programs and policies in other urban areas within our region, particularly Seattle, Portland and Vancouver BC, relating to the use of ADUs and Detached Accessory Dwelling Units (DADUs).
- Policy 3F-6: Develop outreach materials that explain the advantages to the community of ADUs and DADUs such as the ability for residents to derive supplemental income, to age-in-place, provide accommodation for an aging parents and the reduction of the tax burden that results when the cost of providing public services is shared across a larger number of residents etc.
- Policy 3F-7: Work with the cities to develop ADU and DADU policies and programs that encourage infill within urban areas where transportation, public facilities, and utilities already exist.
- Policy 3F-8: Explore and consider various financial incentives and funds to support affordable housing.

**Regulatory Controls**

**Goal 3G: Identify and remove impediments to affordable housing.**

- Policy 3G-1: Create opportunities to provide more affordability by relaxing or eliminating some infrastructure requirements or impact fees

where it is clearly demonstrated that such action does not create a safety hazard and is not contrary to the interests of the health and well-being of county residents.

Policy 3G-2: Review and revise existing and proposed regulations for consistency with other housing goals.

Policy 3G-3: Educate the public on equal opportunity laws specifically related to housing and housing conditions including options available to anyone discriminated against.

Policy 3G-4: Allow development of smaller lots and creative options.

Policy 3G-5: Develop policies that encourage the construction of more Attached and Detached Accessory Dwelling Units in urban areas.

**Preservation of Existing Housing Stock**

Destruction of existing housing units due to redevelopment may be counterproductive for housing affordability. Instead, redevelopment should be taken as an opportunity to increase affordable housing.

**Goal 3H: Facilitate maintenance and rehabilitation of existing housing.**

Policy 3H-1: Wherever there is potential for destruction of existing structures, provide for preserving existing housing or creating new housing, whether by incorporation into the new project, moving, or recycling.

Policy 3H-2: Support creation of one or more additional housing units, within permitted density, when existing housing is remodeled, or commercial or light industrial facilities are redeveloped.

Policy 3H-3: Identify and implement incentives to preserve and sensitively rehabilitate historic properties.

**Chapter Four  
Capital Facilities**

**Goals and Policies**

**Goal 4A: Within the county's financial capacity, adopt a carefully planned program of county services and facilities.**

Policy 4A-1: Plan appropriate county facilities commensurate with the ability of the county to fund them.

Policy 4A-2: Provide County facilities and services in a manner that supports future urban growth in urban growth areas (UGAs).

Policy 4A-3: Evaluate all types of county facilities to determine whether they should serve countywide or strictly unincorporated areas.

Policy 4A-4: The land use element of the comprehensive plan must be reassessed to ensure that land use is coordinated and consistent with the financing plan within the capital facilities element and to

ensure probable funding does not fall short of meeting existing needs.

**Goal 4B: Develop a six-year financing program for capital facilities that meets the requirements of the GMA, achieves the county's adopted levels-of-service, and is within financial capability as determined by projected financial resources.**

Policy 4B-1: Maintain and update, on at least a biennial basis, a six-year capital improvement program (CIP) that identifies projects, outlines a schedule, and designates realistic funding sources for all county capital projects based on a review of population and revenue conditions existing at that time.

**Goal 4C: Locate county facilities which require urban infrastructure, serve primarily urban populations, and are urban in character within identified urban growth areas (UGAs).**

Policy 4C-1: Evaluate all new capital facilities requiring a new site for urban characteristics and limit selection of sites for urban projects to designated UGAs.

**Goal 4D: Develop and implement a coordinated program of facility improvements and/or expansion for the departments and agencies which together carry out the county's law enforcement and corrections functions.**

Policy 4D-1: Complete those capital improvement projects necessary to correct any space deficiencies in law enforcement facilities and corrections facilities.

Policy 4D-2: Maintain Sheriff's Office adult corrections facilities and headquarters to provide a safe environment for the community, staff and inmates. The number of jail beds in adult corrections facilities will be determined after review of multiple factors, including projected population growth, State sentencing laws, alternative programs, treatment diversion programs, early release programs, the need to separate violent inmates, the need to separate inmates by gender, the need to separate inmates by other classification considerations, average length of stay, peak inmate populations and available funding. Existing facilities may be expanded, remodeled and/or new facilities developed in response to changing need.

Policy 4D-3: Maintain juvenile detention facilities and alternative corrections programs to provide safe and secure methods to provide accountability and support for minors who break the law. Existing facilities may be expanded, remodeled and/or new facilities developed in response to changing need.

Policy 4D-4: Maintain adequate facilities for daily emergency management activities and, during an emergency or disaster, for the emergency operations center. The facilities will provide sufficient space for activities relating to emergency/disaster planning, mitigation, response and recovery. Existing facilities may be expanded,

remodeled and/ or new facilities developed in response to changing need.

**Goal 4E: Develop and carry out a realistic long-range program of facility expansion or improvement to accommodate the county's projected staffing requirements for departments and agencies.**

Policy 4E-1: Include in the capital facilities plan, a program of building and space improvements to efficiently provide quality work space for projected staffing levels through the 20-year planning period.

Policy 4E-2: Investigate alternatives to capital facility construction through the private sector, and pursue technologically feasible alternatives.

**Goal 4F: Achieve level of service standards for parks and trails identified in this chapter. Support objectives and priorities identified in the *Comprehensive Parks, Recreation and Open Space Plan*, in the *Natural Heritage Plan*, and in this plan.**

Policy 4F-1: The following level of service standards are adopted for parks and trails:

- developed parks ..... 9.6 acres per 1,000 population
- trails ..... 0.60 of a mile per 1,000 population

Policy 4F-2: Seek non-capital opportunities to acquire, enhance and maintain park lands, trails, and other recreational facilities. Consider partnering with cities, school districts, park & recreation districts and others when planning and implementing park and trail projects.

Policy 4F-3: Include acquisition and development costs in the six-year CIP for future park and trails projects.

Policy 4F-4: Place a high priority on improvements to existing county recreational sites and facilities and using them to their full potential, including those outlined in the *Whatcom County Comprehensive Parks, Recreation and Open Space Plan*, before investing capital in the acquisition and development of new facilities.

Policy 4F-5: Continue to provide and support activity centers, including senior centers, to serve the growing population of Whatcom County by the following methods, as needed, which are listed in priority order: (1) implementing programming changes, (2) adding space to existing centers, and/or (3) establishing new centers.

**Goal 4G: Coordinate with non-county facility providers such as cities, school districts and other special purpose districts to support the future land use pattern promoted by this plan.**

- Policy 4G-1: Establish interagency planning mechanisms to assure coordinated and mutually supportive capital facility plans from special districts, cities, and other major non-county facility providers which are consistent with this and other chapters of the comprehensive plan.
- Policy 4G-2: In consultation and coordination with special districts, cities, and other major non-county facility providers, review and update as appropriate capital facility plans supporting UGAs in conjunction with the UGA Review.
- Policy 4G-3: The UGA review process should demonstrate that the urban growth areas are served by urban levels of fire protection facilities and service. If the level of service standard adopted by the County cannot be provided over the 20-year planning period, then re-designation of UGAs to rural designations should be considered.
- Policy 4G-4: Urban levels of service for fire protection shall be a response time of 8 minutes 80% of the time when the department covering the urban area has staffed the fire station. When the fire station is not staffed the response time shall be 10 minutes 80% of the time, or a WSRB Rating of 6.
- Rural levels of service for fire protection shall be a response time of 12 minutes 80% of the time when the department covering the rural area has staffed the fire station. When the fire station is not staffed the response time shall be 14 minutes 80% of the time, or a WSRB Rating of 8.
- Staffed station shall be a fire station that is staffed 24 hours a day 7 days a week 365 days a year. Staff may be paid, volunteer, or combination of the two.
- Goal 4H: Maintain effective concurrency measures and procedures for all facilities and services necessary for development.**
- Policy 4H-1: Based on established levels of service for all road segments under control of the county, administer a concurrency management program that provides for consistent and predictable evaluation of the impacts of future proposed development.
- Goal 4I: Consider alternative funding sources for needed county facilities.**
- Policy 4I-1: After all other financing options have been exhausted, consider the use of bonded indebtedness to finance major capital investments in infrastructure.
- Policy 4I-2: Identify and promote public private partnerships to provide and enhance the provision of necessary services.

**Goal 4J: Ensure that capital facilities provide protection for threatened and endangered fish and wildlife species.**

Policy 4J-1: Fish and wildlife habitat should be carefully considered when selecting projects for the Six-Year Capital Improvement Program.

Policy 4J-2: Projects selected for the Six-Year Capital Improvement Program shall not degrade habitat for threatened and endangered species.

Policy 4J-3: Projects selected for the Six-Year Capital Improvement Program should strive to restore degraded habitat for threatened and endangered species, when the projects are in direct contact with such habitat. The County Council will determine when such restoration is financially feasible through adoption of the six- year capital improvement program and the County budget.

**Goal 4K: Enable school districts and fire districts to receive mitigation fees or impact fees to fund a proportionate share of system improvements reasonably related to new development by adopting into this plan their capital facilities plans.**

Policy 4K-1: The capital facilities plan for the Bellingham School District, adopted by the district on August 27, 2015, is adopted into the comprehensive plan by reference.

Policy 4K-2: The capital facilities plan for the Ferndale School District, adopted by the district on April 12, 2013, is adopted into the comprehensive plan by reference.

Policy 4K-3: The capital facilities plan for the Lynden School District, adopted by the district on February 11, 2016, is adopted into the comprehensive plan by reference.

Policy 4K-4: The capital facilities plan for the Meridian School District, adopted by the district on June 24, 2015, is adopted into the comprehensive plan by reference.

Policy 4K-5: The Capital Facilities Plan for Whatcom County Fire District #5 (Point Roberts), adopted by the District on July 11, 2018, is adopted into the comprehensive plan by reference.

**Goal 4L: Adopt special district and County capital facility plans for unincorporated UGAs, not associated with a city, into this plan by reference when consistent with the Whatcom County Comprehensive Plan.**

Policy 4L-1: The Birch Bay Water and Sewer District Comprehensive Water System Plan, dated March 2009, is adopted by reference into the comprehensive plan.

Policy 4L-2: The Birch Bay Water and Sewer District Comprehensive Sewer System Plan, dated May 2009, is adopted by reference into the comprehensive plan.

- Policy 4L-3: The Birch Bay Comprehensive Stormwater Plan, dated July 2006, is adopted by reference into the comprehensive plan.
- Policy 4L-4: The Blaine School District Capital Facilities Plan, dated December 2015, is adopted by reference into the comprehensive plan.
- Policy 4L-5: The North Whatcom Fire and Rescue and Fire District # 4 Capital Facilities Plan, dated May 2016, is adopted by reference into the comprehensive plan.
- Policy 4L-6: The Public Utility District No. 1 Comprehensive Water System Plan, dated October 2004, is adopted by reference into the comprehensive Plan.
- Policy 4L-7: The Columbia Valley Water District 2013 Water System Plan Update is adopted by reference into the comprehensive plan. This water system serves a portion of the Columbia Valley UGA.
- Policy 4L-8: The Water District No. 13 Small Water System Plan, dated August 2012, is adopted by reference into the comprehensive plan. This water system serves a portion of the Columbia Valley UGA.
- Policy 4L-9: The Water District No. 13 Comprehensive Sewer Plan, dated August 2012, is adopted by reference into the comprehensive plan. This sewer system serves a portion of the Columbia Valley UGA.
- Policy 4L-10: The public stormwater facilities sections relating to the Columbia Valley UGA in the Water Quantity and Quality Report Foothills Subarea (Aspect Consulting, July 18, 2008, pp. 2-3, 36-39, and 55-56) are adopted by reference into the comprehensive Plan.
- Policy 4L-11: The Whatcom Fire District No. 14 Capital Facilities Plan, dated August 2015, is adopted by reference into the comprehensive Plan.
- Policy 4L-12: The Mount Baker School District Capital Facilities Plan, dated May 2013, is adopted by reference into the comprehensive plan.
- Policy 4L-13: The Whatcom County Fire District No. 7 Capital Facilities Plan, dated February 2016, is adopted by reference into the Comprehensive Plan.

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

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

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

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

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

Policy 5A-4: To the extent that installation of utility facilities affects growth patterns, utility services should be located and designed appropriate to the land use designation..

Policy 5A-5: Discourage siting utility facilities in known natural hazard areas unless public benefit outweighs the risk.

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

**Trends in Utility Technology**

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

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

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

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

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

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

**Electric Power, Natural Gas, Petroleum, and Telecommunications****Goal 5C: Facilitate accessibility of utilities.**

- Policy 5C-1: Support user access to natural gas, electric, and communications utilities.
- Policy 5C-2: Review the policies in this chapter as necessary in order to keep them current with market and regulatory changes.
- Policy 5C-3: Encourage the processing of utility permits concurrent with the processing of Major Development Permit and Planned Unit Development permit applications, when applicable.
- Policy 5C-4: Make use of advanced technology to assist government operations and enhance public accessibility.
- Policy 5C-5: Encourage regional planning of public facilities and utilities that will facilitate coordinated land-use management and capital facility construction.
- Policy 5C-6: Support capital facilities to correct existing deficiencies and to accommodate new growth in an efficient, cost effective, and timely fashion.
- Policy 5C-7: Public facilities and utilities will be designed and located in a manner that protects the integrity of planned land uses, existing land forms, drainage ways, natural systems, critical areas, and resource lands.
- Policy 5C-8: Extension of urban utility services shall be limited to areas designated for urban development.
- Policy 5C-9: Appropriately scale public utility systems to accommodate anticipated population growth.

**Permitting Process Efficiency****Goal 5D: Minimize the time required for processing utilities permits.**

- Policy 5D-1: Maintain streamlined and simplified permitting processes relating to installation of utility facilities designed to serve existing or approved development.
- Policy 5D-2: Avoid duplication of criteria in permits.

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

- Policy 5E-1: County Planning and Development Services will notify and seek comment from utility operators concerning land use development applications adjacent to existing major utility facilities and will take comments received under advisement.
- Policy 5E2: Require evidence of compliance by the applicant with all relevant easement provisions as a condition of all discretionary and non-discretionary land use approvals.
- Policy 5E3: Utility companies shall provide notification of proposed projects to abutting landowners consistent with by County code.

**Impediments to the Provision of Utilities****Goal 5F: Identify and remove impediments to effective siting of necessary utility facilities.**

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

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

Policy 5G-1: Land use regulations shall be consistent with the conservation and other goals in this chapter.

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

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

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

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

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

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

Policy 5H-1: Land use regulations shall be consistent with the renewable energy and other goals in this chapter.

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

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

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

### **Utility Corridors**

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

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

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

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

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

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

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

Policy 5K-2: Educate the public with regard to any new information concerning possible EMF health effects.

**Goal 5L: Support direct and indirect economic benefits to Whatcom County originating with energy or utilities in general.**

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

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

### **Natural Gas and Hazardous Liquid Transmission Pipelines**

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

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

Policy 5M-2: Carefully scrutinize new or updated franchise agreements. Review and evaluate model franchise agreements, if available, for provisions to be incorporated into negotiation discussions regarding proposed

- provisions in future franchise agreements. Consider the adoption of a franchise agreement ordinance for consistency and guidance if multiple new agreements are anticipated.
- Policy 5M-3: Provide information, education, and notification programs to alert the public of pipeline location and safety considerations when making land purchase or development decisions adjacent to transmission pipelines.
- Policy 5M-4: Require transmission pipeline operators to provide accurate 'as-built' pipeline maps as a condition of approval for any county development permit. In addition to scaled plan maps which shall be accurate to the parcel level, pipeline information (pipe size, allowable pressure, fuel type, etc.) shall also be required. Whatcom County's GIS staff is to provide update copies of all major pipeline routes to Whatcom County's Division of Emergency Management.
- Policy 5M-5: Require, early in the transmission pipeline permitting process, that the proponent provide funds to the County, adequate to cover the cost of an informational session which will be conducted by an independent third-party to be selected by the County on the topics of eminent domain and right-of-way acquisition. Pipeline proponents shall also be required to conduct "open house" and "town hall" style public meetings as a part of any land use development permit process for a new or major transmission pipeline expansion.
- Policy 5M-6: Require transmission pipeline proponents to notify all fire, water, and sewer districts and jurisdictions with urban growth areas where the siting of new pipelines crosses those service areas.
- Policy 5M-7: Monitor transmission pipeline construction to ensure pipelines are installed in accordance with all applicable critical area regulations.
- Policy 5M-8: Encourage the Office of Pipeline Safety to enact stronger safety measures for transmission pipelines, and to encourage pipeline applicants to voluntarily enact stronger safety measures than required by federal law.
- Policy 5M-9: Require land division and land use applicants to show transmission pipelines on application maps when any part of the property involved in the application is located within 500 feet of the centerline of the pipeline corridor.
- Policy 5M-10: Encourage communication between property owners and transmission pipeline operators to minimize the risk of inadvertent damage to transmission pipelines and to provide guidance to property owners about minimizing further risk through site design or construction. Require notification of transmission pipeline operators at the earliest possible stage of application review (at least concurrent with other land use application notifications).
- Policy 5M-11: Require protection of the pipeline corridor by prohibiting land disturbance and construction within defined rights-of-way except by express written consent from the pipeline operator.
- Policy 5M-12: Verify applicant's use one-call locator services in accordance with state law prior to issuing any land disturbance or construction permits

abutting pipeline rights-of-way, and require physical protection of the pipeline corridor during construction.

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

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

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

Policy 5N-2: Encourage transmission pipelines to locate adjacent to established corridors where possible. Require applicant justification for proposed deviations.

Policy 5N-3: Transmission pipelines are inappropriate and discouraged in urban growth areas and areas of intense rural development.

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

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

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

Policy 5N-7: Prohibit new land uses with high on-site populations that are difficult to evacuate or new essential public facilities from being located nearer than 500 feet from the centerline of a transmission pipeline.

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

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

**Water Supply**

**Goal 5P: Resolve county water issues through proactive participation**

**in processes leading to a solution of water-related conflicts.**

- Policy 5P-1: Plan for interlocal agreements with other agencies to manage failing water associations that fall into receivership.
- Policy 5P-2: Encourage and actively participate in forums, workshops, and other water-related planning activities.
- Policy 5P-3: Discourage extension of urban levels of water service to areas not designated as urban growth areas or Rural Communities, except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.
- Policy 5P-4: The County should periodically examine its role as a potential purveyor of water and sewer service in order to determine if increased involvement may be needed to help solve some of the utility problems in the county.
- Policy 5P-5: Investigate the opportunity for multiple solutions to other issues such as flood management when looking towards acquiring additional water supplies and rights.
- Policy 5P-6: Evaluate and, where feasible, support alternative supplies of water such as desalinization, re-use of treated wastewater, and storage of floodwater. Investigate reservoir holding ponds that take advantage of floodwater when needed for beneficial uses such as fisheries, agriculture, domestic and industrial water supplies.

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

- Policy 5Q-1: Work with the appropriate jurisdictions to ensure adequate water rights and supplies to the Urban Growth Areas and designated industrial areas in northwest Whatcom County. Consider all options, including but not limited to, extension of water service areas, conjunctive management of surface and groundwater, artificial storage and recovery and reclamation of wastewater.
- Policy 5Q-2: Ensure provision of urban levels of water service to urban growth within areas designated for urban growth.
- Policy 5Q-3: Periodically review Urban Growth Areas to ensure adequate water supplies.
- Policy 5Q-4: Encourage annexation of areas zoned for urban densities concurrent with extension of urban level services.
- Policy 5Q-5: The County should work closely with purveyors and the State Department of Health in the development and review of Comprehensive Water Plans to ensure consistency with land use and urban growth area needs.
- Policy 5Q-6: The County will work with the Department of Ecology, City of Bellingham, the Port of Bellingham, the PUD, and local, regional, and state economic development agencies to ensure an adequate water

---

supply to areas planned for industrial development.

**Goal 5R: Ensure that potable water supplies required to serve development are available at the time the development is available for occupancy and use.**

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

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

**Sewage Treatment**

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

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

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

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

**Goal 5T: Support development of new sewage treatment facilities, including new pipelines and extensions of existing pipelines, to areas designated for urban-level growth.**

Policy 5T-1: Discourage extension of sewer lines in areas not designated as urban growth areas or Rural Communities, except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

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

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

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

## Solid Waste Management

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

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

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

**Goal 5W: Make safe, effective, economical, and environmentally sound techniques for solid and hazardous waste disposal available using existing and future technologies.**

Policy 5W-1: Support best management practices for disposal of household, commercial, and industrial solid and hazardous wastes.

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

## Stormwater Management

Stormwater management is treated in *Chapter 10: Environment* and is not included in this Utilities Chapter.

## Transportation

**Goal 6A: Provide for the safe and efficient movement of people and goods by establishing and maintaining standard levels of service for motor vehicle traffic volumes compared to roadway capacity.**

Policy 6A-1: Establish the following levels of service (LOS) for purposes of maintaining transportation concurrency:

- The Level of Service (LOS) standard for county arterials and major collectors located outside of urban growth areas during weekday p.m.-peak hours is C or better, except for specified primary routes as shown on Map 6-3, which shall have a LOS of D or better.
- The LOS standard for county arterials and major collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better, which may be reduced for concurrency evaluation purposes in accordance with Policy 6A-4.

- The LOS standard for county arterials and major collectors within city urban growth areas weekday during p.m. peak hours is D or better, which may be reduced for concurrency evaluation purposes in accordance with Policy 6A-4.
  - Coordinate with Whatcom Transportation Authority to ensure adequate transit service, in accordance with the level of service standards established in its current strategic plan.
  - Public Works shall establish a performance metric to monitor service performance of the Lummi Island ferry system. This will include a week long count at least every quarter in both sailing directions. This count will include percent capacity, on-time performance, and the number of vehicles left in the queue. The count shall be compared to the desired level of service of no more than two sailing waits during average weekday peak periods.
- Policy 6A-2: Establish the following levels of service for county facilities other than arterials, major collectors, and transit routes (facilities not subject to concurrency requirements):
- The Level of Service (LOS) standard for county collectors located outside of urban growth areas during weekday p.m. peak is C or better.
  - The LOS for county collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better.
  - The LOS for county collectors within city urban growth areas during weekday p.m. peak hours is D or better.
  - The LOS for all county intersections is LOS D.
- Policy 6A-3: List the following level of service standards for state highways, as established by WSDOT and WCOG:
- The LOS for state highways in urban growth areas is D or better.
  - The LOS for state highways in rural areas is C or better.
- Policy 6A-4: For proposed developments in urban growth areas, increase the volume-to-capacity ratio standard for impacted transportation facilities by 0.05 if at least one of the following amenities exists or is committed to being provided as part of the development:
- Transit service and stop within one quarter mile walking distance accessible from the development using nonmotorized facilities that meet or are functionally equivalent to Whatcom County Road Standards.
  - Nonmotorized facilities that meet or are functionally equivalent to Whatcom County Road Standards along the impacted facility.
- Policy 6A-5: Encourage extension of city concurrency review authority and

LOS standards into their respective UGAs to provide for greater consistency in concurrency review for urban areas.

Policy 6A-6: Identify and mitigate safety and other impacts to transportation facilities caused by development during SEPA review, using standards adopted for intersections and other minimum standards established by WCC Development Standards.

**Current and Projected Levels of Service**

**Goal 6B: Create a cost-effective transportation system that prioritizes safety, roadway preservation, and concurrency.**

Policy 6B-1: Programming of transportation programs and improvements should prioritize upgrading of unsafe and/or structurally deficient facilities and preservation and maintenance of the existing transportation system over new capital improvements. Exception to this policy should be allowed when a cost/benefit analysis indicates that the public interest is better served by new capital expenditures over preservation of existing infrastructure, or when capacity-increasing improvements are necessary to correct level of service deficiencies on County- owned roads and ferries to meet GMA concurrency requirements.

Policy 6B-2: Use a fair and equitable formula to assess development for transportation improvements, including but not limited to transit, pedestrian facilities, bikeways, ferry, and roadways that are considered reasonably necessary as a direct result of proposed developments in Whatcom County.

**Arterial and Collector Improvements**

**GOAL 6C: Ensure an efficient regional system of arterials and collectors that is functional, safe, and consistent with regional priorities and city and county comprehensive plans.**

Policy 6C-1: For road classifications higher than local access roads, develop access control plans which may include joint driveways, and require new developments to minimize the number of access points.

Policy 6C-2: Where new arterials or collectors are necessary, such routes should follow topographic or land use patterns which minimize disruption to residential neighborhoods and the environment.

Policy 6C-3: Identify a regional system of all-weather roads and develop emergency maintenance plans for adverse weather conditions.

Policy 6C-4: Maximize the amount of county-designated arterials and rural major collectors that are all-weather roads.

Policy 6C-5: Provide for commercial vehicle access from I-5 to major commercial and industrial land uses via all-weather roads that have adequate turning radii and signage.

- Policy 6C-6: Set appropriate speed limits based on collision data, speed studies, road geometry, and vehicle types.
- Policy 6C-7: Minimize delay at intersections by timely provision of warranted traffic controls and other improvements.
- Policy 6C-8: Study ways to improve east-west connectivity for commercial and passenger vehicle traffic between Interstate 5 and areas to the east.
- Policy 6C-9: Work with WSDOT to improve highway problems caused by truck traffic on county and state roads by adding this issue to the Council of Governments work plan, lobby WSDOT officials, and considering lower speed limits and improvements during discussions in the county six-year road program.

### Coordination with Land Use

**Goal 6D: Support land use planning efforts in Whatcom County which include land use types and densities that reduce reliance on single-occupant vehicles.**

- Policy 6D-1: Allow densities and mixed uses in urban areas to reduce the number and length of vehicle trips, increase opportunity to use public transportation, and encourage pedestrian and bicycle trips.
- Policy 6D-2: Discourage transportation improvements that would trigger development that is premature or not consistent with applicable comprehensive plans, policies, or zoning.
- Policy 6D-3: Support continual education of the public regarding the relationship between transportation and land use issues and ways to reduce traffic congestion.
- Policy 6D-4: Direct transportation planners to evaluate positive and negative impacts to the productivity of resource based industries when planning transportation corridors. Transportation improvements in areas designated "Resource Lands" should be constructed to facilitate the operations of those affected areas and industries.
- Policy 6D-5: Ensure that new developments provide safe and efficient infrastructure for pedestrians and bicyclists.
- Policy 6D-6: Encourage new housing developments to be located in urban growth areas to help provide a sense of community and safe, nonmotorized transportation to community facilities and public transit nodes.

### Multimodal Approach

**GOAL 6E Balance the needs of all users of all modes of transportation when planning and designing transportation facilities.**

- Policy 6E-1: Adopt and use design standards that follow current best practices for balancing the needs of all modes of transportation, including motorized modes (automobile, commercial trucks, agricultural

equipment, emergency vehicles, buses, airplanes, boats, trains, and ferries) and nonmotorized modes (bicyclists of all ages and skill levels, and pedestrians with or without disabilities). While not all modes can be accommodated fully in all areas, the County will work to achieve the best balance possible, given the context of the area and budgetary constraints.

Policy 6E-2: Use multimodal design in all new transportation facility improvement projects as well as roadway preservation and maintenance projects, unless physically or financially impracticable. An example would be employing new striping designs following resurfacing to better accommodate all modes.

Policy 6E-3: Multimodal design and implementation of that design shall consider the appropriate context established by land uses in the area. Urban pedestrian amenities such as sidewalks are appropriate in portions of urban growth areas and areas of more intensive rural development, but not in rural areas, where wide shoulders can suffice.

### **Bicycle and Pedestrian Facilities**

**GOAL 6F: Develop a system of bicycle and pedestrian facilities that encourages enhanced community access and promotes healthy lifestyles and supports the recreational segments of our economy.**

Policy 6F-1: Planning and design shall emphasize connectivity to the greatest extent possible, creating regional networks of bicycle and pedestrian facilities. Regional networks include both an on-road bicycle facility and walkway network and a regional multi-use path network. These networks should be interconnected; for example, walkways connect seamlessly with pedestrian paths and bike lanes connect to shared-roadway bike routes. The networks should also be coordinated with public transportation hubs and activity centers to enable multimodal trips of longer distances.

Policy 6F-2: Provide safe pedestrian facilities in all new construction and reconstruction transportation projects where there is the potential for significant use, unless physically or financially impracticable. An example of such a location would be in a traffic corridor within one mile of a school or community center that links residents to such facilities. Traditional curb/gutter/sidewalk designs may not always be the ideal approach for projects since they require large impervious surfaces and may detract from the rural atmosphere. Other separated walkway designs should be considered that provide a physical barrier from motorized traffic.

Policy 6F-3: An effective bicycle and pedestrian system for Whatcom County will require facilities for both regional connectivity and local access. Regional connectivity can be defined as transportation routes connecting major activity centers, towns, and cities within the region. A good example of a regional facility would be the

proposed Nooksack Loop Trail or the existing bike route along Hannegan Road.

- Policy 6F-4: Coordinate with local community organizations, associations, or other governing structures in designing and implementing improvements, such as safety improvements and infrastructure. Identify, analyze, and prioritize pedestrian and bicycle projects based on the following criteria:
- safety improvements are needed
  - serves a residential or relatively high density rural or urban population area
  - serves a location frequently traveled by seniors, children, or people with disabilities
  - leads to a school or is part of a school route
  - provides access to a recreational facility or park
  - functions as a key network link for the regional nonmotorized network
  - offers economic development potential for an underserved area
  - ease of implementation due to low cost, public ownership, or other feature
- Policy 6F-5: Develop a nonmotorized improvement plan that identifies and prioritizes future pedestrian and bicycle facilities. Give priority to construction of pedestrian and bicycle facilities on streets within and between urban growth areas and rural communities where practical, and give priority to walkways and crosswalks along roadways within a one-mile radius of schools.
- Policy 6F-6: For commercial and residential developments within urban growth areas and rural communities, developers shall fund on-street walkways, paths, crosswalks, and other pedestrian accommodations, along with internal walkways or paths for onsite circulation that are necessary to provide pedestrian access from public streets to building entrances and within and between buildings.
- Policy 6F-7: In cases where environmental factors would limit or prohibit the construction of a uniform facility for the entire length of a roadway segment, a modified facility may be provided for a portion of the segment as an interim solution.

### **Commercial Transportation**

**Goal 6G: Provide for safe, efficient movement of commercial vehicles.**

### **Intergovernmental Coordination and Implementation**

**Goal 6H: Coordinate with other governmental agencies in planning the County's transportation system.**

Policy 6H-1: Support the Regional Transportation Planning Organization (RTPO)

- to coordinate transportation planning that affects Whatcom County.
- Policy 6H-2: Participate in the Whatcom Council of Governments (WCOG) Transportation Technical Advisory Group as a mechanism to coordinate with the cities of Whatcom County, the Whatcom Transportation Authority, as well as other jurisdictions.
- Policy 6H-3: Coordinate with adjacent jurisdictions to identify, design, and strategically implement needed system improvements in locations where jurisdictional interests overlap. Such locations include unincorporated urban growth areas adjacent to cities, and non-urban areas where existing or proposed facilities serve regional interests. Improvements should be designed to standards appropriate to the planned land uses served by the facilities. In unincorporated urban growth areas adjacent to cities, design should meet the appropriate city design standards.
- Policy 6H-4: In cooperation with the Whatcom Council of Governments, identify a regional transportation network that includes state highways as well as County-owned routes.
- Policy 6H-5: Coordinate with WSDOT for access management on all state highways in the county, to minimize the number of access points and maximize public safety and highway capacity.
- Policy 6H-6: Coordinate with the Whatcom County Health Department regarding transportation's role in promoting safe and healthy communities.
- Policy 6H-7: Support state and federal agencies that regulate rail safety, in order to maximize safety of people and property along railroad corridors.
- Policy 6H-8: Coordinate with the Port of Bellingham to facilitate convenient access to ports, airports, and other intermodal freight facilities.
- Policy 6H-9: Work with Bellingham Whatcom County Tourism, and the cities to develop and implement a common Countywide Way-Finding system that encourages people traveling on the I-5 corridor to detour and easily find the many tourist attractions that Whatcom County has to offer.

### **Environmental Practices**

**Goal 6J: Construction and operation of transportation systems, should avoid adverse environmental impacts, including impacts to wildlife, water quality, and to adjacent residential areas.**

- Policy 6J-1: Maintain and restore fish passage when constructing new transportation systems. Where existing transportation systems have fragmented habitat, such as where culverts prevent fish from migrating upstream, strive to restore fish passage at every opportunity. For County transportation projects, the County Council will determine when such restoration is financially feasible through adoption of the six-year transportation improvement

- program, the annual road construction program, and the County budget.
- Policy 6J-2: When constructing new transportation systems, ensure that stormwater generated by the transportation system is treated prior to discharge to waterways used by salmonid fish populations or which flow directly into such waterways. Provide for regular, systematic maintenance of transportation system related stormwater control and treatment facilities.
- Policy 6J-3: Avoid or mitigate future wetland impacts from transportation system construction and maintenance.
- Policy 6J-4: When constructing new or maintaining existing transportation systems, retain or restore native riparian vegetation along streams and rivers to the greatest extent possible.
- Policy 6J-5: Avoid or mitigate future impacts to feeder bluffs, accretion shoreforms, driftways, eelgrass, kelp beds and other elements of marine shoreline habitat when constructing or maintaining transportation systems.
- Policy 6J-6: Allow natural stream processes to continue by minimizing bank hardening and streambed disturbances to the greatest extent possible, while meeting transportation objectives.
- Policy 6J-7: Implement best management practices for erosion control to prevent sedimentation during transportation system construction or maintenance. Maintain such erosion control devices until no longer necessary to protect water quality.
- Policy 6J-8: Promote designs to preserve mature trees, unique wildlife habitats, water quality, and other elements of the natural environment, including environmentally sensitive areas and shorelines, during the design and construction of road improvement projects.
- Policy 6J-9: Support the use of natural noise reduction techniques and visual screens between high-volume transportation routes and other facilities adjacent to residential uses, wherever possible.
- Policy 6J-10: Minimize the amount of impervious surface whenever practicable by using natural engineering design methods such as the use of open, shallow, grassed street swales instead of curbs and gutters and, where feasible, encouraging alternate surfacing options.
- Policy 6J-11: Engineer, construct, and maintain road improvements to control pollutants affecting water quality and reduce runoff entering surface or groundwater consistent with water quality standards.

### **Congestion and Emissions Reduction**

- Goal 6K: Reduce the need for costly capacity-increasing roadway construction projects, and minimize emissions from combustion of fossil fuels, through the use of motor vehicle travel demand reduction programs, transit, and intelligent transportation technology.**

---

Policy 6K-1:	Develop programs that reduce single-occupant vehicle use and vehicle miles traveled, minimizing trip length and reducing travel during peak periods, in order to minimize fuel consumption and the emission of greenhouse gases. These programs include, but are not limited to, trip reduction programs in coordination with major employers, other jurisdictions, and the Whatcom Transportation Authority.
Policy 6K-2:	Support a regional public transit system that connects with various modes of transportation including auto, bicycle, and pedestrian travel and with the intercity bus, rail, ferries and airline facilities.
Policy 6K-3:	Coordinate with Whatcom Transportation Authority to establish rural transit service in unincorporated areas, including Rural Communities and Rural areas, consistent with county land use plans, based on cost effectiveness, location of major trip generators, distance between generators, and the needs of transit-dependent individuals.
Policy 6K-4:	Coordinate with Whatcom Transportation Authority and Washington State Department of Transportation to provide park-and-ride lots along major corridors and provide necessary and adequate services to encourage their use.
Policy 6K-5:	Support multimodal use by encouraging, for example, provision of secure bicycle storage facilities at park-and-ride lots and other transit facilities, and allowing for the transporting of bicycles on public transit vehicles.
Policy 6K-6:	Consider, where needed, bus pull-outs on street/road improvements.
Policy 6K-7:	Consider implementation of Intelligent Transportation Systems (ITS) technology to increase safety, reduce traffic congestion, decrease delays, expedite commercial vehicle travel, and provide appropriate traveler information.
Policy 6K-8:	Explore enhanced bus service to Sudden Valley to reduce traffic in the Lake Whatcom watershed.
Policy 6K-9:	Encourage the development and installation of a comprehensive electric vehicle rapid charging network, including the following opportunities: <ul style="list-style-type: none"><li>• Allow rapid charging stations in commercial parking lots and other convenient locations;</li><li>• Provide a streamlined and expedited permitting process for rapid charging stations;</li><li>• Provide incentives to developers, employers, and organizations that provide rapid charging stations;</li><li>• Consider requirements to include infrastructure for rapid charging stations in multifamily and commercial developments; and</li></ul>

---

- Pursue partnerships with Puget Sound Energy to consider voluntary development of rapid charging stations to reduce costs.

**Funding of Transportation Improvements**

**Goal 6L: Provide for adequate funding to keep Whatcom County’s transportation facilities in good condition and current in terms of capacity.**

Policy 6L-1: Identify and pursue funding sources for activities and improvements which encourage the use of transportation modes other than the single-occupant vehicle.

Policy 6L-2: In the event expected revenues and available funding fall short of the amount needed to meet identified needs the County shall work to resolve the shortfall during the annual review of the comprehensive plan. Such resolution could result in a reassessment and revision of land use plans and regulations (including uses and densities), level of service standards, or revenue sources (through revised impact or mitigation fees, or additional grant funding).

Policy 6L-3 Consider establishing impact fees to fund a proportionate share of the costs of transportation system improvements that benefit and are reasonably related to new development.

**Goal 7A: Promote a healthy economy providing ample opportunity for family-wage jobs for diverse segments of the community, which is essential to the quality of life in the area.**

Policy 7A-1: Together with the cities, provide an ample, developable land supply for commercial and industrial uses to provide opportunity for new and expanding firms wishing to locate or remain in Whatcom County.

Policy 7A-2: Foster a diverse, private-sector job base, which will provide family-wage jobs at the state median income level or greater, and facilitate the retention and expansion of existing businesses.

Policy 7A-3: Employ innovative techniques to recruit and develop a diversified mix of businesses for a broader economic base starting with the creation of a new economic development program to be funded ideally with monies collected under RCW 82.14.370. This program will be governed by a sunset provision whereby it will automatically terminate after seven years if it was not able to document its efforts were contributing to an equal or greater number of new jobs for the money invested in it, compared to other economic development projects funded by the community.

Policy 7A-4: In addition to stimulating family-wage employment and jobs in diverse sectors, ensure we retain entry level and service-related

- jobs such as those necessary to support tourism, recreation, retailing, and other industries.
- Policy 7A-5: Support a joint venture between the public and private sector in a training and technology partnership with local education resource providers to develop an educated work force as a key factor for economic success. Such partnerships should include Western Washington University, Whatcom Community College, Bellingham Technical College, Northwest Indian College, Northwest Workforce Council, and businesses and industries.
- Policy 7A-6: Support business start-up operations and entrepreneurship education.
- Policy 7A-7: Foster an adequate amount of preferred housing supply for all income levels as a prerequisite for a healthy economy.
- Policy 7A-8: Enhance the environment for resource-based and knowledge-based industries with an emphasis on attracting employment to the communities in eastern Whatcom County.
- Policy 7A-9: Produce a strategic plan to guide the county's participation in tourism marketing.
- Policy 7A-10: Establish a competitiveness review of policies, taxes/fees, processes, and other influences that impact county businesses.

### **Coordination/Cooperation and Public/Private Partnerships**

#### **Goal 7B: Support increased public/private sector partnering among all entities involved with economic development.**

- Policy 7B-1: The Port of Bellingham, serving as the ADO, will work with the cities, the County, Chambers of Commerce, educational institutions, and other groups to assist retention and expansion of existing local businesses and to attract appropriate businesses to Whatcom County. Prior to an ADO contract renewal, the ADO's performance shall be evaluated by surveying the members of the other organizations and private companies the ADO has been working with to promote economic development.
- Policy 7B-2: Continue informally meeting with staff from all entities and jurisdictions involved with economic development to discuss issues of interest on a periodic basis.
- Policy 7B-3: With the cities, Port of Bellingham, Council of Governments, Tribal governments, Northwest Economic Council, Chambers of Commerce, business, labor, education, and other social and community interests continue to cooperate on updating and implementing the *Comprehensive Economic Development Strategy* project list and other economic analyses and plans.
- Policy 7B-4: Identify, develop and match funding opportunities with the economic development projects contained within the CEDS. Funding sources could include the Economic Development Administration (EDA), Community Development Block Grants

(CDBG), Community Economic Revitalization Board (CERB), Rural Sales Tax (also known as the Economic Development Initiative or EDI fund), USDA Rural Development, and other types of grants, loans, private investment, local match and many other federal, state, and local sources.

Policy 7B-5: Encourage utilization of current technology and efficient communication tools to disseminate information.

Policy 7B-6: A forward focused marketing strategy and a professional outbound lead generation program shall solicit inward investment from targeted industry sectors that are forecast to provide growth in the type of family wage jobs that the community is well positioned to support. The program shall provide these leads to organizations such as Team Whatcom, the Port, non-profits, and private sector partners that offer the best fit based on the nature of the lead and the partners commitment to continuously demonstrate/verify high levels of responsiveness and customer satisfaction.

## **Infrastructure**

**Goal 7C: Ensure adequate infrastructure to support existing and future business development and evolving technology.**

Policy 7C-1: Continue to work with all involved parties to ensure an adequate water supply and distribution system to support economic growth.

Policy 7C-2: Encourage the provision of adequate transportation infrastructure, including roads to all industrial sites.

Policy 7C-3: Work with service providers for a dependable electric power supply, alternative energy sources, communications, and evolving technology to support existing and future business development.

Policy 7C-4: Encourage location of industrial areas, especially where sewer and water service and all weather access can be readily provided when necessary.

Policy 7C-5: Support the efforts of PUD #1 and area communication and cable companies to get a fiber optic network throughout Whatcom County.

Policy 7C-6: Participate in the ongoing implementation and operation of the countywide water resources management body (WRIA #1) for Whatcom County.

Policy 7C-7: Recognize the importance of governmental services and facilities to support economic development. Update capital facility plans and appropriate adequate funding for public facility upgrade or expansion necessary to serve projected population and business growth.

Policy 7C-8: Recognize the importance of integrated transportation planning to economic development.

- Policy 7C-9: Work with Bellingham Whatcom County Tourism, and the cities to develop and implement a common Countywide Way-Finding system that encourages people traveling on the I-5 corridor to detour and easily find the many tourist attractions that Whatcom County has to offer.
- Policy 7C-10: Develop plans and prioritize facilities for the County to become internationally recognized as a “Trail-Town” tourist destination (one that offers 100 miles or more of contiguous walking/hiking trails) by 2027.

### Regulations/Processing

**Goal 7D: Consistent with other goals of the county, strive for balanced, clear, and predictable overall policies, practices and regulations which do not unnecessarily or inadvertently prevent, confuse, delay, or create costly hurdles restricting effective and desirable economic development.**

- Policy 7D-1: Work with state and federal agencies to coordinate and streamline environmental review.
- Policy 7D-2: Consider conducting in-depth environmental analysis for comprehensive plans and subarea plans to limit the need for future analysis by the private sector to a few issues that are unique to a specific project and cannot be reasonably analyzed at a subarea level.
- Policy 7D-3: Integrate and simplify regulations to make them more understandable and user-friendly.
- Policy 7D-4: Utilize graphic illustrations to explain choices which cannot be clearly conveyed in a few words.
- Policy 7D-5: Utilize private sector professional review, where appropriate, to streamline the permitting process and provide a choice of reviewing options for applicants including engineers who could provide preapproved engineered drawings.
- Policy 7D-6: Streamline and coordinate the permit process and sustain a supportive customer service approach towards permitting.
- Policy 7D-7: Use technology so the public can receive information on the status of projects, latest drafts of documents, and access to general resources via the internet.
- Policy 7D-8: Create options for greater flexibility in the regulatory and development review process.
- Policy 7D-9: Consider the vision statements and action items in the CEDS when conducting local planning processes.

### Proximity to Canada

**Goal 7E: Enhance the economic trade, tourism, and industrial siting advantages of the county's location adjacent to the Canadian border.**

Policy 7E-1:	Support attractions for Canadians and other visitors so they will remain in the county longer and distribute their spending throughout the community. Some of the examples would include support for such items as the following: <ul style="list-style-type: none"> <li>• Events such as the "Ski to Sea" race and festival.</li> <li>• The Whatcom Museum, Mount Baker Theater, other historic and cultural centers, and community revitalization efforts.</li> <li>• Parks and open spaces.</li> <li>• The Bellingham Festival of Music.</li> <li>• The Mount Baker outdoor recreation area.</li> <li>• Farmers markets and other natural resource based activities.</li> <li>• Projects, events and activities of unincorporated areas such as Point Roberts, Birch Bay and East County.</li> </ul>
Policy 7E-2:	Work cooperatively with jurisdictions in the Lower Mainland of British Columbia, along with US and Canadian national governments, to facilitate the development of economic, transportation, and environmental initiatives.
Policy 7E-3:	Use Western Washington University as a regional resource and major draw for Canadians and others who participate in symposiums and other regional events.
Policy 7E-4:	Continue to provide assistance and opportunities for Canadian companies to relocate or set up a second plant in Whatcom County, while at the same time encouraging our companies to explore and develop markets in Canada.

### **Business Retention and Expansion**

<b>Goal 7F:</b>	<b>Encourage development that creates local reinvestment funds and provides jobs in the local community.</b>
Policy 7F-1:	Support existing businesses locally as the major contributors of job creation and regeneration and afford them every opportunity to continue their success in the community.
Policy 7F-2:	Encourage businesses whose products and services can be marketed beyond the borders of Whatcom County, both domestically and internationally.
Policy 7F-3:	Encourage firms to contribute financially as partners with the public sector in sharing costs for civic and cultural needs of the community-at-large.
Policy 7F-4:	Enhance opportunities for increased resource-based (agricultural, forest, fisheries, and mining products) value added industries.
Policy 7F-5:	Encourage utilization of existing and future resources available through local agencies, entities, and organizations, such as information from the Western Washington University Center for Economic and Business Research.

**Economic Growth and Environmental Quality**

**Goal 7G: Coordinate economic development with environmental, resources, and other comprehensive plan land use and open space policies and measures to enhance the community's overall quality of life.**

Policy 7G-1: Recognize the natural environment as a major asset and manage environmental resources accordingly. We need both economic prosperity and environmental sustainability.

Policy 7G-2: Review environmental protection policies for Whatcom County to coordinate with and incorporate economic development objectives.

Policy 7G-3: Provide support to Whatcom County's tourist industry to maintain and enhance a balance between the economic benefits of tourism and the local quality of life.

Policy 7G-4: Encourage sustainability by:

- Supporting waste reduction, reuse, recycling and the processing of used and waste resources into economically viable products; and
- Supporting renewable energy, state-of-the-art technology, and conservation techniques to minimize demands on resources such as water, energy, and other natural and developed resources.
- Pursuing energy resiliency and self-sufficiency by establishing renewable energy overlay zones, and by revisiting restrictions on the development of wind energy systems that protect public health and safety.

Policy 7G-5: Coordinate environmental and economic planning efforts.

Policy 7G-6: Address environmental issues on a countywide basis so that areas like the Cherry Point Industrial Area or public access areas such as marinas or the airport can expand as necessary using mitigation banking or other appropriate mitigation measures.

**Natural Resource Based Industries**

**Goal 7H: To promote economic diversity, continue to support resource industries as significant elements of the local economy including the employment base.**

Policy 7H-1: Ensure sufficient agricultural land, support services, and skills are available to encourage a healthy and diversified agricultural economy.

Policy 7H-2: Work with agencies, Tribal governments, and other groups to improve the condition of the fishery resource, including habitat maintenance and enhancement, especially for habitats utilized by threatened and endangered fish species.

- Policy 7H-3: Maintain the commercial forestland base of Whatcom County to assure the industry's continued economic viability and sustainable harvest.
- Policy 7H-4: As part of a broad-based economy, foster productive timber, agriculture, and fisheries industries in a sustainable manner.
- Policy 7H-5: Support mining, which is compatible with other land use and environmental policies, including surface mining of sand, gravel, and rock and subsurface mining of other minerals found in Whatcom County, such as gold and silver.
- Policy 7H-6: Promote the expansion of "value added" production of secondary products and resources to support the primary resource industries and maintain wealth and jobs in the local community.
- Policy 7H-7: Encourage growth of tourism, recreational activities, and businesses that provide for diversity of the natural resource industry, provided they comply with County regulations and, when located in a rural area, preserve the rural character.
- Policy 7H-8: Develop and support more programs to promote ag-tourism and ag-education to increase public awareness of the nutritional and economic value of agriculture and quality food production.

### **Unemployment and Underemployment**

**Goal 7J: Address unemployment and underemployment as important issues and continue the effort to increase family wage jobs.**

- Policy 7J-1: Support creation of job opportunities for local residents, especially family wage jobs to decrease unemployment and underemployment.
- Policy 7J-2: Support economic development that recognizes and respects the needs, concerns, rights, and resources of a diversity of cultural groups, and allow them every opportunity to participate and benefit in this process in full partnership with the community-at-large.
- Policy 7J-3: Focus on absorbing and retraining displaced and discouraged workers and addressing the skills gap through grants, training by the Northwest Workforce Council, Bellingham Technical College, Whatcom Community College, Northwest Indian College, and other opportunities.

### **Geographic Diversity**

**Goal 7K: Enable a geographic balance for economic growth within the capacities of the county's natural resources, natural systems, public services, and public facilities.**

- Policy 7K-1: Support small and cottage businesses in rural areas that minimally impact productive agricultural, forest, or mineral

- resource land.
- Policy 7K-2: Designate adequate zoning to allow business and industrial development where it is needed and most appropriate.
- Policy 7K-3: Locate new commercial or industrial development along Guide Meridian within designated urban growth areas, Rural Community LAMIRDs, and Rural Business LAMIRDs in a manner that does not disrupt the Guide’s regional transportation function.
- Policy 7K-4: Encourage resource and tourism based recreational, commercial, and cottage industry uses to create economic opportunity in the rural areas of the county.
- Policy 7K-5: Support the implementation of land use concepts as defined in Chapter Two by seeking grants to provide technical support and complete necessary programmatic environmental analysis to facilitate reduced time frames and duplication in the SEPA process.
- Policy 7K-6: Support long-term employment efforts in the unincorporated areas of the county, such as those stated in the Point Roberts, Birch Bay, and east County Economic Development Plans and Subarea Plans.
- Policy 7K-7: Support agriculture, agricultural processing, and manufacturing as a high priority in future allocations of water rights.
- Policy 7K-8: Within urban growth areas, balance areas planned for housing and jobs to potentially shorten commute times.
- Policy 7K-9: Recognize high speed Internet and cellular coverage is essential for all regions of our economy to succeed.
- Policy 7K-10: Encourage, and if necessary provide incentives, for high speed Internet and cellular infrastructure to be deployed in areas of the County such as the Columbia Valley.

### **Local Food System**

**Goal 7L: Strengthen the local food system and take steps to improve conditions for a healthy, resilient, and prosperous food economy.**

- Policy 7L-1: Encourage government, institutions, and local businesses to purchase food produced within Whatcom County when available.
- Policy 7L-2: Encourage local farmers and producers to sell their products to local markets.
- Policy 7L-3: Support development plans and zoning changes that increase access to healthy and locally grown food products.

- Policy 7L-4: Support food outlets such as grocery stores, convenience stores, and local food markets that provide fresh, healthy foods, especially in underserved areas.
- Policy 7L-5: Support efforts and/or organizations seeking to achieve economic diversity within the food system such as:
- Niche markets for local agricultural products;
  - Technical assistance or educational programs.
  - Farmer’s markets;
  - Value-added or innovative agricultural products or services;
  - Farm-to-school and farm-to-institution;
  - Agricultural diversity;
  - Food access and affordability; and
  - Community gardens, education, and information dissemination.
- Policy 7L-6: Support efforts to protect water quality and quantity, soil health, and best management practices as related to the food system.
- Policy 7L-7: Encourage communication and collaboration across and within all sectors of the food system and support efforts/organizations working to build common understanding and to facilitate better collaborative effort toward an equitable, sustainable, and healthy food system for all.
- Policy 7L-8: Support establishment of communitywide food system development plans.
- Policy 7L-9: Support healthy and safe working conditions as well as healthy and safe living conditions for farmworkers.
- Policy 7L-10: Support organizations that provide technical assistance, educational programs, and general support to people and businesses within the local food system.
- Policy 7L-11: Consider food waste systems that reduce food waste and capture food waste nutrients.

**Goal 8A: Conserve and enhance Whatcom County's agricultural land base for the continued production of food and fiber.**

- Policy 8A-1: Conserve productive agricultural lands and agricultural resource lands, including areas with prime soils that are not now zoned agriculture, or where the area is composed of agricultural operations that have historically been and continue to be economically viable, by developing and implementing a long range strategy. The planning horizon should be twenty years in the short-term and 100 years in the long-term.
- Policy 8A-2: Maintain a working agricultural land base sufficient to support a viable local agricultural industry by considering the impacts to farmers and agricultural lands as part of the legislative decision making process. Measures that can be taken to support working

---

farms and maintain the agricultural land base should include:

- Maintenance of 100,000 acres of agricultural land to support a healthy agricultural industry.
- A density credit program where development incentives are offered in cities and/or UGAs if density credits are purchased by the developer. Funds from the density credit program would supplement the existing Conservation Easement Program funding.
- Developing a marketplace approach to strengthening agricultural practices while enhancing larger-scale watershed processes and functions by identifying feasible opportunities on agricultural land to improve both watershed health and agricultural viability and developing incentives and tools to compensate farmers for actions that exceed minimum regulatory standards.
- Maintaining a Conservation Easement Program that facilitates the removal of development rights from productive farmland and provides permanent protection of those agricultural lands through the use of conservation easements or other legal mechanisms.
- Incentives and cooperation between landowners and public agencies such as the use of the current use tax assessment provisions.
- Implementing land use policies that encourage farming on Rural lands of high agricultural productivity and potential.
- Discouraging conversion of designated agricultural lands to non-agricultural uses.
- Track acres lost due to conversion, development, or policy implementation such as critical areas ordinance, so mitigation strategies can be implemented to offset the acres lost.
- Education and marketing of programs that emphasize recognition of the local and regional significance of agricultural land as a natural resource and the economic, social and ecological benefits it provides.
- Working cooperatively with local farmers and coordinating with local and state agencies to address water quality impacts of agricultural activities on local streams and groundwater.
- Securing an adequate, sustainable, and legal supply of irrigation water sufficient to support the long-term viability of the local agricultural industry.
- Identify and evaluate any new or changed zoning or comprehensive plan agricultural lands of long term commercial significance designations as needed or warranted for the Rural Study Areas.
- Economic development assistance to agricultural-related

enterprises.

- Recognize regulatory impacts and encourage farm friendly regulations.

Policy 8A-3:

The criteria for designating or de-designating lands under the Agriculture land use designation shall be considered on an areawide basis. When applying the following criteria, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term, and to retain agricultural support businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. The criteria are as follows:

1. The land is not already characterized by urban growth. In determining this factor, the County should consider WAC 365-196-310 and RCW 36.70A.030(19).
2. The land is used or capable of being used for agricultural production. In making this determination, the County shall use the land-capability classification system of the U.S. Department of Agriculture Natural Resources Conservation Service. These eight classes are incorporated into map units and are based on the growing capacity, productivity, and soil composition of the land.
3. The land has long term commercial significance for agriculture. In determining this factor, consider the following nonexclusive criteria:
  - a. The majority of the area contains Prime Farmland Soils as determined by the Natural Resource Conservation Service (NRCS).
  - b. The area may contain 100-year floodplains as delineated by the Federal Emergency Management Agency (FEMA).
  - c. Land use settlement patterns, the intensity of nearby uses, and the history of approved land development permits are generally compatible with agricultural practices.
  - d. A majority of the area is composed of agricultural operations that were historically in agriculture prior to 1985.
  - e. The predominate parcel size in the area is large enough to adequately maintain agricultural operations.
  - f. The availability of public services.
  - g. The availability of public facilities such as roads used to transport agricultural products.
  - h. Special purpose districts that are oriented to enhancing agricultural operations such as drainage improvement, watershed improvement, and flood control exist.

- i. The area has a pattern of landowner capital investment in agricultural operations improvements including irrigation, drainage, manure storage, the presence of barns and support buildings, enhanced livestock feeding techniques, agricultural worker housing, etc.
- j. The area contains a predominance of parcels that have current use tax assessment derived from the Open Space Taxation Act.
- k. The area’s proximity to urban growth areas.
- l. The area’s proximity to agricultural markets.
- m. Land value under alternative uses.

Policy 8A-4: Support conservation of productive agricultural land by requiring the use of best management practices including soil and water conservation, livestock nutrient/manure management, etc.

Policy 8A-5: Discourage conversion of productive agricultural land to incompatible non-agricultural uses.

Policy 8A-6: Require all requests for re-designation from agriculture to demonstrate that changed site conditions or circumstances have occurred since the original designation to such an extent that the site no longer satisfies the designation criteria for agricultural lands.

Policy 8A-7: Work cooperatively with farmers to prioritize agricultural activity in land use decisions when land is composed of prime and/or productive agricultural soils and agriculture is the highest value resource use.

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

Policy 8A-9: Use an "Agriculture Protection Overlay" (APO) designation in certain Rural zoned areas as one way to increase agricultural production in areas outside of designated agricultural land of long-term commercial significance.

Policy 8A-10: The Agricultural Advisory Committee shall advise the Whatcom County Executive and Council on agricultural issues and agricultural land use. Whatcom County shall support the Agricultural Advisory Committee with staff and other resources, and shall recognize the AAC’s input with regard to agricultural resource lands.

**Agricultural Products Industry**

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

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

- Policy 8B-2: Assist Whatcom County's agricultural industry in the pursuit of its long-term economic potential. This should include the development of strategies and policies necessary to reach this potential, in terms of both production and diversity.
- Policy 8B-3: Support agricultural product processing facilities through appropriate planning, zoning, and land use regulations.
- Policy 8B-4: Support methods and strategies to market Whatcom County agriculture in ways that ensure that agricultural activities (such as dairying) and entities (such as processors) will remain here in the long term.
- Policy 8B-5: Support improving the efficiency and flexibility of state and local environmental regulations affecting the agricultural products industry.
- Policy 8B-6: Utilize a range of result-oriented non-regulatory programs, options, and incentives, collaboratively developed and monitored by the County and landowners, that agricultural landowners can employ which meet or exceed county environmental regulations.

### **Agriculture Related Cultural Heritage**

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

- Policy 8C-1: Identify, preserve, and enhance community character, landscape, and buildings associated with agricultural activity.
- Policy 8C-2: Involve those who actually are engaged in agricultural activities, and give high regard to their opinions in the County's decision-making during the planning process. Use groups working effectively with the agricultural community to help preserve and/or create a sustainable economic agricultural base.
- Policy 8C-3: Support the continuation of owner occupied/family owned farms.
- Policy 8C-4: Encourage the use of programs that help beginning farmers buy productive farmland.
- Policy 8C-5: Develop and support more programs to promote ag-tourism and ag-education to increase public awareness of the nutritional and economic value of agriculture and quality food production.

### **Land Use Conflicts**

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

- Policy 8D-1: Strive to reduce potential conflicts between incompatible agricultural activities by maintaining zoning regulations that protect productive agricultural lands of long-term commercial significance from conversion to non-compatible uses.
- Policy 8D-2: Maintain the Right-To-Farm ordinance. Give priority to agricultural uses and owners of parcels zoned for agriculture priority in land use and nuisance conflicts with residents of adjacent properties

- and adjacent property owners.
- Policy 8D-3: Support improved communication and understanding between agricultural landowners and the public through such mechanisms as community forums and educational programs.
- Policy 8D-4: Recognize the importance of surface mining as an agricultural practice when the activity contributes to enhancing subsequent agricultural uses on the property.
- Policy 8D-5: Accommodate the location of designated mineral resource lands in or near agriculture zones when determined by Whatcom County to be in the best interests of the community.
- Policy 8D-6: Support agricultural activity in mixed farm/rural residential areas, with the understanding that certain farm practices may conflict with other neighboring rural land uses.
- Policy 8D-7: Help resolve conflicts associated with maintaining and enhancing fish habitat and the necessary drainage work that is annually done by agricultural drainage districts, watershed improvement districts, and landowners.
- Policy 8D-8: Develop a continuum of efforts moving from education and outreach, development of voluntary best practices, technical assistance, and incentives, monitoring, and regulation, to minimize impacts when conflicts arise between agriculture and other land uses.
- Policy 8D-9: Encourage low intensity recreational activities that help sustain and are compatible with agricultural uses.
- Policy 8D-10: In the "Agricultural Protection Overlay" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered on 20 or up to 30 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.

## **Fish and Wildlife**

**Goal 8E: Work with agricultural land users to find efficient and effective cooperative ways to protect and improve habitat of threatened and endangered species through education and incentive programs.**

- Policy 8E-1: Ensure that adequate riparian buffers are maintained along rivers and streams.
- Policy 8E-2: Prevent livestock from degrading riparian and instream habitat by using best management practices for the fencing of livestock from streams and support the provision of alternative watering systems.
- Policy 8E-3: Encourage the use of integrated pest management practices, including herbicides and pesticides, that protect water quality.
- Policy 8E-4: Ensure proper storage and application of compounds that can

- pollute our waterways such as manure and other fertilizers, pesticides and herbicides.
- Policy 8E-5: Ensure properly functioning habitat conditions for those riparian areas and stream reaches that do not currently provide such habitat conditions through voluntary restoration, technical assistance incentives.
- Policy 8E-6: Encourage the maintenance and operation of drainage systems such that actual and potential habitat and water quality impacts from such systems are minimized and agricultural uses remain viable.
- Policy 8E-7: Work with the watershed improvement districts, drainage districts, and the Washington State Department of Fish and Wildlife to resolve tradeoffs associated with fish and wildlife habitat on agricultural lands.
- Policy 8E-8: Continue to work with farmers on improving water quality practices.
- Policy 8DE-9: Provide outreach and education to farmers on using Best Management Practices as defined by WCC 14.02.020 to protect water quality.
- Policy 8E-10: Develop and implement education and incentive programs that encourage agriculture land owners to take steps to improve habitat of threatened and endangered species.
- Policy 8E-11: Support State and Federal agencies in increasing funding and improving practices that avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to marine waters that support shellfish resources.

### **Water for Agriculture**

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

- Policy 8F-1: Actively participate in the WRIA 1 Watershed and Salmon Recovery Programs.
- Policy 8F-2: Conserve water resources from both a quantity and a quality perspective to ensure and possibly enhance continued agricultural viability.
- Policy 8F-3: Support the agricultural community’s access to sufficient legal water rights.
- Policy 8F-4: Balance the needs of agricultural water users with needs for instream uses through such process as the WRIA 1 Salmon Recovery Program.

Policy 8F-5: Recognize while regulation of water quality is important, the water need for production of food, fiber, shelter and energy by agricultural resource lands is equally critical.

**Forest Resource Lands**

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

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

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

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

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

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

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

Policy 8G-5: Support conservation of the working forest land base through cooperation between landowners, private organizations and public agencies, and through incentives such as the current use tax assessment provisions of RCW 84.33, and RCW 84.34.

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

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

- Policy 8G-8: Review Title 20.42 (Rural Forestry) and 20.43 (Commercial Forestry) for opportunities to provide compatible non-forest uses that encourage forest landowners to keep their land in productive forest uses.
- Policy 8G-9: Discourage inappropriate conversion of designated forest land to incompatible non-forest uses. It is the intent of this policy not to allow conversion of GMA designated forest lands of long-term commercial significance outside the Lake Whatcom Watershed Overlay District if the proposed use is incompatible with the maintenance of long-term forest management. Incompatible uses include those that:
- create fire or safety hazards to adjacent forest land;
  - permanently alter or remove a significant portion of a parcel from production of forest products. A significant portion would be greater than 20% of the lot;
  - create significant financial hardships for adjacent forest landowners; or
  - can lead to land use conflicts with adjacent forest landowners.
- Policy 8G-10: Special districts should review their boundaries (e.g. fire districts, water districts) for conformance with forestry designations and consider making appropriate adjustments.
- Policy 8G-11: Recognize the difference between designated (mapped) forest lands and working forests. Designated forest lands may include public or private forest lands not actively managed for timber production, such as for parks, open space or habitat preservation purposes. Working forests are actively managed for timber production and to provide a balance of social, economic, and ecological benefits, products, and values.
- Policy 8G-12: Maintain a working forest land base by considering the impacts of working forests as part of the legislative decision making process. Measures that can be taken to support working forests may include:
- Land use policies that encourage active management plans on Rural Forest lands;
  - Track acres of forest lands lost from productivity due to conversion, development or policy implementation such as critical areas ordinance, and work with the forestry advisory committee to identify economically viable mitigation strategies that can be implemented to offset the acres lost;
  - Land use policies that recognize the multiple values of working forests and respect the rights and responsibilities of private and public forest landowners;
  - Education programs that emphasize recognition that wood is a renewable natural resources;
  - Public and institutional education programs that promote the benefits of working forests;

- Championing the implementation of the Northwest Forest Plan and completion of individual forest plans in order to re-balance the social, economic, and ecological benefits and products on a national forest specific basis;
- Ensuring that timber management plans submitted as part of the Designated Forest Land Current Use Tax program are implemented, or remove the property from the program; and
- Discouraging conversion of designated forest lands to non-forest uses.

**Forest Products Industry**

**Goal 8H: Support increasing the viability of Whatcom County's forest products industry.**

- Policy 8H-1: Support improving the efficiency and flexibility of state and local environmental regulations affecting the forest products industry, in order to assure environmental protection and improve predictability for the forest products industry while minimizing the regulatory costs to forest landowners.
- Policy 8H-2: Develop a range of non-regulatory programs, options, and incentives that forest landowners can employ to meet or exceed county environmental goals.
- Policy 8H-3: Support the efforts of the forest landowners and managers in Whatcom County to operate in a long-term, sustainable manner as part of a stable, broad based economy.
- Policy 8H-4: Work cooperatively with the Washington State Department of Natural Resources to ensure the most productive and appropriate use of State Forest lands within Whatcom County.
- Policy 8H-5: Consider surface mining, along with rock crushing, washing, and sorting, when done as part of conducting forest practices within the forestry zones, as compatible uses.
- Policy 8H-6: Support forest product production facilities through appropriate planning, zoning, and land use regulations.
- Policy 8H-7: Encourage the United States Forest Service and the Department of Natural Resources to implement harvest practices that

maximize the use of forest lands while allowing appropriate multiple uses.

**Land Use Conflicts**

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

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

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

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

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

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

**Fish and Wildlife**

**Goal 8J: Support the Department of Natural Resources to ensure forest practices avoid adverse impacts to the habitat of**

**threatened and endangered fish and wildlife species and to marine waters that support shellfish resources.**

- Policy 8J-1: Ensure that adequate riparian buffers, based on best available science, are maintained along rivers and streams.
- Policy 8J-2: Minimize sedimentation to rivers and streams, to the greatest extent possible, using BMPs.
- Policy 8J-3: Ensure that riparian and stream functions are protected when forestlands are converted to non-forestry uses.

**Mineral Resources**

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

- Policy 8K-1: Conserve for mineral extraction designated mineral resource lands of long-term commercial significance. The use of adjacent lands should not interfere with the continued use of designated mining sites that are being operated in accordance with applicable best management practices and other laws and regulations.
- Policy 8K-2: Support the use of new technology and innovative techniques for extraction, processing, recycling and reclamation. Support recycling of concrete and other aggregate materials. Support the efficient use of existing materials and explore the use of other materials that are acceptable substitutes for mineral resources.
- Policy 8K-3: Minimize the duplication of authority in the regulation of surface mining.

**Goal 8L: Ensure mineral extraction industries do not adversely affect the people and other properties in the vicinity, by establishing appropriate and beneficial designation and resource conservation policies, while recognizing the rights of all property owners.**

- Policy 8L-1: Avoid significant impacts on adjacent or nearby land uses, public health and safety, or natural resources from mineral extraction.
- Policy 8L-2: Consider the maintenance and upgrade of public roads before approving mineral extraction. Address all traffic on county roads in a fair and equitable fashion.
- Policy 8L-3: Avoid adversely impacting ground and surface water quality. The protection of aquifers and recharge zones should have precedence over surface mining in the event it is determined by the county that adverse impacts cannot be avoided through the standard use of best management practices. Avoid contamination of aquifers by using best management practices for reclamation or on-site storage.
- Policy 8L-4: Where the county has jurisdiction, require reclamation of mineral resource lands to other compatible uses on an ongoing basis as mineral deposits are depleted. Best Management Practices should be used to achieve this.
- Policy 8L-5: As part of the mining permit process, plan for an ultimate end use for land used for mineral extraction that will complement and preserve the value of adjoining land.
- Policy 8L-6: Where not subject to the Surface Mining Act, require security to cover the costs of reclamation prior to extraction activity, and insurance policies or a similar type of protection as appropriate to cover other potential liabilities associated with the proposed activity.
- Policy 8L-7: Designate site-specific mineral resource lands only after mineral extraction impacts have been anticipated and evaluated, and potential adverse environmental impacts have been addressed through appropriate mitigation and/or reasonable alternatives.
- Policy 8L-8: Expansion of MRL designations to parcels contiguous to, and held by more than 1% common beneficial ownership or beneficial interest with an existing mine is allowed, but before extraction of the additional area may commence the existing mine must be in complete compliance with all operating permits and regulations.

**Policy 8L-9:** Through a site specific geotechnical analysis of potential impacts, ensure mineral extraction within 500 feet of gas or petroleum transmission pipelines will not result in an increased likelihood of the pipeline becoming exposed or rupturing during an earthquake.

### **Rural and Urban Areas**

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

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

**Policy 8M-2:** Protect areas where existing residential uses predominate against intrusion by mineral extraction and processing operations.

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

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

**Policy 8M-5:** Encourage mineral extraction operators in the county to voluntarily provide resource use information to nearby landowners, and to develop a good neighbor policy, such as voluntary mine management plans and community and educational forums.

### **Agricultural Areas**

**Goal 8N:** **Recognize the importance of conserving productive mineral lands and conserving productive agricultural lands**

**within or near the agricultural zones of Whatcom County without jeopardizing the critical land base that is necessary for a viable agricultural industry.**

- Policy 8N-1: Allow mining in the agriculture zone that would enhance farming by leveling knolls and ridges when appropriate. In these areas, reclamation of mineral extraction sites shall occur in a timely fashion. The site should also be restored for uses allowed in an agricultural zone and blend with the adjacent landscape and contours.
- Policy 8N-2: Avoid the use of designated agricultural land for mineral or soil mining purposes unless the soils can be restored to their original productive capabilities as soon as possible after mining occurs.
- Policy 8N-3: Allow accessory uses such as washing and/or screening of material to locate near or on the site of the mineral extraction source when appropriate. Within MRL designations, authorize application for mineral processing facilities such as rock crushers and concrete plants through the conditional use process.

**Forestry Areas**

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

- Policy 8P-1: Recognize the importance of forest lands in the county and the importance and appropriateness of surface mining as part of conducting forest practices within the forest zones.
- Policy 8P-2: Allow rock crushing, washing and sorting in the forest zones when appropriate as long as conflicts with other land uses can be mitigated.
- Policy 8P-3: Allow commercial surface mining operations in the forest zones when appropriate as long as conflicts with other land use zones can be mitigated.
- Policy 8P-4: Carefully consider the siting of asphalt and concrete batch plants due to possible adverse impacts.

**Riverine Areas**

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

- Policy 8Q-1: Designate river gravel as a supplemental source to upland reserves.
- Policy 8Q-2: Allow, when appropriate, the stockpiling, screening, and washing of river gravel in all zone districts when associated with river gravel extraction as close to the extraction site as possible to keep handling and transportation costs to a minimum.
- Policy 8Q-3: Design river gravel extraction to work with natural river processes so that no adverse flood, erosion, or degradation impacts occur either upstream or downstream of extraction sites. Base mining extraction amounts, rates, timing, and locations on a scientifically determined sediment budget adjusted periodically according to data provided by a regular monitoring plan.
- Policy 8Q-4: Locate and operate river gravel extraction to provide long-term protection of water quality and quantity, fish and wildlife populations and habitat, and riparian vegetation.
- Policy 8Q-5: Plan and conduct operations on rivers and streams so that short- and long-term impacts and hazardous conditions are either prevented or held to minimum levels that are not harmful to the general public. Create as little adverse impact on the environment and surrounding uses as possible.
- Policy 8Q-6: Fully consider the recommendations of the Flood Hazard Management Committee to encourage gravel bar scalping that decreases the likelihood of flooding and lowers the costs of flood damage and repair, flood management, and emergency services.
- Policy 8Q-7: Support the use of gravel from tributary streams for flood hazard control, provided environmental impacts are fully addressed.
- Policy 8Q-8: Support the use of existing public access easements to allow gravel removal.
- Policy 8Q-9: Work with other jurisdictions and related agencies to reduce or eliminate redundant regulations, streamline the permitting

process, and provide greater opportunities for appropriate river gravel extraction to enhance other important resources, specifically agricultural.

## Mineral Designations

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

Policy 8R-1: 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.

Policy 8R-2: Ensure that designations of urban growth boundaries are consistent with mineral designations by considering existing and planned uses for the designated areas and adjacent properties. Intergovernmental agreements should demonstrate how future land uses of mined areas will protect underlying aquifers, given the increased groundwater vulnerability to contamination.

Policy 8R-3: Allow mining within designated MRLs through a conditional use permit process requiring:

- on-site environmental review, with county as lead agency, and
- application of appropriate site specific conditions, and
- notification to neighboring property owners within 2,000 feet to insure opportunity for written and oral input.

Policy 8R-4: Consider potential resource areas (PRA) identified in the Report Engineering Geology Evaluation Aggregate Resource Inventory Study Whatcom County, Washington (GeoEngineers, Inc., Sept. 30, 2003) and updated in the Aggregate Resource Inventory 2014 Study Update Whatcom County, Washington (Element Solutions, December 22, 2014) for MRL designation and during county review of land development projects in order to avoid

development incompatible with mineral resource extraction.

Policy 8R-5: Work with the Port of Bellingham, the City of Bellingham, or waterfront property owners to facilitate the importation of mineral resources necessary to provide county citizens with adequate mineral resources at reasonable prices.

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

### **Fish and Wildlife**

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

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

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

Policy 8S-3: Provide and maintain best management practices for erosion control to prevent sedimentation.

Policy 8S-4: Provide proper storage of hazardous materials.

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

Policy 8S-6: Work with state and federal agencies to develop policies and regulations regarding in-stream gravel extraction to ensure that protected species, essential fish habitat, or other critical areas are not adversely impacted and that flooding or erosion in surrounding areas is not increased.

Policy 8S-7: Avoid river bar scalping where it would adversely affect spawning salmon or critical habitat areas.

### **Mineral Resource Lands (MRL) – Designation Criteria**

#### *Non-Metallic Mineral Deposits*

##### *General Criteria*

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

2. Minimum MRL Designation size is twenty acres.
3. Expansion of an existing MRL does not need to meet criteria 1 or 2.
4. MRL Designation status does not apply to surface mines permitted as an accessory or conditional use for the purpose of enhancing agriculture or facilitating forestry resource operations.
5. All pre-existing legal permitted sites meeting the above criteria will be designated.
6. The site shall have a proven resource that meets the following criteria:
  - Construction material must meet current WSDOT Standard Specifications for common borrow criteria for road, bridge and municipal construction, or Whatcom County standards for other uses.
  - Sand and gravel deposits must have a net to gross ratio greater than 80% (1290 cy/acre/foot).
7. MRL Designations must not be within nor abut developed residential zones or subdivisions platted at urban densities.
8. MRL Designations must not occur within the 10 year zone of contribution for designated wellhead protection areas, as approved by the State Department of Health for Group A systems, and by the Whatcom County Health Department for Group B systems, in accordance with source control provisions of the regulations on water system comprehensive planning. MRL designations may be modified if a wellhead protection area delineated subsequent to MRL designation encompasses areas within a designated MRL. If a fixed radii method is used to delineate a wellhead protection area, the applicant may elect to more precisely delineate the wellhead protection boundary using an analytical model; provided, that the delineated boundary proposed by the applicant is prepared by a professional hydrogeologist; and further provided, that the delineated boundary has been reviewed and approved by the Washington State Department of Health for Group A systems, and by the Whatcom County Health Department for Group B systems. The hydrogeologist shall be selected by mutual agreement of the county, water purveyor, and applicant; provided, if agreement cannot be reached the applicant shall select a consultant from a list of no less than three qualified consultants supplied by the county and water purveyor.
9. MRL Designation should not enclose by more than 50% non-designated

parcels.

10. Site-specific MRL designations shall only be approved after mineral extraction impacts have been anticipated and evaluated, and potential adverse environmental impacts have been addressed through appropriate mitigation and/or reasonable alternatives.
11. MRL Designations must be reviewed for internal consistency with other parts of the comprehensive plan so that the MRL designation does not preclude achievement of other parts of the comprehensive plan.
12. Expansion of MRL Designations to parcels contiguous to, and held by more than 1% common beneficial ownership or beneficial interest with an existing mine is allowed, but before extraction of the additional area may commence the existing mine must be in complete compliance with all operating permits and regulations.

*Additional Criteria for Designated Urban and Rural Areas*

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

*Additional Criteria for Designated Forestry Areas*

14. Must demonstrate higher value as mineral resource than forestry resource based upon:
  - soil conditions.
  - quality of mineral resource.
  - sustainable productivity of forest resource.

*Additional Criteria for Designated Agricultural Areas*

15. Prohibit MRL designations in areas designated Agriculture by the Whatcom County Comprehensive Plan that contain "Prime Farmland Soils" determined by the Natural Resource Conservation Service.

*River and Stream Gravel*

16. MRL Designation status applies to river gravel bars possessing necessary permits and containing significant quality reserves.
17. MRL Designation status may apply to those upland sites located in proximity to river gravel sources and used primarily for handling and processing significant amounts of river gravel.

*Metallic and Industrial Mineral Deposits*

18. For metallic and rare minerals, mineral designation status extends to all patented mining claims.
19. Mineral Resource Designation status extends to all currently permitted industrial mineral deposits of long-term commercial significance.
20. All other non-patented mineral deposits must meet the non-metallic MRL Designation criteria, numbers 6 through 15, as applicable.

### **Mineral Resources – Site Selection Method**

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

### **Marine Resource Lands**

**Goal 8T: Conserve and enhance Whatcom County’s marine land base for the long-term and sustainable use and operation of water-dependent, water-related and water-enjoyment activities.**

Policy 8T-1: Coordinate with public agencies, tribal governments, landowners, and private organizations to protect and maintain an appropriate, productive, and sustainable marine resource land base adequate to support marine-dependent commercial, industrial, recreational, and cultural needs.

---

**Goal 8U: Support measures to increase the viability and sustainability of Whatcom County's aquatic biodiversity and production.**

Policy 8U-1: Help improve the efficiency and effectiveness of environmental regulations affecting marine resource lands in order to support environmental protection and improve predictability.

- Policy 8U-2: Develop a range of non-regulatory programs, options, and incentives that owners of marine resource lands can employ to meet or exceed County environmental goals.
- Policy 8U-3: Support the efforts of people in Whatcom County to operate in a long-term, sustainable manner as part of a stable, broad-based economy.
- Policy 8U-4: Work cooperatively with the Washington State Departments of Natural Resources, Ecology, and Fish and Wildlife to protect productive and appropriate use of State marine resource lands within Whatcom County.
- Policy 8U-5: Continue cooperation and funding for a comprehensive Pollution Identification and Correction (PIC) program as needed to reduce bacterial pollution to levels that meet National Shellfish Sanitation Program Growing waters criteria to allow reopening of closed shellfish beds, and to maintain the operation of those beds in a commercially viable manner.

*Reducing Land Use Impacts*

**Goal 8V: Aim to reduce land use conflicts between Whatcom County's Marine Resource Lands operations and upland property owners.**

- Policy 8V-1: Support improved communication and understanding between aquatic land landowners and the public through such mechanisms as community forums and educational programs.
- Policy 8V-2: Work cooperatively with local, State, Federal and Tribal agencies, adjacent upland property owners, and the general public, as applicable, to address community concerns and land use conflicts that may affect the productivity of marine resource lands.
- Policy 8V-3: Continue to implement land use, building, and transportation planning policies, regulations, and practices that help minimize adverse water quality inputs into waterbodies.
- Policy 8V-4: Support and participate in education efforts and programs that emphasize the importance of and promote the benefits of marine resource lands.

*Fish and Wildlife*

**Goal 8W:** Ensure that operations associated with marine resource lands strive to avoid adverse impacts to the survival and habitat of aquatic species, particularly to threatened and endangered fish and wildlife species and shellfish resources.

*Administration and Regulation*

**Goal 8X:** Recognize the Shoreline Management Program (WCC Title 23) and Zoning Code (WCC Title 20) as the primary regulations used to implement this section.

Policy 8X-1: Pursuant to RCW 36.70A.480 and Comprehensive Plan Policy 10B-8, the Whatcom County Shoreline Management Program is an element of this Comprehensive Plan, and the goals and policies therein are recognized as additional goals and policies of this section.

Policy 8X-2: Those coastal aquatic lands waterward of the ordinary high water mark are hereby designated as Marine Resource Lands, as shown on Map 8-5.

Policy 8X-3: Regulate land use on Marine Resource Lands within the County through the Shoreline Management Program, Zoning Code, and other appropriate means.

Policy 8X-4: When updating the Shoreline Management Program, consider new or amended policies to further these goals.

**Chapter Nine**  
**Recreation**

**Goal 9A:** Address countywide recreational needs by adequate provision of regional parks.

Policy 9A-1: Because the cities currently provide the highly developed urban parks, the County’s role should be to provide rural regional parks that are centered around a unique feature or recreation

opportunity.

- Policy 9A-2: Because of the unique features of the site, location within the county is not as important as good road access.
- Policy 9A-3: Development standards will vary according to the use intended. For the intensive use park areas, all facilities and improvements should be built to a high standard and designed to be easily maintained.
- Policy 9A-4: All parks must be designed to create a minimal impact upon surrounding property and to the site itself.
- Policy 9A-5: Regional parks should be designed with one entrance and control point so that entrance fees can be charged.
- Policy 9A-6: If possible, regional parks should be located on existing or proposed trail routes and ideally should enhance countywide trail system connectivity.
- Policy 9A-7: The parks should be designed to accommodate a range of age groups, accessibility, and interests.
- Policy 9A-8: The County should only accept sites that meet the above standards.

### **Multi-Use Camping Parks**

**Goal 9B: Provide multi-use camping parks to serve county resident needs as well as provide a tourism draw.**

- Policy 9B-1: All the policy statements and design standards for regional parks should also apply to multi-use camping parks.
- Policy 9B-2: Because camping parks will attract many non-county residents, they should be recognized for their tourism value but at the same time county residents should not subsidize the cost of camping. Camping fees should pay for campsite expenses.
- Policy 9B-3: A wide variety of camping types should be offered including primitive sites, tent sites, full-service RV sites and group camping areas.
- Policy 9B-4: The camping areas should be physically separated from the other

parts of the park with the ability to be closed off during winter months.

Policy 9B-5: Most large camping areas should be designed to a high standard with full-service hookups, flush toilets and rest rooms, showers, laundry, and other support facilities.

Policy 9B-6: Future Park development should consider the financial ability of the County, and should focus on existing park lands before considering further acquisition.

### Trail Systems

**Goal 9C: Expand outdoor recreation opportunities for county residents by providing enjoyable trails for hiking, horseback riding, bicycling, walking, boating, and other trail activities in a safe environment.**

Policy 9C-1: Trails should be interesting and attractive. Trails which follow natural water courses, pass significant natural resources, traverse interesting scenery or cross areas of outstanding beauty provide interesting and enjoyable experiences for the trail user.

Policy 9C-2: Incorporate existing and proposed trails into a comprehensive and integrated system of looped and interconnected trails which give users a wide choice of routes and environments.

Policy 9C-3: Trails should link other recreational uses in the Foothills area and connect to existing trail systems in the National Forest and state land.

Policy 9C-4: The wet climate of Whatcom County may preclude extensive multi-use of some trails or require seasonal limitations. Trail routes should take into account soil conditions, steep slopes, surface drainage and other physical limitations that could impact the areas from overuse.

Policy 9C-5: Bicycle trails should provide opportunities for recreational riders, as well as touring and commuter bicyclists.

Policy 9C-6: Bicycle routes and paths should minimize the conflicts between motorists and bicyclists.

Policy 9C-7: Hiking trails should have a variety of lengths and grades for casual

- strollers as well as serious hikers and when practicable, be accessible.
- Policy 9C-8: Hiking trails should reach areas of natural beauty with the purpose of permitting hikers to seek areas of solitude and get away from the built environment, especially noise and other pollution.
- Policy 9C-9: Equestrian trails should be usable most of the year. Some equestrian trails should be close to the urban areas.
- Policy 9C-10: Adequate parking, signage, trash receptacles, and toilet facilities should be provided at all major trailheads.
- Policy 9C-11: Where public funds are used to construct or maintain dikes, levees, or revetments, public access should be encouraged for trail purposes, where appropriate.
- Policy 9C-12: Water trails for nonmotorized boats should be identified with provisions made for parking, launching areas, and places of interest along the water route where boats can land.
- Policy 9C-13: Work toward partnering with other agencies and the public to accomplish recreational goals.
- Policy 9C-14: Investigate multi-solutions that will accommodate several county goals, such as recreation, water retention, and flood prevention measures, utilizing a similar piece of property.
- Policy 9C-15: Sharing of corridors for major utilities, trails, and other transportation rights-of-way is encouraged when not in conflict with goals to protect wildlife, public health, and safety.
- Policy 9C-16: Implement the goals, policies and recommendations of the latest Whatcom County Pedestrian and Bicycle Plan that are consistent with this plan and within the County's fiscal capabilities.
- Policy 9C-17: Promote the integration of trails within subdivisions, planned unit developments, and other development proposals that provide internal circulation and connect to nearby recreational opportunities and ideally enhance countywide trail system connectivity.

- Policy 9C-18: Acquisition of and planning for trail corridors should be encouraged as new subdivisions and development occurs, if the trail has been identified in a park, trail, open space, or other plan adopted by Whatcom County.
- Policy 9C-19: Continue to update the trails inventory to identify all designated and non-designated trails in the county.
- Policy 9C-20: Continue to support the County’s long range parks and recreation vision of developing a countywide trail network, while respecting property rights, and working collaboratively with willing landowners to acquire easements or property for public trails, when opportunities exist.
- Policy 9C-21: Provide nonmotorized access to regional recreational and outstanding scenic areas in the county.
- Policy 9C-22: Reduce conflicts between the various trail user groups and provide appropriate signage.
- Policy 9C-23: Provide bike lanes or wide shoulders where appropriate in conjunction with major road improvements.
- Policy 9C-24: Coast Millennium Trail – Continue to develop trail corridors, particularly off-road segments such as the airport connector and shoreline access.
- Policy 9C-25: Hertz North Lake Whatcom Trail Extension – Develop and implement a plan to either acquire Rights of Way for a trail corridor along the abandoned RR R/W between the existing North Shore Trail and Blue Canyon Road or consider an alternative route to link these points.
- Policy 9C-26: Bay to Baker Trail – Develop and implement a plan to secure Rights of Way for trail segments along the abandoned RR R/W in conjunction with the Nooksack River Trail to achieve a contiguous trail system between communities and recreation areas.
- Policy 9C-27: Nooksack River Trail – Develop and implement a plan to acquire Rights of Way for a trail corridor and picnic areas along the Nooksack River between Ferndale and Glacier, to provide recreation opportunities, inter-community transportation, and tourism development.

Policy 9C-28: Continue to collaborate with other organizations, groups, or individuals consistent with the goals identified in the Natural Heritage Plan for Whatcom County and the Whatcom County Pedestrian and Bicycle Plan.

### **Specialized Recreation Areas**

**Goal 9D: Provide specialized recreation areas taking advantage of unique opportunities to serve both county residents and visitors.**

Policy 9D-1: Because these facilities are unique, adopt specific standards for each one individually.

Policy 9D-2: Explore need for community parks as undeveloped areas of county increase in density.

Policy 9D-3: Encourage development of sport field complexes to meet the needs of organized recreation activities, using public and private partnerships where possible.

Policy 9D-4: Promote the integration of recreational and open space opportunities in subarea planning, subdivisions, and other development proposals.

Policy 9D-5: The dedication and acquisition of open space and recreation opportunities should be encouraged as new subdivisions and development occurs.

### **Shoreline Access Areas**

**Goal 9E: Recognize the shoreline as one of Whatcom County's unique assets and provide adequate physical and visual access for present and future generations.**

Policy 9E-1: As economically feasible, acquire for public use as much of the saltwater shoreline as possible. Public and private resources

Policy 9E-2: Continue to review the Nooksack River Plan (Jones and Jones, 1973) and implement those elements which are beneficial, appropriate, and economically feasible.

Policy 9E-3: Provide pedestrian, interpretative, and small boat access sites for a diversity of public shoreline.

Policy 9E-4: When the County acquires property for flood storage or fish and wildlife purposes, the County should consider secondary use for park and open space purposes.

**Off Road Vehicle Riding Areas**

**Goal 9F: Coordinate with the DNR to provide ORV opportunities.**

Policy 9F-1: Recognizing that there will continue to be a demand for ORV riding, the County should continue to assess its role in the ORV program. Between the Washington State Department of Natural Resources and the Forest Service, some joint solution may be possible.

**Activity Centers**

**Goal 9G: Encourage multi-use indoor activity centers to meet the needs of the population, using public and private partnerships where possible.**

Policy 9G-1: Support multi-use of the existing senior/community centers to maximize their full potential.

Policy 9G-2: Continue the cooperation between the County and the Cities and Point Roberts Park District on ownership and management of the existing senior/community centers.

Policy 9G-3: Evaluate the cost/benefit ratio of adding a multi-purpose facility on the property owned by the Parks Department at Smith and Northwest Roads to meet the expanding demand by all age groups in the Bellingham/Ferndale growth corridor.

Policy 9G-4: Expand the Plantation Rifle Range to meet the needs of residents, organizations, and law enforcement agencies.

Policy 9G-5: Acquire property for a buffer area around the Plantation Rifle Range to insure the ability to continue its use in the future.

Policy 9G-6: Continue to utilize the Roeder Home for cultural arts activities, community events, and gatherings, while utilizing partnerships, leased space, or creative opportunities to accommodate program expansion.

Policy 9G-7: Continue to monitor the need for additional aquatic facilities in

the community, with the basic assumption that Whatcom County will not be an indoor aquatic provider in the near future.

Policy 9G-8: Continue to search for partnerships with other public agencies and private groups in providing recreation facilities such as golf facilities, camping, and resort centers.

Policy 9G-9: Expand the partnership concept to incorporate school buildings and other public or private facilities which can accommodate meetings and recreational functions.

### **Park Facilities**

**Goal 9H:** **As economically feasible, continue to implement the Whatcom County Comprehensive Park, Recreation and Open Space (CPROS Plan) goals and policies through adoption of the Whatcom County Comprehensive Plan Six-year Capital Improvement Program (CIP).**

Policy 9H-1: Continue to monitor park and recreation service needs throughout the county and encourage others to provide the identified service needs.

Policy 9H-2: Develop facilities and areas that will be particularly attractive to Whatcom County residents.

Policy 9H-3: Develop and maintain facilities at a high standard. These standards should be established in accordance with the Whatcom County Comprehensive Park and Recreation Open Space (CPROS Plan) and the Whatcom County Comprehensive Plan.

Policy 9H-4: Design and develop recreation facilities for low maintenance.

Policy 9H-5: In keeping with policies in other chapters of this plan, consider strategies for ensuring the provision of community parks in accordance with appropriate standards. In the residential UGAs not associated with cities and in Rural Communities, mechanisms are needed for acquisition, development, and subsequent maintenance and operations. Community Associations and Park Districts are options to be explored.

Policy 9H-6: Continue to plan for full utilization of existing senior/community centers and explore partnerships to help absorb future need.

- Policy 9H-7: Continue to identify and develop major planning initiatives identified in the CPROS Plan.
- Policy 9H-8: Develop strategies to acquire land currently leased for the Plantation Rifle Range and a buffer around the rifle range.
- Policy 9H-9: Galbraith/Lookout Mt. – Develop and implement a plan cooperatively to acquire Rights of Way for trail corridors and for the purchase or lease of additional acreage, along with pursuit of formal usage and mitigation agreements with private individuals or land owners, to preserve or expand the recreational values for residents and tourists with reasonably limited impact on both local residents and the environment.
- Policy 9H-10: Stewart Mt. – Negotiate with current landowner to obtain formal usage agreements for access to logging trails, to open public access corridors between Lake Whatcom recreation areas and the South Fork Valley.

**Goal 9I: Develop a stronger financial base for recreational services:**

- Policy 9I-1: Design future recreation facilities and areas with the ability to charge user fees.
- Policy 9I-2: Explore new innovative methods of financing facility development, maintenance, and operating needs.
- Policy 9I-3: Consider joint ventures with private clubs, public agencies, commercial operations, and other groups to build and maintain facilities.
- Policy 9I-4: Seek to design and develop facilities that will encourage tourism.
- Policy 9I-5: Consider the establishment of park impact fees based on the Growth Management Act.
- Policy 9I-6: Experiment with novel public-private partnerships to provide facilities that will provide a quality experience to draw tourists to Whatcom County's parks. Some examples would be privately operated zip-line facilities and strategically located seasonal food trucks. Part or all of the "rent" provided could be by the provision of privately funded public use facilities such as toilets and shuttle buses used to service these private facilities.

**Chapter Ten**  
**Environment**

**Goal 10A: Protect natural resources and systems, life, and property from potential hazards.**

- Policy 10A-1: Support good stewardship of Whatcom County lands, and apply this principle to the management of public lands.
- Policy 10A-2: Protect the environment through a comprehensive program that includes voluntary activity, education, incentives, regulation, enforcement, restoration, monitoring, acquisition, mitigation, and intergovernmental coordination.
- Policy 10A-3: Continue to identify, designate, and protect Critical Areas and other important environmental features.
- Policy 10A-4: Manage designated Critical Areas ~~as needed~~, to minimize or protect against environmental degradation and reduce the potential for losses to property and human life.
- Policy 10A-5: Actively pursue voluntary, cooperative, and mutually beneficial efforts aimed at advancing eCounty environmental goals.
- Policy 10A-6: Aim to meet or exceed national, state, and regional air quality standards. Work with the Northwest Clean Air Agency to ensure compliance with applicable air quality standards.
- Policy 10A-7: Using Best Available Science, support efforts to educate and inform the public as to the benefits of a healthy and viable environment, ecologically fragile areas, and their economic and social value.
- Policy 10A-8: Lead and/or coordinate efforts with property owners, citizen groups, and governmental and non-governmental agencies in furthering Whatcom County's environmental goals and policies.
- Policy 10A-9: Cooperate with state and federal agencies and neighboring jurisdictions to identify and protect threatened and endangered fish and wildlife species and their habitats.
- Policy 10A-10: Support acquisition, conservation easements, open space, and other such programs to protect high-value natural areas as identified through the GMA planning process, the Natural Heritage Plan, the state Priority Habitats and Species (PHS) program, the Lake Whatcom Management Program, and other sources.
- Policy 10A-11: Designate high-value open space and natural areas for acquisition, conservation easements, open space, and other such programs to protect these natural areas upon request or consent of the property owner.

Policy 10A-12: Broadly inform the people of Whatcom County of the locations of potential development constraints associated with natural conditions. Information should include known natural hazards and an assessment of the potential danger to both the property owner and the public.

### Administration and Regulation

**Goal 10B:** ~~Maintain~~ ~~simple~~ ~~ify~~ and ~~harmonious~~ ~~ze~~ regulations relating to the identification, delineation, and protection of environmental features.

Policy: 10B-1: Develop, as a significant component of a comprehensive environmental management program, non-regulatory measures that include voluntary activity, education, incentives, restoration, acquisition, advanced mitigation (i.e., mitigation done in advance of impacts), and intergovernmental coordination.

Policy 10B-2: Provide incentives for good stewardship of the land through the use of non-regulatory and innovative land use management techniques.

Policy 10B-3: Support education as an important tool in developing public appreciation for the value of ecosystems and provide the public with informational materials and presentations relating to natural system functions, regulations, and issues.

Policy 10B-4: Promote cooperation and coordination among involved government agencies when multiple agencies have jurisdiction over aspects of a ~~single~~-project.

Policy 10B-5: Process the environmental review of building and development permit applications within an established timeframe that is predictable and expeditious.

Policy 10B-6: Provide clear, timely, appropriate, and understandable direction to citizens, developers, and property owners.

Policy 10B-7: Ensure regulations are as simple and easy to understand as possible and maintain effective inspection, compliance, and enforcement measures as necessary.

### The Environment and Property Rights

**Goal 10C:** In implementing environmental policies, provide for protection of private property rights ~~and~~ economic opportunities; and plan appropriately for growth.

Policy 10C-1: Actively pursue voluntary and cooperative efforts that advance Whatcom County's goals in a mutually beneficial manner.

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

Policy 10C-3: Emphasize an approach to environmental protection ~~by that~~ encouraging the use of conservation easements, open space taxation, land acquisition, purchase/voluntary, workable transfer of development rights, and other mechanisms that assist affected property owners.

Policy 10C-4: Avoid standards and procedures likely to require compensation to property owners or invalidation of such rules.

**Climate Change**

**Goal 10D: Strengthen the sustainability of Whatcom County's economy, natural environment, and built communities by responding and adapting to the impacts of climate change.**

Policy 10D-1: Whatcom County's natural resource-based economic sectors, ecosystems, water resources, infrastructure, emergency management, and public health all face climate change related risks in the future. The County should consider potential long-range climate change implications into its on-going functional planning and implementation actions. The County should:

1. Study the resilience of its natural and built environments to the potential impacts of climate change;
2. Identify the relative vulnerability of these sectors to climate change; and,
3. Examine the adaptive capacity of these sectors to cope with or mitigate climate change and take advantage of any beneficial opportunities.

Policy 10D-2: Develop strategies that encourage a diversified and sustainable economy that is resilient to the impacts of climate change.

Policy 10D-3: Promote the efficient use, conservation, and protection of water resources.

Policy 10D-4: Pursue strategies to reduce the vehicle miles traveled (VMT) in the county by encouraging expanded availability and use of public transportation, carpooling, and non-vehicular modes of transportation.

Policy 10D-5: Establish land use patterns that minimize transportation-related greenhouse gas emissions and encourage preservation of natural resource lands and the protection of water resources.

Policy 10D-6: Convene a climate impact advisory committee by 2017. The advisory committee should consist of (but not be limited to) experts in energy efficiency and carbon emission reduction, representatives from Whatcom County, and interested community members. The committee will be tasked with:

- Evaluating Whatcom County's compliance with meeting targets set forth in the 2007 Climate Plan;

- Establishing new targets that meet or exceed state and federal climate impact goals;
- Updating the Climate Plan, at minimum every five years, or as needed to meet targets;
- Recommending updates to the Whatcom County Comprehensive Plan in accordance with meeting Whatcom County’s emission reduction goals;
- Ensuring that Whatcom County government facilities and operations are designed to meet or exceed goals and standards resolved in the current Climate Protection and Energy Conservation Action Plan; and
- Recommend updates to Whatcom County land use policies and development regulations to support renewable energy development goals.

Policy 10D-7: Encourage sustainability by developing strategies and practices to increase the use of renewable, carbon net-neutral ~~carbon~~ energy in Whatcom County facilities and County vehicles, with a goal of net zero man-made carbon emission by 2050.

Policy 10D-8: Encourage sustainability by developing strategies and practices to reduce landfill waste from Whatcom County government facilities to near zero.

Policy 10D-9: Identify responsible parties and agencies and encourage them to identify and properly seal and/or burn methane that is escaping into the atmosphere from wells.

Policy 10D-10: ~~Continue to reate~~ updates to Whatcom County land use policies and development regulations to support renewable energy development goals.

Policy 10D-11: Protect ecological functions and ecosystem-wide processes of Marine Resource Lands and critical areas in anticipation of climate change impacts, including sea level rise.

**Natural Hazards**

**Goal 10E: Minimize potential loss of life, damage to property, the expenditure of public funds, and degradation of ecosystems resulting from development in hazardous areas such as floodplains, landslide-prone areas, seismic hazards areas, volcanic impact areas, abandoned mine and exploratory gas well locations, potentially dangerous alluvial fans, and other known natural hazards by advocating the use of land acquisition, open space taxation, conservation easements, growth planning, regulations, and other options to discourage or minimize development, or prohibit inappropriate development in such areas.**

Policy 10E-1: Avoid or minimize public investments for future infrastructure

development on known natural hazard areas.

Policy 10E-2: Use Best Available Science and data to research and investigate the nature and extent of known natural hazards in the county and make this information available to the general public and policy makers in an accessible and understandable form.

Policy 10E-3: Broadly inform the people of Whatcom County of the locations of known natural hazards, and the potential for adverse impacts of such natural hazards to the health, safety, and welfare of people and their properties.

Policy 10E-4: Engage the community to establish acceptable levels of public risk for development in known natural hazard areas based upon the nature of the natural hazard and levels of public risk, and maintain regulatory criteria for approving, disapproving, conditioning, or mitigating development activity.

Policy 10E-5: Prohibit the siting of critical public facilities in known natural hazard areas unless the siting of the facility can be shown to have a public benefit that outweighs the risk of siting in the particular hazard area.

Policy 10E-6: Maintain a comprehensive program of regulatory and non- regulatory mechanisms to achieve Natural Hazard goals and

~~policies. This program should include such mechanisms as education, tax incentives, zoning, land use regulations, conservation easements, purchase of development rights, transfer of development rights, and public acquisition.~~

Policy 10E-7: Be consistent with the Natural Hazard goals and policies and consider the locations of Natural Hazard Areas when establishing or changing zoning patterns and densities.

Policy 10E-8: To address the causes of flooding and avoid expensive and maintenance-intensive bank protection measures, the County should prioritize its floodplain property acquisition program.

Policy 10E-9: Discourage new development in the floodplain.

Policy 10E-10: Require applicants for development permits located in natural hazard areas to provide development plans designed to minimize the potential to exacerbate the natural hazard as well as the risk of damage to property or threats to human health and safety. In natural hazard areas where engineering solutions cannot be designed to withstand the forces expected to occur under the design event of a particular natural hazard, or off-site adverse impacts to adjacent properties or ecosystems cannot be adequately mitigated, Whatcom County may deny development permits intended for permanent or seasonal human habitation as described in the Critical Areas Ordinance Regulations.

Policy 10E-11: ~~Consider~~ conducting a public process with affected citizens, technical experts, and decision-makers to establish recommended levels of public risk for each of the identified

May 24, 2022

Approved by Council per Resolution 2022-027

Chapter 10 – Environment

natural hazards. In developing recommended levels of public risk for natural hazards, consider the appropriate variables affecting developments in hazardous areas. These variables may include:

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

Once a set of risk levels has been identified, propose these risk levels for adoption of legislation by the County Council as the level to which future development must be designed.

---

- Policy 10E-12: Consider establishing acceptable levels of public risk for use in approving and conditioning development activity in known natural hazard areas. The established level of risk may be expressed as the potential hazard posed as determined by scientific and historical methods applicable to each specific natural hazard.
- Policy 10E-13: Review the findings and recommendations of alluvial fan hazard evaluations and make appropriate recommendations for land use and zoning regulations to the County Council to assist in reducing the hazards posed on these fans. Whatcom County has completed or nearly completed alluvial fan evaluations of Canyon Creek, Jones Creek, and Glacier-Gallop Creeks.
- Policy 10E-14: Review the findings and recommendations of the Comprehensive Flood Hazard Management Plan (CFHMP) and make appropriate recommendations for land use and zoning regulations to the County Council to assist in the implementation of the CFHMP.
- Policy 10E-15: Identify known locations of abandoned wells that could produce methane and/or other hazardous substances and where immediate danger of methane and hazardous substance leaking exists, condition development approvals on affected parcels to mitigate those impacts.

## Water Resources

### Watershed Planning and Management

**Goal 10F: Protect and enhance water quantity and quality and promote sustainable and efficient use of water resources.**

- Policy 10F-1: Maintain as a high priority the protection of water quality and quantity.
- Policy 10F-2: Actively participate in and support efforts to coordinate local, federal, tribal, and state agencies to achieve integration and/or consistency between the various levels of environmental regulations relating to the County.
- Policy 10F-3: Work cooperatively with Federal, State, and local jurisdictions, Tribal governments, municipal corporations, and the public to implement the goals and policies of the Comprehensive Plan as well as state water resources and water quality laws.
- Policy 10F-4: Participate in the coordination of all local water and land management efforts, plans, and data to ensure adequate oversight of water quantity and quality issues.
- Policy 10F-5: Manage water resources for multiple instream and out-of-stream beneficial uses, including instream flows set by the State Department of Ecology.
- Policy 10F-6: Actively promote and participate in education, research, and information opportunities that improve our understanding of the

county's complex water resource systems. New information should be considered in the development and evaluation of management actions.

Policy 10F-7: Pursue the most effective methods for protecting water quantity and quality, through both regulatory (e.g. zoning, enforcement, fines) and non-regulatory approaches (education, incentives, and technical/financial assistance). Emphasis shall be placed on non-regulatory approaches where possible and effective.

Policy 10F-8: Track the development of policies and regulations at the local, state, and federal level. Provide input to those regulations and policies as necessary to ensure that the interests of Whatcom County are considered.

Policy 10F-9: In conjunction with all jurisdictions, develop and adopt programs to protect water quality and quantity within watersheds, aquifers, and marine waterbodies that cross jurisdictional boundaries.

Policy 10F-10: Promote awareness and participation in management and protection efforts by individual citizens and the community as a whole.

Policy 10F-11 Pursuant to ESSB 6091, Whatcom County will work through the **Planning Unit and** WRIA 1 Watershed Management Board and its established processes to update the WRIA 1 Watershed Management Plan, consistent with ESSB 6091, for approval by the Whatcom County Council by February 1, 2019. The updated plan shall include recommendations for projects and actions that will measure, protect, and enhance instream resources and improve watershed functions that support the recovery of threatened and endangered salmonids.

At a minimum, the watershed plan must include those actions determined to be necessary to offset potential impacts to instream flows associated with permit-exempt domestic water use. The highest priority recommendations must include replacing the quantity of consumptive water use during the same time as the impact and in the same basin or tributary. Lower priority projects include projects not in the same basin or tributary and projects that replace consumptive water supply impacts only during critical flow periods. The watershed plan may include projects that protect or improve instream resources without replacing the consumptive quantity of water where such projects are in addition to those actions determined to be necessary to offset potential consumptive impacts to instream flows associated with permit-exempt domestic water use.

Watershed plan recommendations may include, but are not limited to, acquiring senior water rights, water conservation, water reuse, stream gaging, groundwater monitoring, and developing natural and constructed infrastructure, which

includes, but is not limited to, such projects as floodplain restoration, off-channel storage, and aquifer recharge. Qualifying projects must be specifically designed to enhance streamflows and not result in negative impacts to ecological functions or critical habitat.

Until the updated watershed plan is approved and rules are adopted, the County, in issuing building permits under RCW 19.27.097(1)(c) or approving subdivisions under chapter 58.17 RCW in WRIA 1 will comply with all of the specific requirements of ESSB 6091.

### **Surface Water and Groundwater**

**Goal 10G: Protect and enhance Whatcom County's surface water and groundwater quality and quantity for current and future generations.**

- Policy 10G-1: Manage surface water systems on a watershed basis.
- Policy 10-2G: Coordinate efforts to bring all water users in Whatcom County into compliance with state and federal water laws in a way that enhances stream flows, water quality, and fish and wildlife habitat while advocating for adequate water for existing agriculture.
- Policy 10G-3: In conjunction with the public and appropriate local, state, Tribal, and federal jurisdictions, define, identify, and develop management strategies for watershed basins and subbasins that may require special protection. These areas may include aquifers, critical aquifer recharge areas as defined under the Growth Management Act, Groundwater Management Areas, wellhead protection areas, and high priority watersheds such as those specified under WAC 400 (Local Planning and Management of Non-point Source Pollution), WRIA Watershed Management Planning, and under legislative policy direction (e.g. Nooksack Basin, Lake Whatcom, Lake Samish and Drayton Harbor).
- Policy 10G-4: Management efforts should consider both water quality and quantity. Water quality efforts should help reduce the likelihood that potential contaminant sources will pollute water supplies. Water quantity efforts should include consideration and protection of recharge areas and potential effects on stream flow.
- Policy 10G-5: Support the implementation of local and state Watershed Management Plans, the Lower Nooksack Strategy, the Lake Whatcom Management Program, NPDES Phase II Permitting, and the WRIA Watershed Management Projects.
- Policy 10G-6: Pursue the adoption and implementation of ground and/or surface water management plans and their integration into local comprehensive plans. Designate the Lake Whatcom and Lake Samish Watersheds as high priorities in this effort.

- Policy 10G-7: Oppose the use of hydraulic fracturing in oil and gas wells (also known as “fracking”) to avoid the potential degradation of water quality in aquifers and other groundwater.
- Policy 10G-8: Monitor, prevent, and reduce the establishment of invasive species in Whatcom County waterbodies.
- Policy 10G-9: Identify and/or update wellhead protection areas and critical aquifer recharge areas and incorporate into the Critical Areas Ordinance. This information should be available to the public.

### **Stormwater and Drainage**

**Goal 10H: Protect water resources and natural drainage systems by controlling the quality and quantity of stormwater runoff.**

- Policy 10H-1: Manage stormwater runoff to minimize surface water quality and quantity impacts and downstream impacts on channel morphology, property owners, and aquatic species and habitats.
- Policy 10H-2: Maintain or enhance, when appropriate, natural drainage systems and natural water storage sites in order to better protect water quality, moderate water quantity, minimize environmental degradation, and reduce public costs.
- Policy 10H-3: Limit the alteration of natural drainage systems and natural water storage sites without mitigating measures. Such measures should not degrade water quality or fish and wildlife habitat and should not increase hazards to the community.
- Policy 10H-4: Support the use by resource industries—such as agriculture, forestry, and mineral resource extraction—of management practices that minimize erosion and sedimentation, and significantly reduce pollutants.
- Policy 10H-5: Evaluate the role of watersheds in the maintenance of water quality and quantity and determine what cumulative impacts development activity may have on watershed hydrology.
- Policy 10H-6: Develop specific stormwater management programs for each drainage basin within the county's jurisdiction that may be impacted by urban levels of development. Recognize the Lake Whatcom Watershed, Lake Samish, and Drayton Harbor as high priorities in this effort. Coordinate efforts with the Lake Whatcom Policy Group, the various shellfish protection districts, and other watershed management entities.
- Policy 10H-7: Establish, as a high priority, a stormwater maintenance program that ensures that stormwater systems are adequately maintained and function at or near design capacity.
- Policy 10H-8: Strongly incentivize the use of low impact development strategies. Minimize the amount of impervious surface whenever practicable by using natural engineering design methods such as

the use of open, grassed, street swales and rain gardens instead of curbs and gutters. Where feasible, encourage alternate surfacing options and other techniques associated with low impact development (see Glossary).

- Policy 10H-9: Develop and administer stormwater management standards as required by the NPDES Phase II Permit.
- Policy 10H-10: Develop and administer regulations and incentives such that there is no net loss of ecological functions and values of regulated wetlands and fish and wildlife habitats.
- Policy 10H-11: Place a high priority on integrating impervious surface reduction incentives into policies, regulations, and standards.
- Policy 10H-12: Develop and implement comprehensive stormwater management programs and strategies designed to address runoff from all private and public developments and facilities within regulated and sensitive watersheds.
1. Implement the Western Washington Phase II Municipal Stormwater Permit as part of the National Pollutant Discharge Elimination System (NPDES) Program. Incorporate watershed considerations into the development of a comprehensive stormwater management strategy for designated areas.
  2. Review Stormwater Special Districts Standards, Watershed Protection Districts, and other related codes that address runoff treatment from potentially polluting surfaces for their applicability to other sensitive watersheds with the Technical Advisory Committee and other appropriate agencies. Coordinate efforts for ongoing monitoring and evaluation within the sensitive watersheds and NPDES areas.
  3. Amend subdivision, zoning, and other land use regulations and design standards to encourage that land use activities minimize the amount of impervious surface.
  4. Identify and implement a long-term funding source to provide for water resource protection services, including non-point source identification and enforcement of applicable county regulations.
  5. Focus on the Lake Whatcom watershed as a high priority in developing a stormwater management program. Develop a stormwater management plan that achieves a uniform level of protection throughout the Lake Whatcom watershed. Ensure coordination and communication with the public and affected jurisdictions, such as the Lake Whatcom Water and Sewer District, the Sudden Valley Community Association, and the City of Bellingham.

6. Ensure existing stormwater standards are adequately enforced within Stormwater Special Districts, Watershed Protection Districts, and the NPDES areas.
7. Prioritize stormwater polluting areas and develop retrofits for areas most likely to impact sensitive waters.

### **Water Conservation**

**Goal 10-I: Support water conservation, reclamation, reuse measures, and education as a means to ensure sufficient water supplies in the future.**

- Policy 10I-1: Support and assist water users in the development of cost- effective means of improving efficiency of water use.
- Policy 10I-2: Support efforts to establish and protect sustainable water supplies to meet existing and future demands for water in the county.
- Policy 10I-3: Develop and implement plans to comply with the Department of Ecology’s instream flow and water management rules and water resources management programs.
- Policy 10I-4: Coordinate local water and land management efforts, plans, and data to ensure adequate oversight of water quality and quantity issues.
- Policy 10I-5: Quantify water use to promote conservation.
- Policy 10I-6: Use water use data to encourage conservation and maintain availability of water for agriculture and instream flow.
- Policy 10I-7: Encourage the Department of Ecology to provide flexibility in the application of the water relinquishment rule simultaneous with establishing a water bank/water exchange program in Whatcom County in cooperation with stakeholders.

### **Lake Whatcom Watershed**

**Goal 10-J: Prioritize the Lake Whatcom watershed as an area in which to minimize development, repair existing stormwater problems (specifically for phosphorus), and ensure forestry practices do not negatively impact water quality. Provide sufficient funding and support to be successful.**

- Policy 10J-1: Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.
- Policy 10J-2: Develop and implement the fair and equitable funding mechanisms called for in the 2008 Lake Whatcom Comprehensive Stormwater Plan to support lake water quality protections by 2018.

- 
- Policy 10J-3: Recognize that all users of Lake Whatcom water have an interest in the resource and should share in the cost of its protection.
- Policy 10J-4: Work cooperatively with the City of Bellingham, the Lake Whatcom Water and Sewer District, and applicable associations and organizations to identify, review, and, as appropriate, recommend changes to existing monitoring programs to better improve lake water quality.
- Policy 10J-5: Evaluate and pursue, as appropriate, the use of incentives to encourage voluntary lot consolidation, transfer or purchase of development rights, current use taxation, and participation in open space conservation programs.
- Policy 10J-6: Do not allow density bonuses within the Lake Whatcom Watershed.
- Policy 10J-7: Work cooperatively with the City of Bellingham and the Lake Whatcom Water and Sewer District to develop and track benchmarks to determine: the effectiveness of management options; when goals have been achieved; and/or when additional actions are necessary.
- Policy 10J-8: Continue to develop and refine structural and non-structural best management practices (BMPs), both voluntary and required, to minimize development impacts within the Lake Whatcom watershed.
- Policy 10J-9: Work to keep publicly-owned forest lands within the Lake Whatcom watershed in public ownership, and support managing forestry on these lands in a manner that minimizes sediment and phosphorus yields from streams, and is consistent with Best Available Science (BAS) data, in order to protect and enhance water quality.
- Policy 10J-10: Encourage the location of public services, such as schools, libraries, parks/open space, and post offices within Sudden Valley in an attempt to reduce the vehicle miles traveled within the watershed.
- Policy 10J-11: Continue to work with Bellingham and Lake Whatcom Water and Sewer District to protect and manage the Lake Whatcom watershed in accordance with the 1998 jointly adopted interlocal agreement. Focus on continued implementation of the 5-Year Work Plans of the Lake Whatcom Management Program. In addition, work with the affected jurisdictions and secure funding for programs that protect and enhance water quality.
- Policy 10J-12: Review and modify (as needed) the current development review process for projects in the Lake Whatcom Watershed to ensure coordination with other jurisdictions to streamline regulations that improve and protect water quality.
-

- Policy 10J-13: The existence of sewer lines in the Rural and Rural Forestry comprehensive plan designations will not be used to justify rezoning property in the Lake Whatcom watershed to allow higher density land uses.
- Policy 10J-14: Existing Urban Growth Areas shall not be expanded nor new Urban Growth Areas designated within the Lake Whatcom Watershed, and rezones that allow greater residential densities will not be allowed.

## **Ecosystems**

### **Introduction**

**Goal 10K: Protect and enhance ecosystems, which provide economic, ecological, aesthetic, and cultural benefit.**

- Policy 10K-1: Define and identify species, habitats, and habitat features important to a balanced and sustainable web of life, biodiversity, and especially important to fish, native plants, and wildlife. Create, and regularly update an Ecosystem Report.
- Policy 10K-2: Develop and adopt programs that protect habitats essential to the conservation of species that have been identified as endangered, threatened, or sensitive by the state or federal government as well as habitats identified as necessary in the Ecosystem Report. These programs should maintain and encourage restoration of habitat conditions for listed species of concern, as well as habitats identified as having significant biodiversity, connectivity, and other important features and functions.
- Policy 10K-3: Develop incentives for protection of environmentally fragile areas or critical plant and wildlife habitats as well as habitats that provide connectivity (corridors).
- Policy 10K-4: Where feasible, incorporate fish and wildlife habitats into public capital improvement projects.
- Policy 10K-5: Provide measures to mitigate negative water quality and quantity impacts from both public and private alterations of natural drainage systems.
- Policy 10K-6: Consider sensitive fish, shellfish, and wildlife species and their habitats when establishing zoning densities and patterns.
- Policy 10K-7: Promote voluntary fish and wildlife habitat enhancement projects through educational and incentive programs, such as purchase of development rights or habitat conservation easements. These

- projects, which can be done by individuals, organizations, and businesses, will buffer and expand fish, plant, and wildlife habitat.
- Policy 10K-8: Give careful consideration to the siting of industrial, commercial, residential, and other land use designations when located near important marine, terrestrial, or other critical habitats.
- Policy 10K-9: Protect, retain, and enhance the beneficial uses and functions of streams and rivers. Define and identify the beneficial uses and functions of streams and rivers, including wildlife and fisheries habitat, water quality, open space, aesthetics, and recreation.
- Policy 10K-10: Protect and enhance ecosystem functions when flood hazard management measures are used.
- Policy 10K-11: Regulate the operation of river gravel extraction activities in such a manner so as to provide long-term protection of fish and wildlife habitat and water quality.
- Policy 10K-12: Ensure design and development of residential and industrial development minimizes disturbance to rivers, streams, and functioning riparian areas.
- Policy 10K-13: Evaluate the full value of the fishery; including its cultural and economic value; in land use decisions that may impact that fishery. Unavoidable impacts to an individual habitat or fishery shall be mitigated.
- Policy 10K-14: Continue to consider the value of wildlife populations for which habitat conservation areas have been identified in PDS's wildlife habitat mapping, their associated habitats, and connectivity in land use planning that may impact them. This is not intended to require landowners to pay for any additional studies.
- Policy 10K-15: Mitigation to Habitat Conservation Areas should be tracked and monitored to ensure no net loss to natural area.
- Policy 10K-16: Monitor Habitat Conservation Areas to obtain a baseline of current conditions and to ensure no net loss and avoidance of cumulative impacts.

**Fish and Wildlife Populations and Habitat**

**Goal 10L: Protect and enhance ecosystems that support native fish and wildlife populations and habitat.**

- Policy 10L-1: Strongly discourage any activity that might cause significant degradation of the fishery resource or habitat.
- Policy 10L-2: Support the protection and enhancement of significant fish spawning and rearing habitat, food resources, refugia (shelter), and travel passages.

- Policy 10L-3: Establish non-regulatory mechanisms and incentives for development that accommodates the habitat needs of fish and wildlife and encourages good stewardship practices.
- Policy 10L-4: Support protection and enhancement of fish and wildlife habitat through site design in new development.
- Policy 10L-5: Native vegetation and soils on streambanks and shorelines should be disturbed as little as possible. In situations where re-vegetation is necessary to restore streambank or shoreline stability and provide shading, site-specific native plants should be used. Retention of vegetated riparian areas on all lake and marine shorelines shall also be encouraged.
- Policy 10L-6: Discourage shoreline armoring. Instead, encourage natural or bio-engineering solutions such as planting native vegetation, engineered log jams/LWD, and beach nourishment along eroding banks to address stream and shoreline bank erosion problems. Riparian buffers should be replanted with suitable native vegetation as a part of all bank stabilization projects.
- Policy 10L-7: Encourage native vegetation and soil retention and plantings that provide or maintain the beneficial uses and functions of streams, rivers, lakes, and marine shorelines.
- Policy 10L-8: Maintain and encourage restoration of habitat functions for threatened and endangered fish species.
- Policy 10L-9: Use Best Available Science to inform the creation of regulations to mitigate adverse impacts of development adjacent to rivers, streams, and marine shorelines.
- Policy 10L-10: Encourage landowners to voluntarily protect surface water quality with filter strips or other appropriate water cleansing mechanisms installed between lawns, landscaping, livestock pens, or agricultural fields and waterbodies.
- Policy 10L-11: Formulate and implement a comprehensive, landscape-based, environmental management program to protect fish and wildlife. The program should include the following:
1. Formulate an administrative approach to the review of development and planning proposals that consider natural system policies;
  2. Investigate and develop programs for acquisition and restoration of important fish and wildlife habitat areas;
  3. Develop and enter into cooperative agreements with State and Federal agencies and neighboring jurisdictions to identify and protect ecosystems;
  4. Identify and map important habitat corridors and connectivity throughout the county; and,

5. Support the development of educational materials which list, describe, and characterize the appropriate use of native vegetation to enhance ecosystem functions in Whatcom County.
- Policy 10L-12: Consider establishing formal meander limits for the Nooksack River, precluding additional development within this zone, and promote the River and Flood property acquisition program within these areas.
- Policy 10L-13: Diligently work to prevent and/or reduce the establishment and/or spread of invasive species.
- Policy 10L-14: Actively participate in and support WRIA 1 Salmon Recovery efforts to return self-sustaining salmonid runs to harvestable levels through: the restoration of healthy rivers, marine shorelines, and natural processes; the careful use of hatcheries; and responsible harvest.
- Policy 10L-15: Participate in protection and improvement of biodiversity.
- Policy 10L-16: Consider establishing important habitat areas as sending areas after creating a voluntary, workable transfer of development rights (TDR) program.
- Policy 10L-17: Mitigation of wetlands should be reviewed and tracked over time to ensure no net loss of wetland function.
- Policy 10L-18: A baseline of wetland identification and function should be made to track and prevent net loss and avoid cumulative impacts.
- Policy 10L-19: The County will support the work of the Fisheries Co-managers (Lummi Nation, Nooksack Tribe, and the State Department of Fish and Wildlife) and stakeholders to establish a sustainable salmon harvest goal for the Nooksack Basin.

### **Wetlands**

#### **Goal 10M: Conserve and enhance regulated wetlands.**

- Policy 10M-1: Recognize natural wetlands such as swamps, bogs, saltwater marshes, and ponds for their value in cleaning water, reducing flood damage, providing valuable habitat for plants, fish and wildlife, and as sites for groundwater recharge.
- Policy 10M-2: Develop and adopt criteria to identify and evaluate wetland functions that meet the Best Available Science standard and that are consistent with state and federal guidelines.
- Policy 10M-3: Biological functions of wetlands are complex and interwoven. Evaluate the full range of potential and immediate economic impacts in land use decisions relating to wetlands, including fisheries, wildlife, recreation, farmlands, sustainable resources, air and water quality, flood hazard management, real estate, cultural attributes, and other uses.

May 24, 2022

Chapter 10 – Environment

Approved by Council per Resolution 2022-027

- Policy 10M-4: Encourage land development to avoid wetland impacts. Impacts to regulated wetlands should be contingent upon full mitigation measures that equitably compensate for wetlands impacts, on a case-by-case basis. Approved mitigation measures shall include resources for long-term monitoring and adaptive management of mitigation outcomes to assure effectiveness. Strongly discourage alteration of land that results in the degradation of type 1 and 2 wetlands.
- Policy 10M-5: Property rights and public services are essential components of our political and economic system. Where such rights and public services are significantly compromised by the goal of wetland preservation, adverse wetland impacts may be permitted through standardized mitigation. This may include avoidance, impact minimization, restoration, enhancement, creation, or off-site compensation for loss of wetland functions in accordance with mitigation sequencing.
- Policy 10M-6: Recognize beneficial wetland uses, functions, and values. Support protection of fish and wildlife habitat, water quality, plant diversity, flood attenuation and low-flow contribution, and water storage through planning, acquisition, incentive programs, and mitigation.
- Policy 10M-7: Development applications should be assessed on a case-by-case basis so that marginal wetlands are not preserved at the expense of upland areas with higher habitat value.

### **Marine Habitat**

#### **Goal 10N: Protect and enhance marine ecosystems and resources in Whatcom County.**

- Policy 10N-1: Support the Whatcom County Marine Resources Committee in its pursuit of the Northwest Straits Commission benchmarks as follows:
- Broad county participation in MRCs;
  - A net gain in high-value habitat and ecosystem functions;
-

- A net reduction in shellfish bed closures;
- Measurable increases in factors supporting bottomfish recovery;
- Population increases in other key indicator species;
- Coordination of scientific data;
- Successful public education and outreach efforts; and,
- The establishment of a regional system of Marine Protected Areas (MPA's).

Policy 10N-2: Promote naturalized shoreline buffers and restoration of riparian vegetation.

**Goal 10P: Protect and enhance shellfish habitat in commercial and recreational areas to ensure a productive resource base for long-term use.**

Policy 10P-1: Identify and designate marine shellfish habitat for commercial and recreational uses.

Policy 10P-2: Restore degraded waters within the drainage basins of shellfish growing areas to a level that allows/supports shellfish harvesting by work with the Department of Ecology, Tribes, Department of Health, Department of Fish and Wildlife, and affected property owners to improve water quality.

Policy 10P-3: Protect shellfish resources by means of pollution prevention and enforcement when necessary. This should include surface and groundwater monitoring for early detection of pollution to minimize the damage and cost of resource restoration.

Policy 10P-4: Improve knowledge of the importance of protecting, preserving, and improving the quality of shellfish habitat within the County. Seek out valuable partnerships that will raise awareness, provide education, and enhance shellfish habitat.

Policy 10P-5: Develop Low Impact Development standards in shellfish habitat areas.

Policy 10P-6: Identify and encourage the use of stormwater treatment systems and Best Management Practices to reduce fecal coliform bacteria levels in stormwater discharging directly into shellfish habitat areas.

Policy 10P-7: Solicit input from the Shellfish Protection District advisory committees and appropriate state, federal, and tribal agencies when considering updates to the Comprehensive Plan that relate to shellfish protection.

Policy 10P-8: Identify and restore functions, selected through best available landscape-based science, of key wetland areas.

Policy 10P-9: Modify county roadside ditch maintenance procedures to protect water quality.

- Policy 10P-10: Continue to partner with jurisdictions in British Columbia to minimize impacts on water quality, including what affects shellfish habitat.
- Policy 10P-11: Work within the structure of County programs such as the WRIA Watershed Management Planning process to achieve improvements in land use Best Management Practices that will positively affect change in marine water quality.
- Policy 10P-12: Continue to develop programs that identify potential pollution sources and ensure timely and science-based approaches are used in response to problems as they arise.
- Policy 10P-13: Develop educational tools and opportunities to raise public awareness of marine issues and to inform them of how they can have a positive impact by helping preserve these marine resources.
- Policy 10P-14: Identify areas (such as wetlands and the nearshore environment) that are important to shellfish habitat preservation. Also identify river and stream processes that adversely impact shellfish habitat. Use this information when making land use management and preservation decisions.
- Policy 10P-15: Create a tracking mechanism to document progress made toward improving downgraded shellfish areas. This information will be useful not only in supporting an upgrade when water quality shows improvement, but also in preventing degradation in currently approved shellfish areas.
- Policy 10P-16: Work with the County Shellfish Advisory Committees, Marine Resources Committee, Salmon Recovery Fund Board, WRIA Watershed Management Board, and other local, state, federal, and tribal agencies to address issues associated with shellfish, shellfish area closures, and shellfish habitat.
- Policy 10P-17: Consider establishing the Drayton Harbor Watershed as a sending area when considering a transfer of development rights (TDR) program in.
- Policy 10P-18 Support the Department of Health's On-Site Sewage System (OSS) Program as a means to lower degradation of our waterways.

**Other Marine and Marine Dependent Organisms and Systems**

- Policy 10P-19: Promote Best Management Practices, land use, and stormwater policies that result in a minimal release of harmful chemicals and metallic substances into surface water and the marine environment.

## **Chapter Eleven Shorelines**

**Goal 11A: Create and maintain an economic environment that can coexist harmoniously with the natural and human environment.**

Objectives 11A-1: Encourage economic development that has minimal adverse effects and mitigates unavoidable impacts upon shoreline ecological functions and processes and the built environment.

11A-2: Encourage shoreline development that has a positive effect upon economic and social activities of value to the region.

11A-3: Encourage new water-dependent, water-related, and water-enjoyment economic development in priority order.

11A-4: Encourage economic development that is consistent with the adopted Comprehensive Economic Development Strategy (CEDS) for Whatcom County.

11A-5: Implement economic development policies contained in other chapters of the Comprehensive Plan in shoreline areas consistent with this chapter, WCC Title 23 and the SMA.

11A-6: Encourage new economic development to locate in areas that are already developed with similar uses.

11A-7: Discourage expansion of existing development that is incompatible with the Comprehensive Plan, WCC Title 23, or the character of the local area.

### **Public Access**

The public access element provides for public access to publicly or privately owned shoreline areas where the public is granted a right of use or access.

**Goal 11B: Increase the general public’s ability to reach, touch, and enjoy the water’s edge, to travel on the waters of the state, and/or to view the water and the shoreline from adjacent locations; provided, that private rights, public safety, and shoreline ecological functions and processes are protected consistent with the U.S. and state Constitutions, state case law, and state statutes.**

Objectives:

11B-1: Locate, design, manage, and maintain public access in a manner that protects shoreline ecological functions and processes and the public health and safety.

11B-2: Design and manage public access in a manner that ensures compatibility with water-dependent uses.

- 11B-3: Where appropriate, acquire access to publicly owned tidelands and shorelands. Encourage cooperation among the County, landowners, developers, and other agencies and organizations to enhance and increase public access to shorelines as specific opportunities arise.
- 11B-4: Provide and protect visual access to shorelines and tidelands.
- 11B-5: Require physical or visual access to shorelines as a condition of approval for shoreline development activities commensurate with the impacts of such development and the corresponding benefit to the public, consistent with constitutional limitations.
- 11B-6: Develop and manage public access to prevent adverse impacts to adjacent private shoreline properties and developments.

## **Recreation**

### **Goal 11C: Provide opportunities and space for diverse forms of water-oriented recreation.**

#### Objectives:

- 11C-1: Locate, develop, manage, and maintain recreation areas in a manner that protects shoreline ecological functions and processes.
- 11C-2: Provide a balanced choice of water-oriented public recreational opportunities regionally. Ensure that shoreline recreation facilities serve projected County growth in accordance with the level of service standards established in the Comprehensive Plan and related goals and policies, the Comprehensive Park and Recreation Open Space Plan, the Whatcom County Bicycle Plan, and the Natural Heritage Plan.
- 11C-3: Acquire additional recreation and public access areas with a high recreation value prior to demand to assure that sufficient shoreline recreation opportunities are available to serve future recreational needs.
- 11C-4: Encourage cooperation among public agencies, nonprofit groups, private landowners, and developers to increase and diversify recreational opportunities through a variety of means including incorporating water-oriented recreational opportunities into mixed use developments and other innovative techniques.
- 11C-5: Recognize and protect the interest of all people of the state by providing increased recreational opportunities within shorelines of statewide significance and associated shorelands.
- 11C-6: Encourage private and public investment in recreation facilities.
- 11C-7: Locate, design, and operate recreational development in a manner that minimizes adverse effects on adjacent properties as well as other social, recreational, or economic activities.

## **Transportation and Essential Public Facilities**

**Goal 11D: Provide transportation systems and essential public facilities in shoreline areas without adverse effects on existing shoreline use and development or shoreline ecological functions and/or processes.**

- 11D-1: Locate, develop, manage, and maintain transportation systems and essential public facilities in a manner that protects shoreline ecological functions and processes. Minimize and mitigate unavoidable impacts.
- 11D-2: Locate and design transportation systems and essential public facilities to be harmonious with the existing and future economic and social needs of the community.
- 11D-3: Discourage the development of non-water-dependent transportation systems and essential public facilities unless no feasible alternatives exist. Devote roads within the shoreline jurisdiction to low volume local access routes and shoreline public access where feasible.
- 11D-4: When appropriate, require appropriate compensation where transportation systems and essential public facilities reduce the benefits people derive from their property.
- 11D-5: Provide for alternate modes of travel, encourage freedom of choice among travel modes, and provide multiple use transportation corridors where compatible in association with shoreline transportation development.
- 11D-6: Require transportation system and essential public facility development in shoreline areas to protect and enhance physical and visual shoreline public access.

**Shoreline Use**

**Goal 11E: Preserve and develop shorelines in a manner that allows for an orderly balance of uses.**

- Objectives: 11E-1: Give preference to water-dependent and single-family residential uses that are consistent with preservation of shoreline ecological functions and processes. Give secondary preference to water-related and water-enjoyment uses. Allow non-water-oriented uses only when substantial public benefit is provided with respect to the goals of the SMA for public access and ecological restoration.

- 11E-2: Designate and maintain appropriate areas for protecting and restoring shoreline ecological functions and processes to control pollution and prevent damage to the shoreline environment and/or public health.
- 11E-3: Ensure shoreline uses are consistent with the Comprehensive Plan.
- 11E-4: Balance the location, design, and management of shoreline uses throughout the County to prevent a net loss of shoreline ecological functions and processes over time.
- 11E-5: Encourage mixed use developments that include and support water-oriented uses and provide a substantial public benefit consistent with the public access and ecological restoration goals and policies of the SMA.
- 11E-6: Encourage shoreline uses and development that enhance shoreline ecological functions and/or processes or employ innovative features that further the purposes of the SMP.
- 11E-7: Encourage shoreline uses and development that enhance and/or increase public access to the shoreline.

**Conservation**

**Goal 11F: Conserve shoreline resources and important shoreline features, and protect shoreline ecological functions and the processes that sustain them to the maximum extent practicable.**

- 11F-1: Maintain regulations and mitigation standards that ensure new shoreline developments prevent a net loss of shoreline ecological functions and processes. Implement such regulations and standards in a manner consistent with all relevant constitutional and other legal limitations on the regulation of private property.
- 11F-2: Protect critical areas in accordance with the County’s critical areas regulations (WCC Chapter 16.16), as adopted by reference in the SMP.
- 11F-3: Manage renewable natural resources on a sustained yield basis. Extract nonrenewable natural resources in a manner that maintains the quality of other resources and shoreline ecological functions and processes.

11F-4: Prioritize protection and/or conservation of shoreline areas that are ecologically intact and minimally developed or degraded.

### **Cultural Resources**

**Goal 11G: Protect shoreline features of historic, cultural, archeological, or scientific value or significance to prevent damage or destruction through coordination and consultation with the appropriate local, state and federal authorities, including affected Indian tribes.**

11G-1: Protect cultural resources in collaboration with appropriate tribal, state, federal, and local governments.

11G-2 Engage in and encourage public agencies and private parties to cooperate in the identification, protection and management of cultural resources.

11G-3: Consult with the Washington State Department of Archaeology and Historic Preservation (DAHP) and affected Native American tribes when developing local policies and regulations for identifying, protecting, and preserving cultural resources.

11G-4: Where appropriate, restore unique resources that have cultural, archaeological, historic, educational, or scientific value or significance to further enhance the value of the shorelines.

11G-5: Where appropriate provide access to cultural resources in a manner that is culturally sensitive and does not degrade the resource or impact the quality of the environment.

11G-3: Provide opportunities for education related to archaeological, historical, and cultural features where appropriate and incorporated into public and private programs and development.

### **Views and Aesthetics**

**Goal 11H: Assure that the public’s ability and opportunity to enjoy shoreline views and aesthetics is protected.**

Objectives:11H-1: Identify and protect areas with scenic vistas and areas where the shoreline has high aesthetic value.

- 11H-2: Design development to minimize adverse impacts on views from public property or views enjoyed by a substantial number of residences.

### **Restoration and Enhancement**

Goal 11I: Reestablish, rehabilitate and/or otherwise improve impaired shoreline ecological functions and/or processes through voluntary and incentive-based public and private programs and actions that are consistent with the Shoreline Management Program Restoration Plan and other approved restoration plans.

- 11I-1: Encourage and facilitate cooperative restoration and enhancement programs between local, state, and federal public agencies, tribes, nonprofit organizations, and landowners to address shorelines with impaired ecological functions and/or processes.
- 11I-2: Restore and enhance shoreline ecological functions, processes, and features through voluntary and incentive-based public and private programs, such as the Shore Friendly Program developed by the Washington State Department of Fish and Wildlife, Washington State Department of Natural Resources, and the Environmental Protection Agency.
- 11I-3: Target restoration and enhancement towards improving habitat requirements of priority and/or locally important wildlife species.
- 11I-4: Ensure restoration and enhancement is consistent with and, where practicable, prioritized based on the biological recovery goals for early Chinook and bull trout populations and other species and/or populations for which a recovery plan is available.
- 11I-5: Integrate restoration and enhancement with other parallel natural resource management efforts such as the WRIA 1 Salmonid Recovery Plan, Drayton Harbor and Portage Bay Shellfish Protection District Plans, WRIA 1 Watershed Management Plan, and the Puget Sound Salmon Recovery Draft Plan.

### **Shoreline Environment Designations**

- Policy 11J-1: New urban character development should be directed toward already developed or developing areas where compatible.
- Policy 11J-2: First priority should be given to water-dependent uses. Second priority should be given to water-related and then water-enjoyment uses. Non-water-oriented uses should not be allowed except as part of mixed use developments. Non-water-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline, or where the needs of existing and future water-dependent uses are met.

Development within urban resort shoreline areas shall be consistent with the following policies:

- Policy 11K-1: Scale and design of resort development should assure compatibility with allowed uses of adjacent shoreline areas and shoreline ecological functions and processes.
- Policy 11K-2: Buildings over 35 feet in height may be permitted if additional open space, view areas, public access and/or other amenities are provided.

### **Urban Conservancy Shoreline Area**

#### **Policies**

Development within urban conservancy shoreline areas shall be consistent with the following policies:

- Policy 11L-1: Primary permitted uses should consist of low intensity residential uses or other low intensity uses that preserve the natural character of the area or promote preservation of open space and critical areas.
- Policy 11L-2: Moderate to high intensity residential use may be permitted if the proposed uses and design result in substantial open space, public access and/or restoration of shoreline ecological functions and/or processes, and if compatible with surrounding uses.
- Policy 11L-3: Public access and public recreation facilities are a preferred use if they will not cause substantial ecological impacts and when restoration of ecological functions is incorporated.
- Policy 11L-4: Low intensity commercial uses may be permitted if the specific uses and design result in substantial open space, public access, and/or restoration of ecological functions, and if compatible with surrounding uses.

### **Shoreline Residential Area**

#### **Policies**

Development within shoreline residential shoreline areas shall be consistent with the following policies:

- Policy 11M-1: The scale and density of new uses and development should be compatible with, and protect or enhance, the existing residential character of the area while sustaining shoreline ecological functions and processes.
- Policy 11M-2: Public or private outdoor recreation facilities should be encouraged if compatible with the character of the area. Preferred uses include water-dependent and water-enjoyment recreation facilities that provide opportunities for substantial numbers of people to access and enjoy the shoreline.
- Policy 11M-3: Commercial development should be limited to water-oriented uses. Non-water-oriented commercial uses may be permitted as part of mixed use developments where the primary use is residential; provided that such uses provide a substantial benefit

with respect to the goals and policies of the SMP, such as providing public access or restoring degraded shorelines.

**Rural Shoreline Area  
Policies**

Development within rural shoreline areas shall be consistent with the following policies:

- Policy 11N-1: Uses in rural areas should protect or enhance the rural character of the shoreline and sustain the shoreline ecological functions and processes by limiting building density and height, and providing effective setbacks, buffers, and open space.
- Policy 11N-2: Residential development consistent with the rural character of the area is permitted, provided it includes measures to protect ecological functions and processes. Related uses consistent with the rural character of the area are permitted.
- Policy 11N-3: Public or private outdoor recreation facilities should be encouraged if compatible with the rural character of the area and developed in a manner that maintains shoreline ecological functions and processes. Preferred uses include water-oriented recreation facilities that do not deplete shoreline resources over time, such as boating facilities, angling, wildlife viewing trails, and swimming beaches.
- Policy 11N-4: Industrial or commercial development should be limited to water-oriented commercial and industrial uses in the limited locations where such uses have been established or at sites in rural communities that possess appropriate shoreline conditions and services sufficient to support such developments. Non-water-dependent uses should only be allowed when they provide a substantial benefit with respect to the goals and policies of the SMP, such as providing public access and/or restoring degraded shorelines.
- Policy 11N-5: Agriculture and forestry consistent with rural character and the maintenance of shoreline ecological functions and processes should be encouraged.

**Resource Shoreline Area**

**Purpose**

**Policies**

Development within resource shoreline areas shall be consistent with the following policies:

- Policy 11O-1: Uses in resource areas should protect the economic base of those lands, limit incompatible uses, and sustain the shoreline area ecological processes and functions by limiting uses and intensity. Residential use is generally limited to one dwelling per existing parcel. The dwelling may be located within the shoreline

- 
- jurisdiction only where no other building site is feasible on the parcel.
- Policy 11O-2: Public or private outdoor recreation facilities should be permitted if they do not displace designated resource lands and if they are developed in a manner that maintains shoreline ecological functions. Preferred uses include water-dependent and water-enjoyment recreation facilities.
- Policy 11O-3: Industrial or commercial use and development should be limited to uses that serve resource uses. Such uses may be located within the shoreline only if they are water-dependent, water-related, or if no other feasible location exists within the contiguous property.

### **Conservancy Shoreline Area**

#### **Policies**

Development within conservancy shoreline areas shall be consistent with the following policies:

- Policy 11P-1: Natural ecological processes should be protected and renewable resources managed so that ecological functions and the resource base are maintained. Nonrenewable resources should only be consumed in a manner compatible with conservation of other resources and other appropriate uses.
- Policy 11P-2: Permitted uses should be limited to those compatible with each other and with conservation of shoreline ecological processes and resources.
- Policy 11P-3: Shorelines should be protected from concentrations of people, livestock, buildings, or structures that would adversely impact shoreline ecological functions and processes.
- Policy 11P-4: Opportunities for ecological restoration should be pursued, prioritizing those areas with the greatest potential to restore ecosystem-wide processes and functions.
- Policy 11P-5: Outstanding recreational or scenic values should be protected from incompatible development.

### **Natural Shoreline Area**

#### **Policies**

Development within natural shoreline areas shall be consistent with the following policies:

- Policy 11Q-1: Preservation of the area’s ecological functions, natural features and overall character must receive priority over any other potential use. Uses should not degrade shoreline ecological functions or processes or the natural character of the shoreline area. New development or significant vegetation removal that would reduce the capability of the shoreline to perform a full range of ecological functions or processes should not be permitted.

- Policy 11Q-2: Private and/or public enjoyment of natural shoreline areas should be encouraged and facilitated through low intensity recreational, scientific, historical, cultural, and educational research uses; provided, that no significant ecological impact on the area will result.
- Policy 11Q-3: Agricultural and forestry uses of a very low intensity nature may be consistent with the natural shoreline area when such use is subject to appropriate limitations or conditions to assure that the use does not expand or alter practices in a manner inconsistent with the purpose of the designation.
- Policy 11Q-4: The following uses should not be permitted in the natural shoreline area:
1. Commercial uses.
  2. Industrial uses.
  3. Non-water-oriented recreation.
  4. Roads, utility corridors, and parking areas that can be located outside of natural shoreline areas.

### **Aquatic Shoreline Area**

#### **Policies**

Development within aquatic shoreline areas shall be consistent with the following policies:

- Policy 11R-1: New over-water structures should only be permitted for water-dependent uses, public access, or ecological restoration. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use. In order to reduce the impacts of shoreline development and increase effective use of water resources, multiple use of over-water facilities should be encouraged.
- Policy 11R-2: All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.

- Policy 11R-3: Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be permitted except where necessary to achieve the objectives of RCW 90.58.020, and then only when all potential impacts are mitigated as necessary to assure maintenance of shoreline ecological functions and processes.
- Policy 11R-4: Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural conditions.

### **Cherry Point Management Area**

.

#### **Policies**

Policies applicable to the Cherry Point Management Area are found in the Shoreline Use and Modifications Policies section of this chapter; applicable regulations are found in WCC Title 23.

#### **Shorelines of Statewide Significance**

- Policy 11-1:A. Redevelopment of shorelines should be encouraged where it restores or enhances shoreline ecological functions and processes impaired by prior development activities.
- Policy 11S-2: The Washington Departments of Fish and Wildlife and Ecology, the Lummi Nation, the Nooksack Tribe, and other resources agencies should be consulted for development proposals that could affect anadromous fisheries.
- Policy 11S-3: Where commercial timber cutting takes place pursuant to WCC 23.40.110 and RCW 90.58.150, reforestation should take place as soon as possible.
- Policy 11S-4: Activities that use shoreline resources on a sustained yield or non-consuming basis and that are compatible with other appropriate uses should be given priority over uses not meeting these criteria.
- Policy 11S-5: The range of options for shoreline use should be preserved to the maximum possible extent for succeeding generations. Development that consumes valuable, scarce, sensitive, or irreplaceable natural resources should be protected to the maximum extent feasible and should not be permitted if alternative sites are available.
- Policy 11S-6: Potential short-term economic gains or convenience should be measured against potential long-term and/or costly impairment of natural features.
- Policy 11S-7: Protection or enhancement of aesthetic values should be actively promoted in design review of new or expanding development.
- Policy 11S-8: Resources and ecological systems of shorelines of statewide

- 
- significance should be protected. Shorelands and submerged lands should be protected to accommodate current and projected demand for economic resources of statewide importance, such as commercial shellfish beds.
- Policy 11S-9: Erosion and sedimentation from development sites should be controlled to minimize adverse impacts on ecosystem processes. If site conditions preclude effective erosion and sediment control, excavations, land clearing, or other activities likely to result in significant erosion should be severely limited.
- Policy 11S-10: Public access development in extremely sensitive areas should be restricted or prohibited. All forms of recreation or access development should be designed to protect the resource base upon which such uses in general depend.
- Policy 11S-11: Public and private developments should be encouraged to provide trails, viewpoints, water access points, and shoreline-related recreation opportunities whenever possible. Such development is recognized as a high priority use.
- Policy 11S-12: Development not requiring a shoreline location should be located inland so that lawful public enjoyment of shorelines is preserved.
- Policy 11S-13: Lodging and related facilities should be located inland and provide for appropriate means of access to the shoreline.

### **General Policies**

The following general policies apply to all use and development activities on shorelines.

#### **Land Use**

- Policy 11T-1: Single-family residences should be given preference for location on shorelines in those limited instances when an alteration of the shorelines is authorized (RCW 90.58.020).
- Policy 11T-2: Shoreline uses that are water-dependent or water-related should be given preference (RCW 90.58.020). Such uses should be located, designed, and maintained in a manner that minimizes adverse impacts to shoreline ecological functions and/or processes. Non-water-oriented development may be allowed; provided, that existing water-dependent uses are not displaced and the future supply of sites for water-dependent or water-related uses is not compromised.
- Policy 11T-3: Adequate space should be reserved on shorelines to meet the current and projected demand for water-dependent uses, in conjunction with areas provided in cities, towns and areas under tribal jurisdiction.

#### **Ecological Protection and Critical Areas**

- Policy 11U-1: Shoreline use and development should be carried out in a manner that prevents or mitigates adverse impacts so that the resulting

ecological condition does not become worse than the current condition. This means assuring no net loss of ecological functions and processes and protecting critical areas designated in WCC Chapter 16.16, in a manner consistent with all relevant constitutional and other legal limitations on the regulation of private property. Permitted uses shall be designed and conducted to minimize, insofar as practical, any resultant damage to the ecology and environment (RCW 90.58.020). Shoreline ecological functions that should be protected include, but are not limited to, fish and wildlife habitat, food chain support, and water temperature maintenance. Shoreline processes that should be protected include, but are not limited to, water flow; littoral drift; erosion and accretion; infiltration; ground water recharge and discharge; sediment delivery, transport, and storage; large woody debris recruitment; organic matter input; nutrient and pathogen removal; and stream channel formation/maintenance.

Policy 11U-2: In assessing the potential for net loss of ecological functions or processes, project-specific and cumulative impacts should be considered.

Policy 11U-3: Development standards for density, frontage, setbacks, impervious surface, shoreline stabilization, vegetation conservation, buffers, critical areas, and water quality should protect existing shoreline ecological functions and processes. During permit review, the administrator should consider the expected impacts associated with proposed shoreline development when assessing compliance with this policy.

### **Water Quality and Quantity**

Policy 11V-1: The location, construction, operation, and maintenance of all shoreline uses and developments should maintain the quantity and maintain or enhance the quality of surface and groundwater over the long term.

Policy 11V-2: Shoreline use and development should minimize the need for chemical fertilizers, pesticides, or other similar chemical treatments to prevent contamination of surface and ground water and/or soils, and adverse effects on shoreline ecological functions and values.

Policy 11V-3: Appropriate buffers along all wetlands, streams, lakes, and marine water bodies should be provided and maintained in a manner that avoids the need for chemical treatment.

### **Views and Aesthetics**

Policy 11W-1: Shoreline use and development activities should be designed and operated to minimize obstructions of the public's visual access to the water and shoreline.

- Policy 11W-2: Shoreline use and development should not significantly detract from shoreline scenic and aesthetic qualities that are derived from natural or cultural features, such as shoreforms, vegetative cover and historic sites/structures.
- Policy 11W-3: Aesthetic objectives should be implemented through regulations and criteria for site planning, maximum height, setbacks, siting of buildings and accessories, screening, vegetation conservation, architectural standards, sign control regulations, appropriate development siting, designation of view corridors, and maintenance of natural vegetative buffers.
- Policy 11W-4: To protect shoreline ecological functions and aesthetics, vegetation conservation should be preferred over the creation or maintenance of views from shoreline properties. Clearing, thinning, and/or limbing for limited view corridors should only be allowed where it does not adversely impact ecological and/or aesthetic values, and/or slope stability.

### **Vegetation Conservation**

- Policy 11X-1: Where new developments and/or uses are proposed, native shoreline vegetation should be conserved to maintain shoreline ecological functions and/or processes and mitigate the direct, indirect and/or cumulative impacts of shoreline development, wherever feasible.

### **Cultural Resources**

- Policy 11X-1: The County should work with tribal, state, federal, and local governments as appropriate to maintain an inventory of all known significant cultural resources in observance of applicable state and federal laws protecting such information from general public disclosure. As appropriate, such sites should be protected,

- preserved and/or restored for study, education, and/or public enjoyment to the maximum possible extent.
- Policy 11X-2: Site development plans should incorporate provisions for cultural resource preservation, restoration, and education with open space or recreation areas whenever compatible and possible.
- Policy 11X-3: Owners of property containing cultural resources are encouraged to make development plans known well in advance of application, so that appropriate agencies such as the Lummi Nation, Nooksack Tribe, Washington State Department of Archaeology and Historic Preservation, and others may have adequate time to assess the site and make arrangements to preserve cultural values as applicable.
- Policy 11X-4: Private and public owners of historic sites should be encouraged to provide public access and educational opportunities in a manner consistent with long-term protection of both historic values and shoreline ecological functions.
- Policy 11X-5: Development on sites containing cultural resources should be planned and carried out so as to prevent impacts to the resource. Impacts to neighboring properties and other shore uses should be limited to temporary or reasonable levels.
- Policy 11X-6: If development is proposed adjacent to an identified cultural resource, then the proposed development should be designed and operated so as to be compatible with continued protection of that resource.
- Policy 11X-7: The cultural resource provisions of this program are consistent with Chapters 27.44 and 27.53 RCW and WAC 25-48-060. In accordance with state law, all applicants are subject to these requirements.
- Policy 11X-8: The County shall consult with DAHP and affected Native American tribes as appropriate in implementing the cultural resource goals, objectives, policies, and regulations of this program.
- Policy 11X-9: In reviewing development proposals, the County shall take, or cause project applicants to take, all required actions to:
1. Minimize the risk of disturbing cultural resources within Whatcom County shorelines.
  2. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Tribes and the DAHP.
  3. Consult with professional archaeologists, DAHP, and affected Tribes before permitting or otherwise approving the use or

development of shoreline areas containing cultural resources. This consultation shall be accomplished through the regulations and procedures provided in WCC Title 23.

4. Consult with DAHP and affected Tribes and coordinate with project archaeologists to establish site- and project-specific procedures for protection and management of cultural resources.
5. Make informed specific land use decisions based upon information provided by DAHP and Tribes.
6. Ensure the use of the best available information, technology, and techniques in identifying, protecting, preserving, and restoring cultural resources.

### **Public Access**

Policy 11Y-1: Use and development that provide an opportunity for substantial numbers of people to enjoy the shorelines of the state are a preferred use.

Policy 11Y-2: Physical or visual access to shorelines should be incorporated in all new development when the development would either generate a demand for one or more forms of such access, and/or would impair existing legal access opportunities or rights. As required by the governing principles, all such conditions should be consistent with all relevant constitutional and other legal limitations on regulation of private property.

Policy 11Y-3: Public access should be provided for water-oriented uses and non-water-dependent uses and developments that increase public use of the shorelines and public aquatic lands, or that would impair existing, legal access opportunities.

Policy 11Y-4: Non-water-related uses or activities located on the shoreline should provide public access as a public benefit.

Policy 11Y-5: Public access area and/or facility requirements should be commensurate with the scale and character of the development and should be reasonable, effective, and fair to all affected parties including but not limited to the landowner and the public.

Policy 11Y-6: Public access design should provide for public safety and minimize potential impacts to private property, individual privacy, and shoreline ecological functions and processes.

Policy 11Y-7: Shoreline development by public entities, such as local governments, port districts, state agencies, and public utility districts, should provide public access measures as part of each development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline.

## Site Planning

- Policy 11Z-1: Development and use should be designed in a manner that directs land alteration to the least sensitive portions of the site to maximize vegetation conservation; minimize impervious surfaces and runoff; protect riparian, nearshore and wetland habitats; protect wildlife and habitats; protect archaeological, historic, and cultural resources; and preserve aesthetic values. This may be accomplished by minimizing the project footprint, the use of clustering, and other appropriate design approaches.
- Policy 11Z-2: To maintain shoreline ecological functions and processes, low impact and sustainable development practices such as rain gardens and pervious surfacing methods including, but not limited to, porous paving blocks, porous concrete, and other similar materials, should be incorporated in developments where site conditions allow. Topographic modification, vegetation clearing, use of impervious surfaces, and alteration of natural drainage or other features should be limited to the minimum necessary to accommodate approved uses and development. An engineering geologist should be consulted prior to using infiltration practices on shore bluffs.
- Policy 11Z-3: Accessory development or use that does not require a shoreline location should be located outside of shoreline jurisdiction unless such development is required to serve approved water-oriented uses and/or developments. When sited within shoreline jurisdiction, uses and/or developments such as parking, service buildings or areas, access roads, utilities, signs, and storage of materials should be located inland away from the land/water interface and landward of water-oriented developments and/or other approved uses.
- Policy 11Z-4: Development should be located, designed, and managed so that impacts on shoreline or upland uses are minimized through bulk and scale restrictions, setbacks, buffers, and control of proximity impacts such as noise or light and glare.
- Policy 11Z-5: Shoreline uses should not deprive other uses of reasonable access to navigable waters. Public recreation activities such as fishing, clam digging, swimming, boating, wading, and other water-related recreation should be preserved and enhanced. The rights of treaty tribes to resources within their usual and accustomed areas should be accommodated.

## Climate Change/Sea Level Rise

- Policy 11AA-1: Coordinate with Tribal, Federal, State, and local agencies to address issues related to climate change and sea level rise as related to shoreline management.

- Policy 11AA-2: Whatcom County should plan and prepare for the likely impacts of climate change on County-owned facilities, infrastructure, and natural resources and ensure that projects for major maintenance or replacement of utilities, roads, and other public infrastructure consider the impacts of sea-level rise in the location, design, and operation of the projects.
- Policy 11AA-3: Whatcom County should strive to increase resident and business resiliency to the anticipated impacts of climate change by implementing land use regulations based on best available science, such as sea level rise, changes in rainfall patterns, changes in flood volumes and frequencies, and changes in average and extreme temperatures.
- Policy 11AA-4: Habitat protection and restoration projects in shoreline jurisdiction should consider implications of sea-level rise and other climate change impacts to promote resiliency of habitats and species. Those that promote climate change and sea-level rise resiliency should be considered priority actions.
- Policy 11AA-5: Whatcom County should monitor the impacts of climate change on Whatcom County’s shorelands, the shoreline master program’s ability to adapt to sea level rise and other aspects of climate change at least every periodic update, and revise the shoreline master program as needed. Whatcom County should periodically assess the best available sea level rise projections and other science related to climate change within shoreline jurisdiction and incorporate them into future program updates, as relevant.
- Policy 11AA-6: Public infrastructure—such as transportation systems, utilities, flood hazard control, and instream structures—and essential public facilities in shoreline areas should be built in a manner that accounts for increased sea level rise and storm surge, and the flooding that may accompany it.
- Policy 11AA-7: Whatcom County should evaluate opportunities to protect shoreline investments and infrastructure from the impacts of climate change, as necessary and feasible. Specifically, the County should maintain shoreline protection and erosion control by:
- Facilitating the installation and maintenance of native vegetation along appropriate areas of shoreline;
  - Revisiting development policies with the objective of providing additional shoreline buffer area between developed areas and the shoreline; and
  - Only consider structural shoreline stabilization structures when alternative options are unavailable.

## **Shoreline Use and Modification Policies**

The following shoreline use and modification policies apply to specific development activities on shorelines.

### **Shoreline Bulk Provisions – Buffers, Setbacks, Height, Open Space and Impervious Surface Coverage**

Policy 11BB-1: Standards for density, setbacks, height, and other provisions should ensure no net loss of shoreline ecological functions and/or processes and preserve the existing character of the shoreline consistent with the purpose of the shoreline area designation.

### **Agriculture**

Policy 11BB-1: The SMP recognizes the importance of agriculture in Whatcom County and supports its continued economic viability. It allows for ongoing agricultural activities and should protect agricultural lands from conflicting uses such as intensive or unrelated residential, industrial, or commercial uses while also maintaining shoreline ecological functions and processes.

Policy 11BB-2: Agricultural uses and development in support of agricultural uses should be conducted in such a manner as to assure no net loss of shoreline ecological functions and processes and avoid substantial adverse impacts on other shoreline resources and values.

Policy 11BB-3: Conversion of agricultural uses to other uses should comply with all policies and regulations for nonagricultural uses.

### **Aquaculture**

Policy 11CC-1: Aquaculture is a water-dependent use and, when consistent with control of pollution, avoidance of adverse impacts to the environment, and preservation of habitat for resident native species, is a preferred use of the shoreline (WAC 173-26-241(3)(b)).

Policy 11CC-2: Potential locations for aquaculture activities are relatively restricted because of specific requirements related to water quality, temperature, oxygen content, currents, adjacent land use, wind protection, commercial navigation, and salinity. The technology associated with some forms of aquaculture is still experimental and in formative states. Therefore, some latitude should be given when implementing the policies of this subsection and the regulations in WCC Title 23; provided, that potential impacts on existing uses and shoreline ecological functions and processes should be given due consideration.

Policy 11CC-3: Preference should be given to those forms of aquaculture that involve lesser environmental and visual impacts and lesser impacts to native plant and animal species. In general, projects

that require submerged, intertidal, or no structures are preferred over those that involve substantial floating structures. Projects that involve little or no substrate modification are preferred over those that involve substantial modification. Projects that involve little or no supplemental food sources, pesticides, herbicides, or antibiotic application are preferred over those that involve such practices.

- Policy 11CC-4: Aquaculture activities should be designed, located and operated in a manner that supports long-term beneficial use of the shoreline and protects and maintains shoreline ecological functions and processes. Aquaculture should not be permitted where it would result in a net loss of shoreline ecological functions; adversely affect the quality or extent of habitat for native species, including eelgrass, kelp, and other macroalgae; adversely impact other habitat conservation areas; or interfere with navigation or other water-dependent uses.
- Policy 11CC-5: Aquaculture that involves significant risk of cumulative adverse effects on water quality, sediment quality, benthic and pelagic organisms, and/or wild fish populations through potential contribution of antibiotic resistant bacteria, or escapement of nonnative species, or other adverse effects on ESA-listed species should not be permitted.
- Policy 11CC-6: The County should actively seek substantive comment on any shoreline permit application for aquaculture from all appropriate federal, state, and local agencies; the Lummi Nation, Nooksack Tribe, and other affected tribes; and the general public regarding potential adverse impacts. Comments of nearby residents or property owners directly affected by a proposal should be considered and evaluated, especially in regard to use compatibility and aesthetics.
- Policy 11CC-7: The rights of treaty tribes to aquatic resources within their usual and accustomed areas should be addressed through the permit review process. Direct coordination between the applicant/proponent and the tribe should be encouraged.
- Policy 11CC-8: Consideration should be given to both the potential beneficial impacts and potential adverse impacts that aquaculture development might have on the physical environment; on other existing and approved land and water uses, including navigation; and on the aesthetic qualities of a project area.
- Policy 11CC-9: Legally established aquaculture enterprises, including authorized experimental projects, should be protected from incompatible uses that may seek to locate nearby. Use or developments that have a high probability of damaging or destroying an existing aquaculture operation may be denied.

Policy 11CC-10: Experimental aquaculture projects in waterbodies should be limited in scale and should be approved for a limited period of time. Experimental aquaculture means an aquaculture activity that uses methods or technologies that are unprecedented or unproven in the state of Washington.

### **Marinas and Launch Ramps**

Policy 11DD-1: Boating facilities, including marinas and launch ramps, are water-dependent uses and should be given priority for shoreline location. Boating facilities should also contribute to public access and enjoyment of waters of the state. Shorelines particularly suitable for marinas and launch ramps are limited, and should be identified and reserved to prevent irreversible commitment for other uses having less stringent site requirements.

Policy 11DD-2: Regional needs for marina and boat launch facilities should be carefully considered in reviewing new proposals as well as in allocating shorelines for such development. Such facilities should be coordinated with park and recreation plans and, where feasible, collocated with port or other compatible water-dependent uses. Review of such facilities should be coordinated with recreation providers, including cities, adjacent counties, port districts, the Whatcom County Parks and Recreation department, the Washington State Parks and Recreation Commission, and the Washington State Department of Natural Resources to avoid unnecessary duplication and to efficiently provide recreational resources while minimizing adverse impacts to shoreline ecological functions and processes.

Policy 11DD-3: Upland boat storage is preferred over new in-water moorage. Mooring buoys are preferred over docks and piers. Boating facilities that minimize the amount of shoreline modification are preferred.

Policy 11DD-4: Boating facilities should provide physical and visual public shoreline access and provide for multiple uses, including water-related use, to the extent compatible with shoreline ecological functions and processes and adjacent shoreline use.

Policy 11DD-5: Accessory uses at marinas or launch ramps should be limited to water-oriented uses, or uses that provide physical or visual shoreline access for substantial numbers of the general public.

Policy 11DD-6: New or expanding boating facilities including marinas, launch ramps, and accessory uses should only be sited where suitable environmental conditions are present and should avoid critical

saltwater habitat including kelp and eelgrass beds, and spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); subsistence, commercial, and recreational shellfish beds; mudflats, intertidal habitats with vascular plants; and areas with which priority species have a primary association.

Policy 11DD-7: Boating facilities should be located and designed to avoid adverse effects upon coastal, riverine, and nearshore processes such as erosion, littoral or riparian transport, and accretion, and should, where feasible, enhance degraded, scarce, and/or valuable shore features including accretion shoreforms.

Policy 11DD-8: Launch ramps are preferred over marinas on accretion shores because associated impacts are often reversible and such structures will not normally interfere with littoral drift and accretion unless offshore defense structures or dredging are also required.

Policy 11DD-9: Nonregulatory methods to protect, enhance, and restore shoreline ecological functions and processes and other shoreline resources should be encouraged during the design, development, and operation of boating facilities. Nonregulatory methods may include public facility and resource planning, education, voluntary protection and enhancement projects, or incentive programs.

Policy 11DD-10: Boating facilities should be located, designed, and operated so that other appropriate water-dependent uses are not adversely affected.

Policy 11DD-11: Location and design of boating facilities should not unduly obstruct navigable waters and should avoid adverse effects to recreational opportunities such as fishing, shellfish gathering, pleasure boating, commercial aquaculture, swimming, beach walking, picnicking, and shoreline viewing.

Policy 11DD-12: Boating facilities should be located, designed, constructed, maintained, and operated to avoid adverse proximity impacts such as noise, light and glare; aesthetic impacts to adjacent land uses; and impacts to public visual access to the shoreline.

Policy 11DD-13: Live-aboards should be regulated so as to prevent adverse impacts to public health and safety.

### **Commercial Use**

Policy 11EE-1: In securing shoreline locations for commercial uses, preference should be given first to water-dependent commercial uses, then to water-related and water-enjoyment commercial uses.

Policy 11EE-2: Restoration of impaired shoreline ecological functions and processes should be encouraged as part of commercial development.

- Policy 11EE-3: Commercial development should ensure visual compatibility with adjacent noncommercial properties.
- Policy 11EE-4: Commercial uses located in the shoreline should provide public access in accordance with constitutional or other legal limitations unless such improvements are demonstrated to be infeasible or present hazards to life and property.

### **Dredging**

- Policy 11FF-1: Dredging should be permitted for water-dependent uses of economic importance to the region and/or essential public facilities only when necessary and when alternatives are infeasible or less consistent with the SMP.
- Policy 11FF-2: Dredging to provide water-oriented recreation should not be permitted.
- Policy 11FF-3: Minor dredging as part of ecological restoration or enhancement, beach enhancement, public access, or public recreation should be permitted if consistent with the SMP.
- Policy 11FF-4: New development should be sited and designed to avoid or, where avoidance is not possible, to minimize the need for new maintenance dredging.
- Policy 11FF-5: Dredging of bottom materials for the primary purpose of obtaining material for landfill, construction, or beach enhancement should not be permitted.
- Policy 11FF-6: Spoil disposal on land away from the shoreline is generally preferred over open water disposal.
- Policy 11FF-7: Long-term cooperative management programs that rely primarily on natural processes and involve landowners and applicable local, state, and federal agencies and tribes should be pursued to prevent or minimize conditions which make dredging necessary.

### **Flood Hazard Reduction and Instream Structures**

- Policy 11GG-1: New or expanding development or uses in the shoreline, including subdivision of land, that would likely require structural flood hazard reduction works within a stream, channel migration zone, or floodway should not be allowed.
- Policy 11GG-2: Flood hazard reduction works and instream structures should be planned and designed to be compatible with appropriate multiple uses of stream resources over the long term, especially in shorelines of statewide significance.
- Policy 11GG-3: Flood hazard reduction works should only be allowed in the shoreline if they are necessary to protect existing development and where nonstructural flood hazard reduction measures are infeasible.

Policy 11GG-4 Flood hazard reduction works to protect existing development should be permitted only when the primary use being protected is consistent with the SMP, and the works can be developed in a manner that is compatible with multiple use of streams and associated resources for the long term, including shoreline ecological functions, fish and wildlife management, and recreation.

### **Forest Practices**

Policy 11HH-1: Forest lands should be reserved for long-term forest management and such other uses as are compatible with the primary use. Other more intensive and incompatible uses tending to impair the primary use should be discouraged from locating on forest lands.

Policy 11HH-2: Forest practices should maintain high levels of water quality, as well as surface and groundwater movement patterns.

Policy 11HH-3: Forest practices should minimize damage to wetlands, fish and wildlife species, and habitats, especially aquatic habitats.

Policy 11HH-4: Forest practices should maintain or improve the quality of soils and minimize erosion.

Policy 11HH-5: Where slopes are extremely steep or soils are subject to sliding, rapid erosion, or high water table, special practices should be employed to minimize damage to shoreland and water features and adjacent properties.

### **Industrial and Port Development**

The following policies apply to industrial and port development in shoreline areas.

Policy 11II-1: Shoreline sites particularly suitable for development such as deepwater harbors with access to adequate rail, highway, and utility systems should be reserved for water-dependent or water-related industrial and port development.

Policy 11II-2: In order to provide adequate shoreline for future water-dependent and water-related uses, industrial or port development at deepwater sites should be limited to those uses that produce the greatest long-term economic base. Industrial and port development that is consistent with the SMP should be protected from encroachment or interference by incompatible uses with less stringent siting requirements, such as residential or commercial uses. Mixed use development, including non-water-dependent uses, should only be allowed when they include and support water-dependent uses.

Policy 11II-3: Regional needs for port facilities should be carefully considered in reviewing new port proposals and in allocating shorelines for such development. Such reviews or allocations should be coordinated

with port districts, adjacent counties and cities, and the state. Existing, officially designated State Harbor Areas should be used for new port development to the maximum extent whenever possible.

- Policy 11III-4: Multiple use of industrial and port facilities is encouraged to limit duplicative facilities and reduce adverse impacts. Multiple use should be implemented in the following manner:
- a. Cooperative use of piers, cargo handling, storage, parking and other accessory facilities among private or public entities should be required in industrial or port facilities whenever feasible. New facilities for water-dependent uses should be allowed only after assessment of the potential for shared use of existing facilities.
  - b. Industrial and port developments should provide opportunities for physical and/or visual public shoreline access in accordance with the public access policies, including recreational use of undeveloped shorelines not needed for port or industry operations; provided, that such uses are safely compatible with facility operations.
- Policy 11III-5: Industrial and port development in the shoreline should be located and designed to avoid significant adverse impacts to other shoreline uses, resources, and values, including shoreline geomorphic processes, water quality, fish and wildlife habitat, commercial aquaculture, and the aquatic food chain.
- Policy 11III-6: Restoration of impaired shoreline ecological functions and processes should be encouraged as part of industrial and port development.

### **Cherry Point Management Area**

- Policy 11JJ-1: Development of the Cherry Point major port/industrial urban growth area will accommodate uses that require marine access for marine cargo transfer.
- a. Water-dependent terminal facilities are encouraged as the preferred use in the Cherry Point management area.
  - b. Existing legal fossil fuel refineries should be allowed to continue and maintain their operations with limited expansions subject to environmental review, greenhouse gas emission mitigation, and conformance with the Shoreline Master Program and other applicable land use designation.
  - c. It is the policy of Whatcom County to limit the number of industrial piers at Cherry Point to the existing three piers in operation or approved as of January 1, 1998, taking into account the need to:

- Act conservatively in land use matters at Cherry Point to prevent further harm to habitat important to the Cherry Point herring stock and Southern Resident Orcas;
- Optimally implement the Shoreline Master Program policy regarding shorelines of statewide significance per WCC 23.40;
- Encourage the continued County use of best available science;
- Support and remain consistent with the state Department of Natural Resources’ withdrawal of Cherry Point tidelands and bedlands from the general leasing program and the species recovery goals of the Cherry Point Aquatic Reserve designation and Management Plan;
- Recognize federal actions upholding treaty rights;
- Protect traditional commercial and tribal fishing; and
- Prevent conflicts with vessel shipment operations of existing refineries that could lead to catastrophic oil or fuel spills.

Policy 11JJ-2: Whatcom County should ensure that shoreline development applicants demonstrate consistency with the State of Washington Department of Natural Resources’ Cherry Point Aquatic Reserve Management Plan.

Policy 11JJ-2: Water-Dependent Industrial Development. Only water-dependent facilities that serve industrial facilities should be allowed in the Cherry Point management area. Industry within the major port/industrial urban growth area, as designated in the Comprehensive Plan, which is not water-dependent should locate away from shoreline jurisdiction.

Policy 11JJ-3: Multiple Use Facilities. Facilities that allow for multiple use of piers, cargo handling, storage, parking and other accessory facilities are encouraged.

Policy 11JJ-4: Public Access.

- a. Where appropriate, industrial and port development within the Cherry Point management area should provide public beach and shoreline access in a manner that does not cause interference with facility operations or present hazards to life and property. This may be accomplished through individual action or by joint, coordinated action with other developers and landowners, for example, by setting aside a common public access area.

- b. Special emphasis should be given to providing public beach and shoreline access for recreational opportunities including but not limited to crabbing, small craft launching, surf fishing, picnicking, clamming, and beach walking.
- c. Public access within the Cherry Point management area should be consistent with the Whatcom County Parks and Recreation Open Space Plan.

Policy 11JJ-5: Shoreline Ecological Functions and Processes. In recognition of the diverse and vital ecological resources in the Cherry Point management area, consideration of probable effects of all development proposals on shoreline ecological functions and processes should be assessed with the other long-term statewide interests. New port development that requires dredge and fill should not be permitted in the Cherry Point management area due to potential adverse effects on ecological functions, including fish and shellfish habitat and geohydraulic processes.

Policy 11JJ-6: Aesthetics. All development should be designed to avoid or minimize negative visual impacts on the scenic character of the area and to ensure visual compatibility with adjacent nonindustrial zoned properties.

Policy 11JJ-7: Site Development. All development should be constructed and operated in a manner that, while permitting water-dependent uses, also protects shoreline resources, their ecological functions and processes, and that incorporates the following:

- a. Low impact development approaches to avoid or minimize adverse impact to topography, vegetation, water quality, fish and wildlife habitat, and other natural site conditions;
- b. Adequate temporary and permanent management measures to control erosion and sediment impacts during construction and operation; and
- c. Adequate stormwater management facilities.

### **Fill and Excavation**

Policy 11KK-1: Landfill and excavation should only be permitted to the minimum extent necessary to accommodate an approved shoreline use or development and with assurance of no net loss of shoreline ecological functions and processes. Enhancement and voluntary restoration of landforms and habitat are encouraged.

Policy 11KK-2: Landfill in waterbodies, floodways, and/or wetlands should not be permitted for creation of new uplands, unless it is part of an approved ecological restoration activity. Landfill should be permitted in limited instances to restore uplands where recent erosion has rapidly reduced upland area, to build beaches and

protective berms for shore stabilization or recreation, to restore or enhance degraded shoreline ecological functions and processes, or to moderately elevate low uplands to make such uplands more suitable for purposes consistent with the SMP.

- Policy 11KK-3: Fill should not be allowed where shore stabilization works would be required to maintain the materials placed.
- Policy 11KK-4: Landfills and excavation should be located and developed so that water quality, hydrology, and runoff patterns are not altered.
- Policy 11KK-5: The predicted economic benefits of landfills and excavation should be weighed against long-term cumulative impacts on ecological processes and functions.

### **Mining**

- Policy 11LL-1: Mining should not be located on shorelines where unavoidable adverse impacts on other users or resources together equal or outweigh the benefits from mining.
- Policy 11LL-2: Mining should not interfere with public recreation on the shoreline.
- Policy 11LL-3: Mining should be located and operated so as to provide long-term protection of water quality, fish and wildlife, and fish and wildlife habitat.
- Policy 11LL-4: Mining, particularly surface or strip mining, should provide for timely restoration of disturbed areas to a biologically productive, semi-natural, or other useful condition through a reclamation process consistent with regulations administered by the Department of Natural Resources and other applicable county standards.
- Policy 11LL-5: Mining of marine and lake shores or accretional shoreforms, such as point bars, that have a high value for recreation or as fish or wildlife habitat should generally not be permitted.
- Policy 11LL-6: Mining should only be permitted on accretion point and channel bars where appropriate studies and detailed operation plans demonstrate that:
- a. Fish habitat, upland habitat and water quality will not be significantly impacted; and
  - b. The operation will not adversely affect geohydraulic processes, channel alignment, nor increase bank erosion or flood damages.
- Policy 11LL-7: Mining operations should be located, designed, and managed so that other appropriate uses are not subjected to substantial or unnecessary adverse impacts from noise, dust, or other effects of the operation. The operator may be required to implement

measures such as buffers, limited hours, or other mitigating measures for the purpose of minimizing adverse proximity impacts.

### **Moorage Structures**

Moorage in shoreline areas are subject to the following policies. Moorage structures serving more than four users and boat launching facilities are also subject to the policies in Marinas and Launch Ramps.

- Policy 11MM-1: Moorage associated with a single-family residence is considered a water-dependent use; provided, that it is designed and used as a facility to access watercraft, and other moorage facilities are not available or feasible. Moorage for water-related and water-enjoyment uses or shared moorage for multifamily use should be allowed as part of a mixed use development or where it provides public access.
- Policy 11MM-2: New moorage, excluding docks accessory to single-family residences, should be permitted only when the applicant/proponent has demonstrated that a specific need exists to support the intended water-dependent or public access use.
- Policy 11MM-3: As an alternative to continued proliferation of individual private moorage, mooring buoys are preferred over docks or floats. Shared moorage facilities are preferred over single-user moorage where feasible, especially where water use conflicts exist or are predictable. New subdivisions of more than two lots and new multifamily development of more than two dwelling units should provide shared moorage.
- Policy 11MM-4: Docks, piers and mooring buoys, including those accessory to single-family residences, should avoid locations where they will adversely impact shoreline ecological functions or processes, including currents and littoral drift, and critical saltwater habitat including kelp beds, eelgrass beds, spawning and holding areas for forage fish (such as herring, surf smelt and sandlance); subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants; and areas with which priority species have a primary association.
- Policy 11MM-5: Moorage should be spaced and oriented in a manner that minimizes hazards and obstructions to public navigation rights and corollary rights thereto such as, but not limited to, fishing, swimming, and pleasure boating, as well as private riparian rights of adjacent landowners.
- Policy 11MM-6: Moorage should be restricted to the minimum size necessary to meet the needs of the proposed use. The size of piers and docks should be no greater than that required for safety and practicality for the primary use.

- Policy 11MM-7: Pile supports are preferred over fills because piles do not displace water surface and intertidal or aquatic habitat and are removable and thus more flexible in terms of long-term use patterns. Floats may be less desirable than pile structures where aquatic habitat or littoral drift are significant.
- Policy 11MM-8: The use of buoys for small craft moorage is preferred over pile or float structures because of lesser long-term impact on shore features and users; moorage buoys should be placed as close to shore as possible to minimize obstruction to navigation.
- Policy 11MM-9: Shoreline resources and water quality should be protected from overuse by boaters living on vessels (live boards). Boaters living on vessels are restricted to established marinas with facilities to address waste handling and other sanitary services.
- Policy 11MM-10: Vessels should be restricted from extended mooring on waters of the state unless authorization is obtained from the DNR and impacts to navigation and public access are mitigated.
- Policy 11MM-11: Piers and docks should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term.
- Policy 11MM-12: New pier and dock development should be designed so as not to interfere with lawful public access to or use of shorelines. Developers of new piers and shared moorage should be encouraged to provide physical or visual public access to shorelines whenever safe and compatible with the primary use and shore features.

### **Recreation**

- Policy 11NN-1: Shoreline recreational development should be given priority for shoreline location to the extent that the use facilitates the public's ability to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline. Where appropriate, such facilities should be dispersed along the shoreline in a manner that supports more frequent recreational access and aesthetic enjoyment of the shoreline for a substantial number of people.
- Policy 11NN-2: Recreational developments should facilitate appropriate use of shoreline resources while conserving them. These resources include, but are not limited to: accretion shoreforms, wetlands, soils, groundwater, surface water, native plant and animal life, and shore processes.
- Policy 11NN-3: Recreational developments and plans should provide the regional population a varied and balanced choice of recreation experiences in appropriate locations. Public agencies and private developers should coordinate their plans and activities to provide a wide

- variety of recreational opportunities without needlessly duplicating facilities.
- Policy 11NN-4: Trail links between shoreline parks and public access points should be encouraged for walking, horseback or bicycle riding, and other non-motorized vehicle access where appropriate. The Whatcom County Comprehensive Park and Recreation Open Space Plan should be considered in design and approval of public trail systems.
- Policy 11NN-5: Access to natural character recreational areas, including but not limited to beaches and fishing streams, should be a combination of linear shoreline trails or easements and small parking or access tracts to minimize user concentration on small portions of the shoreline.
- Policy 11NN-6: Recreation facilities should incorporate public education regarding shoreline ecological functions and processes, the role of human actions on the environment, and the importance of public involvement in shorelines management. Opportunities incorporating educational and interpretive information should be pursued in design and operation of recreation facilities and nature trails.
- Policy 11NN-7: Reasonable physical or visual public access to shorelines should be provided and integrated with recreational developments in accordance with WCC 23.30.070 (Public Access).
- Policy 11NN-8: Recreation development should be located only where utility and road capability are adequate, or may be provided without significant damage to shore features commensurate with the number and concentration of anticipated users.
- Policy 11NN-9: Cooperative efforts among public and private persons toward the acquisition and/or development of suitable recreation sites or facilities should be explored to assure long-term availability of sufficient public sites to meet local recreation needs.

### **Residential**

- Policy 1100-1: Single-family residences are designated in Chapter [90.58](#) RCW as a priority use in those limited instances when authorization is given for alterations of the natural condition of shorelines of the state.
- Policy 1100-2: New residential development is encouraged to cluster dwelling units together to reduce physical and visual impacts on shorelines and to reduce utility and road costs. Planned unit developments that include common open space and recreation facilities, or a variety of dwelling sizes and types, are encouraged at suitable locations as a preferable alternative to extensive single-lot subdivisions on shorelines. Planned unit developments

- (Chapter [20.85](#) WCC) may also include a limited number of neighborhood commercial business uses where consistent with the applicable zoning regulations.
- Policy 1100-3: Allowable density of new residential development should comply with applicable Comprehensive Plan goals and policies, zoning restrictions, and shoreline area designation standards. The density of development should be appropriate to local natural and cultural features.
- Policy 1100-4: Structures or development for uses accessory to residential use should preserve shoreline open space, be visually and physically compatible with adjacent cultural and shoreline features, be reasonable in size and purpose, and result in no net loss of shoreline ecological functions and processes.
- Policy 1100-5: Buildings greater than 35 feet above average grade level that will obstruct the views of a substantial number of residences on areas adjoining such shorelines are limited by the SMA (RCW [90.58.320](#)) to those cases where the SMP does not prohibit such development and then only when overriding considerations of the public interest will be served. The SMP provides opportunities for buildings greater than 35 feet in height in limited areas where consistent with development objectives and the goals and policies of this chapter.
- Policy 1100-6: New residential development should be planned and built to minimize the need for shoreline stabilization and flood hazard reduction measures.
- Policy 1100-7: Measures to conserve native vegetation along shorelines should be required for all residential development. Vegetation conservation may include avoidance or minimization of clearing or grading, restoration of areas of native vegetation, and/or control of invasive or nonnative vegetation.
- Policy 1100-8: Whenever possible, nonregulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources should be encouraged for residential development. Such methods may include resource management planning, low impact development techniques, voluntary protection and enhancement projects, education, or incentive programs.
- Policy 1100-9: New multiunit residential development, including subdivision of land for more than four parcels, should provide substantial shore recreational opportunities for residents and the public, unless public access is infeasible due to incompatible uses, safety, impacts to shoreline ecology, or legal limitations. Developments of four or fewer units should provide private access to the shore for those living in the development (non-public).

Policy 1100-10: Development should provide open space corridors between structures, and along site boundaries, so as to provide space for outdoor recreation, preserve views, and minimize use conflicts.

Policy 1100-11: Recreation-oriented residential development in the shoreline should be located only where substantial recreation opportunities are provided on site, and where nearby property owners and other appropriate uses will not be adversely affected.

### **Restoration and Enhancement**

Policy 11PP-1: The SMP recognizes the importance of restoration of shoreline ecological functions and processes and encourages cooperative restoration efforts and programs between local, state, and federal public agencies, tribes, nonprofit organizations, and landowners to address shorelines with impaired ecological functions and/or processes.

Policy 11PP-2: Restoration actions should restore shoreline ecological functions and processes as well as shoreline features and should be targeted towards meeting the needs of sensitive and/or locally important plant, fish and wildlife species, the biological recovery goals for early Chinook and bull trout populations, and other salmonid species and populations.

Policy 11PP-3: Restoration should be integrated with other parallel natural resource management efforts such as the WRIA 1 Salmonid Recovery Plan and the WRIA 1 Watershed Management Plan.

Policy 11PP-4: Priority should be given to restoration actions that:

- a. Create dynamic and sustainable ecosystems.
- b. Restore connectivity between stream/river channels, floodplains and hyporheic zones.
- c. Restore natural channel-forming geomorphologic processes.
- d. Mitigate peak flows and associated impacts caused by high stormwater runoff volume.
- e. Reduce sediment input to streams and rivers and associated impacts.
- f. Improve water quality.
- g. Restore native vegetation and natural hydrologic functions of degraded and former wetlands.
- h. Replant native vegetation in riparian areas to restore functions.
- i. Restore nearshore ecosystem processes, such as sediment transport and delivery and tidal currents that create and sustain habitat.

- j. Restore pocket estuaries that support salmon life histories, including feeding and growth, refuge, osmoregulation, and migration.
- k. Address contamination along industrial shoreline regions.

### **Shoreline Stabilization**

- Policy 11QQ-1: Alternatives to structures for shore protection should be used whenever possible. Such alternatives may include no action (allow the shoreline to retreat naturally), increased building setbacks, building relocation, drainage controls, and bioengineering, including vegetative stabilization, and beach enhancement.
- Policy 11QQ-2: Single-family residences occupied prior to January 1, 1992, and their appurtenant structures should be protected against damage or loss caused by shoreline erosion; provided, that measures to protect single-family residences should be designed to minimize harm to the shoreline environment. After that date, all new single-family residences and their appurtenant structures should be built in a manner so as to not need protective measures.
- Policy 11QQ-3: New or expanded structural shore stabilization for new primary structures should be avoided. Instead, structures should be located and designed to avoid the need for future shoreline stabilization where feasible. Land subdivisions should be designed to assure that future development of the created lots will not require structural shore stabilization for reasonable development to occur.
- Policy 11QQ-3: New or expanded structural shore stabilization should only be permitted where demonstrated to be necessary to protect an existing primary structure that is in danger of loss or substantial damage, and where mitigation of impacts would not cause a net loss of shoreline ecological functions and processes.
- Policy 11QQ-4: New or expanded structural shore stabilization for enhancement, restoration, or hazardous substance remediation projects should only be allowed when nonstructural measures, vegetation planting, or on-site drainage improvements would be insufficient to achieve enhancement, restoration, or remediation objectives.
- Policy 11QQ-5: Shore stabilization on streams should be located and designed to fit the physical character and hydraulic energy potential of a specific shoreline reach, which may differ substantially from adjacent reaches.
- Policy 11QQ-6: Shore stabilization should not be permitted to unnecessarily interfere with public access to public shorelines, nor with other appropriate shoreline uses including, but not limited to, navigation, seafood harvest, or recreation.

- Policy 11QQ-7: Provisions for multiple use, restoration, and/or public shore access should be incorporated into the location, design, and maintenance of shore stabilization for public or quasi-public developments whenever safely compatible with the primary purpose. Shore stabilization on publicly owned shorelines should not be allowed to decrease long-term public use of the shoreline.
- Policy 11QQ-8: Shore stabilization should be developed in a coordinated manner among affected property owners and public agencies for a whole drift sector (net shore-drift cell) or reach where feasible, particularly those that cross jurisdictional boundaries, to address ecological and geohydraulic processes, sediment conveyance and beach management issues. Where beach erosion threatens existing development, a comprehensive program for shoreline management should be established.
- Policy 11QQ-9: In addition to conformance with the regulations in the SMP, nonregulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources should be encouraged for shore stabilization. Nonregulatory methods may include public facility and resource planning, technical assistance, education, voluntary enhancement and restoration projects, or other incentive programs.
- Policy 11QQ-10: Shore stabilization should be located, designed, and maintained to protect and maintain shoreline ecological functions, ongoing shore processes, and the integrity of shore features. Ongoing stream, lake, or marine processes and the probable effects of proposed shore stabilization on other properties and shore features should be considered. Shore stabilization should not be developed for the purpose of filling shorelines.
- Policy 11QQ-11: Failing, harmful, unnecessary, or ineffective structures should be removed, and shoreline ecological functions and processes should be restored using nonstructural methods or less harmful long-term stabilization measures.
- Policy 11QQ-12: Structural shoreline stabilization measures should only be used when more natural, flexible, sustainable, nonstructural methods such as vegetative stabilization, beach enhancement, and bioengineering have been determined infeasible. Alternatives for shoreline stabilization should be based on the following hierarchy of preference:
- a. No action (allow the shoreline to retreat naturally), increase building setbacks, and relocate structures.
  - b. Flexible defense works constructed of natural materials including soft shore protection, bioengineering, including beach enhancement, protective berms, or vegetative stabilization.

- c. Rigid works constructed of artificial materials such as riprap or concrete.

Materials used for construction of shoreline stabilization should be selected for long-term durability, ease of maintenance, compatibility with local shore features, including aesthetic values, and flexibility for future uses.

Policy 11QQ-13: Larger works such as jetties, breakwaters, weirs, or groin systems should be permitted only for water-dependent uses when the benefits to the region outweigh resource losses from such works, and only where mitigated to provide no net loss of shoreline ecological functions and processes.

Policy 11QQ-14: Alternative structures, including floating, portable or submerged breakwater structures, or several smaller discontinuous structures, should be considered where physical conditions make such alternatives with less impact feasible.

### **Signs**

Policy 11RR-1: Whatcom County recognizes the constitutional right for property owners to communicate using signs on their property. These policies are intended to ensure that signage within shoreline areas is consistent with the purpose and intent of the SMA and the SMP by addressing impacts to ecological functions, public safety, and visual aesthetics.

Policy 11RR-2: Signs should be located, designed, and maintained to be visually compatible with local shoreline scenery as seen from both land and water, especially on shorelines of statewide significance.

Policy 11 RR-3: Sign location and design should not significantly impair shoreline views.

Policy 11 RR-4: As a preferable alternative to continued proliferation of single-purpose signs, communities, districts, and/or multiuse or multitenant commercial developments are encouraged to erect single, common use gateway signs to identify and give directions to local premises and public facilities.

Policy 11 RR-5: Signs of a commercial or industrial nature should be limited to those areas or premises to which the sign messages refer.

Policy 11 RR-6: Billboards and other off-premises signs are not water-dependent, they reduce public enjoyment of or access to shorelines, and they often lower values of nearby properties. Except for approved community gateway or directional signs, such signs should not be located on shorelines.

Policy 11 RR-7: Signs near scenic vistas and viewpoints should be restricted in number, location, and height so that enjoyment of these limited and scarce areas is not impaired.

- Policy 11 RR-8: Freestanding signs should be located to avoid blocking scenic views and be located on the landward side of public transportation routes, which generally parallel the shoreline.
- Policy 11 RR-9: To minimize negative visual impacts and obstructions to shoreline access and use, low profile, on-premises wall signs are strongly preferred over freestanding signs or off-premises wall signs.
- Policy 11 RR-10: Signs should be designed mainly to identify the premises and nature of enterprise without unduly distracting uninterested passersby. Moving or flashing signs should be prohibited on shorelines.

### **Transportation**

- Policy 11SS-1: New public or private transportation facilities should be located inland from the land/water interface, preferably out of the shoreline, unless:
- a. Perpendicular water crossings are required for access to authorized uses consistent with the SMP; or
  - b. Facilities are primarily oriented to pedestrian and non-motorized use and provide an opportunity for a substantial number of people to enjoy shoreline areas, and are consistent with the policies and regulations for ecological protection in the General Policies section of this chapter and in WCC 23.30.010 (Ecological Protection), respectively.
- Policy 11SS-2: Transportation facilities should be located and designed to avoid public recreation and public access areas and significant natural, historic, archaeological, or cultural sites.
- Policy 11SS-3: Parking is not a preferred use in shorelines and should only be allowed to support authorized uses where no feasible alternatives exist.
- Policy 11SS-4: New or expanded public transportation facility route selection and development should be coordinated with related local and state government land use and circulation planning.
- Policy 11SS-5: Transportation system route planning, acquisition, and design in the shoreline should provide space wherever possible for compatible multiple uses such as utility lines, pedestrian shore access or viewpoints, or recreational trails.
- Policy 11SS-6: Transportation system plans and transportation projects within shorelines should provide safe trail space for non-motorized traffic such as pedestrians, bicyclists, or equestrians. Space for such uses should be required along roads on shorelines, where appropriate, and should be considered when rights-of-way are being vacated or abandoned.

Policy 11SS-7: Public access should be provided to shorelines where safe and compatible with the primary and adjacent use, or should be replaced where transportation development substantially impairs lawful public access. Viewpoints, parking, trails, and similar improvements should be considered for transportation system projects in shoreline areas, especially where a need has been identified.

Policy 11SS-8: Public transportation routes, particularly arterial highways and railways, should be located, designed, and maintained to permit safe enjoyment of adjacent shore areas and properties by other appropriate uses such as recreation or residences. Vegetative screening or other buffering should be considered.

### **Utilities**

Policy 11TT-1: New public or private utilities should be located inland from the land/water interface, preferably out of the shoreline jurisdiction, unless:

- a. Perpendicular water crossings are unavoidable; or
- b. Utilities are required for authorized shoreline uses consistent with the SMP.

Policy 11TT-2: Utilities should be located and designed to avoid public recreation and public access areas and significant natural, historic, archaeological, or cultural resources.

Policy 11TT-3: Utilities should be located, designed, constructed, and operated to result in no net loss of shoreline ecological functions and processes with appropriate mitigation as provided in 23.30.010 (Ecological Protection).

Policy 11TT-4: All utility development should be consistent and coordinated with all local government and state planning, including comprehensive plans and single purpose plans to meet the needs of future populations in areas planned to accommodate growth. Site planning and rights-of-way for utility development should provide for compatible multiple uses such as shore access, trails, and recreation or other appropriate use whenever possible; utility right-of-way acquisition should also be coordinated with transportation and recreation planning.

Policy 11TT-5: Utilities should be located in existing rights-of-way and corridors whenever possible.

Policy 11TT-6: Utilities serving new development should be located underground, wherever possible.

Policy 11TT-7: Development of pipelines and cables on aquatic lands and tidelands, particularly those running roughly parallel to the shoreline, and development of facilities that may require periodic

maintenance that would disrupt shoreline ecological functions should be discouraged except where no other feasible alternative exists. When permitted, provisions shall assure that the facilities do not result in a net loss of shoreline ecological functions or significant impacts to other shoreline resources and values.

Policy 11TT-8: Given the different scales of regional, local, and accessory utilities and their potential impacts, the County may establish different regulations regarding each.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2022-422

---

<b>File ID:</b>	AB2022-422	<b>Version:</b>	1	<b>Status:</b>	Substitute Approved
<b>File Created:</b>	07/20/2022	<b>Entered by:</b>			
<b>Department:</b>		<b>File Type:</b>	Resolution		
<b>Assigned to:</b>	Council Committee of the Whole	<b>Final Action:</b>	08/09/2022		
<b>Agenda Date:</b>	08/09/2022	<b>Enactment #:</b>	RES 2022-036		

---

Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution establishing priorities for Whatcom County’s 2025 Comprehensive Plan update

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See memo.

---

### HISTORY OF LEGISLATIVE FILE

---

<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
07/26/2022	Council Committee of the Whole	DISCUSSED	
07/26/2022	Council	HELD IN COMMITTEE	Council (Special)
	Aye: 5	Buchanan, Donovan, Elenbaas, Galloway, and Kershner	
	Nay: 1	Frazey	
	Absent: 1	Byrd	
08/02/2022	Council (Special)	DISCUSSED	
08/09/2022	Council Committee of the Whole	FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION WITH PROPOSED AMENDMENT(S)	
	Aye: 4	Buchanan, Byrd, Donovan, and Elenbaas	
	Nay: 1	Frazey	
	Absent: 0		
	Abstain: 1	Galloway	
	Temp Absent: 1	Kershner	

08/09/2022 Council

SUBSTITUTE APPROVED

Aye: 5 Frazey, Galloway, Kershner, Buchanan, and Donovan  
Nay: 2 Elenbaas, and Byrd  
Absent: 0

---

**Attachments:** Staff Memo, Substitute Resolution (Version 4 - Clean), Substitute Resolution (Version 4 - Track Changes), Substitute Resolution (Version 5 - Track Changes), Substitute Resolution (Version 6 - Clean for 8.9.2022), Substitute Resolution (Version 6 - Track Changes for 8.9.2022), Substitute Resolution (Version 7 - Track Changes Following 8.9 COTW)

RESOLUTION NO. 2022-036

ESTABLISHING PRIORITIES FOR WHATCOM COUNTY'S 2025 COMPREHENSIVE PLAN UPDATE

WHEREAS, the Washington State Growth Management Act (GMA) requires Whatcom County to develop a Comprehensive Plan for managing population growth and development, which was adopted in May of 1997; and

WHEREAS, the GMA requires Whatcom County to review urban growth areas (UGAs) under RCW 36.70A.130(3) to be able to accommodate population and employment growth projected for the 20-year planning period; and

WHEREAS, the GMA requires Whatcom County to periodically review and revise its Comprehensive Plan and development regulations under RCW 36.70A.130(1); and

WHEREAS, on August 9, 2016, Whatcom County adopted Ordinance 2016-034 updating the Comprehensive Plan; and

WHEREAS, Whatcom County should conduct an evaluation of the current Comprehensive Plan outlining progress made towards achieving goals and policies, and identify remaining areas of opportunity for improvement; and

WHEREAS, the GMA requires Whatcom County to review, and if needed, revise its Comprehensive Plan and development regulations on or before June 30, 2025, and every ten years thereafter; and

WHEREAS, the current Comprehensive Plan contains chapters on many intersectional issues impacted by climate change, equity, and economic security including Land Use, Housing, Capital Facilities, Utilities, Transportation, Economics, Resource Lands, Recreation, and Environment; and

WHEREAS, on November 9, 2021, the Whatcom County Council passed Resolution 2021-049, adopting the 2021 Whatcom County Climate Action Plan, which develops goals, strategies, and actions to reduce greenhouse gas emissions and build climate resilience related to buildings, energy, industry, transportation, waste, land use, water, fisheries, agriculture, forestry, and ecosystems; and

WHEREAS, Whatcom County has experienced increasingly severe and frequent effects of climate change including wildfires, smoke, heat dome, drought, and floods; and

WHEREAS, recent scientific reports from the Intergovernmental Panel on Climate Change point out that time is running short for communities everywhere to mitigate and adapt to the worst effects of climate change; and

WHEREAS, the Whatcom County Comprehensive Plan needs to more clearly integrate climate change, equity, and economic security throughout; and

WHEREAS, over the last several years, the Washington State Legislature considered several bills that address GMA and comprehensive planning including, but not limited to, HB 1099 (2021-22) and HB 1117 (2021-22); and

WHEREAS, legislation failing to pass during previous legislative sessions does not preclude Whatcom County from proactively and voluntarily incorporating these policy frameworks into the updated Comprehensive Plan; and

WHEREAS, in addition to climate change, Whatcom County has experienced significant socio-economic impacts due to the COVID-19 pandemic; and

WHEREAS, as early as 2019, the lack of affordable housing is recognized as an impediment to economic growth within Whatcom County by many in the community including the Business and Commerce Advisory Committee; and

WHEREAS, housing affordability continues to decline under unprecedented levels of national inflation; and

WHEREAS, historic growth trends may not accurately predict future needs and new methodologies may need to be introduced; and

WHEREAS, cities within Whatcom County have expressed concern that the traditional use of Urban Growth Areas (UGAs), and their associated restrictions, may incentivize development within unincorporated Whatcom County rather than targeted growth areas; and

WHEREAS, preservation of the Whatcom County's farmlands and agricultural industries is a common goal; and

WHEREAS, public input is a critical component to identifying priorities of the Comprehensive Plan; and

WHEREAS, The Whatcom County Council believes the updated Comprehensive Plan should reflect our shared values and address the current and future needs of Whatcom County; and

WHEREAS, the Whatcom County Council acknowledges that Whatcom County is a diverse landscape, home to a broad spectrum of cultures, and serving a wide variety of industries, and therefore recognizes that the solutions to the priorities identified here may take various forms throughout the County; and

WHEREAS, The Whatcom County Council looks forward to working collaboratively with the Executive, county staff, relevant Whatcom County boards, commissions, and advisory committees, seven cities, Native Nations, and stakeholders to adopt an updated Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the following priorities be considered for incorporation into the updated Comprehensive Plan due on or before June 30, 2025:

1. Equity, environmental justice, and economic security should be guiding principles throughout all chapters of the Comprehensive Plan and associated planning and regulatory documents.
2. Engage government-to-government with Lummi Nation and Nooksack Indian Tribe in the development and implementation of the Comprehensive Plan, and work to ensure tribal treaty rights and sovereignty are considered and upheld in all aspects.

3. Incorporate climate change mitigation, adaptation, resilience, and greenhouse gas (GHG) emission reduction throughout the Comprehensive Plan.
4. Promote the protection and restoration of healthy habitats for fish and wildlife throughout the Comprehensive Plan.
5. Collaboratively work towards economic security and affordable housing without sacrificing environmental health and public safety.
6. Support a thriving local agriculture and food system economy and food security, considering the impacts of climate change on agriculture as well as equity and housing needs of farmworkers.
7. Build resilience to climate change in forests that enables both a thriving timber economy and healthy sustainable forest ecosystems for wildlife, carbon sequestration and storage, production and storage of cool, clean water, and environmentally safe recreation.
8. More thoroughly consider impacts of climate change, equity, and economic security in relation to natural hazards mitigation and emergency response.
9. More thoroughly consider how growth patterns may have been altered from historic patterns in light of socioeconomic changes, climate change, and housing affordability challenges and what impact this should have on future planning.
10. Analyze the use of, and restrictions to, municipal Urban Growth Areas (UGAs) within the County to avoid unintended incentives to build outside of UGAs.
11. Maximize the environmental benefits of wetland mitigation and consider opportunities to increase development yield in urban areas by establishing off-site wetland mitigations with rigorous monitoring and adaptive management requirements in areas outside of cities.
12. Consider equitable contribution from development within unincorporated Whatcom County toward public and park infrastructure with the implementation of an impact fee program.

BE IT FURTHER RESOLVED, by the Whatcom County Council that the attached Exhibit A be considered as possible implementation strategies and actions that could help accomplish the priorities listed in this resolution.

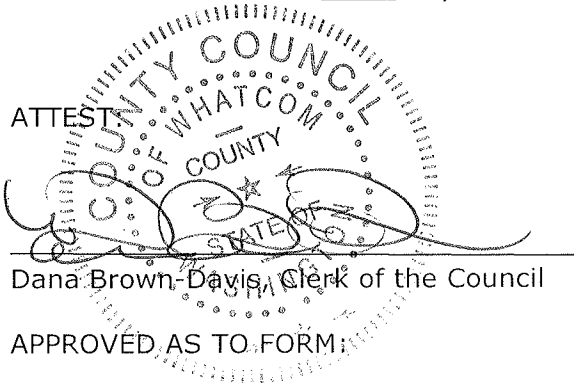
BE IT FINALLY RESOLVED, that the Whatcom County Council recognizes the importance of coordinating and collaborating throughout the planning process with the following governments and stakeholders:

- Whatcom County departments including the Planning & Development Services, Public Works, Parks & Recreation, Health Department, Finance Department, and the Emergency Management Division of the Sheriff's Office.
- Whatcom County boards, commissions, and advisory committees including, but not limited to, the Planning Commission, Climate Impact Advisory Committee, Flood Advisory Committee, Marine Resources Committee, Bicycle/Pedestrian Advisory Committee, Racial Equity Commission, Forest Advisory Committee, Agricultural Advisory Committee, Food System Committee, Child and Family Wellbeing Taskforce, Business and Commerce Advisory Committee, Housing Advisory Committee, and WRIA 1 Planning Unit.

- Native Nations including Lummi Nation and the Nooksack Indian Tribe.
- The seven incorporated cities of Whatcom County: Bellingham, Blaine, Ferndale, Lynden, Sumas, Everson, and Nooksack.
- The Port of Bellingham.
- The Public Utility District No. 1 of Whatcom County.
- Whatcom Conservation District.
- State government including local legislators, Governor, the Department of Natural Resources, Department of Ecology, Department of Fish and Wildlife, Department of Agriculture, Department of Commerce, and other relevant agencies.
- Federal government including local Congressional delegation, U.S. Forest Services, U.S. Department of Agriculture, U.S. Department of Interior, National Parks Services, U.S. Fish and Wildlife, National Oceanic and Atmospheric Administration, and other relevant agencies.
- Whatcom County residents, business owners, farmers, farmworkers, community interest groups, and nonprofits.

APPROVED this 9th day of August, 2022.

ATTEST



Dana Brown-Davis, Clerk of the Council

APPROVED AS TO FORM:

/s/ Karen Frakes (via e-mail 8/10/22) / JL  
 Karen Frakes, Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL  
 WHATCOM COUNTY, WASHINGTON

Todd Donovan, Council Chair

**EXHIBIT A:**  
**SUGGESTED IMPLEMENTATION STRATEGIES AND ACTIONS**

<p><b>1. Equity, environmental justice, and economic security should be guiding principles throughout all chapters of the Comprehensive Plan and associated planning and regulatory documents.</b></p>
<p>Strengthen the “Diverse Cultural Composition” section of the Land Use chapter to include both equity and sovereignty.</p>
<p>Incorporate relevant components from <u>SB 5141</u> (2021-22) the Healthy Environment for all (HEAL) Act and the <u>Washington Environmental Health Disparities Map</u>.</p>
<p>Incorporate the Whatcom County “Healthy Planning” approach established by <u>resolution 2015-038</u>.</p>
<p>Consult with the Whatcom County Health Department, Racial Equity Commission, Child and Family-Wellbeing Taskforce, and organizations representing farm workers, farmers, low-income families and children, and other groups disproportionately impacted by climate change, environmental injustices, and economic insecurity.</p>
<p>Prioritize actions in overburdened communities that equitably enhance climate resilience and avoid or substantially reduce the adverse impacts of climate change in people, property, and ecological systems using best available science and climate projections.</p>
<p>Consider impacts to economic security and incorporate into relevant chapters.</p>
<p><b>2. Engage government-to-government with Lummi Nation and Nooksack Indian Tribe in the development and implementation of the Comprehensive Plan, and work to ensure tribal treaty rights and sovereignty are considered and upheld in all aspects.</b></p>
<p>Follow the framework established in <u>HB 1717</u> (2021-22), concerning tribal participation in planning under the growth management act.</p>
<p><b>3. Incorporate climate change mitigation, adaptation, resilience, and greenhouse gas (GHG) emission reduction throughout the Comprehensive Plan.</b></p>

Mitigate and adapt to climate change, reduce greenhouse gas (GHG) emissions, and build climate resilience by implementing the recommendations of the <a href="#">Whatcom County Climate Action Plan</a> .
Change the title of the Environment chapter to "Environment and Climate Resilience"
Add goals of climate change mitigation and adaptation, and include measures to mitigate the adverse impacts of climate change on people, property, infrastructure, and ecological systems.
Consider and plan for how population growth and development impacts climate projections and associated risks and adverse events, and vice versa.
Add language to encourage a natural climate solutions approach to climate mitigation and resilience.
Use the best available science associated with climate change and biodiversity.
<b>Transportation Chapter</b>
Incorporate measures aimed at reducing transportation related emissions, including adding a goal to reduce vehicle miles traveled (VMT) by enhancing bicycle and pedestrian infrastructure, encouraging the use of public transportation, and improving coordination between development and transportation systems.
Enhance access to safe active and alternative transportation modes by implementing the recommendations of the <a href="#">Whatcom County Pedestrian and Bicycle Plan</a> , the Regional Trails Plan, and Route Map proposed by the Bicycle/Pedestrian Advisory Committee.
Accelerate the transition to a low- or zero-emission transportation system (bicycles, cars, trucks, buses, and ferry) and associated infrastructure, per <a href="#">Resolution 2022-033</a> . <ul style="list-style-type: none"> <li>Develop a plan to transition the county fleet, including passenger vehicles, ferry, and other equipment, to electric, hydrogen, biofuels or other low- or zero-emission technologies.</li> </ul>
Identify areas throughout the County, including the small cities, which may be feasible locations for transit-oriented development.

<b>Capital Facilities Chapter</b>
<p>Assess and analyze the climate impact of existing County facilities, outline specific actions and secure funding to improve energy efficiency, health, and safety while reducing GHG emissions and harm to people and the environment.</p> <ul style="list-style-type: none"> <li>• Identify and replace outdated County facilities, such as the current jail, that become noncompliant with State Building Code standards, and present other health and safety concerns; ensure county facilities are a safe and dignified space for staff and all residents.</li> <li>• Retrofit County buildings where feasible to increase energy efficiency and install electric heat pumps.</li> <li>• Increase renewable energy generation and storage in County facilities.</li> </ul>
<p>Consider climate change impacts to critical infrastructure and Whatcom County facilities.</p>
<p>Evaluate the climate vulnerability and risk of existing infrastructure in Whatcom County.</p>
<p>.</p>
<p>.</p>
<p>Facilitate the construction of publicly accessible electric vehicle charging infrastructure at County facilities such as buildings, parks, and other community spaces like schools, libraries, and senior centers.</p>
<p>Ease existing barriers by updating relevant development regulations and land use and building codes such as updating parking requirements to require or incentivize parking spots to be EV-ready on all new industrial, commercial, and residential multi-family construction.</p>
<p>Design and build new county facilities in a sustainable way including net zero energy use, increasing energy resilience, utilizing local, sustainably sourced building materials, enhancing microgrid capabilities, and developing at locations that increase accessibility to public and alternative transportation modes.</p>
<p>Conduct an economic analysis for current county infrastructure, buildings, and transportation that factors in externalities of climate change to inform replacement prioritization and timeline.</p>
<b>Utilities Chapter</b>

Work with public and private utilities to further reduce greenhouse gas emissions, increase renewable energy resources, and modernize the energy grid to build community and climate resilience.

Support the evaluation of Whatcom Public Utilities District #1 to expand renewable energy production, water, and broadband throughout the County.

Support Universal Broadband Access as a foundation for energy transition and digital equity.

- Establish a goal to achieve symmetrical gigabit broadband throughout the County.
- Support efforts to establish and increase municipal/public broadband.
- Incorporate a coordination, or "Dig Once", policy for all new road construction projects, utility installations, and in planning for new residential, commercial, and industrial development.

Enhance goals to reduce fossil fuel consumption and increase access to renewable energy resources.

- Review, and consider repealing, the moratorium and other restrictions on new wind energy systems, and updating any relevant wind energy code.
- Evaluate potential for geothermal and hydrogen energy in Whatcom County.
- Assess opportunities to modernize the energy grid and other technologies and infrastructure necessary to deploy renewable energy and increase efficiency and energy security.
- Work with privately or investor-owned utilities to support their transition to more renewable energy.
- Incentivize a methodical transition away from natural gas and other fossil fuels while supporting a transition to electrification or other zero-emission alternatives.

Set goals to further improve water quality and quantity.

- Fully implement the outcomes of the Nooksack Adjudication and "Solutions Table" process to ensure legal use of water that supports water use efficiency, salmon recovery, agriculture, and drinking water for all residents.
- Update policies and take action to further protect Lake Whatcom watershed.
- Explore water infrastructure and technology solutions that can help store, conserve, improve efficiency, and alleviate the high demand during times of limited supply.
- Incorporate recommendations and priorities from the Whatcom County Drought Contingency Plan.
- Ensure the Coordinated Water System Plan is consistent with the comprehensive plan and development regulations, confirming current water supply and water systems can support future growth.

Quantify and reduce greenhouse gas emissions from waste management and septic systems in the county.

- Implement the strategies in the Comprehensive Solid and Hazardous Waste Management Plan.

<ul style="list-style-type: none"> <li>Promote and incentivize composting (food and yard waste) and the recycling of building materials.</li> </ul>
<p><b>4. Promote the protection and restoration of healthy habitats for fish and wildlife throughout the Comprehensive Plan</b></p>
<p>Add a salmon recovery goal.</p>
<p>Implement the actions outlined in the Water Resource Inventory Area (WRIA) 1 <u>Salmon Recovery Program</u> and <u>Salmonid Recovery Plan</u>.</p>
<p>Incorporate recommendations and priorities from the <u>WRIA 1 Watershed Management Plan</u>.</p>
<p>Identify and update regulations that protect wildlife corridors and habitat connectivity, protect, preserve, and restore healthy habitat and biodiversity, and protect fish and wildlife populations from human activities and structures.</p> <ul style="list-style-type: none"> <li>Identify and map wildlife corridors and connectivity throughout the county.</li> <li>Evaluate what lands are best for wildlife corridors and habitat restoration based on a cost-benefit analysis.</li> <li>Develop and expand voluntary programs that work with and compensates participating landowners.</li> </ul>
<p><b>Land Use Chapter</b></p>
<p>Work with the State to evaluate a framework and strategy for achieving net ecological gain of salmon and other aquatic species habitat for all public projects and a voluntary incentive driven framework and strategy for private projects.</p>
<p>Coordinate land use policy with water supply goals.</p>
<p><b>Transportation Chapter</b></p>
<p>Include an updated culvert inventory and prioritized list and proposed schedule for the elimination of identified fish passage barriers in coordination with the Tribes, State, Cities, and private landowners.</p>
<p><b>5. Collaboratively work towards economic security and affordable housing without sacrificing environmental health and public safety.</b></p>
<p><b>Housing Chapter</b></p>

Outline specific goals and policies to ensure housing development meets current and future housing, equity, climate, and economic needs.
<p>Ensure adequate housing and services for seniors and people with disabilities.</p> <ul style="list-style-type: none"> <li>• Services to include housing support, assistance with daily living, transportation, recreation, accessing healthcare and assistance at a person-centered level.</li> <li>• Comprehensive Plan must include zoning allowances for residences, compliance with ADA, and transportation component appropriate to this population.</li> </ul>
Add a goal that everyone, at every income level, has access to affordable housing, as defined by a household spending 30% or less of its income on housing costs.
Provide permanently affordable housing and home ownership opportunities in all neighborhoods for individuals earning between 50% to 120% of AMI.
Provide a full range of affordable housing types ranging from multifamily apartments, condos, and duplexes to detached single family homes, ADU's, and tiny homes.
Target an average rental vacancy of 5%, and available housing supply of 4-6 months, for all income levels.
Update, strengthen, and streamline land use codes, housing regulations, and permitting processes that further encourage, and where appropriate, require more affordable, dense, sustainable, low impact, and energy efficient development.
<p>Support building and energy codes that incentivize a strategic transition to all-electric new residential construction, ensuring that our communities are sustainable, affordable, equitable, and healthy now and in the future, while addressing resiliency and vulnerabilities to climate change disproportionately impacting rural and low-income communities in Whatcom County. To help facilitate a strategic transition:</p> <ul style="list-style-type: none"> <li>• recognize and assist residents still dependent upon access to wood, natural gas, diesel, and other fossils fuels for backup energy when homes have limited, or no access, caused by such things as power outages, severe weather, or location.</li> <li>• prepare for emergencies and build community resilience and self-sufficiency by working with our state and federal partners on energy grid modernization, investing in underground utilities, and access to affordable and reliable electricity for all communities.</li> </ul>

Support incentive programs that promote solar panels, electric heat pumps for space and water heating, and weatherization for existing residential and commercial buildings.
Consider permitting and land use policies that increase affordable housing such as sustainable development incentives, expedited permitting and fee reductions, form-based building codes, transit-oriented development, infill development, density bonuses, clustering subdivisions, urban villages, and farmland trusts.
.
Consider County acquisition of land for permanently affordable housing development such as a community land trust or land bank model.
Expand availability and development of housing, especially mixed and middle housing options, near transit and employment opportunities to reduce travel needs and vehicle miles travelled.
Invest in wetland mitigation throughout Whatcom County and explore off-site wetland mitigation as a strategy to increase development capacity.
In development regulations, protect critical areas by strengthening mitigation requirements including requiring net gain in pervious surface area and tree canopy cover.
<b>Economic Chapter</b>
Promote a more diverse, equitable, sustainable, and climate resilient future economy.
Support living wage job creation in green industry, commerce, forestry, and agriculture.
Support a just clean energy transition for workers and communities.
Invest in robust economic and workforce development at all levels, including in climate-resilient and green energy related fields.
Support supply chain resiliency.
Increase access to quality and affordable childcare by implementing the recommendations of the <a href="#">Whatcom County Child and</a>

Family Well-Being Action Plan.
Work with the Port of Bellingham and Whatcom PUD to increase access to quality and affordable high-speed broadband.
As Whatcom County continues to recover from the COVID-19 pandemic, assess the impact the Comprehensive Plan had/has on supporting the local economy, business models (such as streets turned into outdoor dining for restaurants to reopen), the working population, the basic necessities and logistics for our community, and incorporating lessons learned.
<b>6. Support a thriving local agriculture and food system economy and food security, considering the impacts of climate change on agriculture as well as equity and housing needs of farmworkers.</b>
<b>Resource Lands Chapter</b>
Consider the impacts of climate change, water resources, and flood control on agriculture and agricultural workers such as rising temperatures, more severe and unpredictable weather events, flooding, air quality, water quality and quantity, and soil health.
Work to provide secure and legal access to water for farmers <b>all farmers with an end goal of water use efficiency to drive profitability for a diverse agriculture economy, recognizing that the “use it or lose it doctrine” of water rights does not promote water use efficiency.</b> <del>employing water conservation and water use efficiency principles.</del>
Integrate water supply planning and land use planning to support Whatcom County’s goal of maintaining a minimum of 100,000 acres of agricultural land.
Promote opportunities to increase sustainability and climate resilience in agriculture and processing.
Enhance local food security and food sovereignty by implementing the recommendations of the <a href="#">Whatcom Community Food Assessment</a> .
Improve wages, housing, and working conditions for food chain workers.
Ensure safe and affordable on-farm housing, transportation, and healthcare for farmers and farmworkers.
Increase demand for local food products and expand support networks for local agriculture product development.

- Increase capacity for local food producers to connect with local food enthusiasts by allowing processing and packaging infrastructure on-farm and elsewhere, in the size, scale, use and intensity of agriculture in Whatcom County.

Encourage research and development of drought- and heat- tolerant crops, and agriculture technologies that will reduce emissions, improve soil health, and increase efficient use of water.

Enhance flood control and drainage vitally important to protecting people, farm families, and infrastructure.

- If agriculture land is utilized for “overflow areas”, the county should also plan to facilitate drainage to enable the ability of the land to be productively farmed.
- Manage drainage areas, including wildlife control, to protect land intended to produce food and fiber, except where they have been placed in the conservation programs.

Encourage climate smart farming practices that protect and regenerate soil, water, land, and carbon sequestration.

Preserve productive agricultural lands across Whatcom County by implementing the recommendations of the Whatcom County Agricultural Strategic Plan and the 2019 Rural Land Study, considering rezoning opportunities (such as R5 to Ag 20 or similar), and increasing funding and staff capacity for the Conservation Easement Program in order to protect more agricultural lands from development pressure.

Expand allowable agricultural land uses to include non-traditional farming models.

**7. Build resilience to climate change in forests that enables both a thriving timber economy and healthy sustainable forest ecosystems for wildlife, carbon sequestration and storage, production and storage of cool, clean water, and environmentally safe recreation.**

Support a thriving local forest products industry and sustainable local resource economy including living wage jobs.

Encourage and incentivize working forest management practices that enhance ecosystem services such as healthy fish and wildlife habitats, forest and watershed health, clean water, climate resilience, carbon sequestration and storage, open green space, and sustainability.

- Develop Forest Management Plans for Lake Whatcom Park, Canyon Lake Community Forest, and Stewart Mountain

Community Forest with these values in mind.
Encourage research and development and the use of best available science in the evaluation and mitigation of potential adverse impacts from timber harvesting to peak flows, low summer stream flows, water quality, wildlife, slope stability and wildfire risk.
Engage and collaborate with forest management experts, practitioners, professionals and researchers to obtain well informed and broad understanding of issues in order to facilitate prudent decisions and formulate positions on forestry issues. <ul style="list-style-type: none"> <li>Examples include the Cooperative Monitoring, Evaluation, and Research (CMER) Committee (Forest Practices Board), DNR's Olympic Experimental Research Forest scientists and its research partners, and the Whatcom County Forest Advisory Committee.</li> </ul>
Recognize the ability for sustainable forest practices to produce a wide variety of benefits, and identify opportunities to optimize the wood production and carbon storage capacity of forestlands in Whatcom County through the application of extended harvest rotations.
Consider opportunities to protect old and mature forests while also exploring ways to maintain harvestable forest land base, such as actively managing County owned lands and working with the federal government on harvest potential of federal lands.
Provide feedback into Environmental Impact Statements or State Environmental Policy Act on regulatory or policy changes to forest management during planning level analyses in order to influence and encourage climate considerations in decision making while providing certainty to industry and other proponents.
Encourage uneven-aged forest management practices through selective harvest and variable density thinning to enhance structural complexity, biodiversity, drought-tolerance, fire resilience, hydrologic function, and protection of fish-bearing and non-fish-bearing streams.
Expand carbon market opportunities that reward landowners who actively manage their forests to increase carbon storage and sequestration and enhance ecosystem services.
Evaluate the net loss or gain in carbon emissions and ecological function when rezoning forest lands for other uses.
Encourage reforestation, or afforestation, of previously cleared riparian and upland areas through providing funding, seedlings, expertise, and outreach.
Consider development pressures on working lands and work with partners on the possibility of establishing a Whatcom County

goal of maintaining a minimum number of working forest land that is required to sustain local forestry infrastructure.
Work with private landowners to support their investment in the environment and infrastructure, including road improvements, removal of fish passage barriers, and installation of fish-friendly culverts and bridges.
Increase funding and staff capacity for the Conservation Easement Program in order to protect more forest lands from development, particularly as a strategy to protect forest lands in the Lake Whatcom watershed.
Promote development of Whatcom Grown timber products that support climate resilience, the local timber economy, timber and forestry jobs, and reduce transportation-related emissions.
Support the forest industries and workers as they transition to more climate resilient forest harvest techniques, including any support needed to increase wages, benefits, and safety of workplace conditions.
Support environmentally safe recreation on working forests by adequately funding Whatcom County Parks and Recreation to actively manage recreation, mitigate any negative impacts, and develop and maintain existing county owned lands and infrastructure. <ul style="list-style-type: none"> <li>• Collaborate with all levels of government and other landowners in planning, development, maintenance, and habitat restoration as well as enforcement support.</li> <li>• Provide funding to support other landowners in managing public use impacts in recognition of the benefits forest recreation provides to the county and its residents.</li> </ul>
Determine countywide reforestation opportunities in the built environment and expand and strengthen tree canopy requirements and retention in existing and newly developed areas of all sizes to enhance carbon storage, reduce ambient air temperatures, mitigate urban heat island effect, and lower the future cooling costs of residential and commercial buildings.
<b>8. More thoroughly consider impacts of climate change, equity, and economic security in relation to natural hazards mitigation and emergency response.</b>
Incorporate climate change into the Whatcom County <u>Natural Hazards Mitigation Plan</u> , and synchronize with <u>FEMA hazard mitigation planning</u> best practices and the comprehensive plan.
Incorporate climate change impact assessments and vulnerability and risk assessments to inform future development and preservation efforts.

Consider the impacts of flooding, increasing temperatures, heat domes, droughts, wildfire, and smoke to human health, the environment, natural resources, resource lands, and economic security.

### **Land Use and/or Environment Chapter**

Enhance flood sections to help recover and mitigate against increased intensity and frequency of flood events.

- Conduct a comprehensive review of the systems, plans, policies, and current codes that must be changed or updated to better prepare for the next flood (such as UGA's in floodplains/floodways), and incorporate improvements based on lessons learned.
- Reduce flooding risk by fully supporting the implementation of recommendations and priorities from the most current and ongoing Whatcom County Flood Integrated Plans, including the Lower Nooksack River Comprehensive Flood Hazard Management Plan.
- Factor flood-related displacement of people and property into growth projections and urban growth areas.
- Restore, where possible, the environmental functions of rivers and streams.
- Improve flood plain water storage and infiltration capacities.
- Consider levee setbacks where appropriate.
- Better prepare for floods and consider the disproportionate impacts of flooding on rural and vulnerable communities.
- Support buybacks in designated floodways.
- Consider water storage options that do not include dams.

Build resilience to climate change while reducing flood risks by supporting efforts to increase tree canopy cover (particularly in riparian areas) and reducing impervious surfaces.

Enhance land use planning in the wildland urban interface (WUI) to reduce and mitigate the risk to people and property posed by wildfires.

- Reduce residential development pressure in the wildland urban interface area.
- Create open space buffers between human development and wildfire-prone landscapes.
- Protect existing residential development through community wildfire preparedness and fire adaptation measures.

### **Environment and/or Shoreline Chapter**

More thoroughly incorporate coastal resilience to plan, prepare, build resilience to climate impacts, and reduce vulnerabilities and risks. Ensure consistent language is included in associated codes as well, including the Critical Areas Ordinance, Shoreline Management Program, and relevant sections of Title 20 zoning.

Plan for sea level rise, changing ocean conditions, storm surges, and floods, and its impacts on coastal residential communities, declining marine fisheries, shellfish beds, coastal infrastructure, and recreation areas.
Reduce development in current and projected future shoreline areas.
<b>Capital Facilities Chapter</b>
Consider establishing and maintaining County Resilience Centers during emergencies or disasters. These facilities could: <ul style="list-style-type: none"> <li>• Provide controlled temperature shelter as well as food, water, and cots for disasters or power outages.</li> <li>• Prioritize under-served communities more vulnerable to disasters such as floods, wildfires, and prolonged heat/cold spells.</li> </ul>
<b>10. Analyze the use of, and restrictions to, municipal Urban Growth Areas (UGAs) within the County to avoid unintended incentives to build outside of UGAs.</b>
Update policies on UGAs in light of current environmental regulation such as critical areas, shorelines, and stormwater regulations.
Update policies using current best practices for agricultural and protected watersheds.
Consider provisions for flexibility of municipal UGA boundaries to yield greater development densities, fewer environmental impacts, and more affordable housing outcomes.
<b>11. Maximize the environmental benefits of wetland mitigation and consider opportunities to increase development yield in urban areas by establishing off-site wetland mitigation areas outside of cities.</b>
Develop cooperative policies that preserve and grow natural areas outside of cities by allowing off-site mitigation in the County.
Update policies on wetland mitigation to allow lower quality wetlands with little to no habitat value to be mitigated off-site.
Increase capacity to steward and conserve natural resources on private property, including considering a mechanism by which rural, private property owners are able to derive monetary benefit from wetland mitigation initiatives or other environmentally beneficial activities.