

PROPOSED BY: PDS
INTRODUCTION DATE: _____

Resolution # _____

APPROVING A ONE-YEAR EXTENSION FOR THE
MAJOR PROJECT PERMIT FOR THE CITY OF BELLINGHAM

WHEREAS, the Whatcom County Council reviewed the City of Bellingham's (COB) Umbrella Mitigation Bank Prospectus and granted a Notice to Proceed to COB on August 2, 2022; and

WHEREAS, on February 28, 2024, Whatcom County Planning and Development Services received an application by the COB for a Major Project Permit to create an umbrella mitigation bank program on two sites in two phases within Whatcom County (the County); and

WHEREAS, on March 8, 2024, a SEPA Determination of Non-significance was issued by the COB, acting as lead agency pursuant to WAC 197-11-926; and

WHEREAS, WCC 2.11.205 requires the Whatcom County hearing examiner to conduct an open record public hearing for major project permits; and

WHEREAS, the hearing examiner held an open record public hearing for the major project permit on June 13, 2024; and WHEREAS, pursuant to WCC 22.05.120 the Whatcom County hearing examiner received testimony and made a recommendation of approval to the Whatcom County Council of the major project permit on June 18, 2024; and

WHEREAS, WCC 22.05.120(6) requires any deliberation or decision of the County Council shall be solely based upon consideration of the record established by the hearing examiner, the recommendation of the hearing examiner and the criteria set forth in applicable county code, the county Comprehensive Plan, compliance with SEPA, Chapter 197-11 WAC as adopted and modified in the county code and the county's adopted SEPA policies; and

WHEREAS, on July 9, 2024, the Whatcom County Council approved the major project permit, subject to the conditions of approval identified in the Whatcom County hearing examiner's recommendation to council, and

WHEREAS, the major project permit conditions of approval required final signature on the mitigation banking agreement within two (2) years of the approval by council, and

WHEREAS, the COB has been working to complete the final banking instrument, however the final document is unlikely to gain full signature approval

prior to the expiration date of July 9, 2026. The COB has requested a one-year extension.

WHEREAS, WCC 22.05.140(2) allows the decision maker to extend project permit approval status for up to one year from the date of the original expiration upon written request by the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the major project permit be granted a one-year extension to comply with the conditions of approval identified in the Whatcom County hearing examiner's recommendation to council. The new expiration date will be July 9, 2027.

APPROVED, this ____ day of ____, 2026.

ATTEST:

Whatcom County Council
Whatcom County, Washington

Cathy Halka,
Clerk of the Council

Kaylee Galloway,
Council Chair

APPROVED as to form:



Civil Deputy Prosecutor

#16094