

Transfer of Regulatory Jurisdiction of Certain Forest Practices from DNR to Whatcom County

PDS Presentation to the
Whatcom County Climate Action and Natural Resources Committee
April 12, 2022

Background – Why?

- ▶ Substitute House Bill 1409 – 60th Legislature – 2007.
 - Counties meeting certain criteria required to adopt regulations for certain forest practices to take over sole regulatory jurisdiction from DNR
 - Class IV – General (Conversion)* Outside of UGAs
 - Class I, II, III, IV – General (Conversion)*, Class IV – Special within UGAs
- ▶ UGAs are for future development; local governments do development, DNR does forestry

*Whatcom County presently reviews all Class IV – General (Conversion) Forest Practice Applications through our Land Disturbance Permit

Background – Why Now?

- ▶ Requirements for Transfer
 - By 2009 AND be in compliance with GMA.
 - WC prioritized GMA compliance
 - GMA compliance in 2016
- ▶ Further delays
 - Shifting staffing roles/levels at PDS and DNR
- ▶ DNR Coordination
 - Initiated recent efforts
 - Transfer worksheet

What Changes?

- ▶ Whatcom County receives regulatory jurisdiction over Class I, II, III, IV – Special Forest Practices in UGAs
 - Unless 20+ acres and written statement to not convert for 10 years (option to remain under DNR jurisdiction)
 - w/ forest management plan; or
 - Designated Forestland (RCW 84.33)
 - Limited impacts to staffing
 - ~1,500 LDPs in past 14 years
 - 6 of these FPAs in past 14 years; 1 in past 11 years
 - 2 were 20+ acres (option to remain w/ DNR)
- ▶ DNR no longer involved in Class IV – General (Conversion) FPA
 - Save time/money for applicant
- ▶ Whatcom County notification to Department of Revenue

What Changes?

▶ For Landowner

- Submit Land Disturbance Clearing Permit (sub-classification: Forest Practice) to Whatcom County
- No Forest Practices Application from DNR
- Review for conformance with Whatcom County regulations instead of DNR Forest Practice regulations

▶ Less confusion within UGAs

- Presently 2 agencies with differing regulations
- Clarity of requirements
 - CAO instead of FP
- Reduction in compliance/enforcement actions

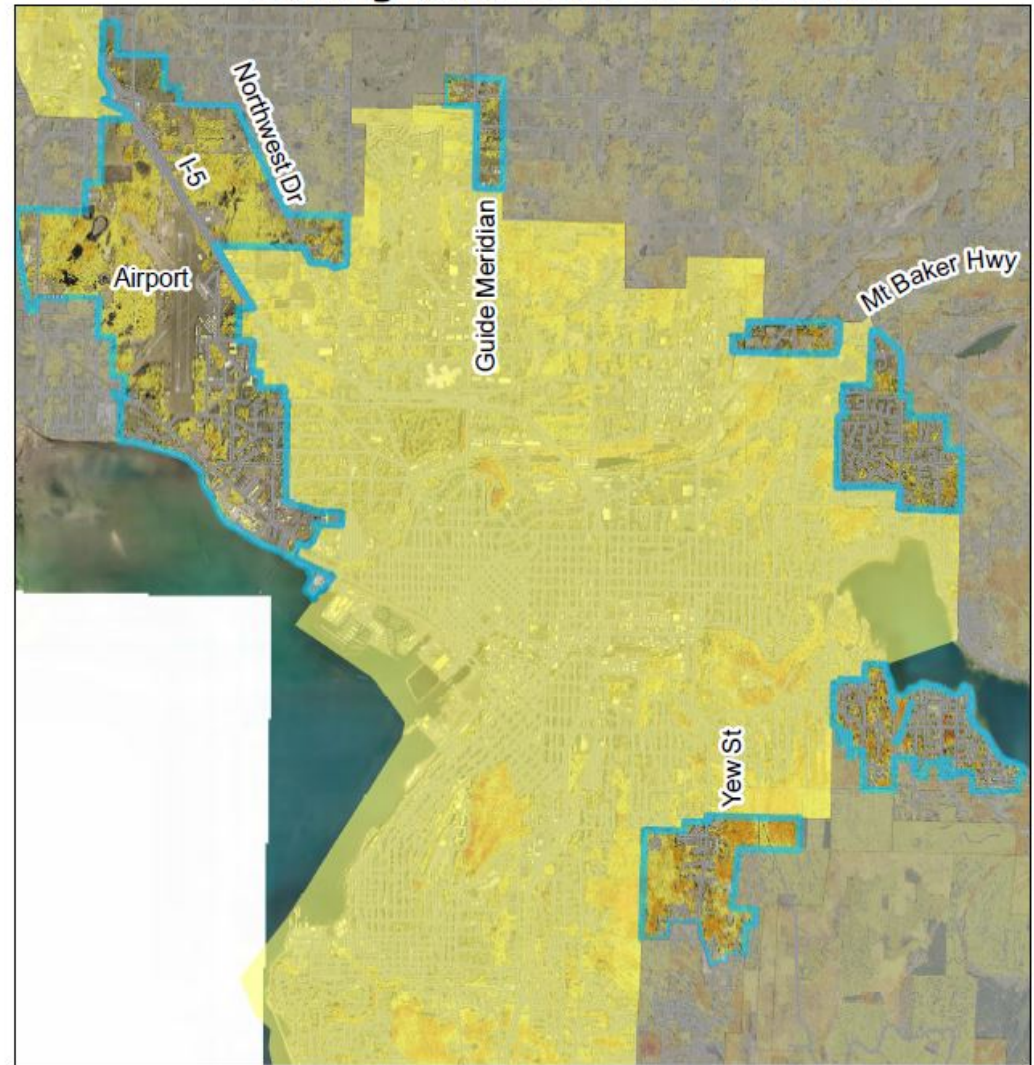
Where?

- ▶ Forestland in Urban Growth Areas
 - 7 cities
 - 2 unincorporated
- ▶ Generally limited areas as shown on following maps

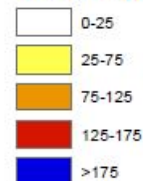
Where?

- ▶ Forested Areas in Bellingham UGA
 - Airport
 - Between Northwest Drive and I5, south of Slater Rd
 - Yew St

Bellingham Urban Growth Area



Tree Canopy Height - Feet

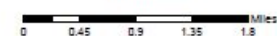


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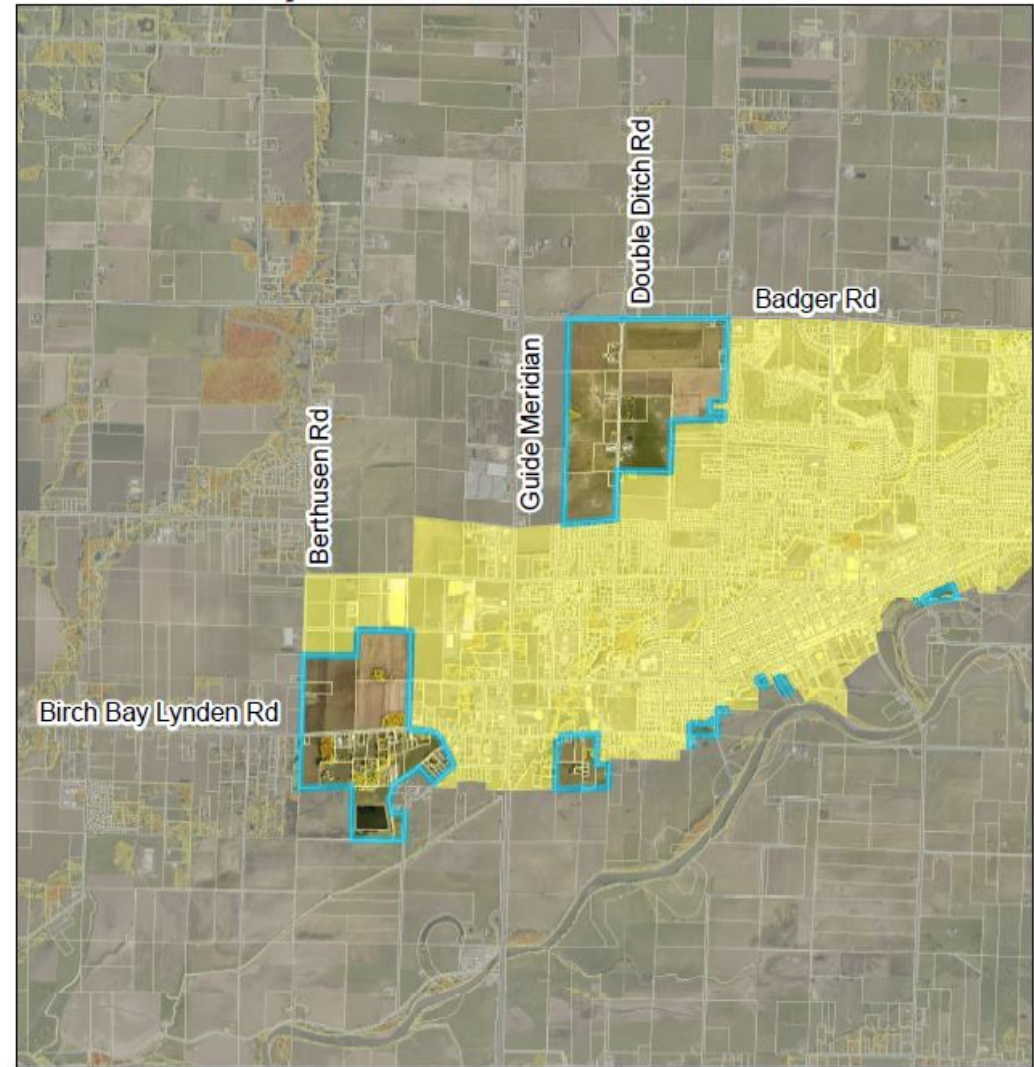
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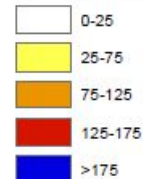
Lynden Urban Growth Area

Where?

- ▶ Forested Areas in Lynden UGA
 - Birch-Bay Lynden Rd/Berthusen Rd



Tree Canopy Height - Feet



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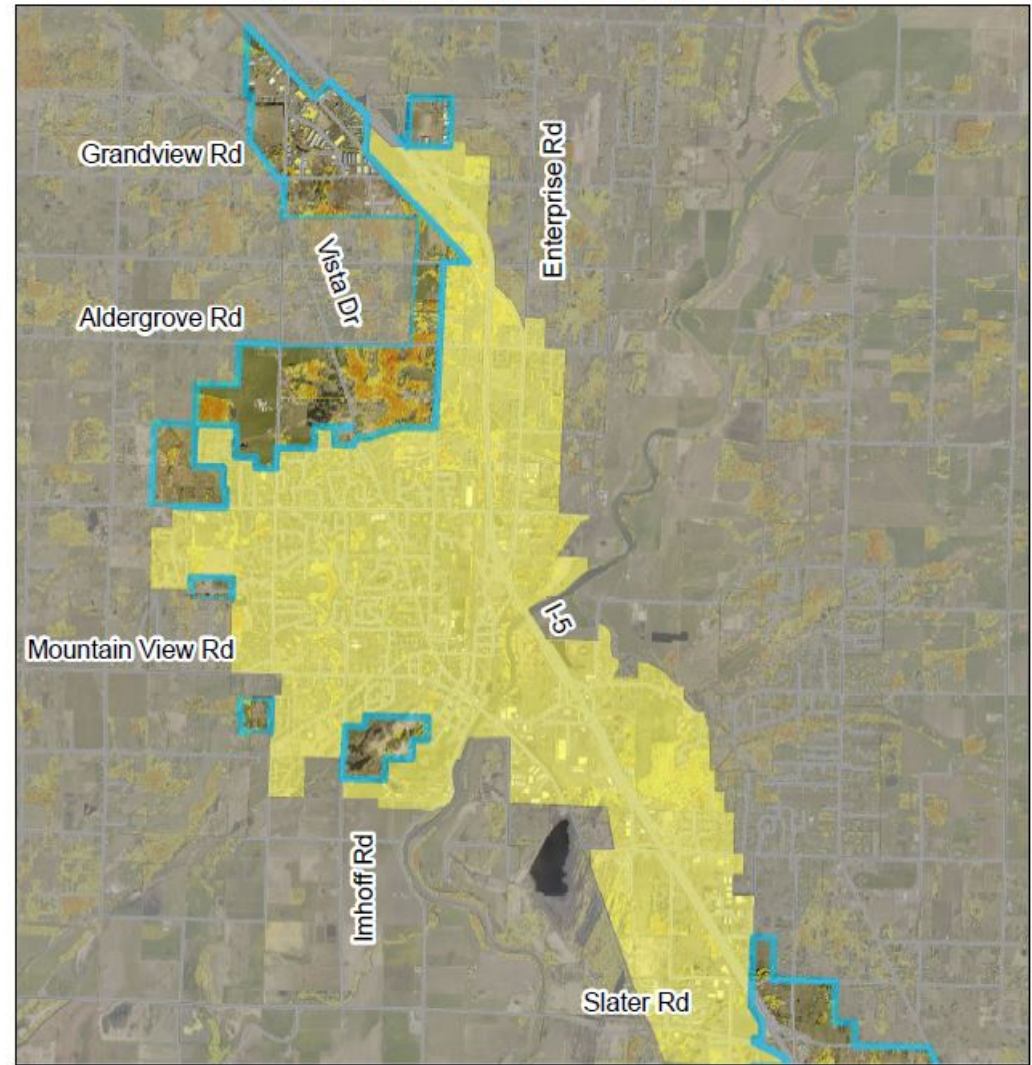
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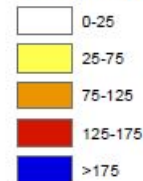
Where?

- ▶ Forested Areas in Ferndale UGA
 - Aldergrove Rd/Vista Dr

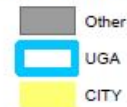
Ferndale Urban Growth Area



Tree Canopy Height - Feet



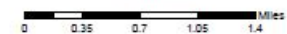
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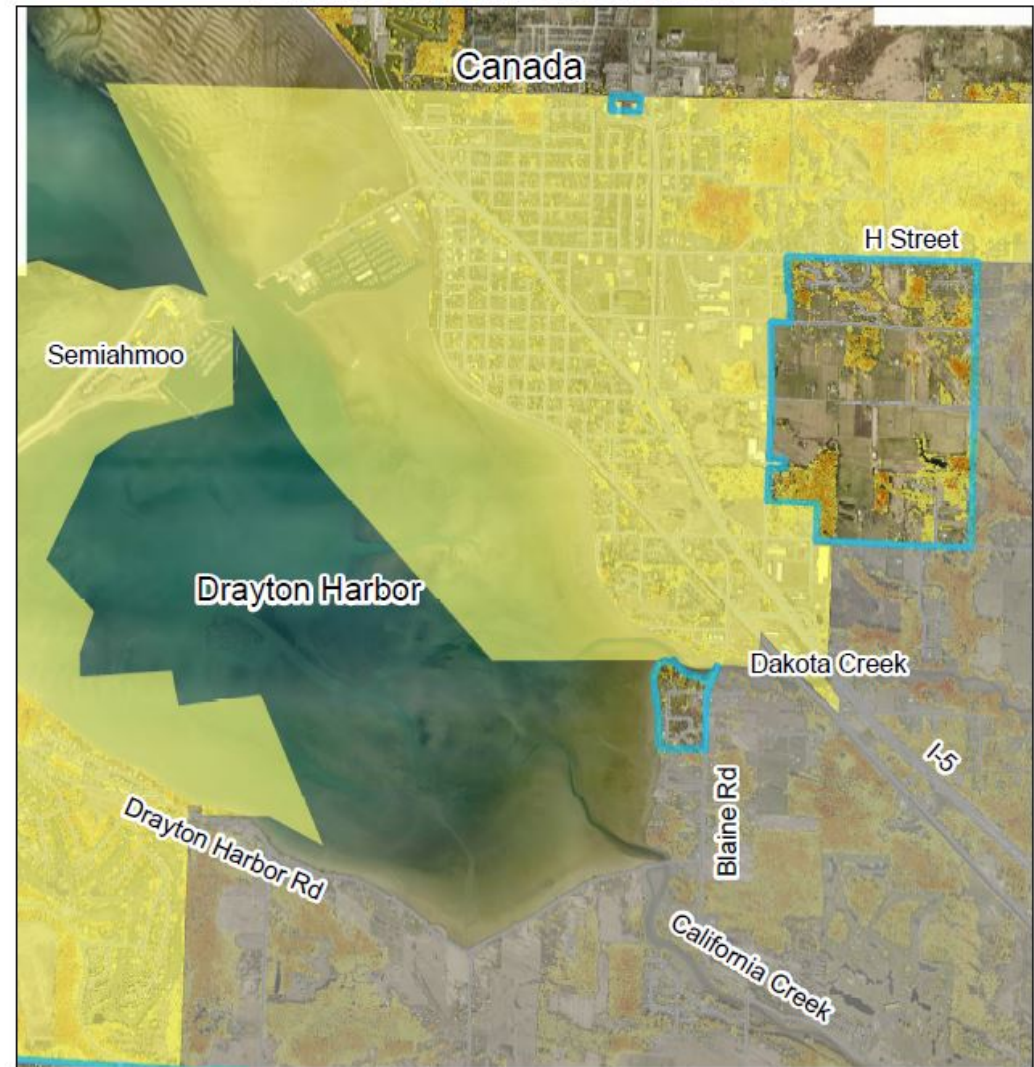
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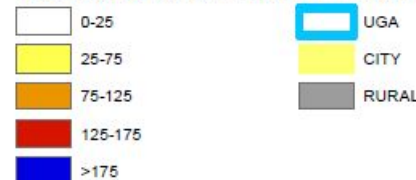
Where?

- ▶ Forested Areas in Blaine UGA
 - H Street/Sweet Rd/Pipeline Rd

Blaine Urban Growth Area



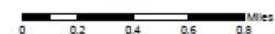
Tree Canopy Height - Feet CP Designation



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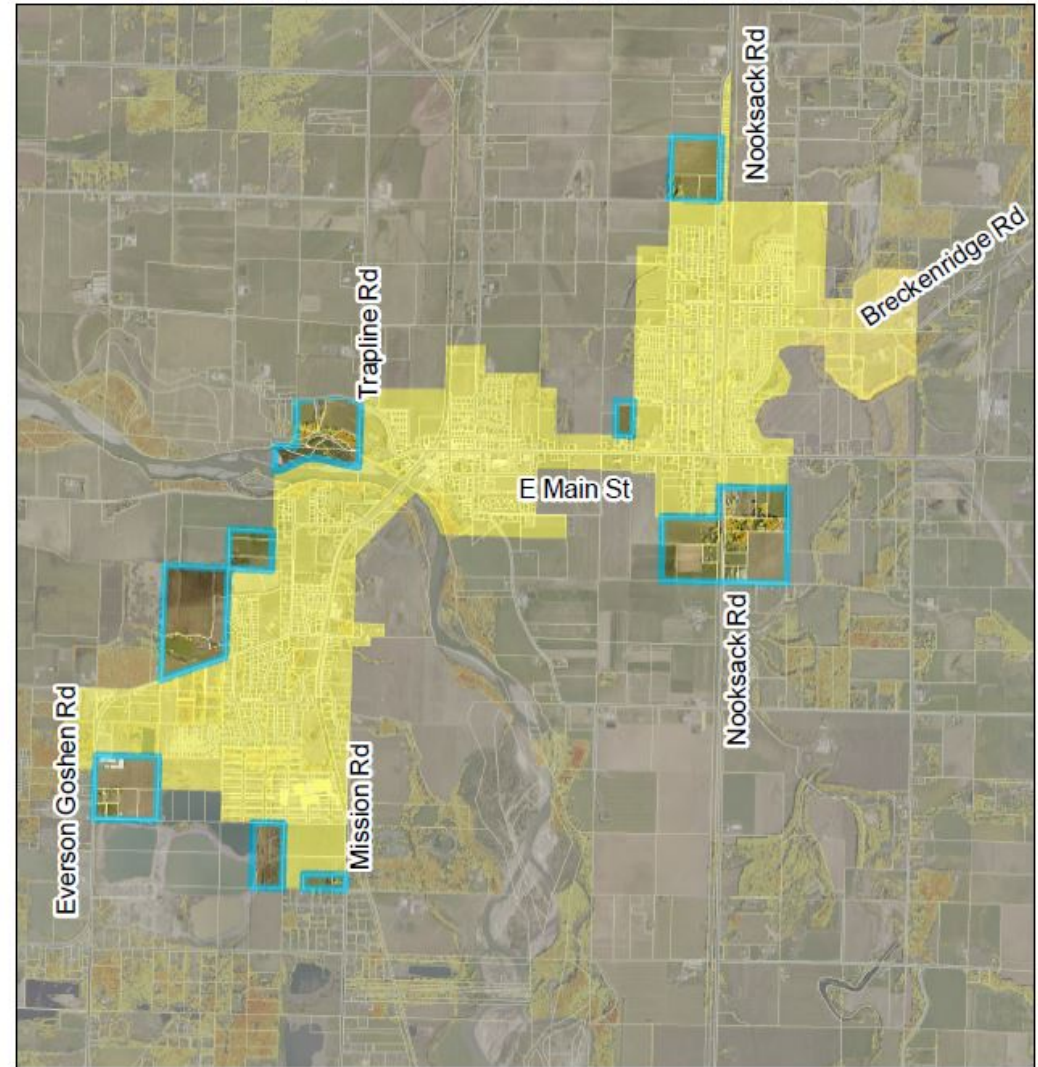
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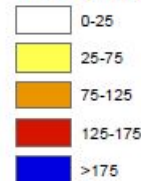
Where?

- ▶ Forested Areas in Everson and Nooksack UGAs
 - Nooksack Rd (south)
 - Trapline Rd

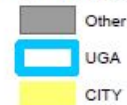
Everson-Nooksack Urban Growth Areas



Tree Canopy Height - Feet

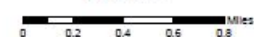


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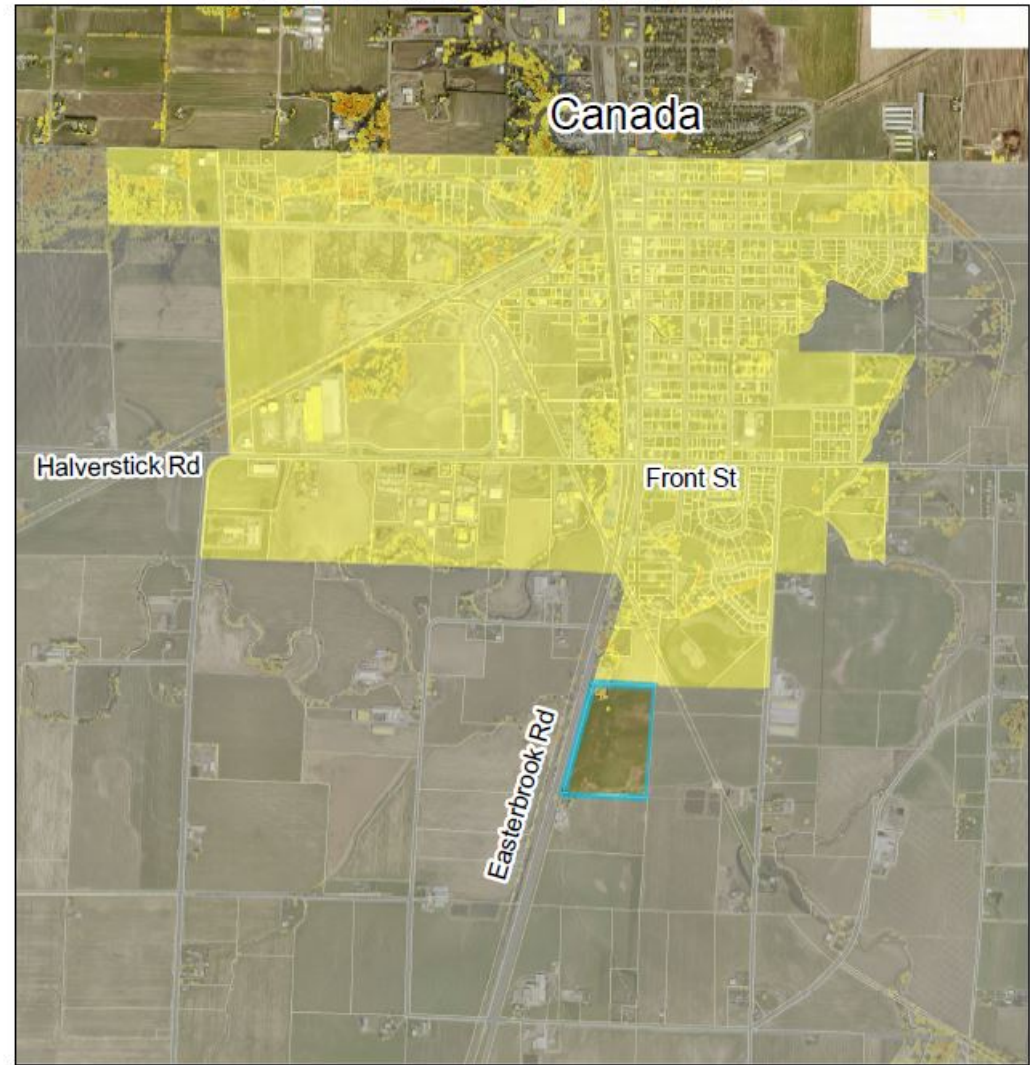
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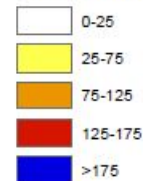
Where?

- ▶ Forested Areas in Sumas UGA
 - None

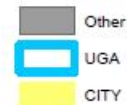
Sumas Urban Growth Area



Tree Canopy Height - Feet



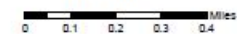
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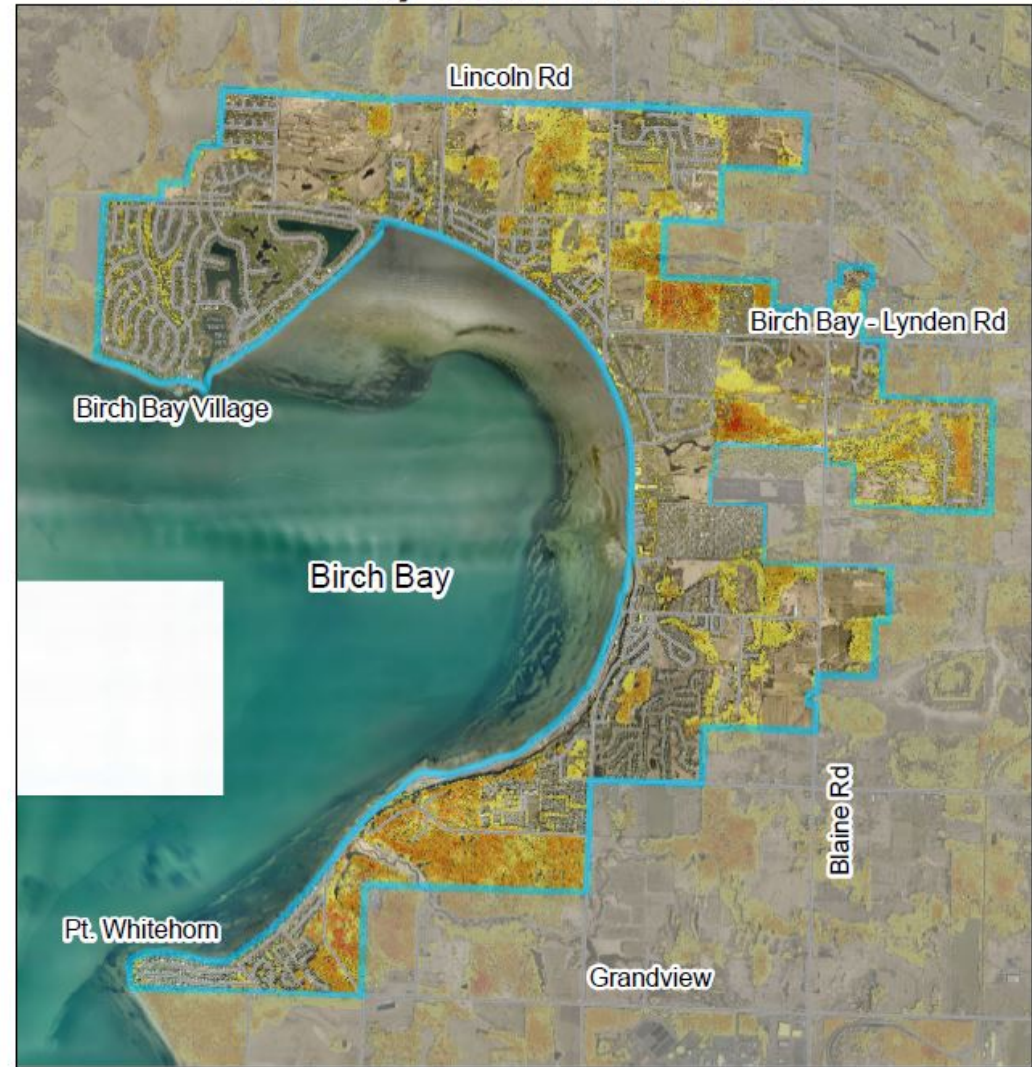
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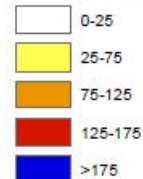
Where?

- ▶ Forested Areas in Birch Bay UGA
 - Birch Bay State Park/BP
 - Blaine Rd/Alderson Rd
 - Blaine Rd/Birch Bay Lynden Rd
 - Birch Bay Lynden Rd /Harborview Rd/Lincoln Rd

Birch Bay Urban Growth Area



Tree Canopy Height - Feet



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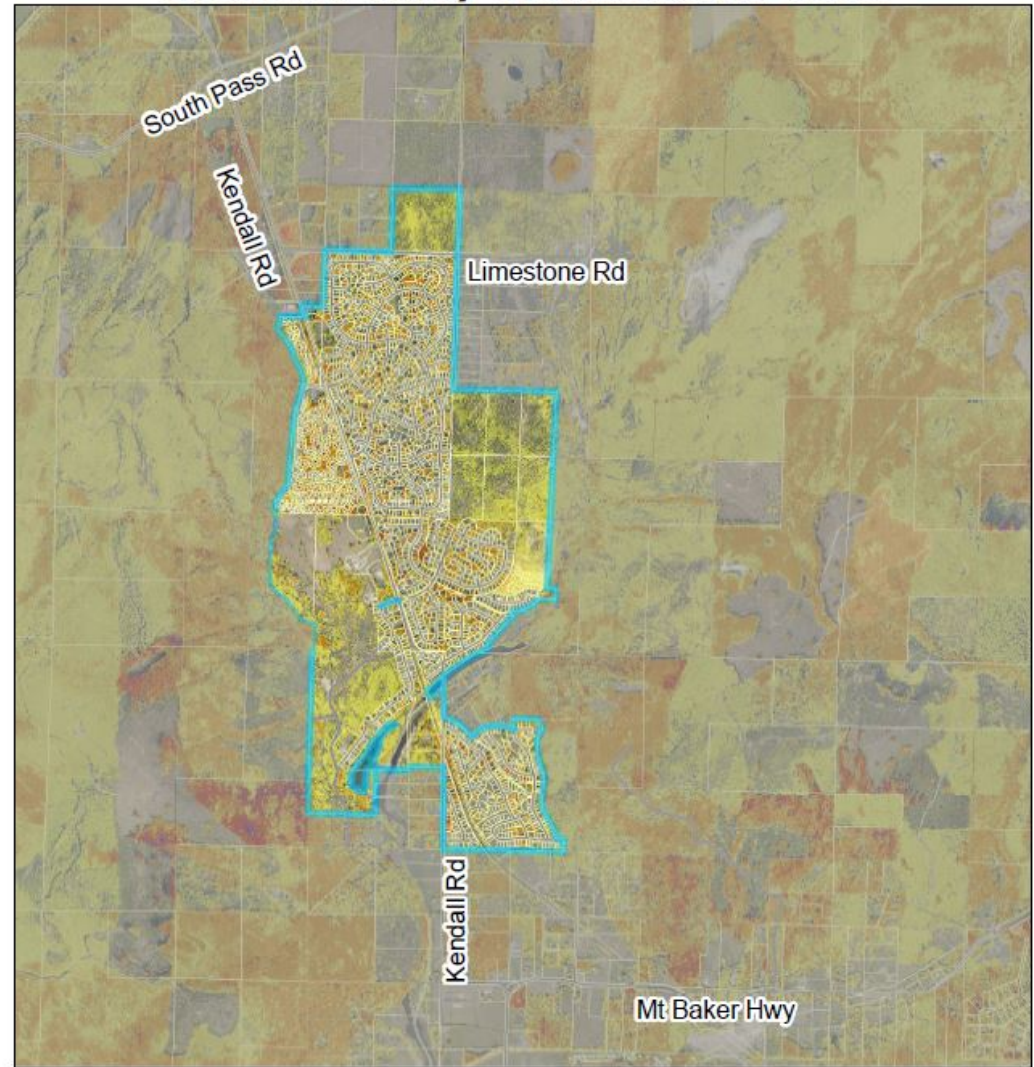
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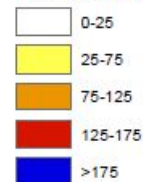
Where?

- ▶ Forested Areas in Columbia Valley UGA
 - Limestone Rd
 - Red Mountain
 - Balfour Valley Dr

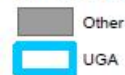
Columbia Valley Urban Growth Area



Tree Canopy Height - Feet



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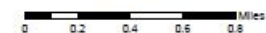


Exhibit A

- ▶ **Forestry Advisory Committee**
 - Reviewed at March 15, 2022 meeting
 - Recommended draft code, as amended

- ▶ **Planning Commission**
 - Reviewed at March 24, 2022 meeting
 - Recommended draft code, as amended.

Questions?

