

Whatcom County Council Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, January 23, 2024

2:30 PM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 4:30 P.M., MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Council Chair Barry Buchanan called the meeting to order at 2:22 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

Announcements

Committee Discussion

1. [AB2024-093](#) Discussion of What-Comm Administrative Board composition

The Council representative on the What-Comm Administrative Board is the Chair of the Finance and Administrative Services Committee so Donovan reported to the Councilmembers. He gave a history of Council discussions about the composition of the Board (see related files **AB2023-561** and **AB2023-656**) in which they voted to change the interlocal to change the composition of the board to have the fire chief and police chief of Bellingham be non-voting members. That information then went to the What-Comm Board and they did not like it. The Council also discussed adding an alternative response representative. He will be going to a board meeting this week and would like to have a sense of what the Council would like to pursue.

Galloway stated the thing she felt most strongly about was ensuring representation from the alternative response team.

Byrd stated he would like to continue to move forward with updating the membership of the board and having it be elected officials since they are directly accountable to the public. He would also like to consider whether or not they even need the board.

Satpal Sidhu, County Executive, stated there is a bigger issue of whether the two entities (Prospect Fire Dispatch Center and the What-Comm center) should be combined into one. He would like the Council to take a deeper look at this. He answered a question about what authority or ordinance created the What-Comm Administrative Board and stated he will look into the history of how the board was formed.

Donovan summarized that the Council would like to continue discussion on:

- Adding an alternate response member

- Whether the role of the small cities should be increased
- Whether the two chiefs should be voting or non-voting members
- Whether the call centers should remain as separate entities

Councilmembers discussed if the Administrative Board should even work on deciding whether to change the composition of the board, and taking the message to the board that the Council will move forward with discussing these four topics either way. They would also like to pursue getting more information about what authority created this body and who it tasks to manage the services.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. [AB2024-053](#) Letter to the Department of Natural Resources to confirm concurrence with 650 acres identified for the Natural Climate Solutions proviso

Buchanan stated they circulated a draft letter to some stakeholders for input and then Galloway created a new draft, incorporating some of that feedback.

The following advisory board chairs addressed the Council:

John Gold, Forestry Advisory Committee Chair, referred to his advisory committee's recommendations (on file). He spoke about the following:

- There were some mapping errors in what the Department of Natural Resources (DNR) supplied and Galloway has worked with the department to resolve that issue.
- There are five different trusts involved and only a fraction are county trust lands so they request that the County speak for its own assets in the letter to DNR.
- They suggested some ways for how DNR can expedite the valuation process to make sure revenues which all the beneficiaries (including the County and a number of its junior taxing districts) would receive are offset in a timely and full manner.
- He highlighted the County Executive's suggested language about clarifying where the replacement revenue might come from.
- He stated the justification as to why the program is beneficial is offset by a substantial revenue impact, and it would be a significant blow to the health of the forest sector.

Ellyn Murphy, Climate Impact Advisory Committee Chair, referred to her advisory committee's letter to the Council (on file) which supports Council's draft letter to DNR. She spoke about the following:

- Biodiverse and structurally complex forests provide numerous benefits to our community and the Council needs to recognize and affirm them.
- The Climate Action Plan stated that Whatcom County's per capita greenhouse gas emissions are twice that of the state. Our forest ecosystems constitute a major sink for those emissions, removing about half our emissions every year.
- Biodiverse and structurally complex forests are generally more resistant to climate impacts and preserving them is critical.
- The legislature allocated funds via the Climate Commitment Act to compensate trust beneficiaries.
- She spoke about cultural activities and stated that many traditional Native American fishing sites are located along Anderson Creek and its tributaries.

Galloway read from her version titled, "Draft Letter to DNR - Galloway 1.19.2024" and spoke about what amendments she is proposing, including:

- The reduction of total acreage to 627 by reducing the acreage associated with Brokedown Palace to remove some of the younger plantation style forest areas
- Honoring some of the comments the Climate Impact Advisory Committee made around old growth and a wide range of watershed and ecosystem benefits
- Asking DNR, as they continue to move forward, to consider Council's concurrence on amending the Brokedown Palace map, the importance of prompt replacement of the lands for the beneficiaries, and developing site-specific plans that preserve existing recreational uses (along with protecting the cultural and ecological values of these lands)

Donovan moved to recommend approval of the Galloway letter with edits. The motion was seconded by Galloway.

Councilmembers discussed adding language encouraging DNR to look at creative ways to implement the conservation status that will preserve existing recreational uses and to use the Blanchard status as an example for how it is managed with regard to recreation.

Chris Hankey, Department of Natural Resources (DNR), stated it is possible that the area around Anderson Creek could fit into the new category of a natural area reserve which, in the Blanchard State Forest, allowed them to maintain various types of recreation.

Councilmembers discussed amending bullet point three to name specific Whatcom County plans that recreational uses should be consistent with, adding language to the same point saying that recreational use would be similar to the Harriet Spanel Natural Area Reserve on Blanchard Mountain, where lumber in Whatcom County would come from if it does not come from these areas, how many jobs would be affected, how the beneficiaries would be negatively affected, and amending bullet three to add that the area may be designated as a “potential” Natural Resource Conservation Area.

Galloway moved and Buchanan seconded to amend section 3 of the version titled “Draft Letter to DNR - Galloway 1.19.2024” so that it reads as follows:

We understand that DNR designating these forestlands as a potential Natural Resource Conservation Area (NRCA) may have implications for public access and recreation. We look forward to working with DNR and the public on the development of site-specific plans that preserve existing recreational uses consistent with Whatcom County’s existing recreational plans and DNR’s Baker to Bellingham Non-Motorized Recreation Plan, and protect the cultural and ecological values these lands have to offer. We recommend DNR explore designating these parcels as a Natural Area Reserve that accommodates a variety of recreation uses, similar to the Harriet A. Spanel Natural Area Reserve that covers part of the Blanchard State Forest.

Stremmer asked whether it needs to be finalized today and Buchanan stated the letter is due on January 31st.

The motion to amend carried by the following vote:

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 2 - Byrd and Stremmer

Out of the Meeting: 1 - Elenbaas

Donovan moved and Buchanan seconded to amend section 2 of the version titled “Draft Letter to DNR - Galloway 1.19.2024” to add the following to the end of the section:

We encourage DNR to work with the legislature on programs that could provide short-term compensation to school districts that are awaiting replacement funds.

Councilmembers discussed the motion with the following people:

- Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager
- Chris Hankey, Department of Natural Resources (DNR)
- Tyler Schroeder, Director of Administrative Services

They discussed whether there is anything on our legislative agenda regarding these items and potential revenue sources for our other taxing districts, the fact that there are also a variety of County funds that will be impacted in addition to the junior taxing districts, the specific amounts of revenue that will be lost by each of the entities, the deadline for Council concurrence and when final financial information will be complete, and whether the letter states that replacement lands should compensate for other taxing jurisdictions besides the school districts.

Donovan amended his motion so that it says, “...**short-term compensation to school districts and other junior taxing districts...**”

Councilmembers and staff discussed the motion, how the decision today could have long-term benefits, and the potential negative impacts to cash flow if replacement revenue does not come or takes a long time.

Byrd suggested a friendly amendment to Donovan’s motion to add “...**short-term compensation to all affected parties such as school districts and other junior taxing districts...**”

Donovan stated he did not mean to propose amending to add the county and junior taxing districts. He put school districts in exclusively because the main beneficiary they have been engaged with is the Mount Baker School District. In previous letters they have written they expressed some commitment to school districts and he wants to carry that forward. His amendment was really the school district because of the short-term impacts they might face.

Donovan accepted the friendly amendment but said to remove “such as” and add “particularly” so that it reads, “...**short-term compensation to all affected beneficiaries, particularly school districts...**”

Schroeder answered what shortfalls the County might have. He stated they do not have the exact numbers but they want to make sure the DNR understands that there are a number of different taxing revenues (County included) that would be impacted.

Donovan restated his motion and *moved* to amend section 2 of the version titled “Draft Letter to DNR - Galloway 1.19.2024” to add the following to the end of the section:

We encourage DNR to work with the legislature on programs that could provide short-term compensation to all affected beneficiaries, particularly school districts, that are awaiting replacement funds.

The motion to amend carried by the following vote:

Aye: 5 - Byrd, Donovan, Galloway, Scanlon, and Buchanan

Nay: 1 - Stremler

Out of the Meeting: 1 - Elenbaas

Councilmembers discussed the motion to approve the letter as amended.

Donovan's motion that the letter be RECOMMENDED FOR APPROVAL WITH PROPOSED AMENDMENT(S) carried by the following vote:

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 2 - Byrd, and Stremler

Temp Absent: 1 - Elenbaas

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 3:52 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription