EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 1: Introduction and Growth Projections

Preface

Land Acknowledgement

Whatcom County Government acknowledges that present day Whatcom County is located on the traditional and ancestral homelands of the Lummi Nation and Nooksack Indian Tribe, as well as other Coast Salish peoples who have lived in and stewarded this land since time immemorial. We honor their enduring connection to the lands and waters of this region — including the Salish Sea, rivers, forests, and mountains — and recognize their continued presence, sovereignty, and cultural traditions. We express our respect and gratitude for their stewardship of this place and commit to learning from and supporting Indigenous communities today. Truth and acknowledgment are critical to building mutual respect and connection across all barriers of heritage and difference. We begin this effort to acknowledge what has been buried by honoring the truth. We pay respect to the elders past and present. We take a moment to consider the many legacies of violence, displacement, migration, and settlement that bring us together here today and seek to uncover such truths in all that we do.

Labor Acknowledgement

Whatcom County as we know it today was shaped by the generations of people who came before us, those who worked the land and water, built communities and infrastructure, raised families, operated businesses, served their neighbors, and contributed through labor, service, innovation, and care for others. We acknowledge that the county's growth and prosperity were built through both opportunity and hardship, and that many people labored under difficult and unjust conditions throughout different periods of our history. We recognize the contributions of workers, families, farmers, tradespeople, laborers, caregivers, entrepreneurs, public servants, and community members whose efforts , often unseen or unrecognized, helped build and sustain our region. This acknowledgment is offered in a spirit of gratitude, stewardship, and shared responsibility as we work together to build a future that serves all residents of Whatcom County.

Chapter One
Introduction and Growth Projections

How the Plan was Created

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

The plan identifies urban growth area (UGA) boundaries, rural areas, agricultural lands, forestry lands and mineral resource lands. The majority of the county's growth will be located within the UGAs. Several factors influenced the development of the adopted goals and polices contained in the Whatcom County Comprehensive Plan.

First, this plan has been reviewed for consistency with the requirements of the Growth Management Act (GMA), the goals of the GMA (RCW 36.70A.020 and .480), and mandatory plan elements (RCW 36.70A.070). GMA goals are set forth below:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(3) Transportation. Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled, and are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

(14) Climate change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW 36.70A.210 and chapter 47.80 RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.

(15) Shoreline of the state. For shorelines of the state, the goals and policies of the Shoreline Management Act as set forth in RCW 90.58.020 shall be considered an element of the county's or city's comprehensive plan.

Second, through inter-jurisdictional cooperation, Whatcom County has coordinated planning and decision making with various levels of government to ensure compatibility of goals and consistency of plans.

Third, extensive community participation was facilitated through meetings, presentations, public hearings, and written comments made throughout this process, consistent with the Public Participation Plan.

Countywide Planning Policies

During the Comprehensive Plan process, the Whatcom County Council, in conjunction with the cities, adopted a set of Countywide Planning Policies (see Appendix C). The

framework provided by the adopted Countywide Planning Policies ensures that local planning efforts will be consistent with one another and supportive of regional goals.

Original Adoption and Amendments

The County Council adopted the Whatcom County Comprehensive Plan in May of 1997. Since then, amendments have been made on an annual basis. Additionally, a comprehensive plan update took place in 2005, a UGA review occurred in 2009 and combined comprehensive plan updates and UGA reviews occurred in 2016 and 2025 as required by RCW 36.70A.130.

Introducing Whatcom County

Whatcom County lies in the northwest corner of both the State of Washington and the coterminous United States. It is bounded on the north by the Canadian border, on the east by Okanogan County, on the south by Skagit County, and on the west by the Strait of Georgia and Bellingham Bay. These borders enclose large parts of the Mount Baker National Forest and the North Cascades National Park, which take up about two-thirds of Whatcom County's total area. All but a few residents live in the western third of the county. Bellingham is Whatcom County's largest city. Other cities include Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas, and there are three unincorporated UGAs and several smaller unincorporated communities.

Tribal Land and Sovereignty

Whatcom County is built on the ancestral homelands and waterways of the Coast Salish peoples, including Lummi Nation and Nooksack Indian Tribe, who have lived on, cared for, and protected these lands and waters since time immemorial. Their culture, values, and teachings are intertwined in the waters, lands, and resources that sustain our life ways. The Whatcom County government acknowledges the Tribes' treaty rights, as guaranteed by the 1855 Treaty of Point Elliott between the United States government and the Lummi Nation and the Nooksack Indian Tribe, and commit to honoring and upholding the Treaty as the supreme law of the land per the United States Constitution. We respect their sovereignty and their right to self-determination.

There are two reservations and associated trust lands located within Whatcom County's borders. The Lummi Nation reservation is on the Lummi Peninsula and Portage Island on the western side of the county. The Nooksack Indian Tribe reservation and trust lands include parcels along the Nooksack River in the west-central area of the county.

The Labor that Built Whatcom County

Whatcom County as it stands today is only possible because of those who have come before us. The Whatcom County government acknowledges the labor that built our country, institutions, and infrastructures. Our country has depended upon the labor, wisdom, and skills of enslaved peoples, Indigenous Peoples, immigrants, and migrants who have often worked within harsh and unjust systems. We recognize the immigrant and American-born workers whose labor often remains unseen yet contributes to the wellbeing of our collective community.

Whatcom County Government

Whatcom County's mission statement is to "promote, enrich and enhance the freedoms, opportunities, health and safety of its citizens. We will provide essential and desirable public services in a cost effective and accountable manner. We will conduct the public's business and treat all members of our diverse community in a courteous and professional manner. We will provide vision, leadership and responsiveness while addressing community issues and conducting the business of the people. We will encourage community involvement in public issues while protecting the rights of the individual and encouraging respect for diversity. We will serve as an active catalyst for individuals and other entities to participate in achieving a positive future for Whatcom County."

The following goals and policies are intended to ensure good County government that serves all residents. This includes accessibility, transparency, accountability, robust public involvement, ongoing process and performance improvement, enhanced tribal engagement and coordination, and fostering inclusion and belonging for all who call Whatcom County home.

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

Policy 1A-1: Integrate and simplify all documents using the "Federal Plain Language Guidelines" available at 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.

Goal 1B: **Whatcom County shall implement this Comprehensive Plan through transparent, coordinated, predictable, and**

efficient regulatory and permitting processes that protect public interests, maintain clear decision-making authority, utilize objective standards where practicable, and reduce unnecessary delay, duplication, uncertainty, and cost.

Policy 1B-1: County regulations and permitting processes should be clear, understandable, consistently administered, and supported by defined procedures, review timelines, and transparent application requirements whenever practicable.

Policy 1B-2: The County should coordinate review processes among departments, municipalities, Tribal governments, agencies, and stakeholders to avoid unnecessary duplication, conflicting requirements, and procedural delay.

Policy 1B-3: The County should encourage consultation, collaboration, and government-to-government coordination consistent with applicable law while maintaining clear decision-making authority and jurisdictional responsibilities established by state and federal law.

Policy 1B-4: Implementation of this Plan should consider impacts on housing affordability, housing supply, project feasibility, economic opportunity, infrastructure investment, environmental stewardship, and family-wage employment.

Policy 1B-5: Regulations should be implemented through objective, measurable, and consistently applied standards whenever practicable, using defined criteria and best available information appropriate to the decision being made.

Policy 1B-6: The County should periodically evaluate permitting performance, review timelines, regulatory effectiveness, and implementation outcomes and pursue improvements that increase predictability, accountability, and administrative efficiency.

Goal 1C: Take concrete steps to facilitate tribal engagement and coordination with Lummi Nation and Nooksack Indian Tribe on all relevant county government activities, regulations, and policies to ensure the opportunity for tribal partners to have a voice in moving the county towards a shared vision for the future.

Policy 1C-1: Recognize the Tribes' sovereignty and right to self-determination; honor and uphold tribal treaty rights including their rights to fish, hunt, and gather.

Policy 1C-2: Work collaboratively with the Tribes in an effort to develop a mutually agreed upon engagement and coordination framework that incorporates regular and meaningful Whatcom County government-to-Tribal–government cooperation promoting open lines of communication, information sharing, and collaborative decision making.

Policy 1C-3: Recognize and support tribal cultures, taking steps that include promoting education and outreach materials and programs that honor tribal history, culture, treaty rights, and sovereignty.

Policy 1C-4: Conserve cultural and natural resources that sustain Indigenous Peoples' way of life. These include watersheds, shorelines, forests, and other culturally significant areas critical to tribal cultural practices and treaty-protected resources.

Policy 1C-5: Coordinate and collaborate with Tribes on all relevant public works and development projects to avoid or minimize adverse impacts on tribal archaeological and cultural resources.

Policy 1C-6: Acknowledge that water is integral to tribal culture and treaty rights; coordinate with tribal governments on the facilitation of the WRIA 1 Nooksack Adjudication, identify and implement methods of protecting streams, rivers, estuaries, groundwater, surface water, aquifer recharge areas, and water related infrastructure.

Policy 1C-7: Acknowledge that the effects of climate change, including extreme weather events, natural hazards such as flooding and wildfires, increasing temperature, and rising sea levels, disproportionately threaten the rights, livelihood, and cultural practices of Indigenous Peoples.

Goal 1D: The Whatcom County Government, in all that it does, shall work towards the elimination of economic and racial disparities and inequities so that all residents of Whatcom County, regardless of identity, citizenship status, socioeconomic status, and/or geography, can live, thrive, and belong for who they are, as they are, without fear, every day.

Policy 1D-1: Acknowledge the historical harm caused to communities of color by Whatcom County Government's actions through planning, housing, and development and identify the connections between the actions and local racially disparate outcomes.

Policy 1D-2: Acknowledge and uplift the culture, diverse values, and cultural resources of communities of color as valuable community assets.

Policy 1D-3: Coordinate and increase the participation of communities facing racial disparities and inequities in County civic processes and

decision-making. Design equitable decision-making structures that allow for community engagement at every step.

Policy 1D-4: Develop and implement an equity and equality of opportunity framework and toolkit to inform decision making and to evaluate how budget, policy, and programmatic decisions impact marginalized and underserved communities.

Policy 1D-5: Invest County staff time and resources to develop environments, capital projects, and initiatives that enhance opportunities for communities currently experiencing racial disparities through public amenities, access to affordable housing, childcare, healthy and culturally relevant food, and health programs.

Policy 1D-6: Through fair and open competition, leverage county resources and investments in public work to empower and uplift a local and diverse workforce for all.

Policy 1D-7: Modernize county code, policies, and processes to ensure diversity, equity, inclusion, and equal protection and provision of county services to all people.

Population

Population growth in Whatcom County since the arrival of the first Euro-American immigrants in the 1850s has been driven largely by in-migration of people from other sections of the state and country. **Table 1** displays the growth of population in Whatcom County from 1910 to 2020, and **Table 2** shows the estimated growth figures for each year of the current decade. These tables indicate a steady increase in population over time, with varying rates of growth often driven by factors external to Whatcom County such as international events or changes in technology and transportation. Approximately 77% of the population growth between 1980 and 2023 was due to in-migration of people from outside the area seeking jobs, life styles, and/or amenities found in Whatcom County. **Figure 1** below shows net migration fluctuating significantly over time.

It should be noted that the first decade of planning under the Growth Management Act (1990-2000) accompanied the reversal of a 30-year trend from 1960-1990 where unincorporated areas grew faster than cities. From 1990 to 2000, cities grew at a more rapid rate than unincorporated areas for the first time since the 1950s. The trend of faster city growth continued between 2000-2020.

Table 1. Population Growth in Whatcom County, 1910-2020

YEAR	TOTAL COUNTY POPULATION	AVERAGE ANNUAL RATE OF GROWTH	UNINCORP-ORATED POPULATION	AVERAGE ANNUAL RATE OF GROWTH	COMBINED POPULATION OF CITIES*	AVERAGE ANNUAL RATE OF GROWTH
1910	49,511		20,183		29,328	
1920	50,600	0.2%	19,621	-0.3%	30,979	0.5%
1930	59,128	1.6%	23,112	1.7%	36,016	1.5%
1940	60,355	0.2%	25,860	1.1%	34,495	-0.4%
1950	66,733	1.0%	26,462	0.2%	40,271	1.6%
1960	70,317	0.5%	25,990	-0.2%	44,327	1.0%
1970	81,983	1.5%	34,004	2.7%	47,979	0.8%
1980	106,701	2.7%	48,622	3.6%	58,079	1.9%
1990	127,780	1.8%	59,187	2.0%	68,593	1.7%
2000	166,826	2.7%	74,231	2.3%	92,595	3.0%
2010	201,140	1.9%	87,065	1.6%	114,075	2.1%
2020	226,847	1.2%	92,660	0.6%	134,187	1.6%

Source: US Census
*Cities include Bellingham, Blaine, Everson (since 1930), Ferndale, Lynden, Nooksack (since 1920), and Sumas

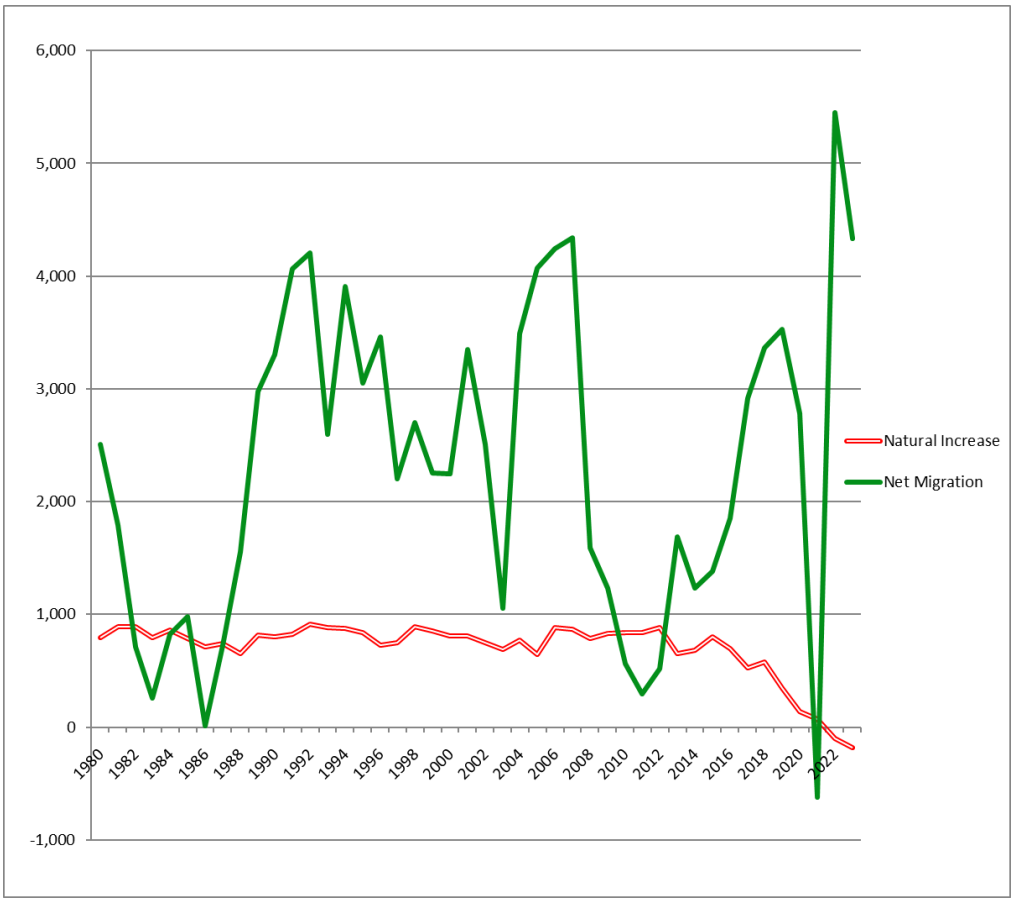
Table 2. Estimated Population Growth in Whatcom County, 2020-2023

YEAR	TOTAL COUNTY POPULA-TION	ANNUAL RATE OF GROWTH	UNINCORP-ORATED POPULATION	ANNUAL RATE OF GROWTH	COMBINED POPULA-TION OF CITIES*	ANNUAL RATE OF GROWTH
2020	226,847		92,660		134,187	
2021	226,300	-0.2	92,730	0.1%	133,570	-0.5
2022	231,650	2.4%	93,130	0.4%	138,520	3.7%
2023	235,800	1.8%	94,175	1.1%	141,625	2.2%

Source: Washington State Office of Financial Management, April 1 Official Population Estimates (2023)
*Cities include Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas.
In 2021, students were not attending college classes in person due to COVID restrictions.

Approximately 60% of all Whatcom County residents live in cities. **Map 1-1** displays the 2020 population density for Whatcom County. The highest densities are in and around cities, though there are other centers of medium to high population density such as the ones at Sudden Valley, Birch Bay, Columbia Valley, and along the Guide Meridian. Approximately 70% of the Whatcom County population lived in cities and urban growth areas in 2023.

Figure 1. Natural Increase and Net Migration in Whatcom County (1980-2023)



Source of information: Washington State Office of Financial Management (2025)

Table 3. Estimated Population Growth in Whatcom County, 2020-2050

YEAR	Natural Increase		Net Migration		Total 5-Year Growth
	Pop. Increase	% of Growth	Pop. Increase	% of Growth	
2020-2025	1,706		11,768		13,474
2025-2030	2,795	20.20%	11,042	79.80%	13,837
2030-2035	889	6.68%	12,415	93.32%	13,304
2035-2040	-595	-4.64%	13,408	104.64%	12,813
2040-2045	-1119	-9.00%	13,558	109.00%	12,439
2045-2050	-916	-7.56%	13,038	107.57%	12,121

Source of information: Washington State Office of Financial Management (2022)

Figure 2. Natural Increase and Net Migration in Whatcom County (2025-2045)



Population Projections

Projections of future population size are an essential component of land use planning. As required by RCW 36.70A.110, in 2022, the Washington State Office of Financial Management (OFM) developed a 20-year population projection for Whatcom County. The OFM projections for 2045 are provided in Table 4 below:

Table 4. OFM Population Projections for Whatcom County

	OFM Population Projections for 2045	Average Annual Growth Rate 2023-2045	Average Annual Population Growth 2023-2045	Total Population Growth 2023-2045
Low	258,231	0.4%	1,020	22,431
Medium	292,714	1.0%	2,587	56,914
High	337,551	1.6%	4,625	101,751

Source: OFM (2022)

The Growth Management Act requires the County to plan for population growth based upon OFM population projections. The county and each city must include areas and

densities sufficient to permit the urban growth that is projected to occur for the succeeding twenty-year period.

The County's 2045 population projection of 303,438 is within OFM's range. The rationale for using this figure, which is above OFM's medium projection, include: ensuring an adequate land supply to accommodate growth, the need to plan for growth, and the need to protect the quality of life and natural resources in Whatcom County. This population projection is selected for planning purposes. Given past population trends and the requirements of GMA, planning for population growth—whether it occurs or not—is critical for the quality of life, protection of natural resources, and economic health of Whatcom County.

Table 5 shows how the total projected 2045 population would be distributed to UGAs and the area outside UGAs.

Outside the UGAs there is a large number of undeveloped tax parcels. While it is not clear exactly how many of these tax parcels are legally buildable lots, the total number of potential new dwelling units could theoretically accommodate population growth in excess of the rural population projection. However, because adequate land capacity is available for growth within urban growth areas, growth is not forced into the rural areas. Through the monitoring process described in Policies 2S-5 and 2DD-1 of this plan, the County will evaluate development activity in comparison with urban and rural growth projections and take action as necessary to address discrepancies if any are identified.

Table 5. Whatcom County Population Projections and Distribution

	2023 Population	Projected 2045 Population	2023-2045 Growth Allocation
Bellingham UGA	105,529	135,839	30,310
Birch Bay UGA	8,908	11,570	2,662
Blaine UGA	6,728	10,228	3,500
Columbia Valley UGA	3,577	4,714	1,137
Everson UGA	3,171	4,579	1,408
Ferndale UGA	16,762	27,723	10,961
Lynden UGA	16,696	23,361	6,665
Nooksack UGA	1,573	2,568	995
Sumas UGA	1,810	2,810	1,000
UGA Subtotal	164,815	223,453	58,638
Area outside UGAs	70,985	78,228	7,243
Total Whatcom County	235,800	301,681	65,881

Source: The 2023 total Whatcom County population is from OFM. The 2023 UGA and Area outside UGAs population is from *Whatcom County Comprehensive Plan Population and Employment: Growth Projections and Preliminary Allocations Technical* Report (Leland Consulting Group, May 22, 2024).The Cherry Point UGA, which is not shown in the chart above, had an estimated 2023 population of 61 people.

Employment Projections

The Growth Management Act requires that comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate employment growth. In 2009, the Act was amended to

ensure that the employment growth accommodated medical, governmental, educational, institutional, commercial and industrial facilities.

The employment forecasts considered the various sectors of the labor force in Whatcom County, including construction, finance, government, manufacturing, retail, services, transportation, and wholesale trade. The forecasts also considered the labor participation rate as the proportion of labor to the total population of all ages.

Employment allocations were based largely on the local request recognizing the incentives that cities have for larger employment areas (sales tax, property tax). Most of the employment projections displayed inTable 6 for the Urban Growth Areas and the area outside UGAs greatly exceed the "high" projections provided in the Technical Analysis (Leland Report).

Table 6: Whatcom County Employment Projections and Distribution

	2023 Employment	Projected 2045 Employment	2023-2045 Growth Allocation	
Bellingham UGA	70,384	89,768	19,384	
Birch Bay UGA	577	1,027	450	
Blaine UGA	3,251	4,343	1,092	
Cherry Point	2,288	3,488	1,200	
Columbia Valley UGA	62	412	350	
Everson UGA	943	1,545	602	
Ferndale UGA	9,934	13,271	3,337	
Lynden UGA	8,345	10,144	1,799	
Nooksack UGA	369	601	232	
Sumas USA	695	1,195	500	
UGA Subtotal	96,848	125,794	28,946	
Area outside UGAs	15,785	19,188	3,403	
Totals	112,633	144,982	32,349	

Source: The 2023 UGA and Area outside UGAs employment is from *Whatcom County Comprehensive Plan Population and Employment: Growth Projections and Preliminary Allocations Technical* Report (Leland Consulting Group, May 22, 2024)..

Demographics

The culturally diverse demographic makeup of the county's population has an effect on land use patterns. For example, Whatcom County residents with children may choose different kinds of transportation and recreation than retired people. Single-

parent families and large extended families need different kinds of housing. Another influence on county demographics is the cyclical influx of seasonal residents, primarily from Canada, who maintain recreational homes in parts of the county. Areas most influenced by seasonal residency include Point Roberts, Birch Bay, and the Foothills Subarea. Students attending local colleges and universities are another significant seasonal demographic group.

Table 7 below shows the Whatcom County population in the following generalized categories: school age, college age, working age and retirement age. All categories have seen an absolute increase in population between 2000 and 2020. However, as a percentage of total population, the school age children category has declined, the college and working age categories have remained steady, and the retirement age category has increased. OFM projects that the retirement age population (65 and over) will continue to increase over the planning period.

Table 7. Population and Age Groups (2000, 2010, 2020 Census Data)

Age	2000 Census	Percent	2010 Census	Percent	2020 Census	Percent
0-19	47,175	28.28%	50,566	25.14%	51,883	22.87%
20-24	16,776	10.06%	20,277	10.08%	22,825	10.06%
25-64	83,463	50.03%	103,657	51.54%	109,485	48.26%
65-over	19,400	11.63%	26,640	13.24%	42,654	18.80%
TOTAL	166,814	100.00%	201,140	100.00%	226,847	100.00%

Table 8. Projected Population and Age Groups (2025 – 2050 in 5-year increments)

Age	2025	2030	2035	2040	2045
0-19	54,505	57,272	59,942	63,111	64,943
20-24	21,100	21,488	21,910	21,734	23,539
25-64	115,091	118,850	124,575	131,253	136,622
65-over	49,627	56,550	61,036	64,174	67,611
TOTAL	240,323	254,160	267,463	280,272	292,715

Source: OFM 2022 Medium Projections (Population by age and sex, five-year age groups.)

Land Use History

Lummi and Nooksack people inhabited villages near the coast and along the rivers and lakes at strategic fishing locations. The Nooksack Indian people cultivated root crops they had developed along the Nooksack Valley where sub-irrigated meadows were ideal sites for such plants as camas and "Indian carrot." They emphasized the use of root crops, perhaps much more than other native peoples along the Pacific Coast.

When Euro-American immigrants first arrived on Bellingham Bay in the 1850s, the landscape of Whatcom County was comprised of mature conifer forests, winding streams and rivers, numerous lakes and wetlands, and small natural meadows.

The abundance of high-quality timber and easy accessibility to water for milling and transport were the principal reasons Euro-American immigrants first came to Whatcom County in the 1850s. Small communities grew along Bellingham Bay and the Nooksack River as more immigrants arrived in Whatcom County. They began clearing the forests and draining the wetland areas for farmsteads. Between 1890 and 1925, 130,000 acres of lowland Nooksack Valley forests were cleared for farms. In addition, logging companies sold logged-over land to their employees and to immigrants from the East Coast for small farmsteads. As a result of the sale of small parcels of logged-over lands, the average farm size in Whatcom County is relatively small—about 65 acres—compared to the statewide average of 432 acres (2022 Census of Agriculture, USDA).

Many lumber and shake mills and other industrial plants were built in Bellingham, on Lake Whatcom, and in other areas of the county, while new commercial and residential buildings were being developed in all communities. Coal mining was taking place at several locations in Whatcom County at this time, and major fish processing plants were constructed on Bellingham Bay. Whatcom County's population in 1910 was 49,511.

Between 1925 and 1950, there was little change in the land use patterns that had been developed during the previous fifty years. Some land, which had been cleared for agriculture was abandoned and naturally regenerated into second-growth forests. Most areas that were harvested for timber had re-seeded and were growing mixed forests of conifers and deciduous trees. Residential and industrial development continued to grow, but at a slower pace than during the previous fifty years. Commercial centers remained within the core of the major cities. By 1950, Whatcom County's total population had grown to 66,733, with the majority of the growth occurring in the cities.

Between 1950 and 2000, the amount of land devoted to commercial activity gradually increased in response to population growth. Expanded use of the automobile encouraged commercial activities and residential development outside city centers. Coal mining ceased, but sand and gravel mining grew in importance. Farming became increasingly competitive, and the economic pressure tended to concentrate agricultural resources on the most productive soils. The trend toward abandonment or conversion of farmland to other uses continued. Some lands in the Nooksack Valley, which were formerly cleared for agriculture, reverted back to native forest cover. Residential, commercial, and industrial uses continued to expand into agricultural areas. These changes picked up speed during the 1960s and 1970s as Whatcom County experienced a population boom. Rapid population growth also occurred in the 1990s, from 2004-2007, and 2022-2023. The total population for Whatcom County in 2020 had grown to 226,847, an increase of approximately 113% in 40 years.

Current Land Use

Whatcom County covers 1,378,446 acres, or approximately 2,154 square miles. A significant portion of this total (850,980 acres or 62%) is under federal management. Cities cover 36,027 acres or 2.6% of the total Whatcom County area (including water bodies within city limits).

Resource land uses, which include agriculture, forestry, marine and minerals, are the largest category of land use in Whatcom County. Agricultural land use predominates throughout the western lowlands of the county and in the South Fork Nooksack Valley. Forest land use is concentrated on the uplands of the county. (See Chapter 8, "Natural Resource Lands," for more detailed information on each of these land uses.)

The majority of commercial land uses occur next to major transportation routes, such as the Guide Meridian, or within cities. There are also concentrations of commercial uses in the Birch Bay UGA and Point Roberts. The majority of industrial parcels are also located in the cities, their UGAs or at the Cherry Point industrial area. The locational pattern of commercial and industrial uses indicates the importance of transportation connections to these land uses. (See Chapter 6, "Transportation," and Chapter 7, "Economics.")

The majority of single-family homes are concentrated in the cities, Urban Growth Areas (UGAs), Limited Areas of More Intense Rural Development (LAMIRDS), such as Sudden Valley, Columbia Valley, Glacier, Lake Samish, Lake Whatcom (north end), Cain Lake, Birch Bay, and Sandy Point. Lower density residential development is scattered throughout the rural areas of the County. As may be expected, single-family homes are also located along the valley floors of the three forks of the Nooksack. The Cherry Point industrial area, the agriculturally dominated area north of Lynden and the forested foothills in the eastern part of the county have very low to zero residential density.

A prominent characteristic of Whatcom County housing is the high number of vacation, resort, and second-home units found throughout the county. In 2020, approximately 50% of the "vacant" units were occupied part of the year for seasonal, recreational or occasional use (2023 American Community Survey 5-Year Estimates, Table B25004). Over 1000 single-family housing units in the unincorporated areas are used as short-term vacation rentals (Agenda Bill 2023-310; Short Term Rentals White Paper).

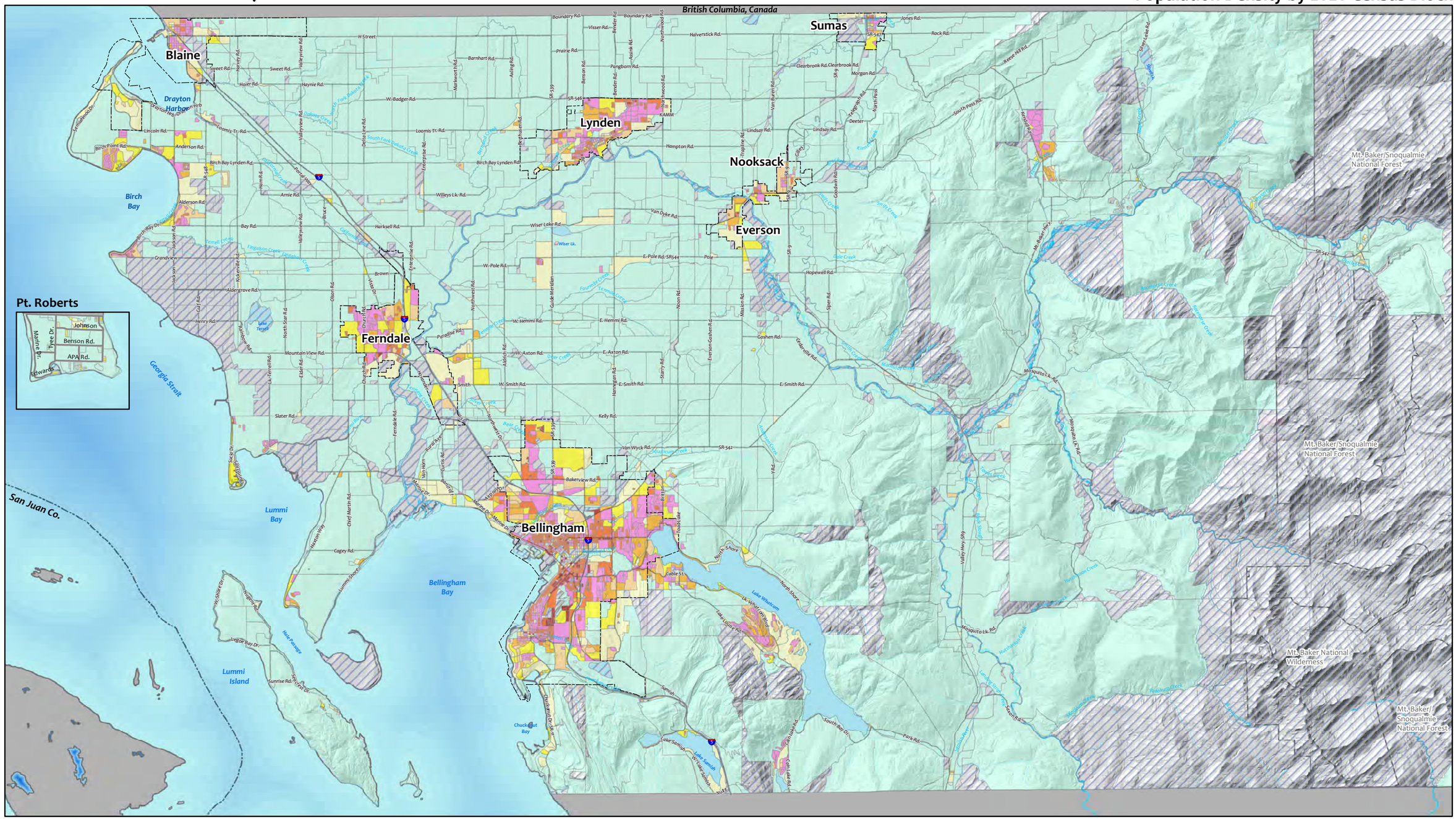
The majority of multifamily residential units are located in the urban areas of the county, primarily in and around Bellingham, Ferndale, Lynden, and Blaine. Within the unincorporated area of Whatcom County, multifamily housing units are found near Birch Bay, Sudden Valley, Glacier, Point Roberts, and in the area between Bellingham and Lynden.

Other Topics

Background information on other topics including land use, housing, utilities, transportation, economics, natural resources and the environment can be found in the following chapters of the Comprehensive Plan.

Whatcom County | 2025 Comprehensive Plan Update

Map1-1
Population Density by 2020 Census Block



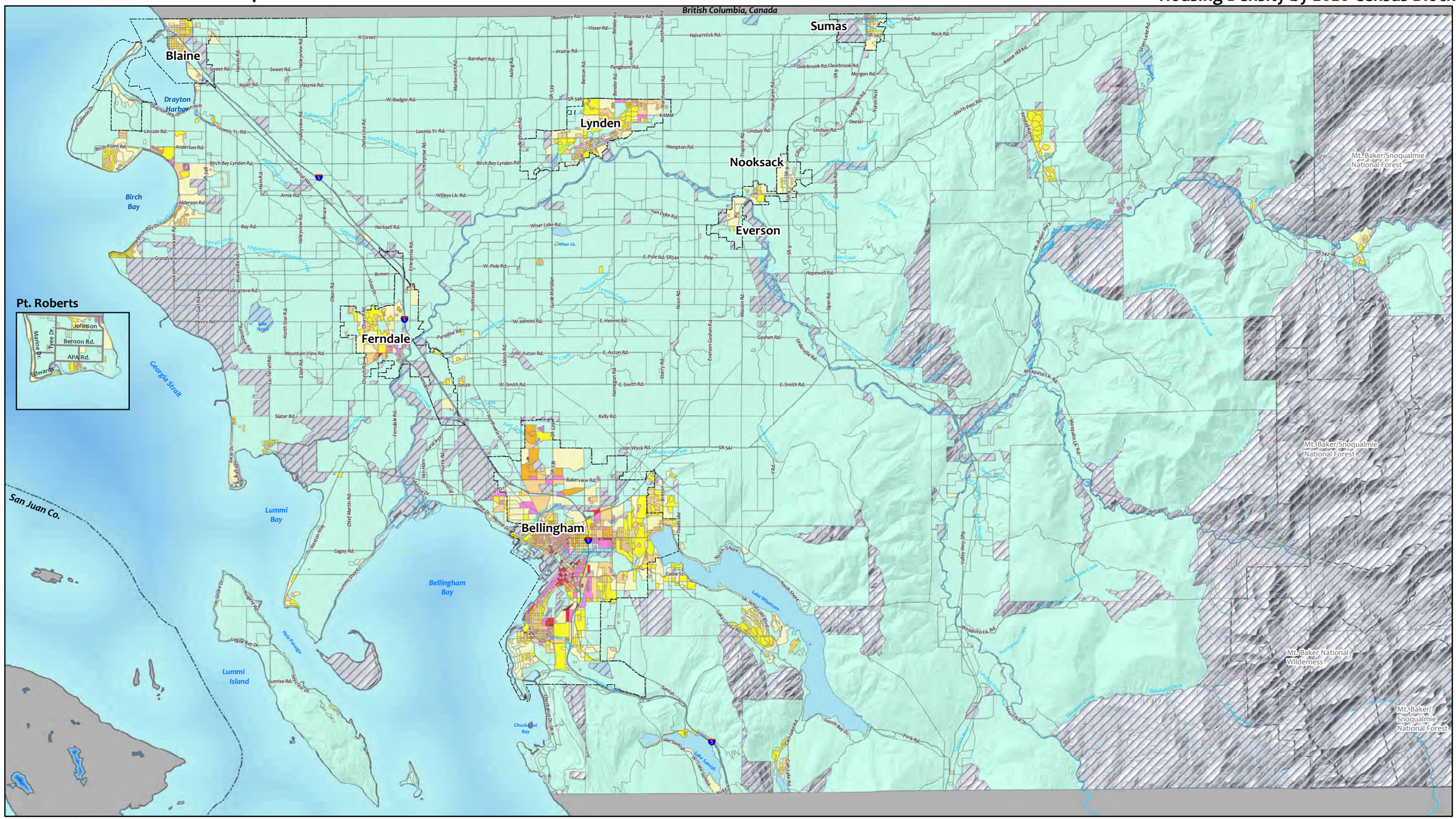
- 0 Persons/Acre
- <1 Persons/Acre
- 1-2 Persons/Acre
- 2-3 Persons/Acre
- 3-4 Persons/Acre
- 4-5 Persons/Acre
- 5-10 Persons/Acre
- 10-20 Persons/Acre
- >20 Persons/Acre

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County | 2025 Comprehensive Plan Update

Map1-2
Housing Density by 2020 Census Block



0 Houses/Acre	2-3 Houses/Acre	5-10 Houses/Acre
<1 Houses/Acre	3-4 Houses/Acre	10-20 Houses/Acre
1-2 Houses/Acre	4-5 Houses/Acre	>20 Houses/Acre

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County | 2025 Comprehensive Plan Update

Map 1-3
Existing Land Use
Assessor Land Use Codes

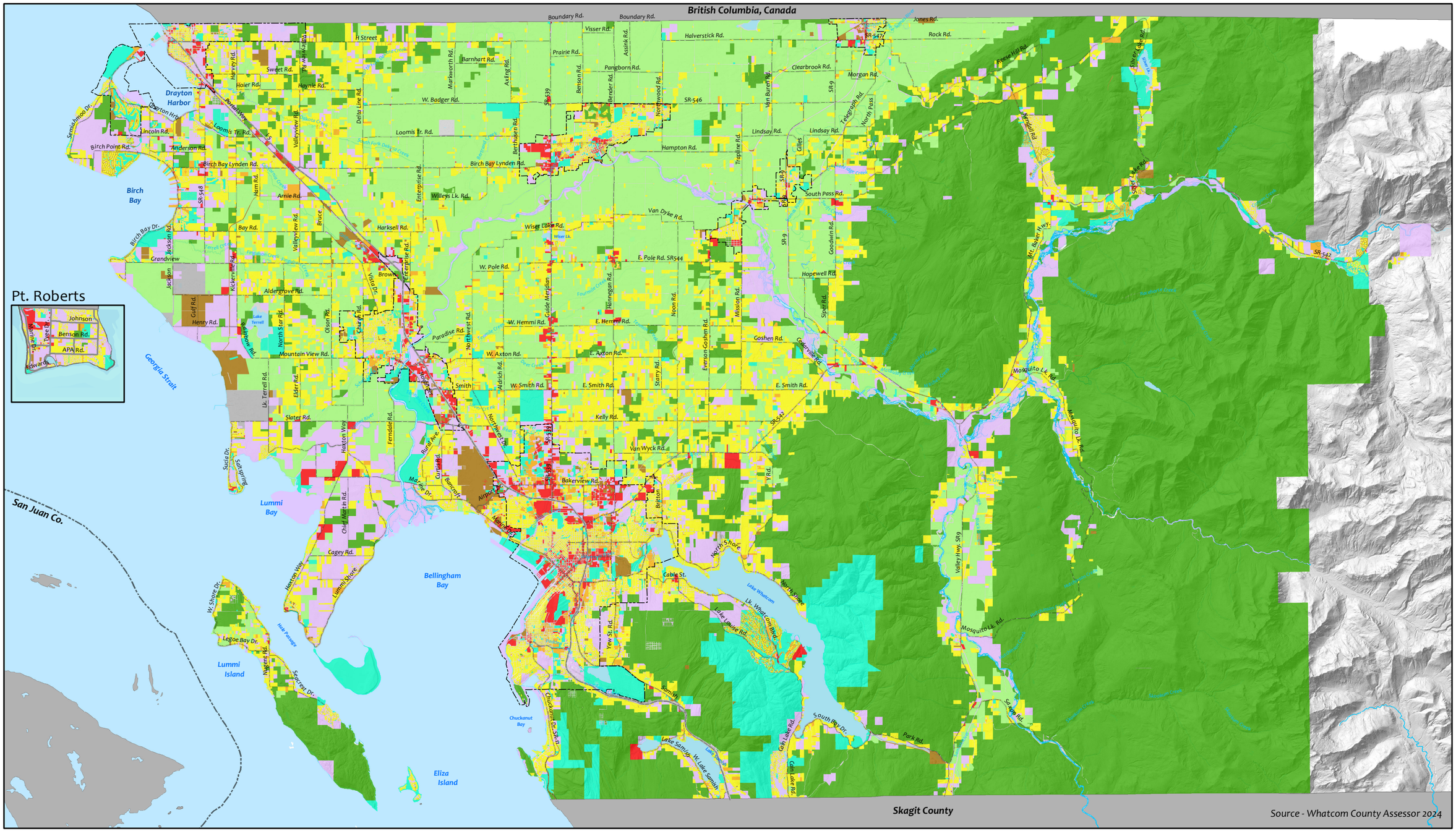

British Columbia, Canada
Skagit County
San Juan Co.
Georgia Strait
Pt. Roberts
Johnson
Benson Rd.
APA Rd.
Marine Dr.
Tyee Dr.
Edwards Dr.
Drayton Harbor
Birch Bay
Lummi Bay
Lummi Island
Bellingham Bay
Eliza Island
Chuckanut Bay
Lake Whatcom
Lake Samish
Lake Terrell
Boundary Rd.
Visser Rd.
Halverstick Rd.
Jones Rd.
Rock Rd.
Prairie Rd.
Barnhart Rd.
Pangborn Rd.
Clearbrook Rd.
Morgan Rd.
W. Badger Rd.
Loomis Tr. Rd.
Hampton Rd.
Lindsay Rd.
Birch Bay Lynden Rd.
Willeys Lk. Rd.
Van Dyke Rd.
Wiser Lake Rd.
Harksell Rd.
Arnie Rd.
Bay Rd.
Grandview
Aldergrove Rd.
Henry Rd.
Gulf Rd.
Mountain View Rd.
Slater Rd.
E. Pole Rd. SR544
W. Pole Rd.
Hopewell Rd.
Goshen Rd.
W. Hemmi Rd.
E. Hemmi Rd.
W. Axton Rd.
E. Axton Rd.
W. Smith Rd.
E. Smith Rd.
Kelly Rd.
Van Wyck Rd.
Bakerview Rd.
Cable St.
Yew St. Rd.
Lake Louise Rd.
Lk. Whatcom Blvd.
South Pass Rd.
Mt. Baker Hwy
Mosquito Lk. Rd.
Valley Hwy, SR9
South Bay Dr.
Park Rd.
Glen Lake Rd.
Glen Lake Rd.
Sudden Valley
Paradise Rd.
Smith
Slater

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 2: Land Use

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, and 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.

Chapter Organization

The Land Use chapter and map include a set of adopted land use designations which combine the predicted needs of future populations with the availability of land and the desires of residents. These needs and desires are expressed through the goals and policies included below as well as through implementation of the land use map. This chapter is divided into sections that address:

- Overall Land Use
- Urban Growth Areas (UGAs)
- Rural Lands
- Urban Growth Area Reserves
- Special Study Areas
- Comprehensive Plan Designations
- Open Space
- Essential Public Facilities
- Adult Businesses
- Historic and Cultural Resources
- Vehicle Miles Traveled Per Capita
- Wildfire

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, with the Whatcom County Natural Hazards Mitigation Plan (September 2021), and Climate Hazards and Impacts in Whatcom County, WA (June 2025). 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, housing & employment and calculating needed land capacity, 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 polices 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 goal of the Growth Management Act and the Public Involvement Countywide Planning Policies have been addressed in the development of this chapter through County Advisory Groups participation, workshops, 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

Introduction

Purpose

The purpose of this section is to provide a broad, general direction for land use policy in Whatcom County. It is the foundation upon which all of the subsections of the Land Use chapter are based.

Process

The Land Use chapter was developed to address future land use in Whatcom County in accordance with Section 36.70A.070 of the Growth Management Act. It represents the county's policy plan for growth over the next twenty years. The Land Use chapter implements many of the goals and objectives in the other plan chapters through adopted land use designations and other action recommendations.

The Land Use chapter was also developed in accordance with the Countywide Planning Policies and was integrated with the other plan chapters to ensure consistency throughout the comprehensive plan. The Land Use chapter considers the general distribution and location of land uses, the appropriate intensity and density of land uses given current development trends, the provision of public services, and the mitigation of natural hazards.

GMA Requirements

Section 36.70A.070 of the Growth Management Act requires that the comprehensive plan of a county include a land use element which includes the following:

- The proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces and green spaces, urban and community forests within the urban growth areas, general aviation airports, public utilities, public facilities, and other land uses.
- Population densities, building intensities[1], and estimates of future population growth.
- Provide for protection of the quality and quantity of groundwater used for public water supplies.
- Give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities.
- Wherever possible, consider utilizing urban planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state.
- Where applicable, review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.
- Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools, which may include, but are not limited to, adoption of

[1] Building intensity can be described in terms of such variables as lot coverage, building height, and the spacing between buildings and property lines and between buildings and other structures.

portions or all of the wildland urban interface code developed by the international code council or developing building and maintenance standards consistent with the Firewise USA program or similar program designed to reduce wildfire risk, reducing wildfire risks to residential development in high risk areas and the wildland urban interface area, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

Tribal Participation in Whatcom County Comprehensive Planning

Section 36.70A.040 (8) of the Growth Management Act provides for Tribal participation in Whatcom County comprehensive planning.

Background Summary

Most of the nonfederal land in unincorporated Whatcom County is dedicated to forestry and agricultural uses. The next largest category of land use is residential. Much smaller areas of the county are dedicated to industrial, commercial, and other uses.

The goal of growth management is to provide sufficient land area with adequate facilities and utilities either presently available or economically feasible to accommodate future growth. This means having an adequate distribution of land to provide housing, services, jobs, and resource land for the expected population. Whatcom County has almost 790 square miles of area outside of National Park and National Forest, which will accommodate the expected increase in population over the 20-year planning period in Whatcom County. However, this growth must be accommodated in ways that achieve desired land use goals.

An adequate supply of serviced industrial and commercial land must also be provided to accommodate the projected increase in employment.

A key need for meeting land demands to generate living wage employment is land that is "ready to go" for industrial development. Many potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place. This is a major missing element of the industrial land supply.

It is important to assess the demand and supply of land planned and zoned for various types of uses to meet the economic needs of the county, as well as utilize this information to guide policy decisions regarding land use. The multiplicity of values reflected in the vision statement must all be considered, in addition to the competing goals and policies in other chapters of the comprehensive plan. Having adequate residential lands must include adequate provision of services, and it means densities that meet the mandates of the Growth Management Act to prevent urban sprawl as well as reflecting the desires of Whatcom County residents. Industrial lands should

be provided in areas that have access to transportation routes and adequate infrastructure and can meet the demands of market trends. Commercial areas should also be located so as to provide the kinds of goods and services that meet the needs of local residents with consideration given to market-driven forces. Sufficient urban land must be provided to accommodate growth. Rural areas with a range of densities must also be available. It must be recognized that future land use patterns will in large part determine the transit service that can be provided. All of this needs to be done in light of those aspects of the county which are most valued: treaty natural and cultural resources, water quality, productive agricultural and forest land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans. Drainage, flooding and stormwater run-off are addressed in both Chapter 2 and in Chapter 10 (Environment).

Issues, Goals, and Policies

Issues for this section were drawn from the Growth Management Act and public participation.

Accommodating Growth

The Growth Management Act requires, and the Vision statement encourages, concentrating growth in urban growth areas. This allows for efficient provision of services, transportation, and infrastructure, conservation of resource lands, and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is needed between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

Goal 2A: **Ensure designation of sufficient land and densities, with consideration of water availability and protection of water quality, 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 zoned lands informed by approved population, housing 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: Where applicable, retain existing light and heavy industrial zoning and identify additional industrial sites prioritizing locations with existing infrastructure, transportation access, and permitting feasibility for timely development and as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand.

Policy 2A-9: Where heavy industrial zoning is located within municipal urban growth areas adjacent to residential neighborhoods, the County should identify and implement measures that minimize neighborhood exposure to industrial pollution and advance public health, environmental justice, and long-term economic resilience. These measures should be developed through clear, objective, and measurable standards with meaningful involvement of affected communities while encouraging continued viability of industrial uses within designated industrial zones.

Policy 2A-10: 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-11: 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-12: Recognize the importance of tourism and its influence on the need for land for various types of development.

Policy 2A-13: Ensure that the development potential of contiguous lands in common ownership is not compromised when urban growth boundaries and/or limited areas of more intensive rural development (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-14: 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-15: Allow for adequate economic development to provide economic sustainability, adequate employment opportunities, and services in and for the rural areas.

Policy 2A-16: 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-17: 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.
- Supporting adjudication or other 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.

Policy 2A-18: Protect the quality and quantity of groundwater used for public water supplies by implementation of the Whatcom County Code.

Policy 2A-19: Develop a Countywide Wetland Mitigation Bank to facilitate development and appropriately mitigate for impacts to wetlands.

Resort Communities and Master Planned Resorts

The County's resort areas are important to the economic viability of the County's tourist industry and provide numerous and varied recreational opportunities for county residents and visitors. Historically important resort areas include Birch Bay, Point Roberts, the Semiahmoo area, and the Mount Baker winter recreational area. Resort communities provide recreational opportunities for residents of the surrounding areas.

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

There should be a relationship between provision of services and land use designations. Levels of service need to be set that will assure adequate services within realistic financing capabilities. This needs to be balanced against the amount of funding which taxpayers are willing to support.

Goal 2C: Channel growth to areas where adequate services and infrastructure 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.

Policy 2C-6: Assess climate risk and take steps to reduce the climate impacts on County capital facilities.

Policy 2C-7: To defray the costs of infrastructure and service improvements required by development in areas under county jurisdiction, Construction Impact Fees may be levied as per state law.

Policy 2C-8: Implement transparent and accountable systems to ensure timely assessment, collection, tracking, and reporting of impact fees, permit fees, and development-related charges consistent with state law.

Policy 2C-9: Periodically review fee schedules and collection practices to ensure alignment with actual infrastructure and service costs and to prevent unintended cost shifting to existing residents.

Regulations

It is very important to Whatcom County residents to maintain local control over land use decisions. Regulations should be clear, concise, and predictable with enough flexibility to allow for reasonable and efficient decision making. Regulations should be enforced. Promote and maintain incentive programs to encourage land to be used in ways that meet community goals.

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 or modify 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 improve consistency and 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 H of the Whatcom County Comprehensive Plan).

Policy 2D-11: Consider requiring disclosure of potential impacts from lawful maritime and industrial activity to people who are buying or obtaining a permit on property within one mile of industrial-zoned lands.

Policy 2D-12: To reduce compliance and construction costs related to land use and development for housing not specifically authorized by the county code, the Executive shall publish a credible analysis of how land supply and construction costs could be affected before amending any land use or construction section of the county code.

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

Policy 2E-1: Provide education on the assets of the community and offer incentives for individual residents 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 and periodically evaluate incentives, including economic, which encourages property owners to achieve land use goals.

Policy 2F-2: Base incentive programs on suggestions from residents, 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 public 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

Property rights are an important issue in Whatcom County. Land can be used as desired as long as it doesn't conflict with applicable regulations or the rights of others. It is not necessary for the preservation of property rights and protection of the environment and resources to conflict with one another. People are looking for ways to achieve all of these things. They understand that it is important to protect the community's general interest.

Goal 2H: **Preserve private property rights while recognizing the importance of the rights of the community and tribal treaty rights, 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 and maintain 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, encourage housing that is affordable, and conserve agricultural lands, forest lands, and important ecosystems.

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

Policy 2H-4: Lands designated for agriculture under Whatcom County code shall retain their agricultural designation and associated protections, and remain farmable and available for agricultural use consistent with the intent of the agricultural zone as defined in Whatcom County Code, regardless of whether they are in active agricultural production, unless such agricultural lands are de-designated to UGA or another non-resource land use type consistent with the provisions of the GMA. Periodically review Title 16.16 (Critical Areas) to ensure the program components of

Article 8 of Title 16.16 Conservation Program on Agricultural Lands (CPAL)—are compatible with GMA requirements to protect both critical areas and agricultural lands of long-term commercial significance.

Diverse Cultural Composition and Environmental Justice

Whatcom County is home to a diverse and evolving population that includes people of many different cultural, racial, ethnic, and linguistic backgrounds. The County values this diversity and acknowledges that inclusive land use planning must actively consider equity, access, and historical injustices.

Planning decisions will work to advance equity by ensuring that all residents, regardless of race, income, age, ability, or language, have fair access to housing, transportation, economic opportunity, and participation in the planning process. This includes recognizing and addressing disparities that have historically affected Indigenous Peoples, communities of color, and low-income residents.

The County also recognizes and respects the sovereignty of the Lummi Nation, Nooksack Tribe, and other Coast Salish peoples, whose ancestral territories include lands within Whatcom County. In alignment with the government-to-government relationship, the County is committed to meaningful consultation and collaboration with tribal governments in land use planning and decision-making, especially where it relates to treaty rights, natural resource stewardship, and cultural heritage.

By incorporating both equity and sovereignty into land use planning, Whatcom County aims to support a future that is inclusive, just, and culturally respectful.

The Growth Management Act was amended in 2023 to require that the land use element of local comprehensive plans must give special consideration to environmental justice (RCW 36.70A.070(1).

Whatcom County strives to cultivate a safe and inclusive community that respects the civil and human rights and dignity of all Whatcom County residents regardless of identity, citizenship status, or geography. Whatcom County is also committed to equal protection and provision of county services to all who call this place home. Whatcom County is becoming more diverse and accepting this diversity is important.

Goal 2I: **Encourage individuals to honor and respect cultural diversity in our community. Give special consideration to environmental justice as defined by the GMA.**

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

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

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

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

Policy 2I-5: Give special consideration to achieving environmental justice, including efforts to avoid creating or worsening environmental health disparities. Under the GMA, "Environmental justice" means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities and the equitable distribution of resources and benefits.

Policy 2I-6: When planning for and siting uses with adverse environmental impacts, direct those uses away from areas with significant health disparities and existing uses that adversely impact the community and equitably distribute the new uses.

Policy 2I-7: For uses that cannot be located in a different location, such as highway expansions, mitigate adverse impacts including in those areas with significant health disparities.

Policy 2I-8: Equitably site beneficial uses such as trails, parks, and schools and prioritize new investments in underserved areas.

Policy 2I-9: Equitably plan for capital facilities and invest in underserved or overburdened areas.

Policy 2I-10: Public participation plans for future Comprehensive Plan updates should include reaching vulnerable populations in overburdened communities.

Policy 2I-11: Meaningfully involve all affected people in planning decisions, not just comprehensive plan updates.

Flooding

Flooding of rivers and streams in Whatcom County is a natural event due to the combination of climate, geology, and topography present in the region. The first measured flood by the USGS occurred on January 25, 1935. Additional major floods along the Nooksack River occurred in 1951, 1975, 1989, 1990, 1997, 1999, 2004, 2006, 2009, 2020, 2021, and 2025. While the February 2020 "Super Bowl" flood was large and overtopped the Nooksack River's north bank at Everson and caused flood damage northward to Sumas and into lower British Columbia, the subsequent November 2021 floods were larger and created more devastating damages in

Whatcom County, including the displacement of thousands of families, damage to transportation infrastructure, and a tragic loss of life. Both the 2020 and 2021 floods were declared as presidential disasters. Damages in British Columbia were significantly higher, as floodwaters in the Sumas River in the West Sumas Prairie could not discharge during several days of elevated high Fraser River levels. The December 2025 floods were similarly damaging, The County estimates nearly 1300 households were flooded in communities along the Nooksack River and damage to business and government infrastructure alone has surpassed $23 million. Total damage may end up surpassing the estimated $150 million in damage from the 2021 flood.

The majority of the Nooksack River floodplain is currently used for agricultural purposes. Residential density within the floodplain is low outside of the north county cities, However, portions of Sumas, Nooksack, Everson, Lynden and Ferndale are located within the floodplain and several major transportation routes cross the floodplain and may be temporarily closed during periods of flooding. Increased building development within the floodplain, and especially within the floodway where flood water velocity can be great enough to sweep away structures, could heighten the existing level of flood hazards along the Nooksack River, Saar Creek, and the Sumas River. Development on alluvial fans can also increase flood hazards. *Chapter 10: Environment*, contains more detailed discussion of flood issues, as well as goals and policies for managing flood hazards in Whatcom County.

Goal 2J: **Discourage development in areas prone to flooding. If development must occur in the floodplain, then the County should coordinate with adjacent cities to implement mitigation measures sufficient to keep people and their property out of harm's way.**

Policy 2J-1: Limit lands in one-hundred year floodplains (using most current flood maps and projections) to low-intensity land uses such as open space corridors or agriculture.

Policy 2J-2: Use the *Lower Nooksack River Comprehensive Flood Hazard Management Plan* as a basis to balance land use and flooding.

Policy 2J-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. When expanding UGA Reserves, take into account currently designated floodplains, the most current preliminary or draft FEMA flood maps, and possible changes in flooding frequency or severity due to climate change.

Policy 2J-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 2J-5: Development in flood prone areas must comply with adopted regulations to mitigate identified flood hazards.

Policy 2J-6: Reduce the impacts on physical infrastructure of increasing stormwater inundation and localized flooding due to climate change and sea level rise.

Policy 2J-7: Upgrade and strengthen infrastructure that protects against flooding.

1. Continue the Floodplain Integrated Planning (FLIP) team process for floodplain management planning and prioritization of actions that protect against flooding.

2. Implement infrastructure improvements recommended by FLIP Team through partnerships with the Cities of Nooksack, Everson, Ferndale, Lynden, and Sumas and the Lummi Nation and Nooksack Indian Tribe.

3. Prioritize and implement transportation improvements that can help prevent flooding.

Regions of Whatcom County

Not all parts of Whatcom County have the same available resources and land use options. A one-size-fits-all approach to comprehensive planning may not adequately serve the needs of different regions of the county.

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

Policy 2K-1: Use the subarea planning process, where appropriate, to identify and support distinctions among different areas of the county.

Policy 2K-2: Retain and periodically review the adopted Subarea Plans (Lummi Island, 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. Public Participation. Each subarea plan update process will be based on a public participation program that addresses

public input on the identification and discussion of key issues associated with the subarea plan update.

c. 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.

2. Prioritize review of subarea plans. Subarea plans should be reviewed in the following order.

   a. Subarea Plans addressing UGAs. These subarea plans should be reviewed and amended, if necessary, during or after Whatcom County's periodic review of the comprehensive plan.

   b. 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 or after Whatcom County's periodic review of the comprehensive plan. Minor updates may be considered through the County's docket process in subsequent years.

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 2K-3: Emphasize forestry uses with some provision for rural and agricultural uses in the south and southeastern regions of the county.

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

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

Fish and Wildlife

Whatcom County has historically enjoyed abundant and diverse fish and wildlife populations. Maintaining healthy fish and wildlife populations is a vital goal in maintaining the quality of life and protecting treaty natural resources in Whatcom County. Chapter 8: Natural Resource Lands and Chapter 10: Environment, contains additional discussion of fish and wildlife issues, as well as goals and policies regarding fish and wildlife habitat protection and management.

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

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

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

Policy 2L-3: Develop educational tools, technical assistance, and incentive-based programs to encourage and support existing land uses to restore and enhance degraded habitat to properly functioning ecological conditions, with measurable outcomes, especially for threatened and endangered species.

Policy 2L-4: Prioritize restoration efforts for areas with cumulative environmental impacts, including previously disturbed or industrial lands, riparian corridors, and habitats supporting threatened and endangered species.

Policy 2L-5: Encourage the use of nature-based solutions for stormwater management, erosion control, soil stabilization, carbon sequestration, and phytoremediation. This may include evaluation and pilot use of emerging sustainable agricultural crops, such as industrial hemp where appropriate, as a tool for runoff mitigation, soil improvement, and ecological restoration.

Policy 2L-6: Coordinate with local, state, federal, and tribal partners to align habitat restoration efforts with regional recovery strategies and improve ecological resilience within both rural and Urban Growth Areas.

Policy 2L-7: 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 2L-8: 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 2L-9: 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 2L-10: 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.

Policy 2L-11: Explore voluntary, incentive driven, non-regulatory frameworks to encourage net ecological gain and the restoration and enhancement of riparian areas.

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

The Growth Management Act requires the designation of urban growth areas (RCW 36.70A.110). These areas include cities and other areas characterized by urban growth or adjacent to such areas, and are designed to accommodate the projected population, housing and employment growth for twenty years. Any growth that occurs outside the areas cannot be urban in nature. The Act further specifies that urban growth should, first, be located in areas that already have adequate existing public facilities and service capacity and, second, in areas where such services if not already available, 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.

The purpose of this section is to establish areas within the County where growth will be directed. The boundaries, as defined, are an attempt to concentrate growth and provide urban areas in accordance with expected growth needs while ensuring the county's identified values to preserve private property rights, reduce unnecessary regulations, and reduce residents' risk of harm from climate impacted natural hazards like flooding, sea level rise, and wildfires.

Process

Planning staff worked with representatives from each city to develop the methodologies, policies, forecasts and allocations for each urban area. Each city was asked to submit a proposed Urban Growth Area, along with growth allocation requests, for the County to consider. Following receipt of those requests, the County Council held various committee presentations, discussions, public comments, and a public hearing before developing a response to city proposals and final action.

Background Summary

Each city provided information in their comprehensive plans, in work sessions with planning staff, and at public hearings and work sessions before the County Planning Commission and County Council to provide the data and assumptions used as a guide in setting Urban Growth Area boundaries. The comprehensive plans for each city and

the written and oral input provided by them at the public hearings and work sessions serve as background for establishing UGAs. The cities worked with Whatcom County staff to develop a single methodology for analysis of the urban land capacity within the County. Such variables as average population per household, occupancy, residential and employment densities, infrastructure requirements, natural systems and critical areas constraints, flood impacted or adjacent areas, ownership and development trends, and appropriate market factors to assure adequate supply and affordable housing were considered.

Issues, Goals, and Policies

Overall

The Growth Management Act assigns the responsibility of designating urban growth areas to counties. Growth is to be encouraged within urban growth areas and discouraged outside them. Urban Growth Areas are set in accordance with the policies established in Chapter 36.70A RCW and applicable countywide planning policies. The County should work with cities to ensure that comprehensive plans are coordinated and consistent. Modifications have been incorporated into this plan during the UGA review based upon several criteria:

- The need to assure logical service boundaries,
- The need to avoid isolated pockets or abnormally irregular boundaries,
- Consideration of land capacity analysis of residential, commercial and industrial needs within urban areas,
- Identification of special needs with respect to unique non-city industrial sites (Cherry Point), and County areas for which the County will actively support incorporation as appropriate (Birch Bay or Columbia Valley),
- Access to services and infrastructure, and
- Floodplain or adjacent based on most current flood maps and future projections.

Countywide Planning Policies set guidelines for designating city urban growth areas including:

- Small cities' UGAs shall be of an adequate size to allow them to become viable as economic centers.
- The size of cities' UGAs shall be consistent with their ability to provide services, utilities, and infrastructure.
- UGAs shall include contiguous areas that are suitable for urban growth as set forth in the GMA.
- Sufficient land capacity shall be provided within UGAs to accommodate the 20-year urban growth projection, plus a reasonable land supply market factor.

- Setting of UGAs shall minimize impacts on agricultural land, forestry, mineral resources, watersheds, water resources, and critical areas. Cities should accommodate additional housing at appropriate urban densities before expanding into areas where growth would adversely impact critical areas or resource lands or be at risk of flooding or other natural hazards.

In deciding appropriate ways to manage land within urban growth areas, there are some overriding guidelines in the Growth Management Act and Countywide Planning Policies.

GMA requires counties to include areas and densities sufficient to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period. Urban growth should be first located in areas already characterized by urban growth that have existing public facility and service capacity to serve such development, second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.

Countywide Planning Policies require establishment of interlocal agreements between the county and cities to manage development within urban growth areas until annexation takes place. Factors to be addressed in these agreements include a mechanism to compensate jurisdictions that suffer revenue losses without attendant reductions in service delivery demands, and mitigation for activities related to development. It should be assured that utilities can be delivered at urban levels of service within city urban growth areas.

Timing of required improvements and who pays for these improvements within urban growth areas are issues to be addressed between the county and cities. This is particularly difficult when costly transportation improvements are required within an urban growth area prior to annexation by a city. Transportation planning for Whatcom County assumes that costs and installation of the improvements would be completed by the city associated with the urban growth area. In the case of Bellingham where some growth will continue to occur prior to annexation, this may need to be negotiated.

Areas within designated urban growth areas which are not yet ready for urban levels of density can become a problem if they are allowed to develop at low densities. Land use patterns can become established that will disrupt later infilling at urban densities. Other areas have environmental constraints such as flood plains and sensitive watersheds which would dictate using lower densities.

Outside urban growth areas, the presence of urban levels of services can put financial pressure on rural areas to develop more densely than desired. Countywide Planning Policies restrict cities from delivering urban levels of water and sewer service for urban uses outside urban growth areas.

The Growth Management Act requires that the County plan for a 20-year population growth that is within the range projected by OFM unless the County has studies to prove that a different figure is justified. The County's population projection is within OFM's range and therefore requires no further justification.

Goal 2M: **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 2M-1: Establish urban growth areas for cities, first, by determining the land and zoning capacity of the existing UGA to accommodate growth in the 20-year planning period. If it is determined that additional land or density 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 2M-2: Reevaluate UGA boundaries when significant changes in city land uses are proposed.

Policy 2M-3: Consider development incentives, such as expedited permitting or density bonuses, in UGAs in association with the density credit program. Work with the cities to coordinate permitting processes and encourage cities to consider development incentives in association with a cooperative City-County density credit program.

Policy 2M-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 2M-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 2M-6: Maintain proper buffers between urban growth, including established residential neighborhoods and industrial sites, and natural resource areas.

Policy 2M-7: Encourage increased densities within existing city boundaries before expanding into county resource lands.

Policy 2M-8: Encourage provision of serviced industrial sites by cities. Where applicable, within urban growth areas, preserve the regulatory ability of existing industries to continue operating, if proposed for rezoning, and protect existing industrial and maritime zoned developments and adjacent residential areas from incompatible

uses and developments. These protections should support both operational viability and neighborhood health and safety.

Policy 2M-9: Consider mixed-use zoning, where appropriate, to encourage walkability and reduced vehicle miles travelled.

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

- **Bellingham – six to 43 units per net acre;**
- **Ferndale – six to 10 units per net acre;**
- **Lynden – six to 10 units per net acre;**
- **Blaine – six to 10 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 achieve overall average net densities for new developments 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 2N-1: Encourage cities to adopt and implement policies and development regulations that promote urban densities. Coordinate with cities on policies and development regulations in the city adjacent UGAs for consistency.

Policy 2N-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 2N-3: Encourage infilling to occur in existing areas with urban characteristics in a manner that takes into consideration physical constraints such as location within a floodplain, steep slopes, and wetlands buffers.

Policy 2N-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, inclusionary

zoning, permanent affordability covenants, and responsible reductions in infrastructure requirements for subdivisions.

Policy 2N-5: Use urban planning approaches that promote physical activities such as higher density residential development, mixed-use development, planning for multi-modal and active transportation infrastructure including bicycle and pedestrian routes, and access to green space and recreational sites.

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

Policy 2O-3: Support the Birth Bay Community Advisory Committee and encourage the establishment of an advisory committee for the Columbia Valley Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.

Policy 2O-4: Provide planning assistance to the residents 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 2O-5: Assist the communities of Birch Bay and Columbia Valley Urban Growth Areas with incorporation when appropriate.

Goal 2P: 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 2P-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 2P-2: Establish procedures for development project review within urban growth areas which protect the interests of both the city and the county.

Policy 2P-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 2P-4: Limit development within urban growth areas with no municipal sewer and water service through zoning at a density no greater than one unit and two ADUs per parcel so long as the development meets all applicable building and construction, development and land use, and health codes.

Policy 2P-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 2P-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 2Q: Ensure adequate land supply is provided to accommodate twenty years of growth within urban growth areas.

Policy 2Q-1: Review all urban growth areas in accordance with the schedule in the Growth Management Act. Coordinate with cities to determine the population, housing and employment growth projected to occur within the urban growth areas, and revise the urban growth area densities and/or boundaries, if necessary, to ensure they are appropriately sized to accommodate the projected growth within the planning period.

Policy 2Q-2: Ensure that land use plans provide for development at urban densities within the 20-year planning period.

Policy 2Q-3: Facilitate phasing of development within urban growth areas as follows:

- Require a maximum gross density of one dwelling/ten acres 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 2Q-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 2Q-5: Complete the Implementation Progress Report under RCW 36.70A.130(9) and the Review and Evaluation Program (Buildable Lands) report under RCW 36.70A.215 within the time frames set by State law.

Policy 2Q-6: Coordinate with cities to plan for designated Urban Growth Area Reserve areas, including long-range capital facility, utility, and service needs and an evaluation of costs associated with potential future annexation. Where UGA Reserves are identified, the County and city shall establish a work program and schedule, through an interlocal agreement, to complete such planning prior to the next Buildable Lands Analysis. Coordination does not presume annexation, zoning changes, development approval, or capital funding commitments.

Goal 2R: 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 2R-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

The Whatcom County Comprehensive Plan, along with City of Bellingham Comprehensive Plan, provides the policy framework for addressing the impacts and opportunities of growth in Bellingham's UGA. Together, these plans address County zoning designations, City zoning upon annexation, land uses, and development standards. They address a number of important objectives related to plan development, public participation, land use, housing, density, the natural environment, open space, parks, recreational opportunities, transportation, utilities and other public services.

Goal 2S: **Periodically evaluate Bellingham's Urban Growth Area, as required by the Growth Management Act, 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 commitments for service.**

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

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

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

Policy 2S-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

Policy 2S-6: Whatcom County and Bellingham should continue to coordinate protection and development within its eight watersheds including Lake Whatcom, Whatcom Creek, Squalicum Creek, Padden Creek, Chuckanut Creek, Silver Creek, Little Squalicum Creek, and Bellingham Bay.

Policy 2S-7: Coordinate with Bellingham to adopt regulations to limit development in the FEMA coastal high hazard area, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Bellingham through the City of Bellingham's Sea Level Rise Vulnerability and Risk Assessment planning process to address increased coastal flooding and erosion due to climate change, consistent with Countywide Planning Policy T4.

Policy 2S-8: The City and Whatcom County should designate appropriate zoning in Bellingham's UGA consistent with Whatcom County's Comprehensive Plan and Bellingham's Comprehensive Plan as amended.

Policy 2S-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 2S-10: Coordinate with the City of Bellingham in evaluating benefits and costs of existing or proposed industrial zoning in the Bellingham UGA and seek additional industrial zoning sites countywide in coordination with the *Whatcom County Industrial Lands Study* (July 2025).

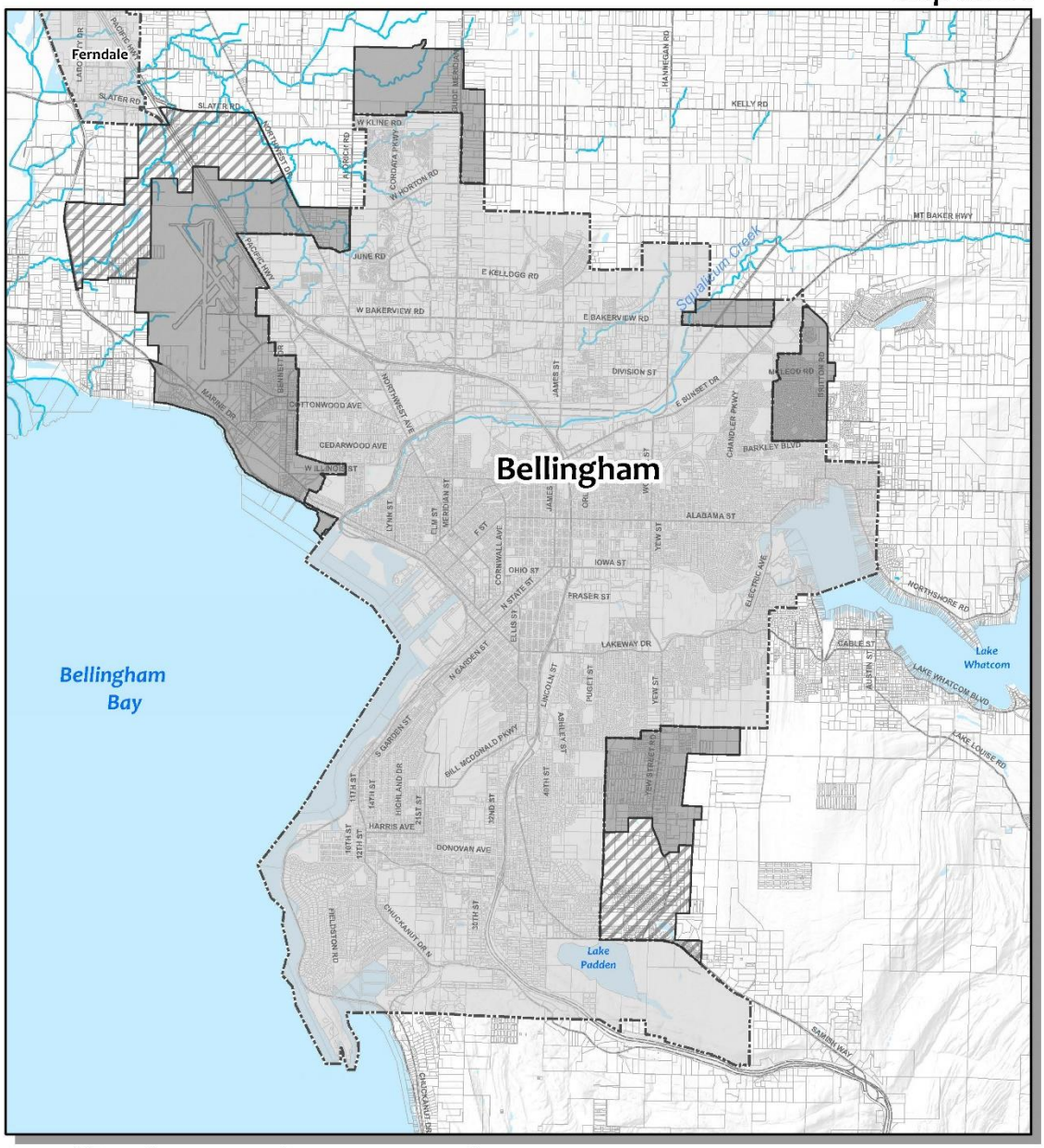
Policy 2S-11: To inform long term planning within the Bellingham Urban Growth Area, coordinate with the City of Bellingham to complete an

annexation and land use compatibility plan that evaluates the long-term compatibility of existing light and heavy industrial zoning with surrounding land uses. Such evaluation shall include consideration of:

- Proximity to established and planned residential neighborhoods;
- Zoning transitions, landscaping and buffering between residential and industrial uses;
- Cumulative environmental and public health impacts;
- Economic impacts;
- Infrastructure capacity and fiscal sustainability;
- Development patterns consistent with walkability and reduced vehicle miles traveled.

Whatcom County | *Comprehensive Plan*

Map UGA-1



- Bellingham Urban Growth Area

- City of Bellingham
- Urban Growth Area
- Urban Growth Area Reserve

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0 0.25 0.5 1 1.5 2 Miles

Blaine

Blaine is the northwestern-most city in Whatcom County. The city is divided by Drayton Harbor into two parts: central Blaine and the Semiahmoo area to the west. These two areas are distinctly different areas of Blaine. The central area is a traditional northwestern city with a vibrant downtown surrounded by neighborhoods of single family houses. The central area includes an extension of largely undeveloped, incorporated land about 3 miles out H Street. The Resort at Semiahmoo is located in west Blaine.

Both the County and the City of Blaine are concerned about water quality in Drayton Harbor. Drayton Harbor has a rich history as a shellfish growing area and supports tribal, commercial, and recreational shellfish harvesting that depends on good water quality. Land uses throughout the watershed contribute nonpoint source pollution flowing into the harbor. Fecal coliform bacteria pollution in the harbor is monitored by the Washington State Department of Health. Shellfish harvest has been restricted due to fecal bacteria pollution since 1952 with closures beginning in 1988. In 1995, the Drayton Harbor Shellfish Protection District was established to reduce nonpoint source pollution in the watershed and restore shellfish growing areas. For decades, a coalition of government and community partners throughout the watershed has worked to make on-the-ground improvements that reduce fecal bacteria pollution. These efforts have resulted in some water quality improvements; however, closure areas remain and ongoing efforts are needed. The 2024 Drayton Harbor Shellfish Recovery and Protection Plan outlines actions and priorities to maintain and continue water quality improvements. Drayton Harbor water quality is also monitored by the Washington State Department of Ecology. Sections of the harbor and its two major tributaries, Dakota and California Creeks, are on Washington's impaired waters list, called the 303(d) list, for fecal coliform pollution. In 2025, Ecology published the draft Drayton Harbor Bacteria Total Maximum Daily Load (TMDL) Technical Study and Water Quality Improvement Plan. This clean-up plan sets targets to meet water quality standards.

The City of Blaine provides public sewer, water, stormwater, and police services. Public schools for the area are operated and maintained by the Blaine School District. Fire protection services are provided by North Whatcom Fire and Rescue (Fire District # 21).

Areas included in the UGA – (Map UGA-2)

As part of the 2009 and 2026 UGA Updates, portions of the Blaine UGA were removed to place Blaine's land supply in closer relationship to its projected population growth. Only the eastern portion of the unincorporated UGA and a small area south of the city remains in the UGA. The rest of the UGA has reverted to a Rural designation.

Goal 2T: **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 2T-1: Coordinate with Blaine to adopt regulations to limit development in the FEMA coastal high hazard area, through amendment and

enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Blaine through the City of Blaine's Shoreline Master Program update to address increased coastal flooding and erosion due to climate change, consistent with Countywide Planning Policy T4.

Policy 2T-2: 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 2T-3: Encourage Blaine to implement infill policies in the *Blaine Comprehensive Plan*.

Policy 2T-4: Readjust the Urban Growth Area as urban services are planned and need is demonstrated.

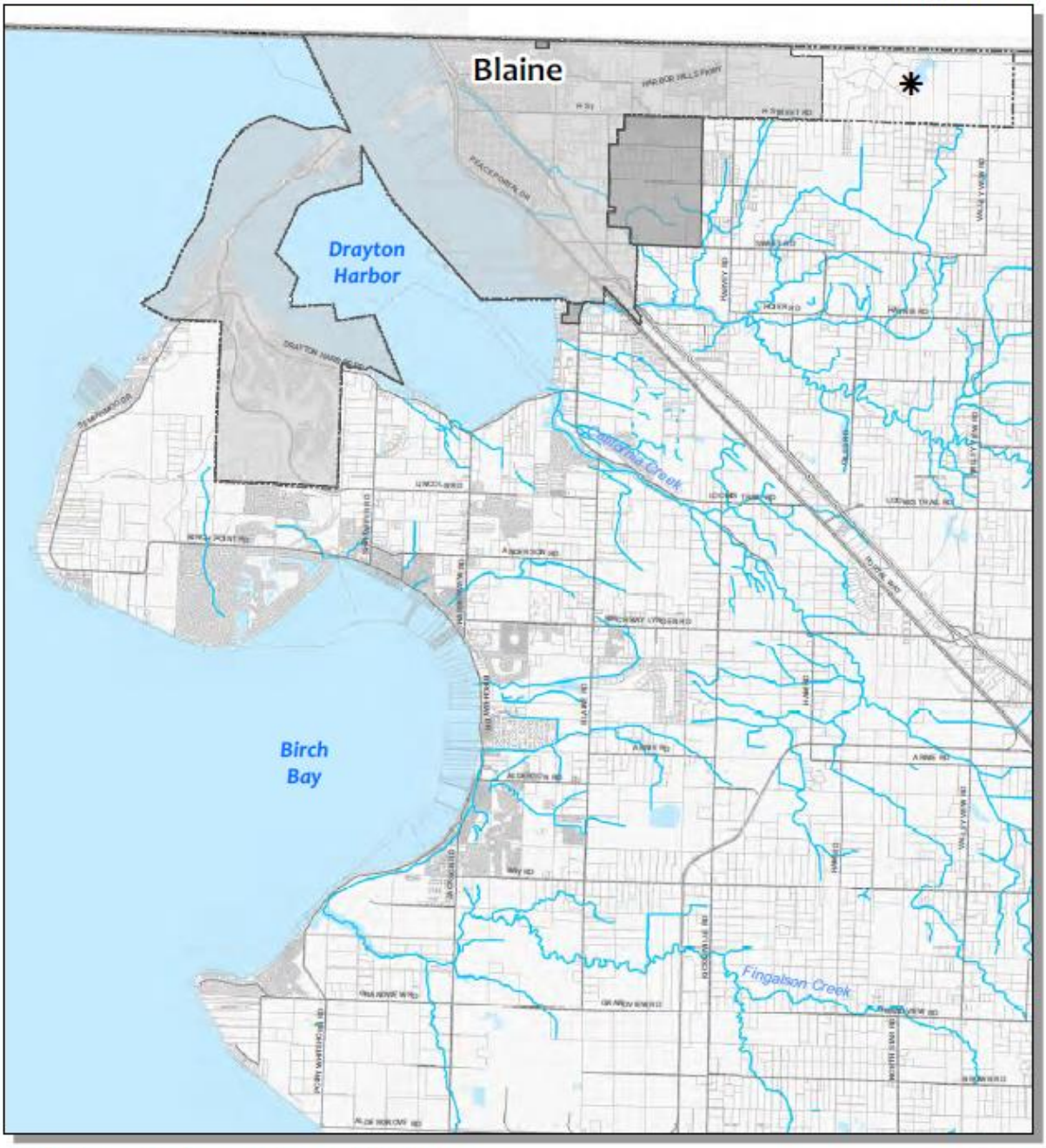
Policy 2T-5: Ensure that adequate capital facilities can be provided to the Blaine Urban Growth Area.

Policy 2T-6: 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

Map UGA-2



- Blaine Urban Growth Area

City of Blaine

Urban Growth Area

Urban Growth Area Reserve

* The Comprehensive Plan map amendment for the pending Blaine de-annexed area, approx. 573 ac., shall only take effect upon finalization of de-annexation and returning the land to the unincorporated Whatcom County land base.

Everson

Everson urban growth area is located in central Whatcom County, northeast of Bellingham. The City and its UGA serve the surrounding area as a commercial, retail and industrial center. The entire UGA is accessible by two major state highways—SR-544 and SR-9—that connect the city to the Canadian border and to points further south. The Burlington Northern railway passes through the eastern portion of the UGA.

Flood prone areas, preservation of agricultural resource land, appropriate use or reuse of adjacent mineral resource lands and provision of adequate urban level services are among the factors considered in determining the City of Everson Urban Growth Area boundary.

The City is bisected by the Nooksack River, which periodically floods and inundates parts of downtown Everson. Lying to the south of Everson are mineral resource lands and several active gravel mines.

Everson UGA is also adjacent to agricultural lands. County goals include working cooperatively with the City of Everson to enhance or maintain the county's agricultural land base.

The City of Everson provides public sewer, water, stormwater, and police services, while public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1.

The urban growth area for Everson is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Everson to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA – (Map UGA-3)

East

This area, located east and south of the existing city limits, straddles State Route 9 and adjacent rail access, and drops below the southern boundary of City of Nooksack. The proposed uses for this area are industrial to the east and residential to the west of SR 9.

North

An area northwest of Everson is included in the UGA to allow expansion of the existing Everson Riverside Park (south of Stickney Island Rd).

West

The most likely place for future development is in the upland areas located west of the city limits, adjacent to existing residential development, and with a public school

in close proximity. Proposed future zoning for this area includes a mix of uses including industrial, commercial, and residential.

South

An area to the south of the existing city limits is in the UGA. This land is outside of the floodplain and adjacent to existing residential and industrial uses.

Goal 2U: **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 2U-1: Coordinate with Everson to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Everson through the Floodplain Integrated Planning process to address increased risk of riverine flooding due to climate change, consistent with Countywide Planning Policy T4.

Policy 2U-2: Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities.

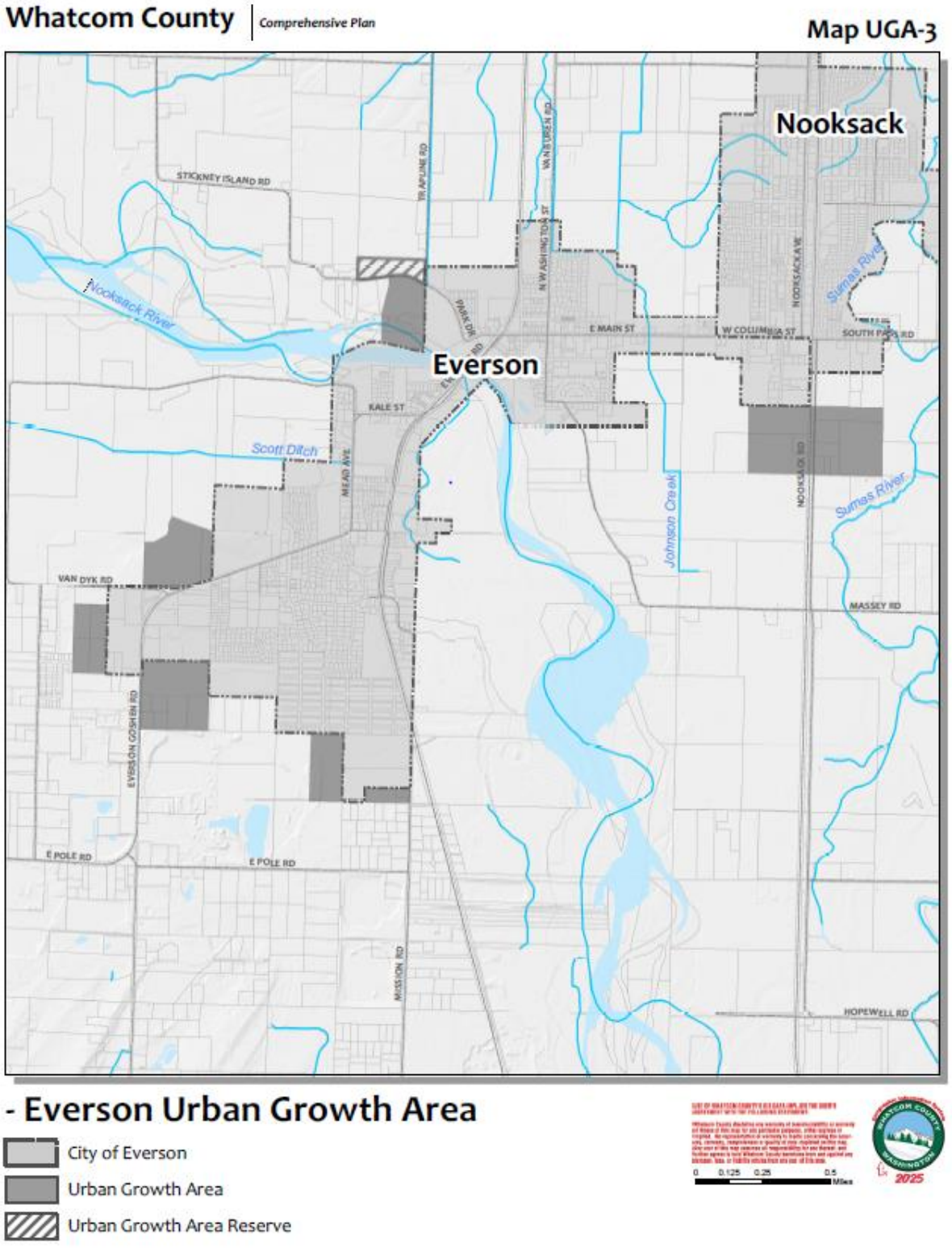
Policy 2U-3: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.

Policy 2U-4: 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 2U-5: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Everson wellfield.

Policy 2U-6: 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
Nooksack
Everson
Nooksack River
Scott Ditch
Johnson Creek
Sumas River
Sumas River
STICKNEY ISLAND RD
TRAPLINE RD
VAN NESS RD
N W ASHINGTON ST
PARK DR
E MAIN ST
W COLUMBIA ST
NOOKSACK AVE
SOUTH PASS RD
KALE ST
MEAD AVE
NOOKSACK RD
VAN DYK RD
MASSEY RD
EVERSON GOSHEN RD
E POLE RD
E POLE RD
MISSION RD
HOPEWELL RD
- Everson Urban Growth Area
City of Everson
Urban Growth Area
Urban Growth Area Reserve
0 0.125 0.25 0.5 Miles
2025

Ferndale

County goals encourage Ferndale to develop residentially zoned areas at overall average net densities of six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slope, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Ferndale Urban Growth Area include protection of large wetland complexes, the Nooksack River floodplain, provision of serviced industrial land, inclusion of sufficient land with planned services to accommodate projected urban growth, proximity to the Bellingham UGA and proximity to the North Bellingham Rural Neighborhood. Future growth areas are likely to located west of the Nooksack River and north of Mountainview Road.

The Grandview Industrial area is included in the urban growth area. This supports the policies in the Economics chapter of this plan to provide a sufficient supply of serviced industrial land.

Ferndale will provide most of the urban governmental services within the Urban Growth Area, including public sewer, water, stormwater and police services. Public schools for the area are operated and maintained by the Ferndale School District. Fire protection services are provided by Fire District #7.

Areas included in the UGA – (Map UGA-4)

North

The Urban Growth Area extends north to include industrial and commercial areas around the Grandview Road/I-5 interchange. East of the Grandview Interstate 5 Interchange is an area designated Urban Growth Area Reserve that has been identified as a logical extension of the Urban Growth Area to provide employment opportunities in the future.

West

Areas west of the city are included in the UGA and UGA Reserve, as these areas are generally located in proximity to existing water lines, sewer lines, City streets and/or schools. This area presents a logical area for the City to grow in the future.

South

Land southeast of the City, near the intersection of I-5 and Slater Rd., is included in the UGA to accommodate commercial development. The State, Whatcom Council of Governments, Whatcom County, City of Ferndale, City of Bellingham, Lummi Nation, and Port of Bellingham are coordinating long-range transportation improvements in the Slater Rd. area.

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

Policy 2V-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 2V-3: Work with the City of Ferndale to establish County zoning regulations within the unincorporated Urban Growth Area and Urban Growth Area Reserves to protect large tracts of land and limit development until such time as water and sewer can be provided.

Policy 2V-4: Coordinate with Ferndale to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Ferndale through the Floodplain Integrated Planning process to address increased riverine and compound flooding due to climate change, consistent with Countywide Planning Policy T4.

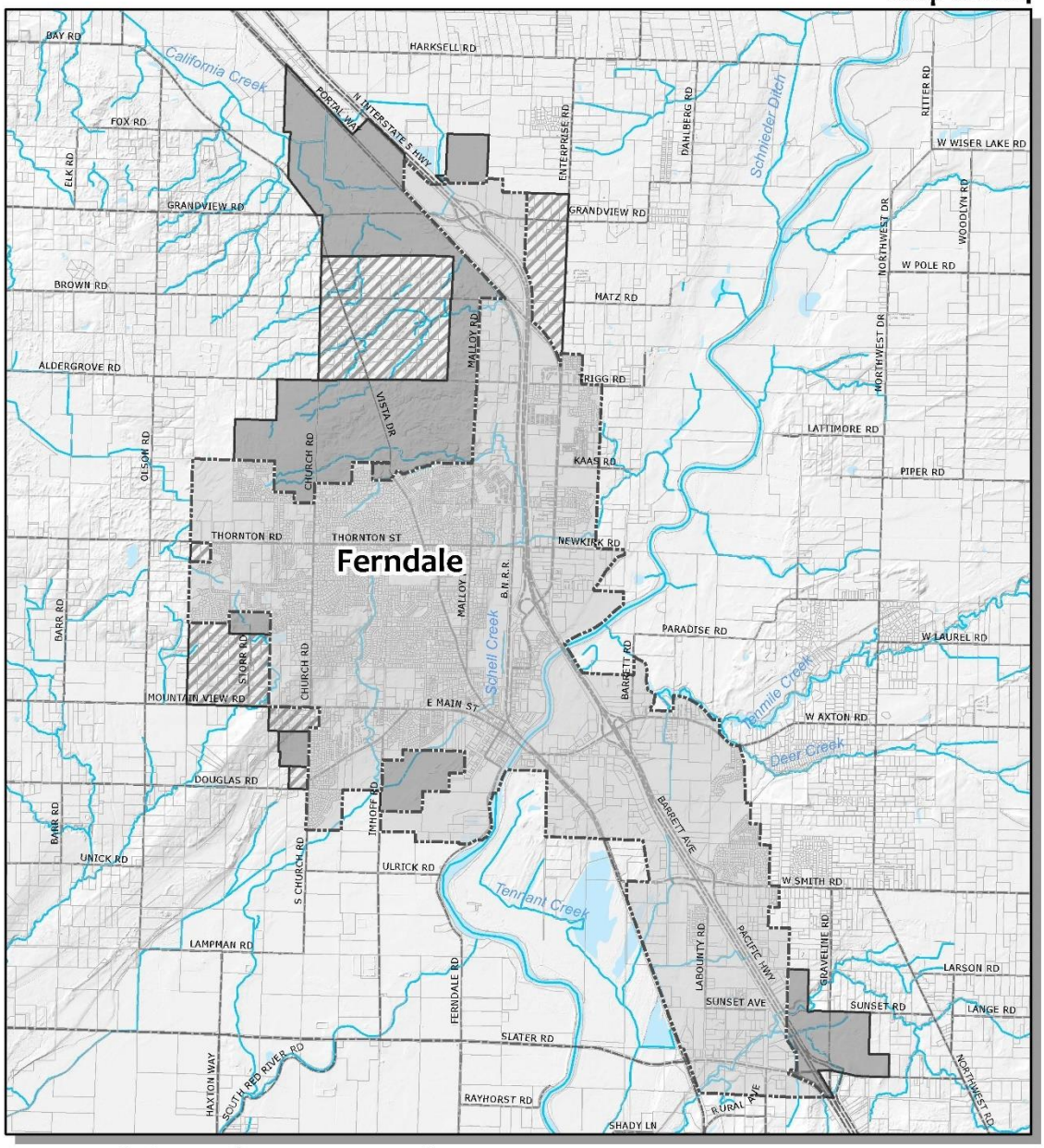
Policy 2V-5: Encourage Ferndale to participate in development of a regional "wetland bank" to mitigate impacts of development on scattered wetland areas within the city.

Policy 2V-6: 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 and UGA Reserve;
- coordination with the county of greenbelts and open space;
- the use of Urban Growth Area Reserves for long range planning;
- 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

- City of Ferndale
- Urban Growth Area
- Urban Growth Area Reserve

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Geographic Information Systems WHATCOM COUNTY WASHINGTON 2025

0 0.25 0.5 1 Miles

Lynden

County goals encourage Lynden to develop residentially zoned areas at average net densities of six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Lynden Urban Growth Area include preservation of agricultural resource lands and accommodating projected urban growth over the planning period. Lynden is surrounded by agricultural resource lands. The Growth Management Act requires cities to protect adjacent resource lands through the adoption of buffers or the regulation of uses.

The city of Lynden provides public water, sewer, stormwater, police and fire protection services. The City of Lynden and the Washington State Department of Ecology have an existing dispute over the city's water rights. The city has entered into a memorandum of agreement (MOA) with Ecology to address long-standing water right issues. The Lynden School District also serves the area.

The Lynden Urban Growth Area has been designated to provide a sufficient land supply for Lynden and minimize impact on adjacent agricultural resource land.

Areas included in UGA – (Map UGA-5)

North

Approximately 240 acres of unincorporated UGA remain northwest of the Lynden city limits. This unincorporated UGA lies within the City's Pepin Creek Subarea and is identified as the area that will absorb the majority of Lynden residential growth during the planning period. Currently, most of this land is actively farmed for feed crops, berries, and regular row crops. The city has adopted the comprehensive Pepin Creek Subarea Plan that will guide development as annexation continues. The plan identifies zoning categories, open space and trail locations, and an approximate transportation network that will serve the subarea. Future development here must address existing substandard roads, a high-water table, and the realignment of Pepin Creek away from the two large ditches adjacent to Double Ditch Road.

South

There remains a patchwork of several relatively small unincorporated UGAs along the southern city limits of Lynden. For the most part, these have minimal future development potential due to critical areas, the Nooksack River floodplain, and property owner intent.

Goal 2W: **Provide an Urban Growth Area for Lynden of sufficient size to accommodate future growth, but minimize impact on county resource lands.**

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

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

Policy 2W-3: Coordinate with Lynden to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Lynden through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4.

Policy 2W-4: 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 2W-5: 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.

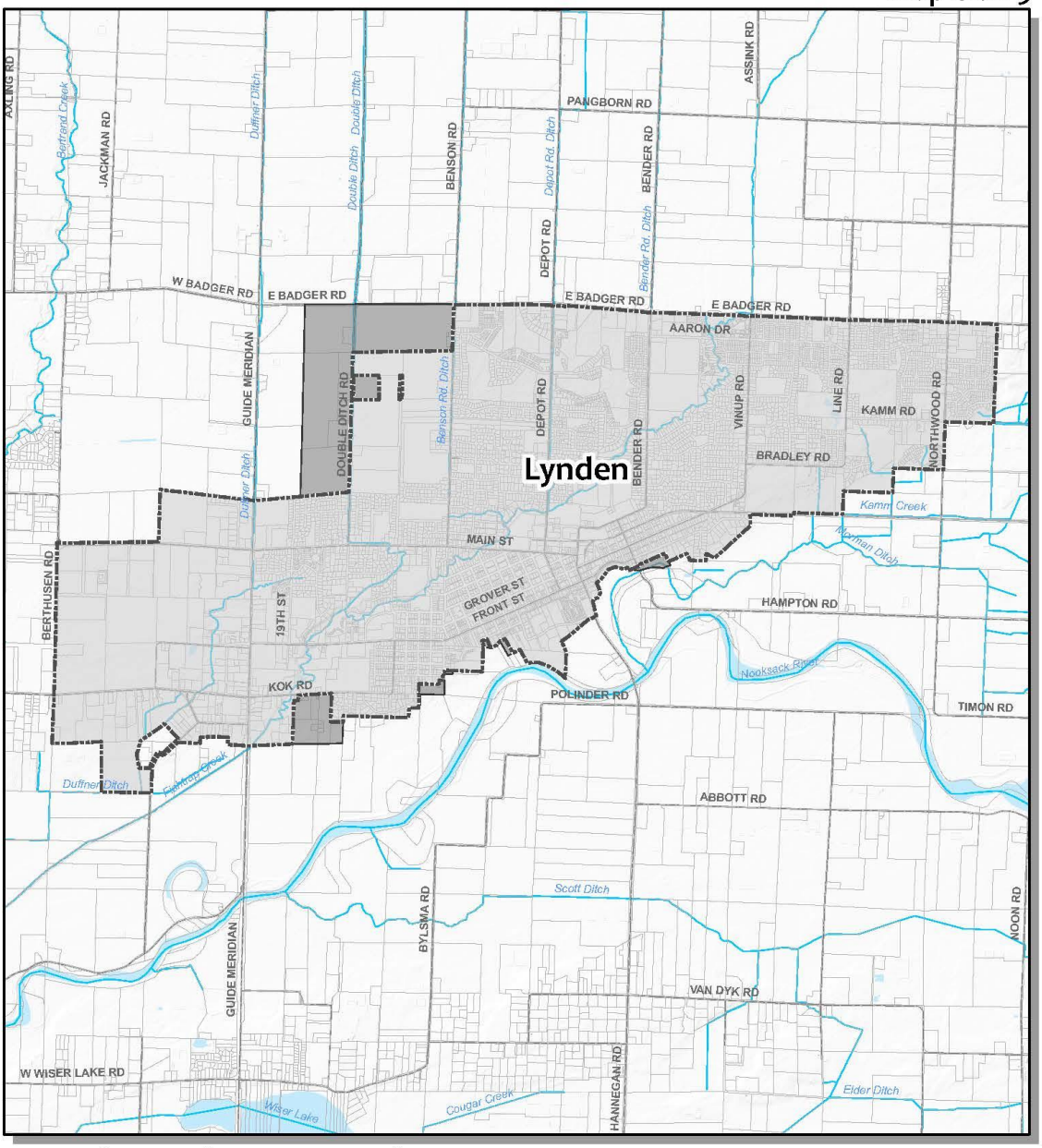
- Determine whether land in zone 1, 2 or 3 is proposed for a zoning district that allows residential land uses, schools, day care centers, hospitals, nursing homes, or above ground bulk fuel storage.
- Unless no alternatives are feasible, require residential land uses, schools, day care centers, hospitals, 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 2W-6: 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

- City of Lynden
- Urban Growth Area
- Urban Growth Area Reserve

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Nooksack

The Nooksack urban growth area is located in central Whatcom County, northeast of Bellingham. The UGA is located immediately to the east and northeast of the City of Everson, and is served by a major state highway, SR 9 that connects the City to the Canadian border and to points further south. From points south, Burlington Northern railway passes through the town center, on the way to Canada.

The Community's expressed vision is to maintain an atmosphere of safe and friendly living in a small town rural setting, while protecting and enjoying the natural environment and agricultural lands of the surrounding area, and promoting development of new jobs and businesses.

Flood prone areas, preservation of agricultural resource land, appropriate use or reuse of adjacent mineral resource lands, and provision of adequate urban level services, are among the factors considered in designating the City of Nooksack Urban Growth Area boundary. The Nooksack UGA is located entirely within the Sumas River watershed, with portions of the City's eastern boundary following the Sumas River as it flows north toward Sumas and British Columbia, Canada. Nooksack is surrounded on almost all sides by physical constraints that present challenges to development. West of the city limits is the Nooksack River floodplain with a history of recurrent flooding, and east of the city are the Sumas River, Breckenridge Creek, and Swift Creek, all of which are prone to flooding. Mineral resource designated lands with active mining operations are located northeast of the city limits. The Nooksack UGA includes areas with high aquifer recharge susceptibility, protected by City and County critical areas regulations.

Nooksack UGA is surrounded by agricultural land, or rural land with agricultural soils on nearly all sides. County goals include working cooperatively with the City of Nooksack to enhance or maintain the county's agricultural land base.

The City of Nooksack collects and transmits wastewater to City of Everson's Sewage Treatment Plant for treatment. Both cities provide funding for operation and maintenance of Everson's sewer treatment facility.

The City of Nooksack has a Water System that provides water to the City and a portion of the UGA. The City of Nooksack purchases water from the City of Sumas per the terms of a mutual supply agreement between Sumas and Nooksack and the Nooksack Valley Water Association (NVWA). Sumas has water rights to provide City of Nooksack with adequate supply necessary to support projected growth. Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1.

The urban growth area for Nooksack is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Nooksack to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA – (Map UGA-6)

North

Land northwest of the existing city limits, north of Tom Rd., has been included in the Urban Growth Area. This land is located outside the floodplain and, after annexation, is planned for future commercial, industrial, residential and institutional development.

East

Land east of the existing city limits and north of Breckenridge Creek has been included in the Urban Growth Area. This land is located outside floodplains, and upon annexation Nooksack has indicated a willingness to provide urban services. This area is planned for future residential development.

Land east of the existing city limits and south of Breckenridge Creek has been included in the Urban Growth Area. This area is planned for future light industrial zoning.

South

Land south of the existing city limits and east of SR 9 has been included in the Urban Growth Area. This land is planned for future residential and commercial development.

West

Land west of the existing city limits, adjacent to the Nooksack Valley Middle School, has been included in the Urban Growth Area. This land is located within the floodplain and, after annexation, is planned for ball fields.

Goal 2X: **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 2X-1: Coordinate with Nooksack to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Nooksack through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4.

Policy 2X-2: Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities.

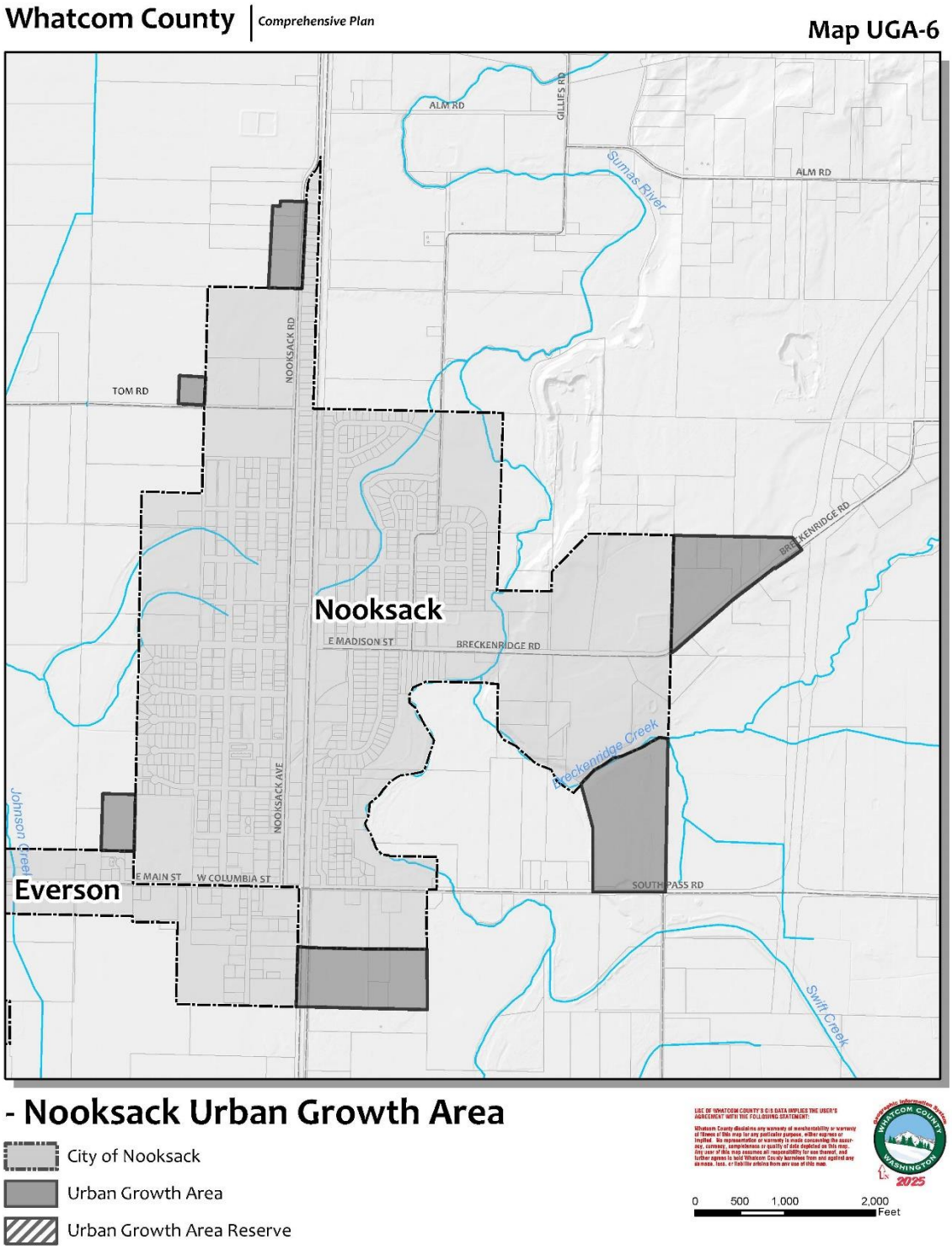
Policy 2X-3: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.

Policy 2X-4: Encourage Nooksack to pursue multifamily development and to adopt measures to develop within the existing city limits at increased densities.

Policy 2X-5: Ensure Nooksack can provide adequate urban services to accommodate projected housing and employment growth within the urban growth area.

Policy 2X-6: 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
ALM RD
GILLIES RD
Sumas River
ALM RD
NOOKSACK RD
TOM RD
BRECKENRIDGE RD
Nooksack
E MADISON ST
BRECKENRIDGE RD
Breckenridge Creek
NOOKSACK AVE
Johnson Creek
E MAIN ST
W COLUMBIA ST
Everson
SOUTH PASS RD
Swift Creek
- Nooksack Urban Growth Area
City of Nooksack
Urban Growth Area
Urban Growth Area Reserve
WHATCOM COUNTY WASHINGTON
2025
0 500 1,000 2,000
Feet

Sumas

The Sumas urban growth area is located in north central Whatcom County along the USA-Canada international border, with the communities of Everson and Nooksack to the southwest. The UGA is served by two state highways (SR 9 and SR 547) connecting the City to the Canadian border and extending to points further south and east. The Community's vision for the UGA is to take advantage of its location and function as an international border crossing to capitalize on commercial and retail economic opportunities presented by border traffic. The City has also become a regional industrial center. The UGA is served by Burlington Northern railway, State Route 9, and the Sumas Land Port of Entry on the Canadian Border.

Flood prone areas, preservation of agricultural resource land, and provision of adequate urban services, are among many factors considered in designating the City of Sumas Urban Growth Area boundary. The UGA and surrounding area consists of gently sloping terrain, tributary streams and creeks draining into the meandering northward flowing Sumas River. The UGA is also surrounded by designated agricultural land on all sides. County goals include working cooperatively with the City of Sumas to enhance or maintain the county's agricultural land base.

Urban level service capacities must be considered when establishing geographic boundaries to accommodate future urban growth. The City of Sumas has a Water System that serves the City. The City of Sumas owns and operates seven wells in two major well fields that provide a significant quantity of water within recognized water rights. City of Sumas supplies wholesale water to the Sumas Rural Water Association, the Nooksack Valley Water Association and the City of Nooksack.

City of Sumas collects and transports wastewater across the USA-Canada border for treatment in the City of Abbotsford, British Columbia, Canada, on a contractual basis. This agreement extends through the year 2028.

Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 14.

The urban growth area for Sumas is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. The 2021 and 2025 Nooksack River flood events devastated Sumas, causing approximately 80% of structures to be damaged. Sumas emphasizes the new urban growth area as a means to relocate current residents and direct new population out of the path of the flood. County goals encourage Sumas to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA – (Map UGA-7)

An area south of Sumas and east of SR9 and an area west of Sumas have been designated urban growth area to accommodate future growth needs.

Goal 2Y: **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 2Y-1: Ensure Sumas can provide adequate urban services within the urban growth area.

Policy 2Y-2: Coordinate with Sumas to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Sumas through the Floodplain Integrated Planning process to address increased risk of riverine flooding due to climate change, consistent with Countywide Planning Policy T4.

Policy 2Y-3: Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities.

Policy 2Y-4: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.

Policy 2Y-5: Encourage Sumas to increase densities for areas located outside the floodplain.

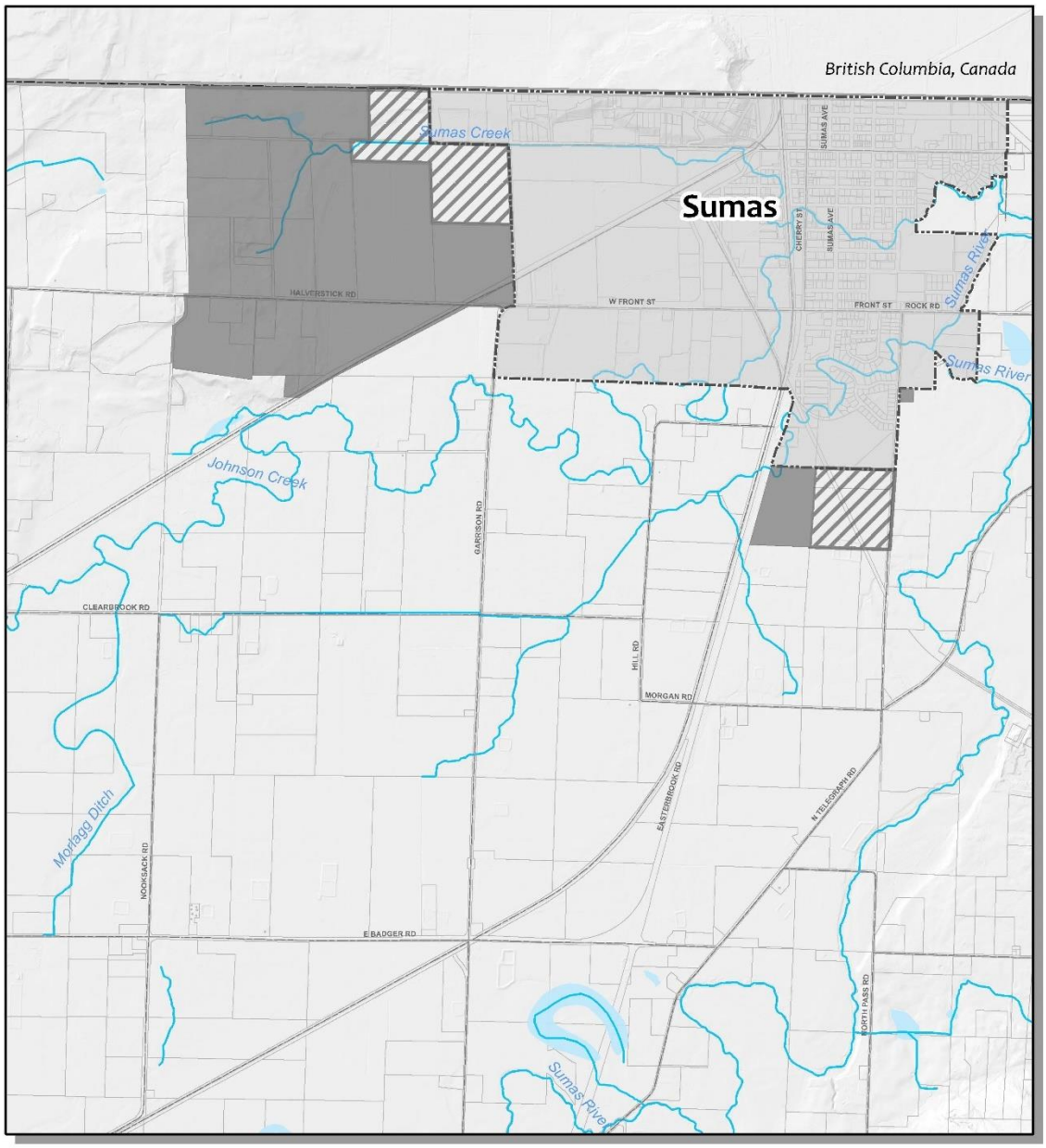
Policy 2Y-6: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Sumas City wellfield and May Road wellfield.

Policy 2Y-7: 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

- City of Sumas
- Urban Growth Area
- Urban Growth Area Reserve

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Birch Bay and Columbia Valley Urban Growth Areas

The Birch Bay UGA and Columbia Valley UGA are unincorporated areas with sizable populations and substantial amounts of existing, residential/recreational development. These areas are characterized by a mix of permanent residents, recreational units and/or second home use, which reflects both the population growth that has occurred in the unincorporated areas of Whatcom County and the resort/recreational nature of these areas.

Birch Bay UGA

Birch Bay is a resort community which has historically been a second-home resort area with a trend toward permanent, often retirement homes. A high proportion are still second homes. However, the trend is shifting to more permanent residents because of the attractiveness of the Birch Bay area and the cost of housing in other areas of the county. Affordable housing sites should be encouraged in the Birch Bay UGA.

Water and sewer are provided by Birch Bay Water and Sewer District which has a network of water lines throughout most of the district. Birch Bay Water and Sewer District has the capability of providing sewer service to the entire urban growth area, but the present urban growth area covers a much smaller geographic area than the water distribution system. The sewer service area also includes land which was removed from the Birch Bay Urban Growth Area. Designated affordable housing sites should be included in the water/sewer service area, as amended if needed.

The district purchases water under a contractual agreement from the City of Blaine. In April 2002, the District entered into a 30 year contract with the City of Blaine to purchase water adequate to serve the District's projected need for water through 2032. The District continues to work closely with Blaine as the need for water changes with updates to the population projections.

Between 2001 and 2003, a citizen group developed a Community Plan for the Birch Bay Urban Growth Area and surrounding rural area. The Birch Bay Community Plan, as revised, was adopted as a Subarea of the Whatcom County Comprehensive Plan in 2004 and provides more detailed background information and policy direction regarding growth and development within Birch Bay. Where there are conflicts between the Birch Bay Community Plan and the Whatcom County Comprehensive Plan, the County Comprehensive Plan shall prevail.

In 1992, an attempt was made to incorporate Birch Bay; however, it was defeated by the voters. In 2008, the county completed an incorporation feasibility study for the Birch Bay UGA which identified the issues with and benefits of incorporating. It concluded that Birch Bay incorporation was financially feasible given the community's tax base and service needs. In 2025, another Birch Bay incorporation feasibility study was completed. The community has not made another attempt to incorporate as of 2025.

Columbia Valley UGA

Located in the northeast region of the developed portion of the county, the Columbia Valley UGA is the most populous area in the eastern part of Whatcom County.

The Columbia Valley area, like many other areas in Whatcom County, was originally developed to cater to a seasonal population, primarily Canadians who are allowed to spend up to six months per year in the United States. However, this area has become attractive for permanent residents and has transitioned to a higher percentage of year-round residents. The lots are affordable and the current and projected development will provide an available work force for economic development.

Columbia Valley includes large subdivisions that are located along both sides of Kendall Road (SR547). The UGA also includes several lakes, a wetland complex along Kendall Creek, and some undeveloped land. The Columbia Valley was originally designated as an urban growth area in 1999. Between 2013 and 2023, the population of the UGA has increased by approximately 17%. Additionally, the population increases in the summer because of the recreational units in the UGA.

Paradise Lakes has public roads and continues to utilize septic systems for sewage disposal. The Columbia Valley Water District provides public water service to residential and camper lots within the Paradise Lakes divisions. Peaceful Valley has private roads and a water and sewer system managed by Water District 13.

Public transit service is provided to the Columbia Valley/Kendall area by the Whatcom Transportation Authority (WTA). Local east-county law enforcement is provided by Sheriff's deputies that use space in the Kendall Fire Hall. The small town of Kendall, located outside of the UGA, has a commercial district, fire station, and an elementary school.

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

Policy 2Z-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 and Coordinated Water System Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction.

Policy 2Z-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 2Z-3: Work with the Birch Bay Community Advisory Committee and local partners to adopt measures to limit development in current and future floodplains and areas at risk of sea level rise and coastal erosion due to climate change. Development that does occur should take mitigative measures outlined in the Future

Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report, found in Appendix B, using the report's relocate, avoid, accommodate, protect model to build resilience to coastal and riverine flooding and erosion hazards. Continue the pilot adaptation plan for Birch Bay.

- Recognize opportunities for affordable housing sites for property included in the Birch Bay UGA.
- Approve land use entitlements and permit decisions that implement Housing Policy 3C-9 to produce affordable housing.

Policy 2Z-4: 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 2Z-5: 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 2Z-6: Encourage incorporation of Birch Bay when financial viability can be achieved without including the Cherry Point Industrial Area within proposed city boundaries.

Policy 2Z-7: 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 2Z-8: 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 and Coordinated Water System Plan.

Policy 2Z-9: 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 2Z-10: 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 2Z-11: 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 2Z-12: 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 2Z-13: 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.

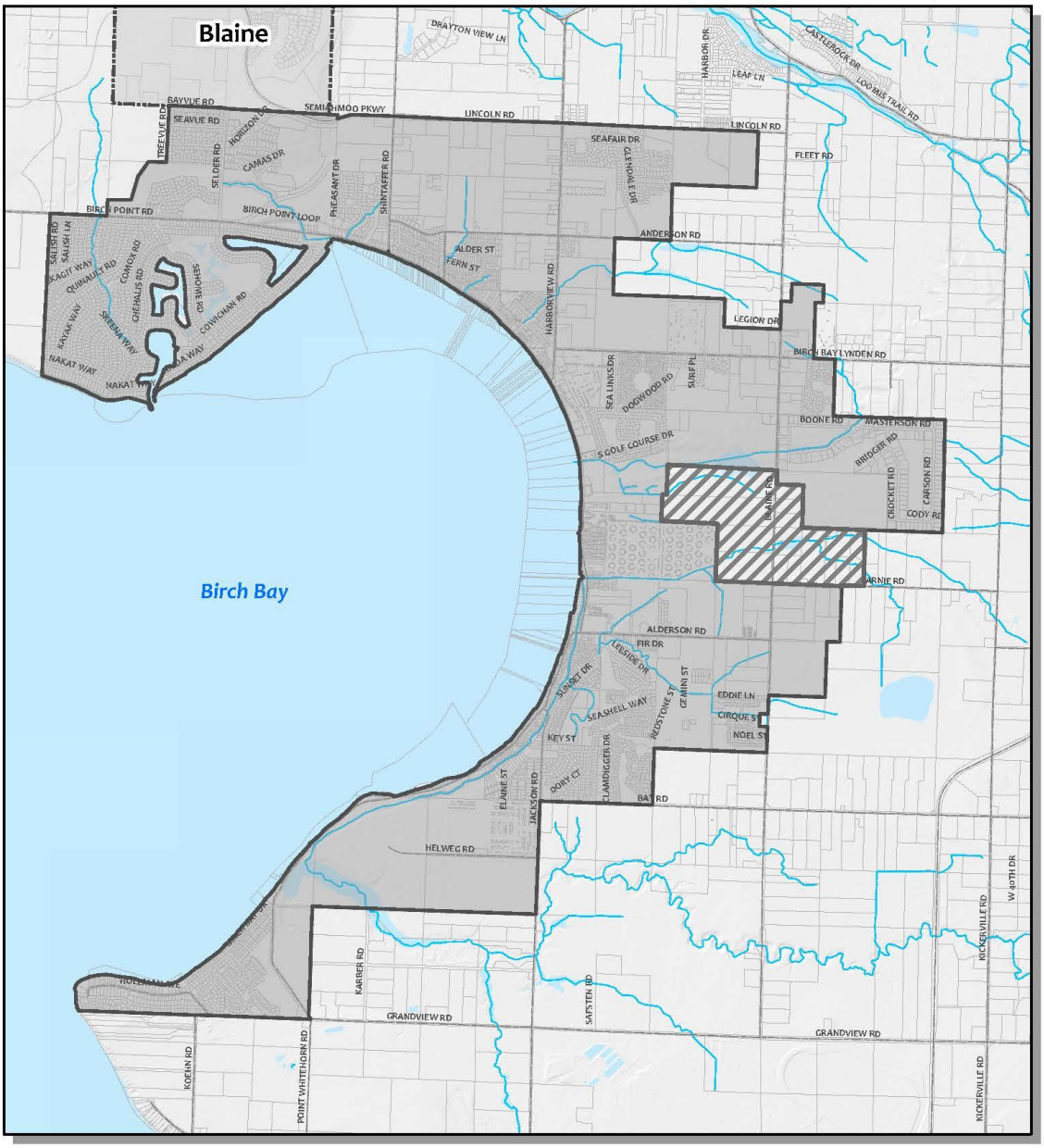
Policy 2Z-14: Encourage use of low impact development (LID) standards in the Columbia Valley UGA.

Policy 2Z-15: Recognize the need for light impact industrial land uses within the Columbia Valley Urban Growth Area on the north side of Limestone Road in the Light Impact Industrial zone.

Policy 2Z-16: 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.

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Map UGA-8



- Birch Bay Urban Growth Area

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

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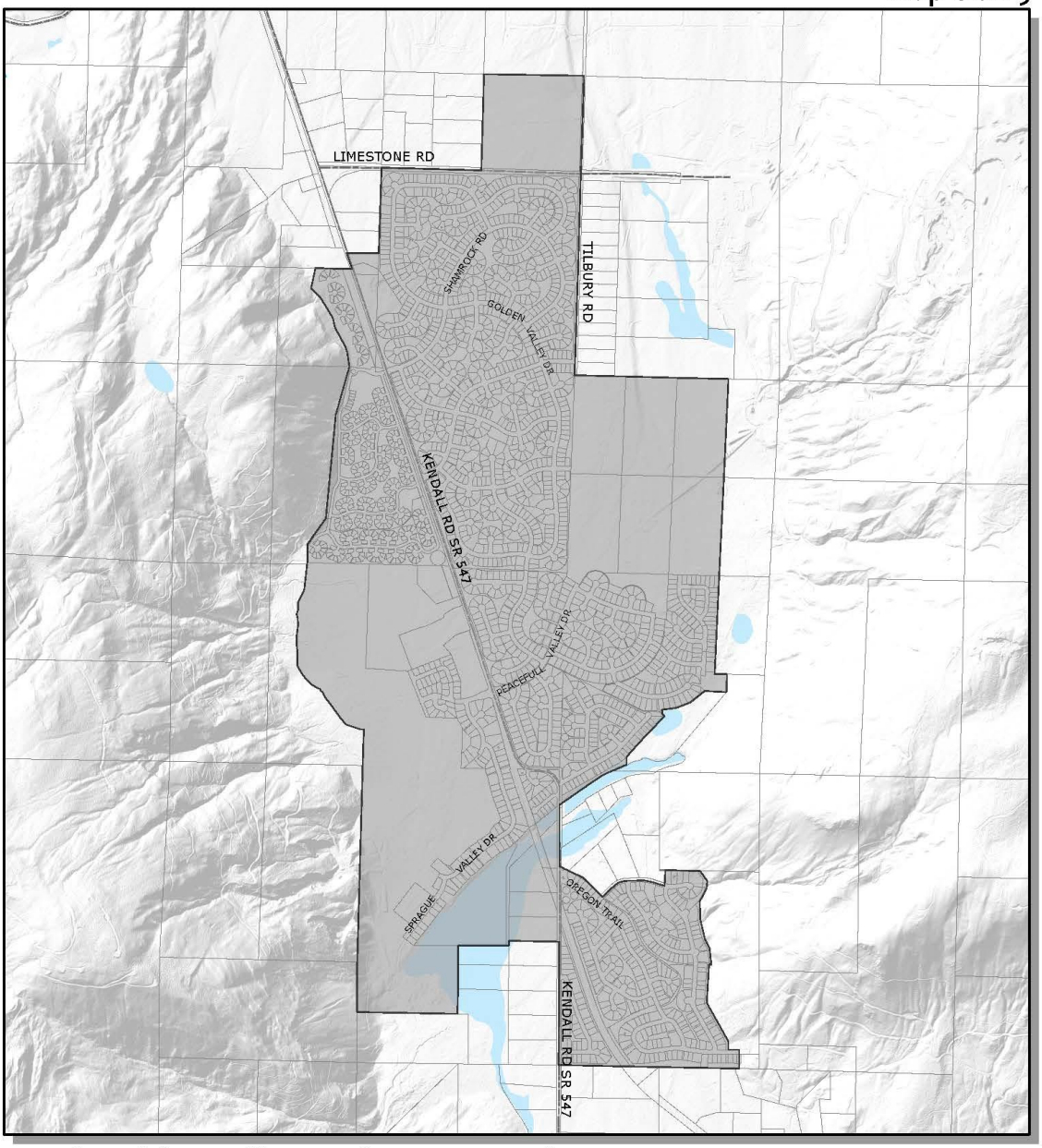
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Map UGA-9



- Columbia Valley Urban Growth Area

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

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Major Industrial Urban Growth Area / Port Industrial

Cherry Point

The Cherry Point Urban Growth Area (UGA) contains approximately 6,650 acres of industrial land. The land has long been planned and designated by Whatcom County for industrial development and is currently the site of three major industrial facilities including two oil refineries and a liquid petroleum gas export facility. Together, these three existing industries own about 4,213 acres of the total Cherry Point industrial lands.

Because of the special characteristics of Cherry Point, including deep water port access, rail access, and proximity to Canada, this area has regional significance for the siting of large industrial or related facilities. General Petroleum constructed the Ferndale Refinery in 1954, Alumax/Pechiney/Howmet constructed the Aluminum Smelter in 1966 (shut down in 2020), and the Atlantic Richfield Company constructed the Cherry Point Refinery in 1971. The existing industries in the Cherry Point UGA, which provide significant employment, have produced and shipped refined fossil fuels and other products for decades.

Cherry Point is also important historically and culturally to the Coast Salish people, and part of the usual and accustomed fishing area for five treaty tribes, reserved under the Treaty of Point Elliot of 1855. The Lummi Nation and Western Washington University have identified an ancestral village dating back over 3,000 years ago in this area. The Cherry Point UGA contains sites of primary archeological and cultural significance.

Since the designation of this area for industrial development years ago, newer scientific study of the shoreline ecology has identified Cherry Point's unique function as part of the Fraser River/Georgia Strait and greater Salish Sea ecosystem and the associated Cherry Point Aquatic Reserve has been designated by the state Department of Natural Resources to recognize the ecological importance of the aquatic lands in this area.

Since adoption of earlier versions of this Comprehensive Plan, governments have increased their recognition of the observed and projected effects that fossil fuel extraction, transportation and use have on human health and the environment.

Environmental

The Cherry Point shoreline has great importance to the fisheries and ecology of Northern Puget Sound because it provides essential spawning habitat for what once was the largest herring stock in Washington State. This herring stock has supported important commercial fisheries in the past and provides forage for salmonids and other important marine species. In 2000, 2010, and 2017 the State Lands Commissioner ordered the Cherry Point tidelands and bedlands withdrawn from the state's general leasing program and designated them as the "Cherry Point Aquatic Reserve." The following DNR Use Authorizations are exempted from withdrawal: Lease application numbers 20-A09122 (British Petroleum), 20-B11714 and 51-076895 (Phillips 66), 20-A08488 (Petrogas Pacific), 51-073039 (Intalco Aluminum Corporation), and 51-082214 (Birch Bay Water and Sewer District). In 2000, the DNR

recognized the need to "protect the significant environmental resource of aquatic lands at Cherry Point and designated those state-owned lands not already under a lease agreement as the Cherry Point Aquatic Reserve in order to ensure long-term environmental protection." (Cherry Point Aquatic Reserve Management Plan or CPAR MP, April 2024, p. iii). The Reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation.

The primary focus of the CPAR MP is to "protect, enhance and restore habitats used by Cherry Point herring, salmon, migratory and resident birds, and Dungeness crab, groundfish rearing areas and marine mammals, as well as the protection of submerged aquatic vegetation and water quality" (p. 5). Specific goals of the CPAR MP include:

- Natural functions and processes: Protect, enhance and restore the natural functions and processes of nearshore ecosystems.

- Water quality: Improve and protect water quality to protect public health, fish and wildlife, and functional habitats.

- Species protection and marine habitats: Protect and recover priority fish and wildlife species and habitats, with primary focus on Cherry Point Pacific herring.

- Stewardship, partnerships, environmental education and access: Promote stewardship of the reserve through environmental education and community science, strengthening partnerships with aquatics lessees, tribes, recreational users and resource agencies, and promoting appropriate public use and access.

- Cultural and archeological resource protection: Respect and protect recognized archaeological, cultural, and historical resources on state-owned aquatic lands. DNR recognizes Northwest Tribes as sovereign nations and will engage in government to government discussions when requested or warranted.

- Authorized uses: Ensure that any authorized uses of state-owned aquatic lands in the reserve are consistent with the aquatic reserve's long-term vision and management goals (p. 69).

Much of the Aquatic Reserve shoreline is in substantially natural riparian vegetation and bluff processes proceed without interference. Existing shoreline and upland stream and wetland functions and values are of continuing importance to the recovery and protection of species identified in the Aquatic Reserve Management Plan. The area includes undeveloped intertidal wetlands with importance to juvenile salmon and other species. The existing industrial uses at Cherry Point do not conflict with aquatic reserve status. If the facilities are managed in alignment with this plan and the lessees actively work to further goals for the reserve, the uses can serve the objectives of the reserve (CPAR MP, p. iv).

The County and industrial users have long recognized that the Cherry Point area exhibits a unique set of characteristics that makes land there not only locally but

regionally important for the siting of major industrial developments. Deep water access for shipping is a critical locational factor. These characteristics were articulated in the Overall Economic Development Plan (OEDP) for Whatcom County adopted by the Whatcom County Council of Governments in May, 1993, in the 1997 Property Counselors Report on supply and demand for industrial land in Whatcom County and at Cherry Point, the 2002 Greater Whatcom Comprehensive Economic Development Strategy, the 2003 Whatcom County Industrial Land Study, the 2022 Whatcom County Comprehensive Economic Development Strategy, and the 2025 Whatcom County Industrial Lands Study.

The United States Congress approved the "Magnuson Amendment" in 1977 in order to restrict tankers carrying crude oil in the Puget Sound area. Congress found that Puget Sound and the adjacent shorelines were threatened by the increased possibility of vessel collisions and oil spills. Therefore, Congress restricted federal agencies from issuing federal permits as follows:

> . . . no officer, employee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of October 18, 1977), other than oil to be refined for consumption in the State of Washington.

Whatcom County does not enforce the Magnuson Amendment through the local permitting process. However, the County does encourage federal agencies to enforce the Magnuson Amendment. Therefore, the County will strive to make appropriate federal agencies aware of applications for development permits submitted to the County that may be subject to federal agency review under the Magnuson Amendment before issuing local permits when possible (see Policy 2AA-15).

Cherry Point UGA Features

The characteristics that make Cherry Point unique as a site for major industrial developments include the following:

Port Access

The marine waters off Cherry Point provide deepwater access for shipping. Deepwater access for shipping was a major siting consideration for the three major industries currently located at Cherry Point.

Rail Access

Cherry Point is served by a branch line of the BNSF Railway mainline serving western Washington. Rail service is considered to be vital to statewide as well as local interests for the competitive movement of freight. Rail service is particularly important in relation to waterborne commerce. The Cherry Point area has the rail

access to support marine terminals and industrial users in the area. Cherry Point industries use rail to ship and receive multiple feedstocks and products. Both the Cherry Point Refinery and the Ferndale Refinery receive crude oil shipments by rail.

Proximity to Canada, Alaska and Foreign Ports

Cherry Point occupies a unique location for the siting of industry because of its close proximity to Canada and because of its shorter travel distance than other regional port facilities for shipping to and from Alaska and to other Pacific Rim locations. The large acreage, good rail access and proximity to Washington State and Canadian ports makes the remaining upland area at Cherry Point suitable for commercial or industrial production with emphasis on major sustainable clean energy manufacturing or production (see Policy 2AA-3). The Cherry Point industrial area benefits from proximity to Canada, as trade between the U.S. and Canada grows in response to the lifting of trade barriers under the Free Trade Agreement. Canadian exports to the U.S. are expected to increase and Canadian firms exporting to the U.S. are expected to seek locations in the U.S. as a way of improving access to U.S. markets. Compared to other port facilities in Washington and Canada, Cherry Point is not constrained by extensive upland development or vessel draft limitations.

Presence of Necessary Utilities and Infrastructure

Cherry Point is a major industrial area in Whatcom County. The Ferndale Refinery was constructed in 1954, the Aluminum Smelter in 1966 (shut down in 2020), and the Cherry Point Refinery in 1971. The infrastructure to support these industries and future industrial users at Cherry Point is in place and includes the following:

Electric Power

Electric Power is available from three providers in the Cherry Point area: Puget Sound Energy, Public Utility District #1 (PUD #1), and Bonneville Power Administration.

Puget Sound Energy owns two electrical generating facilities at Cherry Point. The electricity generated by these two facilities can be transmitted outside the region into the grid for supply to Puget's customers or some of it can be consumed by Cherry Point customers through interties with the PUD #1. Puget Sound Energy also acquires power from outside the region and transmits it via their transmission grid into Cherry Point. The Cherry Point Refinery purchases electrical supply on the market and pays Puget Sound Energy to transmit the power and operate distribution systems to provide that power to the refinery.

PUD #1 purchases electricity from the Bonneville Power Administration and takes ownership of that power at the Bonneville substation in Bellingham and then transmits it over its transmission line to Cherry Point to serve the Ferndale Refinery.

PUD #1 and Puget Sound Energy have interties at Cherry Point allowing the transmission of power in and out of Cherry Point depending on the amount of power generated and consumed at Cherry Point.

The Bonneville Power Administration supplies power directly to the aluminum production facility.

Water

Whatcom County Public Utility District #1 currently provides industrial process water to all major industrial facilities at Cherry Point and has additional water available to provide process water to properties that are currently undeveloped. PUD # 1 also operates a small system to provide potable water to one industry (Praxair). Birch Bay Water and Sewer District provides potable water to the Cherry Point Refinery. The other industries operate their own water treatment facilities to provide potable water for their facilities. Existing industries consume large quantities of water, in many cases drawn from the Nooksack River. It is the County's policy to support renewed efforts to reduce both water consumption levels and the quantity of discharges, in favor of recycled water use (see Policy 2AA-3 and Policy 2AA-10).

Sewer

Sewer service is not typically required for large industrial developments. Most of the existing industrial users provide their own onsite sewage treatment and wastewater treatment. Sewer service for domestic wastewater is provided to the Cherry Point Refinery by the Birch Bay Water and Sewer District. If and when sewer service should become necessary for other industries, service could be provided on a contractual basis with the Birch Bay Water and Sewer District, which borders the Cherry Point industrial area on the north.

Natural Gas

Natural gas is currently available at Cherry Point.

All-weather Roads

Grandview and Slater roads, the major east-west connectors between Cherry Point and Interstate-5, provide all-weather road access to Cherry Point.

Use Compatibility and Land Use Designation

The industries currently located at Cherry Point are a substantial part of the economic base of Whatcom County and the region and the economic welfare of the county is strongly tied to the health of these industries and their ability to flourish and expand as opportunities present themselves. These industries need to be protected from the inappropriate encroachment of incompatible uses; particularly residential uses that could affect their ability to expand, at the same time, the expansion of these industries needs to be done in ways that do not significantly impact the ecology of the Salish Sea or encourage expanded transshipment of unrefined fossil fuels. The best means for protecting these industries from incompatible adjoining uses and to assure their continued regulatory conformity is to maintain the industrial land use designation of these lands and adjoining properties currently designated for industrial development. The Cherry Point industrial lands have been designated for industrial development and as a direct result of the industrial designation, incompatible and inappropriate residential development has been curtailed.

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

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

Policy: 2AA-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: 2AA-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 2AA-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 2AA-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 2AA-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 2AA-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 2AA-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 2AA-13: Work with the Cherry Point industries to maximize public access to the Cherry Point beaches without compromising industrial security.

Policy 2AA-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 2AA-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 2AA-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.

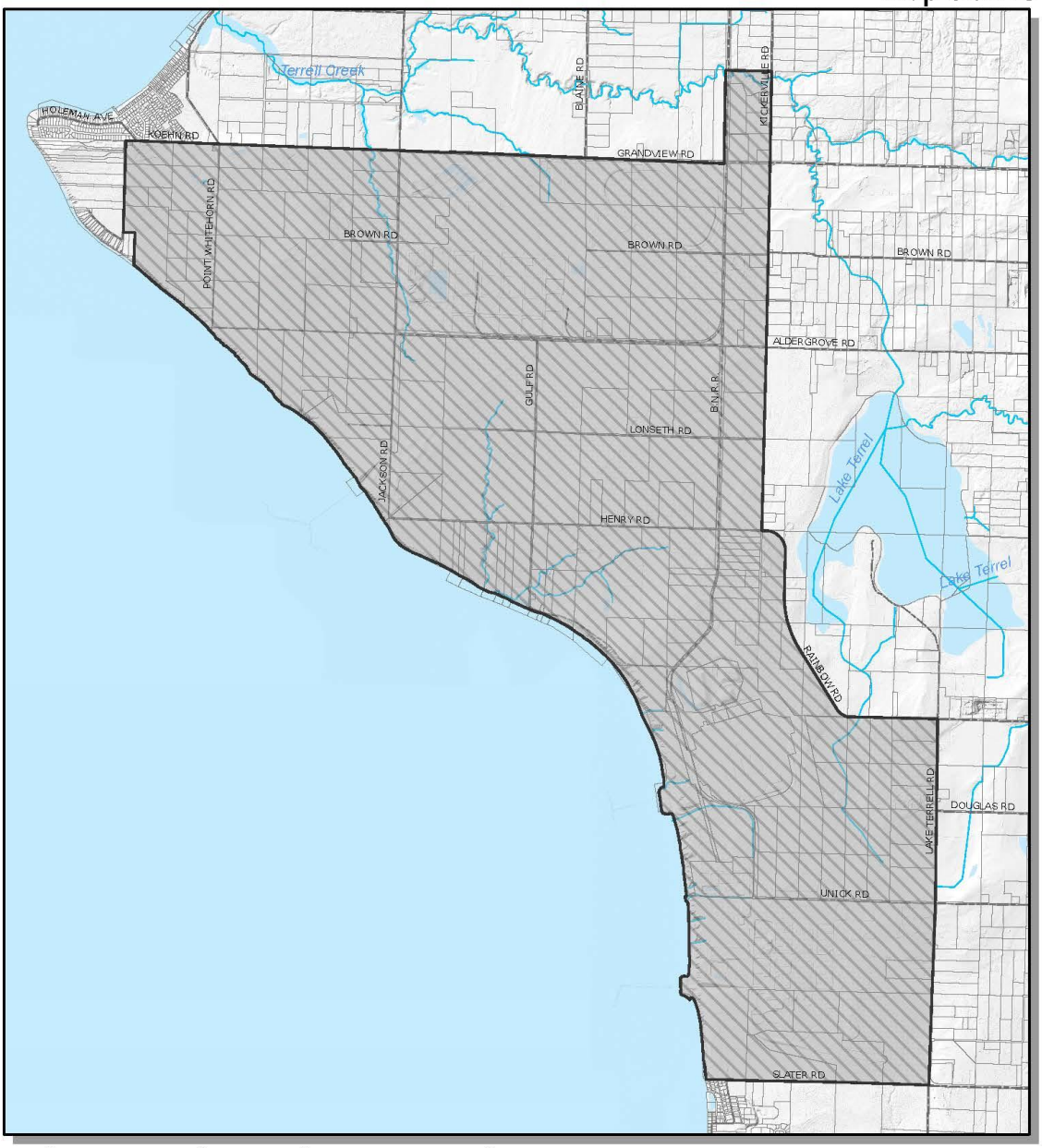
The County Administration should provide the County Council written notice of all known preapplication correspondence or permit application submittals and notices, federal, state, or local that involve activity with the potential to expand "Fossil Fuel Refinery, Renewable Fuel Refinery, Fossil Fuel Transshipment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

Policy 2AA-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 2AA-3 and -11.

Policy 2AA-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.

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Map UGA-10



- Cherry Point Urban Growth Area

- Major Port/Industrial UGA
- Urban Growth Area
- Urban Growth Area Reserve

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Rural Lands

Introduction

Purpose

The purpose of the Rural Lands section is to provide direction for land use decisions in the rural areas of Whatcom County.

GMA Requirements

The state Growth Management Act (GMA) requires counties to include a Rural element in their comprehensive plan in accordance with RCW 36.70A.070. GMA defines rural lands as those that are located outside urban growth areas and which do not include designated agriculture, forestry, or mineral resource lands of long-term commercial significance. Agriculture, forestry and mineral resource lands are addressed separately in *Chapter 8: Natural Resource Lands*.

GMA requires counties to provide for a variety of rural densities and uses in its rural areas, and to adopt measures to protect rural character. The GMA (RCW 36.70A.030(38)) defines "rural character" as "patterns of land use and development established by a county in the rural element of its comprehensive plan:

- In which open space, the natural landscape, and vegetation predominate over the built environment;
- That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- That provide visual landscapes that are traditionally found in rural areas and communities;
- That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- That generally do not require the extension of urban government services; and
- That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas."

GMA allows counties to designate "limited areas of more intensive rural development" (LAMIRDs) where more intensive uses have been established within their rural areas. Counties making such designations must adopt measures to minimize and contain the existing areas of more intensive rural development. In its findings preceding the GMA, the legislature states that rural counties must have flexibility to create opportunities for business development and must have the flexibility to retain existing businesses and allow them to expand.

Rural Character and Lifestyle

Rural Whatcom County is the portion of the County not planned for either urban or resource use and its character differs from that of the County's urban and resource areas. While agriculture and forestry are practiced in the rural areas, it is generally on a smaller scale than in the resource areas that are set aside specifically for those purposes. The rural areas provide an important buffer between urban areas and resource lands, and the character of the rural areas is differentiated from the urban areas by less intensive uses and densities, and greater predominance of vegetation, wildlife habitat, and open space.

Small unincorporated communities have existed in the rural areas for many decades but have not become urban centers. Land uses in these communities are more intensive than those in the surrounding rural areas, and provide rural residents places to shop, eat, play, etc., and access public services such as schools, libraries, and post offices without having to travel to cities. The businesses in these communities are important contributors to the economy of Whatcom County. Even outside these settlements, residents of the rural areas have established home-based businesses, and small-scale businesses that are an important part of the County's traditional rural economy.

Historically, rural Whatcom County has been a place of great variety. Residential densities vary greatly from homes on 10 or 20 acre lots to lots smaller than one acre in the rural communities and neighborhoods that have been established over the years. The scale and intensity of rural businesses varies from the home-based businesses, and resource-based industries to the more intensive commercial and manufacturing uses, though the County's largest commercial and industrial uses have been established in the urban areas.

Whatcom County's rural lifestyle is one where residents enjoy views of a green landscape dotted by homes and barns, and have an appreciation for clean water and air. Residents can work and shop in small rural communities, or earn a living on their own rural lands, but these enterprises do not detract from the overall sense of openness and predominance of the landscape in the rural area. Rural Whatcom County has long been a place to raise children with the values of hard work and responsible stewardship of the land, and where residents can grow food and livestock for themselves or for market. While rural property owners do not expect to be provided with urban-level services, they enjoy a quality of life and sense of self-sufficiency not ordinarily found in the urban areas.

In the rural element of this chapter, Whatcom County establishes policy consistent with the findings of the legislature and with the above vision of rural character and lifestyle that will:

- Help preserve rural-based economies and tradition lifestyles,
- Encourage the economic prosperity of rural residents
- Foster opportunities for small-scale, rural-based employment and self-employment,

- Permit the operation of rural-based agriculture, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns,
- Be compatible with the use of the land by wildlife and for fish and wildlife habitat,
- Foster the private stewardship of the land and preservation of open space, and
- Enhance the rural sense of community and quality of life.

Goal 2BB: Retain the character and lifestyle of rural Whatcom County.

Policy 2BB-1: Concentrate growth in urban areas per the housing projections in Chapter 3 of this plan, and recognize rural lands as an important transition area between urban areas and resource areas. Compare nonurban housing growth trends with the adopted nonurban housing growth projection at the time the County prepares the "implementation progress report" under RCW 36.70A.130(9)(a). 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 housing 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 2BB-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-10, 2A-11, 2BB-1, 2BB-8, 2EE-2, 2EE-3, 2GG-1 through 11, 2HH 1 and 2, 2II-1 through 4, and 2JJ-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.

4. Consider pathways for code-compliant, sustainable, low-impact, off-grid housing in an effort to accommodate housing consistent with rural character and development.

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. Ensure compliance with Growth Management Act provisions to better protect of senior water rights, agricultural water rights, and fish and wildlife habitats.

3. RCW 36.70A.070(1) Adopt policies and regulations to ensure development complies with RCW 90.44.050, the applicable instream flow rules, the watershed plan updated under RCW 90.94.020, and the watershed restoration and enhancement plans required by RCW 90.94.030.

4. Minimize the adverse effects of discharges from onsite sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.
5. 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.
6. Protect surface and groundwater resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630 through .635, 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.
7. 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 Preliminary approval decision criteria.
    b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions.

8. 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.
9. 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.
10. Require evidence of an adequate water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.
11. 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.
12. 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. Implement the goals and objectives of the Lake Whatcom Management Program Work Plan.
13. 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.
14. 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 20.63.550 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.

E. Measures to protect against climate impacted natural hazards:

1. Work with partners to adopt updated regulations to limit development in areas at highest risk of riverine flooding and sea level rise. Prioritize climate adaption recommendations in the Future Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report for interjurisdictional implementation.

Policy 2BB-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (*RCW 84.34*).

Policy 2BB-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 2BB-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 2BB-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 2BB-7: Maintain the historic character and cultural roles of each rural area and community.

Policy 2BB-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 2BB-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 2BB-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

Development in rural areas should not receive urban levels of service except where necessary to protect public health, safety, and the environment. Services should be coordinated to ensure that rural areas receive appropriate services including law enforcement protection, fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads. Most of the residential development in rural areas uses individual onsite septic systems. Some drinking water is provided by onsite wells and in other cases it is provided by water districts or water associations.

Goal 2CC: 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 2CC-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 2CC-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 2CC-3: Pursue measures through which new development would help pay for increased demands on critical rural services such as fire and emergency service.

Policy 2CC-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 2CC-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 2CC-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 2CC-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 2CC-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

Many residents in rural Whatcom County depend on home-based businesses, small businesses, and natural resource-based jobs for their livelihood. These types of businesses support the local economy and are compatible with the rural lifestyle desired by county residents.

Commercial and industrial uses located within Rural Communities, Rural Tourism, and Rural Business areas are also important contributors to the local economy, providing jobs and services to rural residents.

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

Policy 2DD-1: Support small businesses, home-based businesses, 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-based businesses, should be located within designated Rural Communities and Rural Business areas.

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

Policy 2DD-4: Allow home-based businesses, 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

Lands outside the County's urban and resource areas include a variety of uses and densities. Traditionally, Whatcom County's rural areas have been characterized by a spectrum of uses ranging from farms and large-lot residential areas to recreational communities and small towns. The more intensive uses in that spectrum (commercial/industrial areas and residential areas with densities greater than one unit per five acres) are contained within the boundaries of Rural Community, Rural Tourism, or Rural Business designations (LAMIRDs) and Neighborhood designations.

The remainder of the rural areas are designated Rural and contain traditional rural residential and farm uses as well as small home-based and conditionally permitted businesses. The rural character of the lands designated as Rural should not be compromised by the encroachment of more intensive development. Commercial and industrial uses in the rural areas not contained within a Rural Community designation must meet GMA criteria for small-scale tourism or isolated business uses (RCW 36.70A.070(5)(d)(ii) and (iii).

Portions of the rural area that historically contain larger lots have been zoned for densities of one dwelling per ten acres. These areas provide for a variety of densities important to the rural character and shall be retained. Rezones from R10A to allow higher densities are limited to those R10A areas that are adjacent to established higher densities.

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

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

Policy 2EE-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 2EE-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 Whatcom County Rural Land Study 2019 Update that was endorsed by the County Council in Resolution 2019-042.

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

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

Limited Areas of More Intensive Rural Development (LAMIRDs)

RCW 36.70A.070(5)(d)(i) through (iii) allows counties to designate limited areas of more intensive development (LAMIRDs) for three types of development patterns in the rural areas:

Type I: "Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas…" Existing development is defined as that which existed on July 1, 1990.

Type II: "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…"

Type III: "The intensification of development on lots containing isolated nonresidential uses or new development of isolated home-based businesses 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…"

Areas designated in this plan as Rural Communities are Type I LAMIRDs. Rural Tourism designations are Type II LAMIRDs and Rural Business designations are Type III LAMIRDs.

The purpose of LAMIRDs is to place limits on more intensive development and prevent it from adversely affecting the character of the surrounding rural areas. Rural Communities (Type I LAMIRDs) are areas characterized by more intensive uses at the time Whatcom County began planning under GMA. Rural Tourism designations (Type II LAMIRDS) apply to lots that contain small-scale tourist uses. Rural Business designations apply to lots that contain isolated small-scale business. The criteria listed under Goal 2FF were used to designate Rural Communities and Rural Business areas (the Type I and Type III LAMIRDS) in 2010 and should be used to establish future Rural Tourism and Rural Business designations (Type II and III LAMIRDs) and to evaluate future proposed modifications to Rural Community, Rural Tourism, and Rural Business designations (Type I, II, and III LAMIRDs).

Goal 2FF: Establish LAMIRD Designation Criteria

Policy 2FF-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 2FF-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 2FF-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 home-based businesses 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

Rural Communities are areas that have historically served as centers of activity and services for surrounding rural areas, or have been established as more intensive rural residential development. In many cases, they are served by public services and facilities, including schools, libraries, post offices, and/or public transportation.

These areas are Type I LAMIRDs and include small unincorporated towns and other areas where a concentration of commercial and public uses have been in existence since before the adoption of the GMA in 1990. Typically, these are mixed use areas containing both residential and nonresidential uses developed at a greater intensity than is generally found in outlying rural areas. This more intensive development is contained within the boundaries of the Rural Community designations, preventing the expansion of more intensive uses and densities into the surrounding rural areas. Because undeveloped lots may be included within Rural Community boundaries, infill development is possible, but at an intensity consistent with the development that existed in 1990.

Areas designated as Rural Communities are: Acme, Axton & Guide Meridian, Birch Bay-Lynden & Valley View, Cain Lake, Custer, Deming, Diablo, Emerald Lake, Glacier, Hinotes Corner, Kendall, Lake Samish, Laurel, Lummi Peninsula, Maple Falls, Newhalem, Nugent's Corner, Point Roberts, Pole & Guide Meridian, Sandy Point/Sandy Point Heights, Smith & Guide Meridian, Sudden Valley, Van Wyck, and Wiser Lake. Three of these LAMIRDs—Point Roberts, Diablo, and Newhalem—are located at least 10 miles from an existing urban growth area.

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

Policy 2GG-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 2GG-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 2GG-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 2GG-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 2GG-5: Within Rural Communities development or redevelopment in terms of building size, scale, use, or intensity may be permitted subject to confirmation from all existing providers of public facilities and public services of sufficient capacity of existing public facilities and public services to serve any new or additional demand from the new development or redevelopment.

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

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

Policy 2GG-9: Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use is consistent with the local character. Any commercial development or redevelopment within a mixed-use area must be principally designed to serve the existing and projected rural population.

Policy 2GG-10: Any commercial development or redevelopment in Rural Communities *within 10 miles* of an Urban Growth Area may only be permitted subject to the following:

A. For retail or food service uses in a Rural Community that had the same or similar uses on July 1, 1990 (as identified in WCC 20.80.100(1)), the footprint may not exceed the footprint occupied by the same or similar use on July 1, 1990, or 5,000 square feet, whichever is greater.

B. For retail or food service uses in a Rural Community that did *not* have the same or similar use on July 1, 1990, the footprint of the new use may not exceed 2,500 square feet.

Policy 2GG-11: Any commercial development or redevelopment in Rural Communities *farther than 10 miles from* an Urban Growth Area

(i.e., Point Roberts, Diablo, and Newhalem) may only be permitted subject to the following:

A. For retail or food service uses in a Rural Community that had the same or similar uses on July 1, 1990 (as identified in WCC 20.80.100(1)), the footprint may not exceed the footprint occupied by the same or similar use on July 1, 1990, or 5,000 square feet, whichever is greater, unless the retail space is for an essential rural retail service, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater.

B. For retail or food service uses in a Rural Community that did *not* have the same or similar use on July 1, 1990, the footprint of the new use may not exceed 2,500 square feet, unless the retail space is for an essential rural retail service, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater.

C. For the purposes of this policy:

- "Essential rural retail services" means services including grocery, pharmacy, hardware, automotive parts, and similar uses that sell or provide products necessary for health and safety, such as food, medication, sanitation supplies, and products to maintain habitability and mobility.
- "Previously occupied space" means the largest pre-1990 building in that LAMIRD occupied by that specific use type.

Rural Tourism

Whatcom County's scenic rural areas are enjoyed by residents and tourists alike. Small scale recreation or tourist uses that rely on a rural setting provide income opportunities for rural residents and contribute to the local economy. GMA allows counties to designate new Type II LAMIRDs for new small-scale recreation and tourist uses. The Rural Tourism designation limits and contains such uses, which can be more intensive than surrounding rural uses.

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

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

Rural Business

Many businesses have been established in commercial and industrial zones outside of Rural Community areas. These uses, which are more intensive than those found in surrounding rural areas, provide commercial services and job opportunities for rural residents. The Rural Business designation permits uses to continue while preventing the spread of businesses in sprawl development patterns.

GMA allows counties to designate new Type III LAMIRDs for new isolated small-scale businesses. To ensure that these uses remain isolated and do not lead to strip development, criteria for Rural Business designation include spacing requirements from other Rural Business designations as well as Rural Communities.

The areas designated Rural Business under Type III guidelines are: Birch Bay-Lynden & I-5, Blue Canyon, Guide Meridian Border Crossing, North Lake Samish & I-5, Slater & Elder, Van Zandt, and Welcome.

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

Policy 2II-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 home-based businesses and isolated small-scale businesses.

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

Rural Neighborhoods

The GMA does not set a maximum allowed residential density for rural areas. A large majority of the lands designated as Rural are zoned for one residence per five or ten

acres, however, a small proportion has been developed under a zoning that allows densities greater than one dwelling per five acres where public water service is available. These areas have their own unique rural character (as compared with the higher densities contained within LAMIRDs) and they serve to provide a needed variety of rural densities. However, it is important to maintain the character of the more traditional rural areas and prevent expansion of these areas of higher rural densities beyond their traditional limits.

This plan recognizes the unique qualities of these established Rural Neighborhoods and contains them within boundaries that reflect the extent of these areas in 2011. Unlike the Rural Communities, these areas are not LAMIRDs.

Goal 2JJ: **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 2JJ-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 2JJ-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 2JJ-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 2JJ-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

The Whatcom County Comprehensive Plan Land Use Map includes the designation of Urban Growth Area Reserves. Urban Growth Area Reserves means a land use designation that may be applied to those areas which are adjacent and contiguous to either incorporated or unincorporated Urban Growth Areas which appear to be suitable for future inclusion in the respective Urban Growth Area. The purpose of the Urban Growth Area Reserve varies by urban area. Expansion of urban growth into the Reserve area may occur if criteria are met.

Upon establishing an Urban Growth Area Reserve, Whatcom County will establish land use controls intended to reserve the area for future urban densities and development by limiting the potential of the properties to be developed with incompatible uses, densities, or public facilities which would interfere with the likely expansion of urban development in the future. Properties in these areas should generally have land use designations of no more than one unit per ten acres, and uses such as agriculture, forestry, conservation, and low density residential development, may be encouraged provided that the continuation of such uses may not be a basis for preventing future expansion of the Urban Growth Area to the Urban Growth Area Reserve.

It is the policy of Whatcom County to review City UGA Reserve proposals as docketed Comprehensive Plan amendments in 2026-27.

General criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area are set forth below:

1. Need for Land Capacity. The need for additional land is necessary to accommodate projected urban growth, as documented in a land capacity analysis. A transfer from Urban Growth Area Reserve to Urban Growth Area will not be allowed which would provide capacity to accommodate substantially more than 20 years of urban growth. Additional consideration can be made regarding the mix of housing and employment opportunities that are required to serve the Urban Growth Area which could be accommodated in the Urban Growth Area Reserve and which cannot be accommodated within the Urban Growth Area.
2. Adequate Public Facilities and Services. There are plans and capacity to serve the areas with urban governmental services as set forth in the Growth Management Act. There is no requirement to extend these services prior to transferring the area from Urban Growth Area Reserve to Urban Growth Area, but the Capital Facility Plans must document the capacity and plans to serve at urban levels of service within the 20-year planning period.
3. Land Use Plans. The respective city, or county for unincorporated Urban Growth Areas, has a comprehensive plan and land use regulations in place to allow for the transition from Urban Growth Area Reserve to Urban Growth Area. The respective jurisdiction will also have in place development regulations that ensure urban densities are achieved within the existing Urban Growth Area.

Urban Growth Area Reserves should be jointly planned between Whatcom County and the respective city.

4. Natural Resource Lands. Expansion into the Urban Growth Area Reserve will not allow uses that are incompatible with adjoining natural resource lands unless mitigated through buffers, increased setbacks or other measures as necessary to maintain the productivity of the adjacent resource lands. If the expansion is into lands zoned Agricultural, the city and county shall have an interlocal agreement or regulations in place that implement a program that outlines the respective roles in protecting at least 100,000 acres of agricultural land in Whatcom County.
5. Environment. Land use regulations are in place to ensure protection of the environment and sensitive watersheds.
6. Open Space Corridors. Continued provisions are made for open space corridors within and between Urban Growth Areas where not otherwise precluded by previous development patterns.

Below are issues, established by urban area that must be addressed in order to authorize areas to be redesignated from Urban Growth Area Reserve to Urban Growth Area.

Bellingham Urban Area

The south Yew St. is designated as Urban Growth Area Reserve. Prior to re-designating the south Yew St. area to UGA, need for additional land capacity must be demonstrated, planning for adequate public facilities and services must be completed, and potential impacts on Lake Padden water quality must be addressed. Areas west and north of the Bellingham International Airport have also been designated as Urban Growth Area Reserves. These areas were formerly in the UGA, but are highly impacted by wetlands and streams, are largely in state, tribal, or port ownership and are located at least a mile from the existing city limits. These factors make the areas west and north of the Airport unlikely to be annexed to Bellingham within the 2025-2045 planning period. These UGA Reserve areas may be considered for UGA expansion in future planning cycles. UGA Reserve areas should retain rural zoning until such time the unincorporated area is placed in the UGA.

Birch Bay Urban Area

An area bisected by Blaine Rd., generally north of Arnie Rd., has been designated as Urban Growth Area Reserve. Prior to redesignating this area to UGA, need for additional land capacity and planning for adequate public facilities and services must be demonstrated. The area currently zoned R10A west of Blaine Rd. should maintain a density of one dwelling/10 acres in recognition of the wetlands and floodplain in this area.

Blaine Urban Area

There are no Urban Growth Area Reserves adjacent to the Blaine Urban Growth Area.

Cherry Point Urban Area

There are no Urban Growth Area Reserves adjacent to the Cherry Point Industrial Urban Growth Area.

Columbia Valley Urban Area

There are no Urban Growth Area Reserves adjacent to the Columbia Valley Urban Growth Area.

Everson Urban Area

Land to the north of Everson along Trap Line Road is designated as Urban Growth Area Reserve. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Ferndale Urban Area

The City of Ferndale has six (6) Urban Growth Area Reserves (UGARs) located adjacent to the City of Ferndale Urban Growth Area. These UGARs are logical areas for the City to grow by expanding the existing UGA into these areas when additional land is needed to support the growth of the community.

Enterprise Road: Properties in the vicinity of Enterprise Road have been designated by the City of Ferndale for future employment growth. Prior to annexation or conversion to UGA, the City may utilize this area as a corridor to extend utilities to the Grandview Area. A portion of this UGAR is located within the Drayton Harbor Watershed area.

Aldergrove/Brown Road: Properties within this area have been designated for future residential growth. It is likely that portions of this area will provide for future employment growth as well. Much of this UGAR is located within the Drayton Harbor Watershed area.

Thornton Street: Properties within this area have been designated for residential growth. The area is surrounded on 3 sides by the City of Ferndale and utilities exist to serve the area.

Mountain View: Properties within this area have been designated for residential growth.

Douglas Road: There are two distinct UGARs along Church Road between Main Street and Douglas Road. Properties within this area have been designated for residential growth. Church Road is planned to connect between Douglas Road and Main Street. It is likely that the area south of Main Street will provide for future employment growth as well.

Lynden Urban Area

There are no Urban Growth Area Reserves adjacent to the Lynden Urban Growth Area.

Nooksack Urban Area

There are no Urban Growth Area Reserves adjacent to the Nooksack Urban Growth Area.

Sumas Urban Area

Growth of Sumas is constrained by agricultural lands. Lands in agricultural use on the south end of Sumas along Hovel Road have been designated as an Urban Growth Area Reserve. This area will be kept in reserve status until the County has determined that development will not expose future residents and employees to unacceptable risk from naturally occurring asbestos. Lands west of Sumas have also been designated as Urban Growth Area Reserve. The City of Sumas originally proposed these lands for UGA, but the property owners did not want to permanently extinguish their rights to develop the portion of their land in the floodplain as required by the GMA to expand a UGA into the floodplain. Therefore, this area will be kept in reserve status unless the land owners choose to extinguish the development rights in the future and/or another land designation is deemed appropriate under the GMA. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Special Study Areas

Sudden Valley

Sudden Valley was established in the early 1970s as a recreation/resort area located on the shore of Lake Whatcom, entirely within the Lake Whatcom Watershed. Over the last thirty years it has developed into a semi-urban residential area. Sudden Valley is organized as a homeowners association which maintains and operates common facilities and land. Despite its recreational beginnings, this unincorporated area is now composed primarily of permanent residents—numbering approximately 7000—with some recreational units and second homes as well.

Water and sewer are provided by the Lake Whatcom Water and Sewer District. Public transit service is provided by the Whatcom Transportation Authority (WTA). Natural gas is available only to limited portions of Sudden Valley. Security is provided by a very small, private, contracted force and the Sheriff's Department. There is a small commercial area surrounded by Sudden Valley, and an immediately neighboring station of the South Whatcom Fire Authority. The area includes Lake Whatcom shoreline with lake access, as well as wetlands, natural preserves, and land that will remain forever undeveloped. Of its 1,545 acres, 835 acres – over half – are permanent open space with established parks, trails, and recreational areas, with an additional 140 acres of golf course.

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. As a result, Sudden Valley is not a candidate for incorporation or UGA status. However, because Sudden Valley represents a sizable

population, the Sudden Valley Community Association (SVCA) is a recognized participant in County and Lake Whatcom planning.

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

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

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

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

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

Policy 2KK-5: Work with the City of Bellingham to acquire and preserve lands in the Lake Whatcom Watershed pursuant to the goals and objectives of the Lake Whatcom Management Program Work Plan.

Policy 2KK-6: If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County should 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 2KK-7: 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 2KK-8: Whatcom County should work with Sudden Valley landowners to help them inspect and maintain their private stormwater systems.

Policy 2KK-9: Work with all parties to maintain, and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop and mitigate appropriately.

Private Parcels Surrounded by National Park or National Forest

There are a number of private parcels in Whatcom County which are completely surrounded by National Forest and National Park land. Some of these have houses built on them, primarily for seasonal use, but most represent mining patents and are used, or have been used, only for mining. The majority of these parcels are located in the Mt. Baker area or the Slate Creek area near the eastern border of the county with their access primarily by Forest Service roads.

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

Policy 2LL-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.

Policy 2LL-2: Recognize and mitigate against the risk of wildfire for residences adjacent to or surrounded by federal forested lands.

Subdivisions on the Lummi Reservation

There are over 3,000 parcels on the Lummi Reservation, many of which are owned by non-Indians and by Native Americans under fee simple status. As Federal policy has been changed or circumvented and tribal lands have been allowed to be removed from trust to fee status, state and county regulations have become applicable. The County has made efforts to work closely with local tribes on land use directions. The requirements of the Growth Management Act cannot be applicable to reservation trust lands, even when a checkerboard pattern has developed. It is the full intent of this County, when possible, to continue working cooperatively with area tribes on land use, watershed planning, utility planning and the coordinated water system plan. Most platted areas have sewer, which is provided by the Lummi Sewer District.

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

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

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

Policy 2MM-3: Consider opportunities to coordinate and engage with the Tribes on relevant county planning and land use matters.

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**

Purpose: To reserve appropriate areas to attract heavy industrial manufacturing uses and provide employment opportunities while minimizing land use conflicts and offsite impacts.

Definition: Land area for large-scale heavy industry that has a high impact on the surrounding neighborhood and environment.

Locational Criteria: Industry should be located in areas adequate for its use away from residential centers, but within reasonable commuting distance; near transportation facilities and services.

Title: **Master Planned Resort**

Purpose: To recognize and contain resort areas that existed on July 1, 1990, or permit new master planned resort areas that depend on a setting of significant natural amenities.

Definition: Historic or new resort development that is self-contained and fully integrated, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed onsite indoor or outdoor recreational facilities.

Locational Criteria: Resorts may be located in urban or rural areas within a setting of significant natural amenities.

Title: Rural Community (Type I LAMIRD)

Purpose: To recognize rural development consisting of the infill, development, or redevelopment of commercial, industrial, residential, or mixed uses areas that existed on July 1, 1990 and limit and contain more intensive rural land uses within logical outer boundaries.

Policies on the definition and locational criteria for Rural Communities are found under Goals 2FF and 2GG in this chapter.

Title: Rural Tourism (Type II LAMIRD)

Purpose: To recognize small-scale recreational or tourist uses in rural areas, and to limit and contain more intensive rural development on those lots.

Policies on the definition and locational criteria for Rural Tourism designations are found under Goals 2FF and 2HH in this chapter.

Title: Rural Business (Type III LAMIRD)

Purpose: To recognize development on lots containing isolated nonresidential uses or new development of isolated home-based businesses and isolated small-scale businesses, to limit and contain more intensive development on those lots.

Policies on the definition and locational criteria for Rural Business designations are found under Goals 2FF and 2II in this chapter.

Title: Rural Neighborhood

Purpose: To recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.

Policies on the definition and locational criteria for Rural Neighborhood designations are found under Goal 2JJ in this chapter.

Title:	**Rural**
Purpose:	To provide opportunity for a variety of low-density residential development including cluster development with the flexibility to practice farming or forestry, or operate a home-based business; to retain a sense of community. Also to encourage agriculture and forestry activities through the use of incentives. Policies on the definition and locational criteria for Rural designations are found under Goal 2EE in this chapter.
Title:	**Agriculture – Resource Lands**
Purpose:	To recognize and promote agriculture in Whatcom County and protect prime agricultural soils and productive agricultural lands from conversion to other uses. To prevent conflicts between residential and agricultural uses.
Definition:	Commercial agriculture lands generally located on parcels 40 acres or larger, with one dwelling unit per 40 acres or legal lot of record allowed.
Locational Criteria:	Agriculture designation criteria are set forth in Chapter 8, Natural Resource Lands.
Title:	**Rural Forestry – Resource Lands**
Purpose:	To provide flexibility in use, enabling the landowner to live on the land and practice forestry and forestry-related industry.
Definition:	Lands used primarily for growing trees with some low-density residential development.
Locational Criteria:	Rural Forestry designation criteria are set forth in Chapter 8, Natural Resource Lands.
Title:	**Commercial Forestry – Resource Lands**
Purpose:	To provide land base for commercial forestry activities and provide predictability of future land use to forest land owners.
Definition:	Land primarily devoted to commercial timber production.
Locational Criteria:	Commercial Forestry designation criteria are set forth in Chapter 8, Natural Resource Lands.

Title:	**Mineral Resource Lands – Resource Lands**
Purpose:	To ensure a long-term supply of mineral resources and provide predictability in land use.
Definition:	Lands of long-term commercial significance for the extraction of minerals.
Locational Criteria:	MRL designation criteria are set forth in Chapter 8, Natural Resource Lands.

Title:	**Public Recreation**
Purpose:	To provide the public with open space and recreational opportunities; to protect conservation areas.
Definition:	Areas with unique scenic or recreational amenities.
Locational Criteria:	Parcels owned or managed by public or private agencies for recreational or conservation use.

Open Space

Introduction

Cascade peaks, forested mountains, the Nooksack drainage, farmlands, riparian corridors, lakes, shorelines and islands contain the natural beauty and character of Whatcom County's landscape. This setting contributes greatly to the quality of life enjoyed by county residents who value its elements of environmental quality, scenic beauty and recreational opportunities. Whether thought of as broadly as a mountain range and the marine waters of the Strait of Georgia, or as narrowly as a small corridor between two buildings in a small town, open spaces are essential components to the health and well-being of individuals and communities.

Purpose

This section, in keeping with the Growth Management Act, serves to identify and designate open spaces and open space corridors, and encourage their retention.

GMA Requirements

The GMA requires Whatcom County to designate the general location of open spaces, green spaces, and urban and community forests within UGAs (RCW 36.70A.070(1). The GMA's open space and recreation goal is to "Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities" (RCW 36.70A.020 (9)). **Map 2-2** shows the distribution of lands currently enrolled under Whatcom County's open space taxation program (see below).

The GMA also has a requirement to identify open space *corridors* within and between urban growth areas to include "...lands useful for recreation, wildlife habitat, trails, and connection of critical areas..." (RCW 36.70A.160). This law authorizes the public purchase of such corridors.

Map 2-3 shows proposed Open Space Corridors for Whatcom County.

Background Summary

Whatcom County contains many public open space lands such as county and state parks and state and national forest lands. Whatcom County stewards over 16,000 acres of parkland. The Washington State Parks Department stewards more than 2,400 acres of state parks. The State stewards over 88,000 acres of land in Whatcom County, including two Natural Resource Conservation Areas. The forest lands are generally open to the public for recreational uses, except for seasonal and some special use restrictions. The US Forest Service and the North Cascades National Park manage over 800,000 acres of land in the eastern portion of the county for timber, recreation, wildlife habitat, fisheries production, and wilderness.

Whatcom County currently administers two Open Space programs under the provisions of the Open Space Taxation Act (RCW 84.34) and one program under RCW 84.33 (Timber and Forestlands). Designated Forestland (DFL) and Open Space Farm and Agriculture (OSAG) are administered through the Whatcom County Tax Assessor's Office. Open Space Land (OSL) utilizes a Public Benefit Rating System (PBRS) criteria and is administered through Whatcom County Planning and Development Services. Whatcom County may classify as "Open Space" farms, forests, and beneficial open lands upon request by individual land owners when such lands meet adopted criteria and policies. These adopted policies are contained in the policies established in this section. A Public Benefit Rating System that implements the policies rates each application under consideration.

Properties which qualify under the county's Open Space program are granted partial relief from property taxes in exchange for maintaining their land in open space use as defined by state law and county policies. The Open Space Land and Open Space Farm and Agricultural Land categories are rated using the PBRS and require that a landowner provide public access provisions to the property while OSAG and DFL do not have this requirement. According to latest Assessor's information, 107,287 acres were classified under the County’s open space program in 2025, 96% of which were classified as Open Space Farm and Agricultural Land. Most of the forested areas in Whatcom County, however, are classified as forest lands under RCW 84.33. This law phased out the ad valorem system for taxing timber land. This act was meant to encourage forestry and reforesting of forests for the continued enjoyment of present and future generations. See **Map 2-2** for the location of these areas.

For privately held open space lands, there can be strong pressures to convert resource lands and rural areas to more urban environments. Additionally, while Whatcom County has more than 130 miles of saltwater shoreline, only about 6% is currently in public ownership and freely accessible to the public. With the county

projecting a growing population and expanding development, the opportunity for additional public access is reduced almost every day.

Issues, Goals, and Policies

Open Space Areas

Whatcom County residents consider open space and the conservation of farm and forest land to be essential to the quality of life in Whatcom County. As urban growth pressures increase, open space, farms, forests, and shorelines are becoming more valuable to the residents of the county. Loss of open space is perceived by the people of Whatcom County as an adverse impact to the quality of life and local economy.

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

Policy 2NN-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 2NN-2: Protect soil resources.

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

Policy 2NN-4: Promote the preservation of areas with tree canopy outside of riparian areas.

Policy 2NN-5: Promote conservation principles by example or by offering educational opportunities to residents and visitors.

Policy 2NN-6: Enhance the values of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space lands.

Policy 2NN-7: Enhance responsible recreation opportunities that keep people safe and don’t damage the environment.

Policy 2NN-8: Preserve scenic vistas, historic, cultural, and archaeological sites.

Open Space Corridors

Retaining open spaces between and within cities and small population centers contributes to the high quality of life in Whatcom County. The need for jurisdictions to coordinate in designating Open Space Corridors in order to preserve the quality of life desired by residents, provide connector trails and public access, protect wildlife habitat, and ensure areas for recreation becomes greater as the population of the county continues to grow and urban areas continue to expand.

Goal 2OO: **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 2OO-1: Identify marine, riverine, and other riparian corridors as essential elements of open space corridors and fish and wildlife habitat.

Policy 2OO-2: Identify contiguous agriculture and forested landscapes as essential elements of open space corridors. Utilize the Conservation Easement Program to protect working agriculture and forestlands to achieve numerous benefits, including the preservation of the working lands base, recreation opportunities, watershed health, and wildlife habitat.

Policy 2OO-3: Identify tidelands and floodplains as essential elements of open space corridors.

Policy 2OO-4: Identify estuaries, lakes, and rivers as naturally occurring open space corridors.

Policy 2OO-5: Plan greenway corridors within urban growth areas. Ensure development is consistent with these corridors through the permit process and incentive programs.

Policy 2OO-6: Include common open space in which pedestrian and bicycle pathways may be integrated in new developments.

Policy 2OO-7: Identify open space corridors in areas highly susceptible to climate change impacts. Recognize the benefits of restored and enhanced riparian habitats for flood risk reduction.

Goal 2PP: Promote coordination among the county, cities, Port of Bellingham, Tribes, and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.

Policy 2PP-1: Encourage all jurisdictions to provide adequate neighborhood parks and play areas within safe walking and bicycling distances of residential neighborhoods.

Policy 2PP-2: Link county open space corridors with those of adjacent jurisdictions where viable.

Policy 2PP-3: Encourage separation of urban growth areas through planning, development regulations, open space purchase, conservation easements, and other appropriate mechanisms.

Policy 2PP-4: Enhance coordination and integration across various departments within Whatcom County, including the Parks Department, Planning & Development Services, and Public Works, to acquire land and easements that achieve maximum co-benefits.

Encouraging Open Space Conservation

A variety of methods act to encourage the retention of open space. These range from regulatory restrictions to incentives and to public purchase. It has been the policy of Whatcom County to create an equitable tax climate for the landowner willing to maintain land as open space, through the use of the Open Space Taxation Act. While the Growth Management Act authorizes the purchase of open space corridors, in many cases incentive-based measures may be more flexible, productive, and desirable.

Public and private conservation organizations such as the Nature Conservancy, the Trust for Public Land, and the Whatcom Land Trust serve important functions such as assisting in negotiating with property owners, providing funding sources, and accepting conservation easements and land donations. Often such organizations can act quickly to provide interim preservation during the time period necessary for government action to occur.

Finally, protection of private property rights is an important issue for Whatcom County residents that needs to be expressed in public policy concerning open space.

Goal 2QQ: Ensure equity between the public benefit and the private burden while encouraging open space retention.

Policy 2QQ-1: Retain valuable agriculture and forestry lands by enrollment in Whatcom County's open space taxation program.

Policy 2QQ-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 2QQ-3: Support the conservation of fish and wildlife habitat through enrollment in Whatcom County's open space taxation program.

Policy 2QQ-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 2QQ-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 2QQ-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 2QQ-7: Evaluate conservation opportunities, comparing conservation alternatives, and developing a list of priority sites.

Policy 2QQ-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 2QQ-9: Support the conservation of unique environmental features through the creative use of cluster subdivisions.

Policy 2QQ-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 2QQ-11: Support the important role of public and private conservation organizations.

Policy 2QQ-12: Support public and private land trusts in acquiring conservation easements that provide open space attributes, consistent with the intents of property owners.

Policy 2QQ-13: Support opportunities to do on- and off-site mitigation and mitigation banking as a way to support open and green space and habitat restoration and enhancement.

Policy 2QQ-14: 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 2QQ-15: 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 public access, fish and wildlife habitat enhancement and protection on privately owned lands, forests, and shorelines. Consider benefits to climate resilience and ecosystem services. Updating policies, criteria, and rating system may require advocating for State legislation.

Open Space Corridors Map

The Open Space Corridors **(Map 2-3**) indicates both areas of interest for acquisition or easements to implement the open space objectives and other areas which will remain private but because of their nature serve as visual or wildlife corridors. This does not imply that all sites will be acquired, nor have their development potential reduced. Property owners may or may not have been contacted regarding potential public access.

Green Space

The GMA requires the County to designate "green spaces" (RCW 36.70A.070(1)). Green space is defined in the GMA (RCW 36.70A.030) as an area of land, vegetated by natural features such as grass, trees, or shrubs, within an urban context and less

than one acre in size that creates public value through one or more of the following attributes:

(a) Is accessible to the public;

(b) Promotes physical and mental health of residents;

(c) Provides relief from the urban heat island effects;

(d) Promotes recreational and aesthetic values;

(e) Protects streams or water supply; or

(f) Preserves visual quality along highway, road, or street corridors.

Mapped green spaces focus on publicly owned areas with the above attributes within UGAs.

Goal 2RR: Promote a coordinated effort to identify and prioritize accessible green space in urban growth areas.

Policy 2RR-1: Support retaining small green spaces under one acre in urban growth areas.

Policy 2RR-2: Promote green spaces that are publicly accessible.

Policy 2RR-3: Promote recreational use of urban green spaces.

The Bellingham, Birch Bay, Columbia Valley, and Ferndale UGAs contain green spaces (see Maps 2-4a to 2-4d). The other UGAs do not contain green spaces under the criteria above.

Urban and Community Forests in UGAs

The GMA requires the County to designate "urban and community forests" (RCW 36.70A.070(1)). Urban and community forests include vegetated areas on lands in urban growth areas. Specifically, this includes any land with trees and associated vegetation, whether it's planted or naturally occurring, used or unused, and includes areas along roads, utilities, and forested watersheds within populated zones.

Goal 2SS: Support the designation of urban and community forests in UGAs.

Policy 2SS-1: Designate urban and community forests on public land greater than 5 acres with over 75% tree canopy.

The Bellingham, Birch Bay, Blaine, and Cherry Point UGAs contain Urban and Community Forests (see Maps 2-5a to 2-5d). The other UGAs do not contain Urban and Community Forests under the criteria above.

Essential Public Facilities

Introduction

Essential public facilities are those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020 (RCW 36.70A.200, Siting of essential public facilities). The county has also designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities.

Purpose

This section of the Land Use chapter outlines a process for identifying essential public facilities, defining locational criteria for such facilities, selecting sites for them, and establishing an appeal mechanism as required by the RCW. The process emphasizes avoidance of process duplication, considers the long- and short-term impacts of such siting, provides for effective public review and participation, and stresses compatibility with neighboring land uses.

Process

This section was prepared with consideration of information and procedures adopted by other jurisdictions. An Essential Public Facilities Advisory Committee composed of community members, business, health care and government representatives met in 2001-2002 and recommended modifications to this chapter to refine the process for siting essential public facilities. The original essential public facilities ordinance was adopted in 2004 and has since been amended.

GMA Goals and Countywide Planning Policies

The GMA goal of encouraging community participation and coordination is served by this section. This section has been prepared to satisfy that goal while also meeting the intent of the Countywide Planning Policies (CWPPs). The CWPPs require identification of appropriate land for public facilities, a cooperative and structured process to consider siting of essential public facilities of a regional or statewide nature. Adoption of this section and implementation of its goals and policies satisfies Growth Management goals and Countywide Planning Policies.

GMA Requirements

RCW 36.70A.200 requires that each county include a process for identifying and siting essential public facilities. The RCW provides a list of such facilities.

Background Summary

The Growth Management Act (RCW 36.70A.200) and the Washington Administrative Code (WAC 365-196-550) indicate that essential public facilities:

- Are typically difficult to site because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety;
- Provides a public service, including a local service; and
- Are provided, substantially funded or contracted for by government or subject to public service obligations.

Countywide Planning Policies (CWPP) stipulate that the county and cities must identify appropriate land for public facilities meeting the needs of the community.

Adopted CWPPs require the county and cities to develop a cooperative and structured process, including public involvement at an early stage, to consider siting of public facilities of a regional or statewide nature. Any new facilities or major expansions of existing facilities must conform to these local siting procedures.

The CWPPs also address the desirability of shared rights-of-way when not in conflict with wildlife, technical, or public health and safety concerns.

Issues, Goals, and Policies

Siting Essential Public Facilities

Essential public facility siting may not be prohibited by any local plan or regulation; the Growth Management Act, however, empowers local government to determine those plans, policies, and regulations that are most appropriate to county communities.

An equitable distribution of public facilities is important to avoid an unfair concentration of any such facilities within the county. A well-defined appeal process must be part of any siting process. Some essential public facilities, federal facilities for example, must meet multiple levels of siting and permitting approval; coordination is important to avoid unnecessary and costly delays brought about by redundant processes.

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

Policy 2TT-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 2TT-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 2TT-3: The Growth Management Act identifies certain essential public facilities and the County has taken action 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 2TT-4: If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of community members, business, health care, and government representatives, as appropriate, may be appointed by the County Executive, and confirmed by the County Council, to make recommendations relating to the proposed amendments.

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

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

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

resource lands. Assess climate risk and take steps to reduce the climate impacts on essential public facilities.

Policy 2UU-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 2UU-4: State and regional transportation facilities include 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, the Cherry Point marine port facilities and the Lummi Island Ferry. 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 and other 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 2UU-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 2UU-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 2UU-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, including community 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 2UU-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), three vactor waste transfer stations, composting and recycling facilities, 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, 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 2UU-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 2UU-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);

b. At least 5,000’ from airports serving piston-powered aircraft (Lynden Municipal Airport);

4. 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;

5. 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 2UU-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 2UU-12: Water storage facilities owned and operated by a public water utility 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 2UU-13: Substance use disorder treatment 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 disabilities differently than a similar residential structure occupied by a family or other unrelated individuals.

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

Goal 2VV: Provide for broad participation in the siting process by affected local, state, federal, and tribal agencies, community members, and any other interested parties.

Policy 2VV-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 2WW: Utilize the established review or appeal procedure to resolve differences of opinion regarding facility site selection.

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

Adult Businesses

Introduction

Purpose

The purpose of the adult business section is to prevent crime, protect residential areas and sensitive uses from incompatible uses, protect retail trade, maintain property values, preserve the quality of life in Whatcom County, protect gateways, corridors and connections in the community, preserve rural character and protect children from increased hazards created by adult businesses.

Process

Because of adverse secondary effects of adult businesses, the County Council established a year-long moratorium in 1998 on accepting new applications until appropriate policies and regulations could be established governing adult businesses. Whatcom County Planning Division staff originally drafted this section in response to the moratorium. It was reviewed with a representative of the Whatcom County Prosecuting Attorney's office with regard to Constitutional issues. The Planning Commission held a public hearing before final adoption by the County Council.

GMA Requirements

The GMA does not require a Comprehensive Plan to address adult businesses. However, a county is authorized to plan for land use in general (RCW 36.70A.070). Additionally, the Comprehensive Plan can include any elements relating to the physical development within its jurisdiction (RCW 36.70A.080).

Background Summary

Whatcom County provides an outstanding quality of life that is worthy of preserving for future generations. This quality of life is partially dependent upon controlling crime, protecting residential areas, protecting businesses, preserving rural character and maintaining property values. Adult businesses can adversely impact the quality of life and, therefore, Whatcom County should regulate where such uses are allowed.

Issues, Goals, and Policies

Location of Adult Entertainment Establishments

Adult businesses have been shown to create adverse secondary effects upon the community in the form of crime, harming other forms of retail trade, impacting property values and causing deterioration in the quality of life. Such secondary effects can intensify when adult businesses are located in close proximity to one another. Regulating the location of adult businesses is necessary in unincorporated Whatcom County in order to protect the quality of life and minimize adverse secondary impacts of such businesses.

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

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

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

Policy 2XX-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

Cultural resources contribute materially to a sense of place and identity and civic pride. Economic dividends come from cultural tourism and downtown revitalization. Whatcom County recognizes a number of benefits which result from cultural resource preservation. A strong cultural resources management program enables the County to fulfill its legal obligation to avoid potential harmful impacts on cultural resources. The preservation of historic and archeological resources contributes to Whatcom County's rural and cultural character. Historically significant lands, sites and structures, which are part of and help illustrate the collective culture of the people, are important resources for the County. One of the Planning Goals of the GMA is to "Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance."

Goal 2YY: **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. Ensure engagement and coordination with Lummi Nation and Nooksack Indian Tribe.**

Policy 2YY-1: Whatcom County shall work with the State's cultural resource inventory to identify and document archeological and historic resources in the County.

Policy 2YY-2: The County shall work with Tribal, State and Federal governments to update the cultural resource inventory on a continuing basis to ensure the inventory's usefulness as a historic preservation and land use tool.

Policy 2YY-3: 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 State inventory.

Policy 2YY-4: The County shall seek to identify, preserve and enhance archeological, historic, and cultural resources by enacting a qualifying historic preservation ordinance and carrying out the mandates of that ordinance.

Policy 2YY-5: Development on or adjacent to sites containing cultural resources should be planned and carried out so as to prevent impacts on the resource.

Policy 2YY-6: 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.
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 areas containing or likely to contain cultural resources. This consultation shall be accomplished through the regulations and procedures provided in the Whatcom County Code.
4. Consult with DAHP and affected Tribes and coordinate with professional 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

Policy 2YY-7: The County shall meet its cultural resource management obligation under federal, state, and local regulations in an efficient and effective manner.

Policy 2YY-8: Consistent with its resources, the County shall provide technical assistance on cultural resource matters.

Policy 2YY-9: Engage in and encourage public agencies and private parties to cooperate in the identification, protection and management of cultural resources.

Policy 2YY-10: On projects under its authority, the County shall consistently seek to mitigate negative impacts to cultural resources through consultation with the State and Tribes.

Policy 2YY-11: Provide opportunities for education related to archaeological, historical and cultural features.

Policy 2YY-12: The County shall continue to cooperate with the Tribes and cultural groups and representatives of the tourism industry to promote respectful and appropriate cultural tourism and ensure that cultural tourism projects remain eligible for funding from the lodging tax funds and grants program.

Vehicle Miles Traveled Per Capita

The GMA requires the County to address reductions in per capita vehicle miles traveled in the Land Use Chapter of the Comprehensive Plan. A variety of measures may be used, including encouraging more development in UGAs where adequate public facilities and services exist or can be provided in an efficient manner. Achieving our vehicle miles travelled reduction goals will require strong coordination and collaboration with city, state, federal, and tribal governments, Whatcom Transportation Authority, and local businesses.

Goal 2ZZ: Wherever possible, consider utilizing urban planning approaches that reduce per capita vehicle miles traveled within the County, but without increasing greenhouse gas emissions elsewhere in the state.

Policy 2ZZ-1: Support compact mixed-use development near transit in UGAs to improve transit accessibility and reduce vehicle trips.

Policy 2ZZ-2: Support development of a safe, well-connected, and attractive bicycle and pedestrian transportation network to connect communities and destinations.

Policy 2ZZ-3: Support efforts to reduce per capita vehicle miles traveled and single occupant vehicle trips, including compliance with WCC 16.24 (Commute Trip Reduction) and other initiatives to increase carpooling, ridesharing, telecommuting, bicycling, rail, and transit use.

Policy 2ZZ-4: Coordinate with cities and employers to plan for development of housing, services, alternative transportation, and infrastructure in proximity to employment to reduce vehicle miles traveled.

Wildfire

The GMA requires the County to address wildfire in the Land Use Chapter of the Comprehensive Plan, as there is increasing concern about the risk to lives and property posed by wildfires.

Goal 2AAA: Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning and building code tools to reduce wildfire risk. Reduce wildfire risks to residential development in high risk areas and the wildland urban interface area through enforcing wildfire building codes and education, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

Policy 2AAA-1: Once the State Department of Natural Resources develops Wildland Urban Interface maps and the State Wildland-Urban Interface Code is re-instated, the County will implement this code to reduce and mitigate the risk to lives and property posed by wildfires.

Policy 2AAA-2: Implement the Fire Flow Requirements in the Whatcom County Coordinated Water System Plan (Section 5.3.4) to promote adequate water supplies for firefighting capabilities.

Policy 2AAA-3: Continue to invest County resources into wildfire resilience programs like FireWise and those administered by the Whatcom Conservation District.

Measures to Protect Against Climate Impacted Natural Hazards

Goal 2BBB: Explore establishing a Climate Overlay District that would consider special development regulations and mitigation measures to protect people, property, and infrastructure from natural hazards including flood, rising sea levels, and

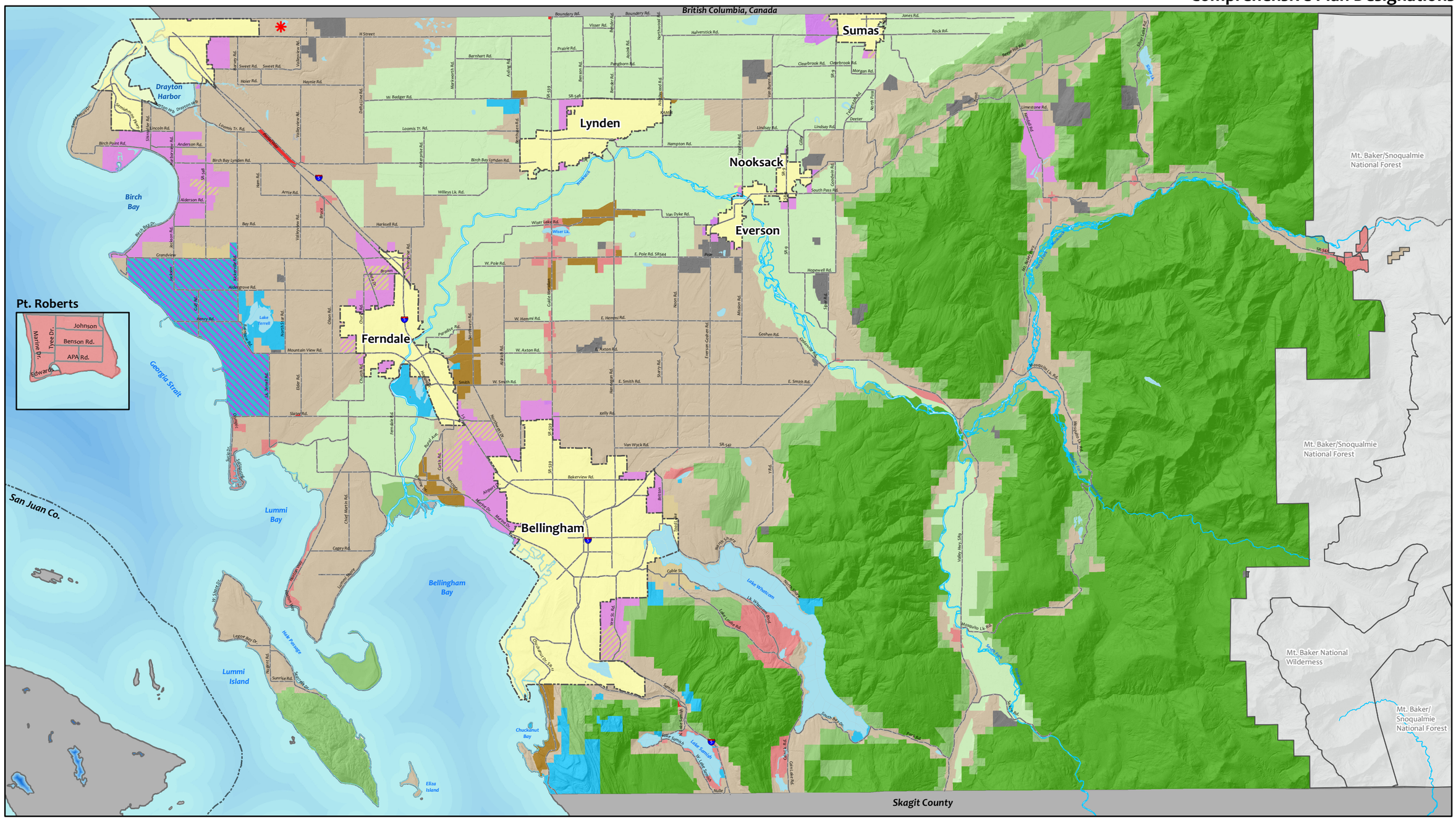
wildfires. Use best available science and most current maps and projections.

Policy 2BBB-1: Evaluate new regulatory approaches to address climate change, such as a Climate Overlay District, to reduce risk in areas at highest risk of flood, sea level rise, and wildfire.

Policy 2BBB-2: Coordinate with cities, Tribes, and regional partners to ensure hazard mitigation planning aligns with land use, capital facilities planning, and long-term fiscal sustainability.

Whatcom County

Map 2-1
Comprehensive Plan Designations



Incorporated City
Urban Growth Area (UGA)
Urban Growth Area Reserve
Major/Port Industrial UGA

Rural
Rural Neighborhood
Rural Community
Rural Business

Agriculture
Rural Forestry
Commercial Forestry
Mineral Resource Lands

Public Recreation

* *The Comprehensive Plan map amendment for the pending Blaine de-annexed area, approx. 573 ac., shall only take effect upon finalization of de-annexation and returning the land to the unincorporated Whatcom County land base.*

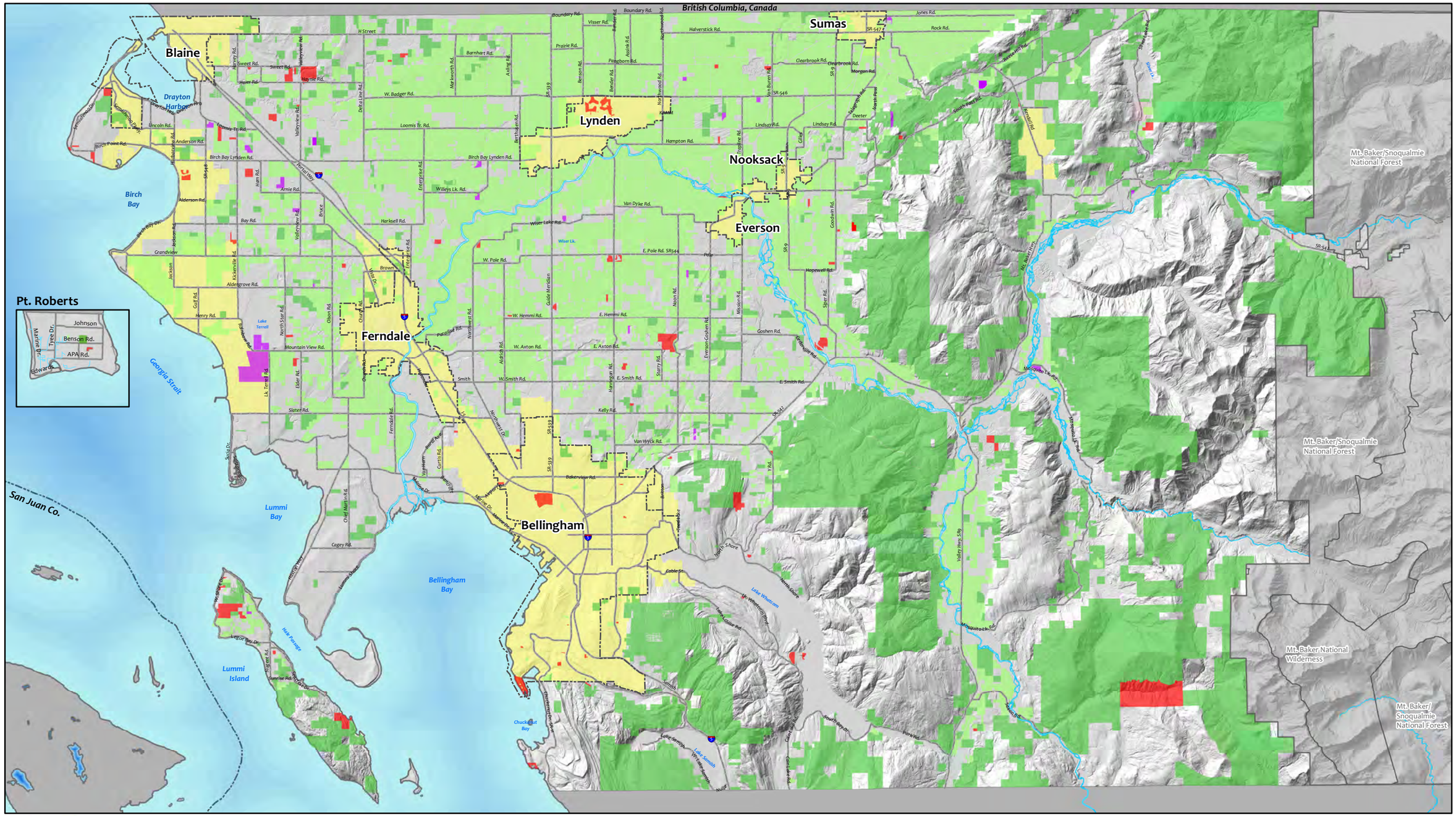
Source - Whatcom County Assessor 2024

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County | Comprehensive Plan

Map 2-2
Distribution of Current Use Taxation



Designated Forest Land - Chapter 84.33 RCW

- Designated Forest Land

Open Space Taxation Act - Chapter 84.34 RCW

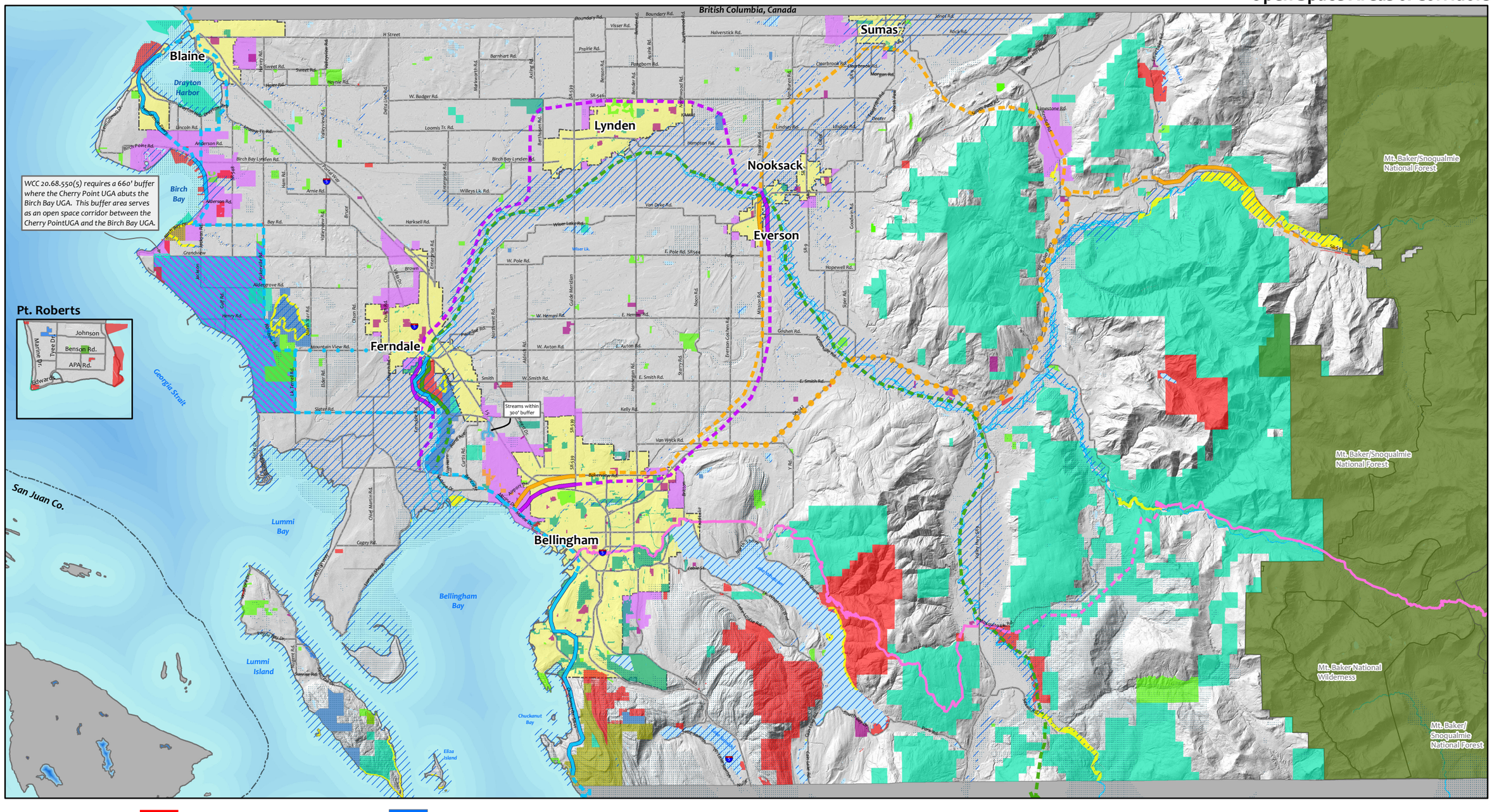
- Farm & Agricultural Land
- Open Space Land
- *Farm & Agricultural Conservation Land*

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0 0.75 1.5 3 4.5 6 Miles

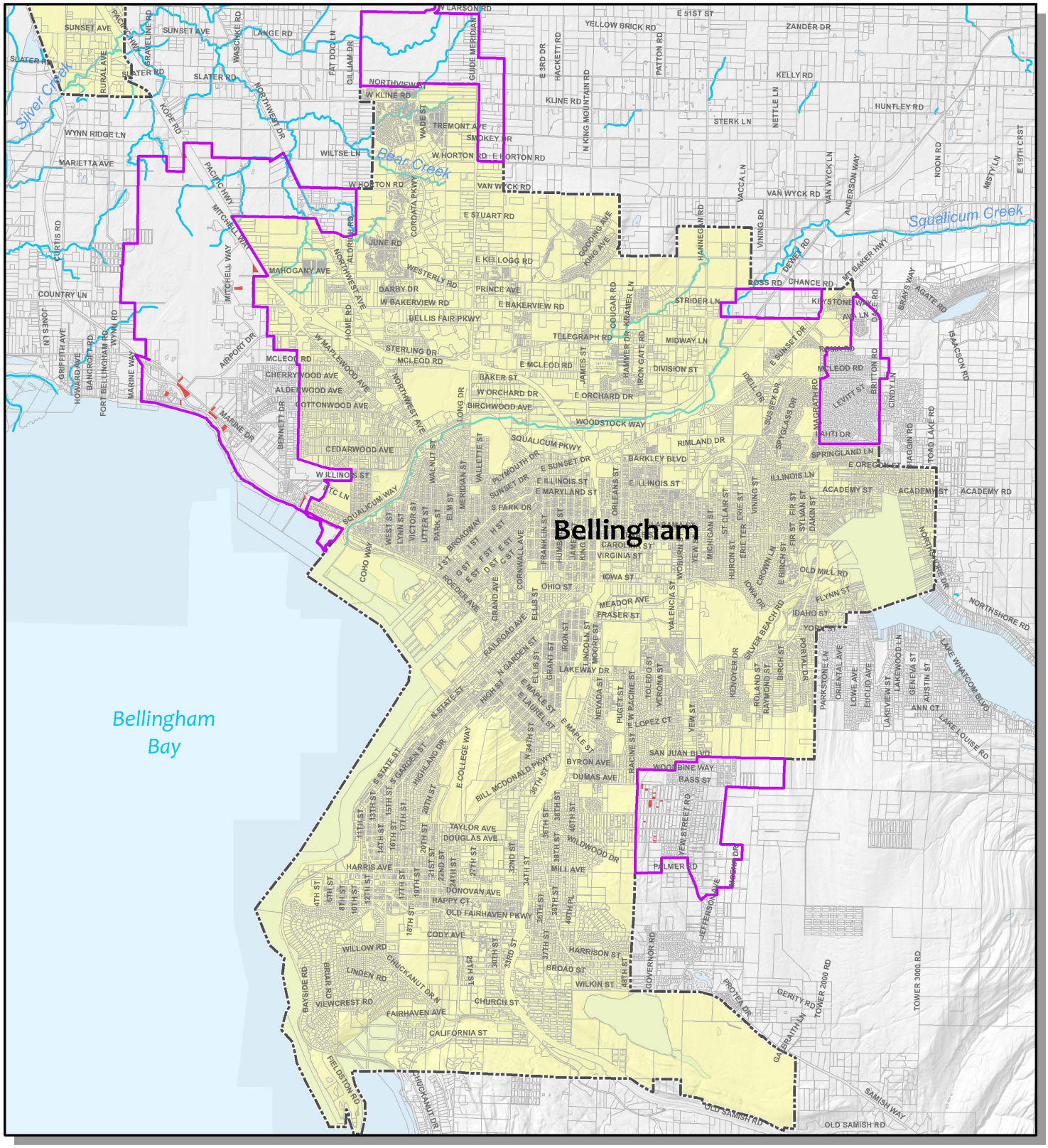
Whatcom County

Map 2-3
Open Space Areas & Corridors


British Columbia, Canada
Blaine
Drayton Harbor
Birch Bay
Lynden
Nooksack
Everson
Sumas
Ferndale
Bellingham
Pt. Roberts
Johnson
Benson Rd.
APA Rd.
Marine Dr.
Tyee Dr.
Edwards Dr.
Georgia Strait
San Juan Co.
Lummi Bay
Bellingham Bay
Lummi Island
Chuckanut Bay
Eliza Island
Streams within 300' buffer
WCC 20.68.550(5) requires a 660' buffer where the Cherry Point UGA abuts the Birch Bay UGA. This buffer area serves as an open space corridor between the Cherry PointUGA and the Birch Bay UGA.
Mt. Baker/Snoqualmie National Forest
Mt. Baker Wilderness
Mt. Baker/ Snoqualmie National Forest
Mt. Baker/Snoqualmie National Forest
Boundary Rd.
H Street
Sweet Rd.
Haynie Rd.
Lincoln Rd.
Anderson Rd.
Birch Point Rd.
Birch Bay Lynden Rd.
Alderson Rd.
Bay Rd.
Grandview
Aldergrove Rd.
Henry Rd.
Mountain View Rd.
Slater Rd.
Smith
Kelly Rd.
Van Wyck Rd.
Bakerview Rd.
Airport Rd.
Guide Meridian
Northwest Rd.
Aldrich Rd.
Hannegan Rd.
Everson-Goshen Rd.
Noon Rd.
Mission Rd.
Goshen Rd.
Hopewell Rd.
Starr Rd.
Goodwin Rd.
Jackson Rd.
Kendall Rd.
Barnhart Rd.
Prairie Rd.
Halverstick Rd.
Clearbrook Rd.
Morgan Rd.
Rock Rd.
Lindsey Rd.
Hampton Rd.
Loomis Tr. Rd.
W. Badger Rd.
Harksell Rd.
Willeys Lk. Rd.
Van Dyke Rd.
Wiser Lake Rd.
Wiser Lk.
E. Pole Rd. SR546
W. Pole Rd.
W. Hemmi Rd.
E. Hemmi Rd.
W. Axton Rd.
E. Axton Rd.
W. Smith Rd.
E. Smith Rd.
Lake Terrell Rd.
Haxton Rd.
Mosquito Lake Rd.
Limestone Rd.
Silver Lake Rd.
Deeter
Kamm Rd.
Valley View Rd.
Delta Line Rd.
Enterprise Rd.
Berthusen Rd.
Timothy Rd.
Cedarville Rd.
Arnie Rd.
Brown
Olson Rd.
Cain Rd.
Clark Rd.
Jackson
Cliff Rd.
Elder Rd.
Ten Mile Rd.
Curtis Rd.
Chief Martin Rd.
Cagey Rd.
Nugent Rd.
Sunrise Rd.
Portal Way
Alderwood Rd.
Cable St.
Lakeway Dr.
Lakeway Dr.
Yew St. Rd.
Yew St. Rd.
Silver Beach Rd.
Chuckanut Dr.
Old Samish Rd.
Old Samish Rd.
Samish Way
Samish Way
Alabama Hill Rd.
Alabama Hill Rd.
Lake Samish Dr.
Lake Samish Dr.
Lake Samish Dr

Whatcom County | *Comprehensive Plan*

Map 2-4a
Bellingham UGA Green Spaces



Bellingham

- Public; <= 1.0 ac.; Vegetated
- Unincorporated UGA
- Incorporated Growth Area

Source:
- *Whatcom County Assessor*
- *Whatcom County 2024 Aerial Photo*

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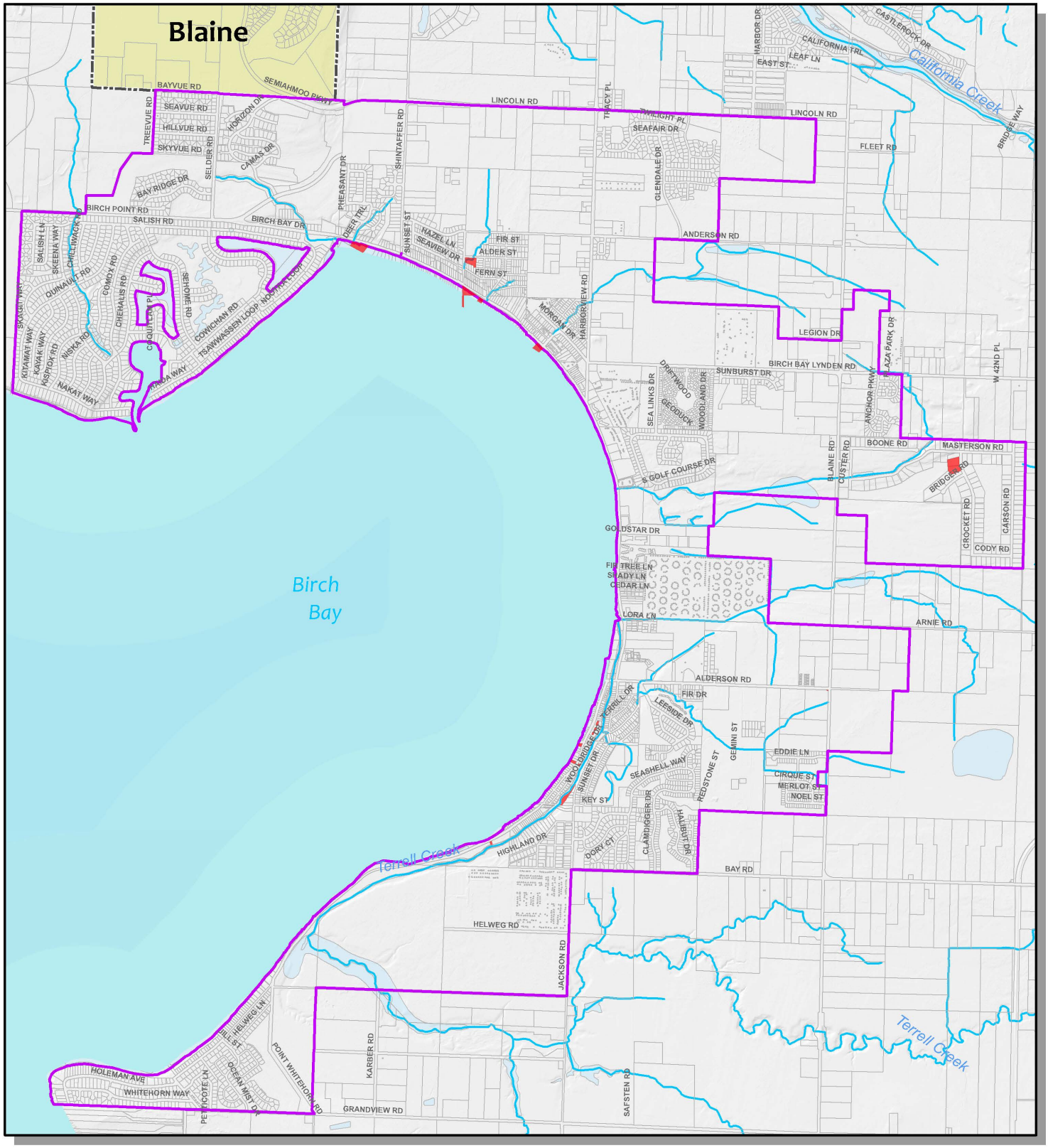
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0 950 1,900 3,800 5,700 7,600 Feet

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2025

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Map 2-4b
Birch Bay UGA Green Spaces



Birch Bay

- Public; <= 1.0 ac.; Vegetated
- Unincorporated UGA
- Incorporated Growth Area

Source:
- Whatcom County Assessor
- Whatcom County 2024 Aerial Photo

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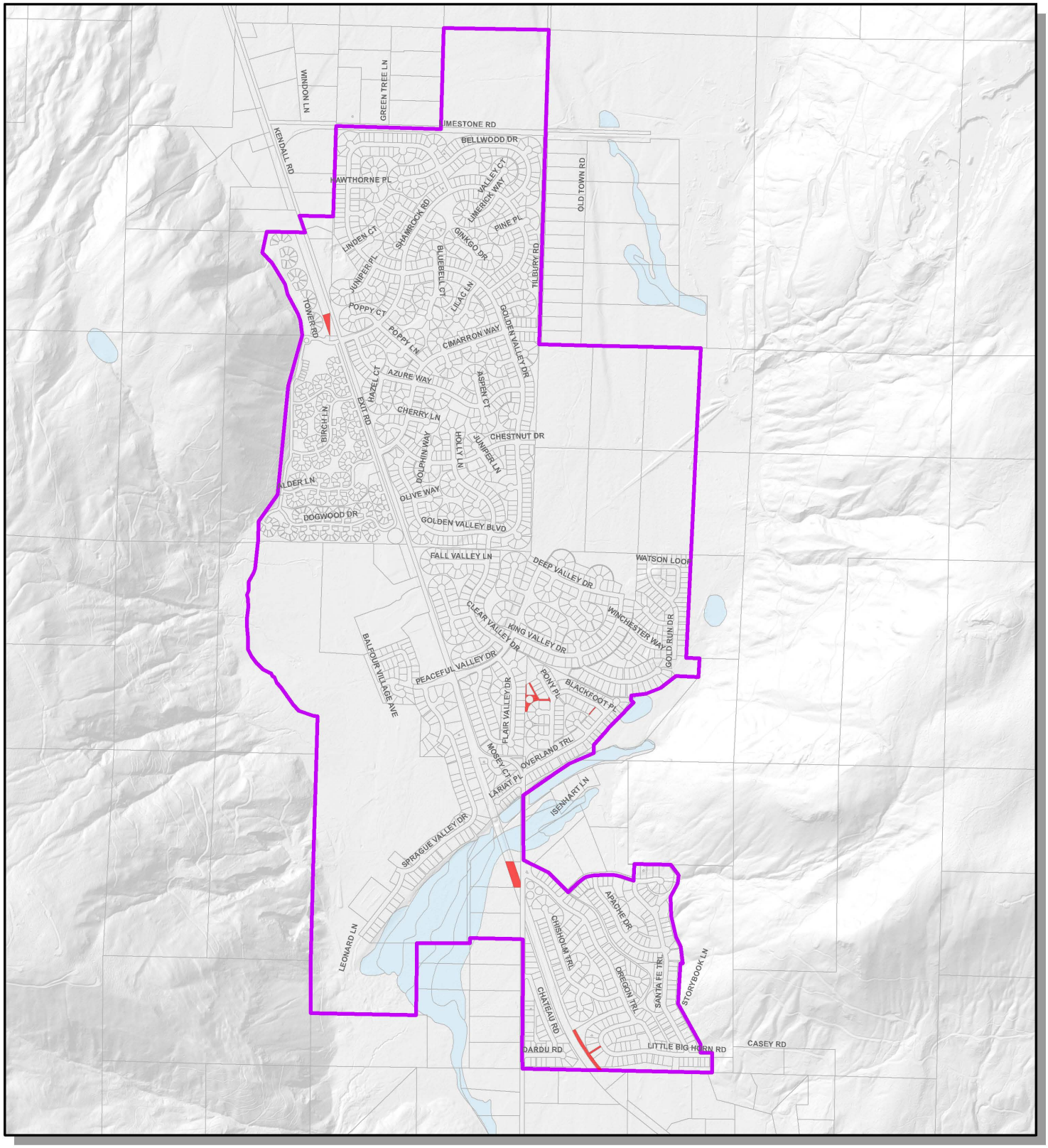
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0 460 920 1,840 2,760 3,680 Feet

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2025

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Map 2-4c
Columbia Valley UGA Green Spaces



Columbia Valley

- Public; <= 1.0 ac.; Vegetated
- Unincorporated UGA
- Incorporated Growth Area

Source:
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- Whatcom County 2024 Aerial Photo

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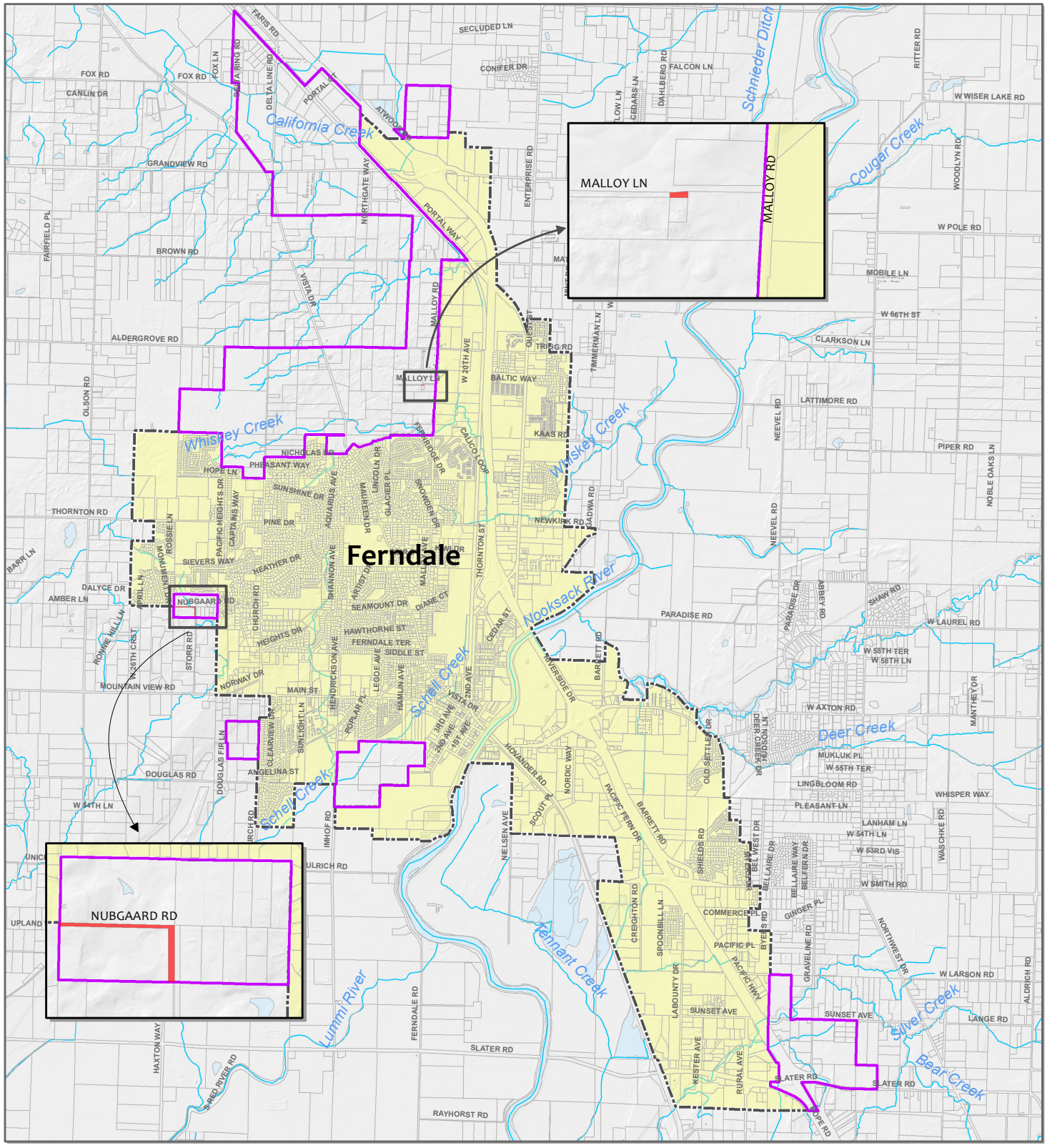
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0 280 560 1,120 1,680 2,240 Feet

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Map 2-4d
Ferndale UGA Green Spaces



Ferndale

- Public; <= 1.0 ac.; Vegetated
- Unincorporated UGA
- Incorporated Growth Area

Source:
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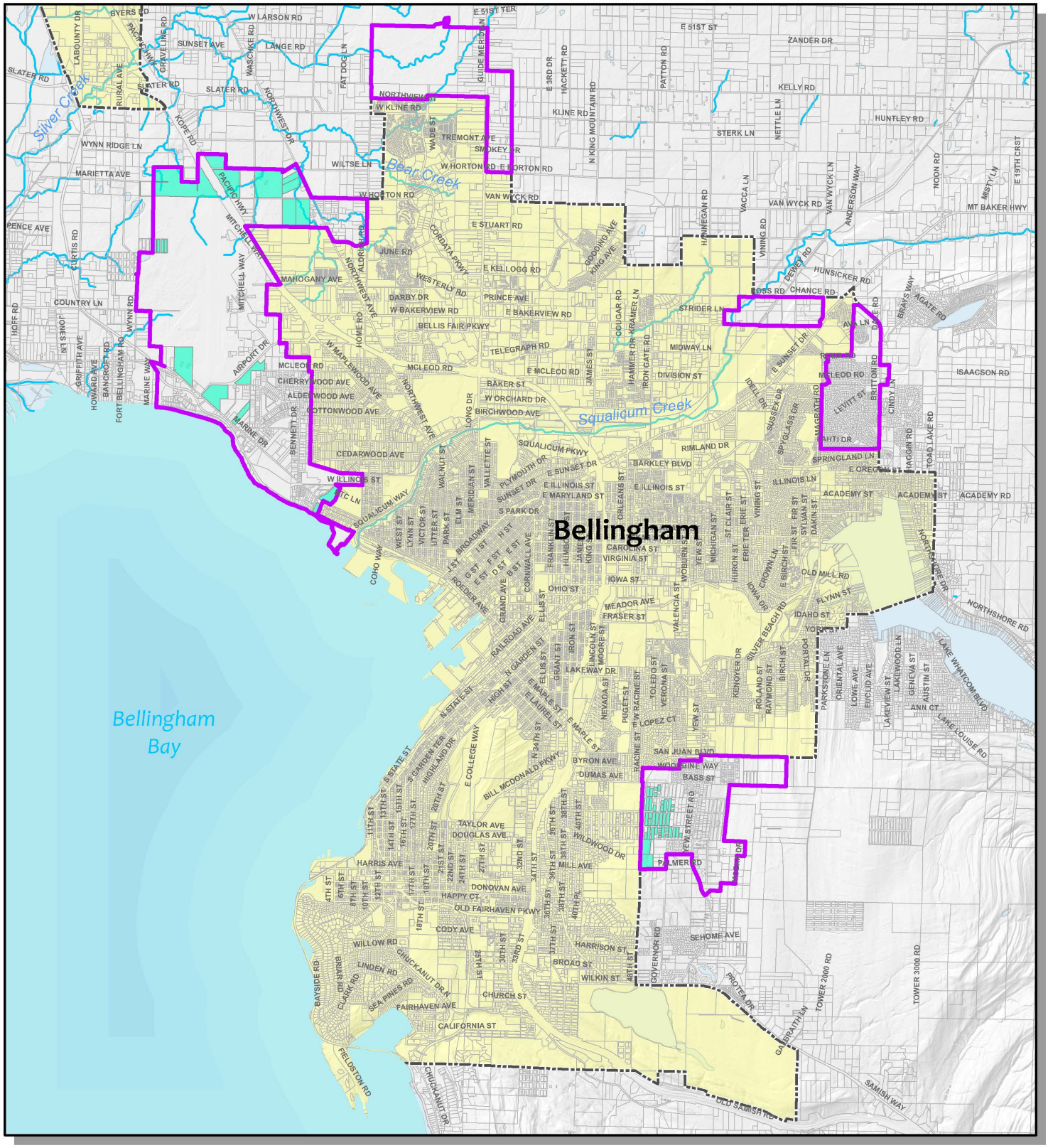
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0 650 1,300 2,600 3,900 5,200 Feet

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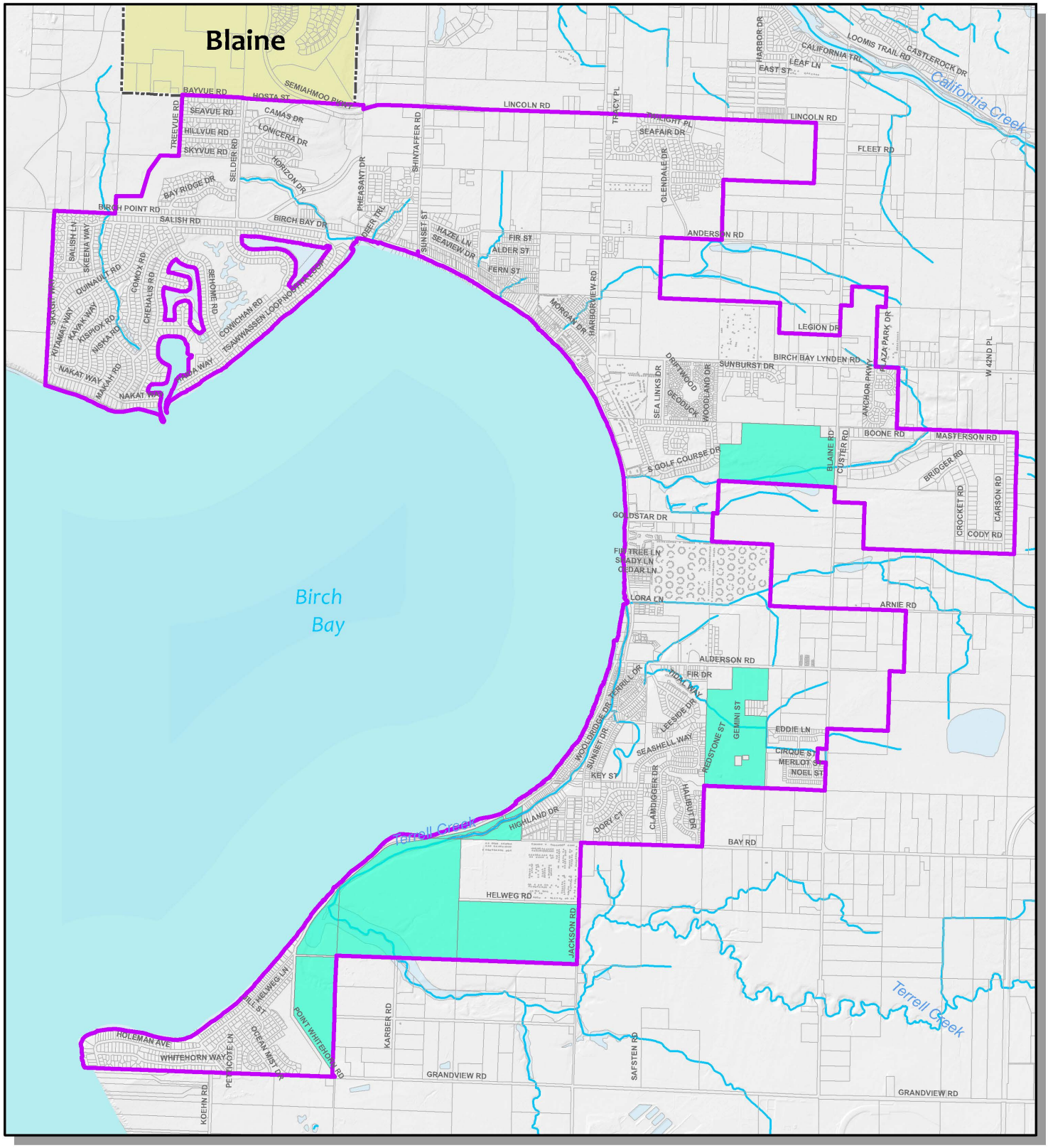
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Map 2-5a
Bellingham UGA Urban and Community Forest


Bellingham
Bellingham Bay
Silver Creek
Bear Creek
Squalicum Creek
W LARSON RD
SUNSET AVE
LANGE RD
SLATER RD
NORTHWEST DR
KLINE RD
W KLINE RD
TREMONT AVE
SMOKEY DR
WILTSE LN
W HORTON RD
E HORTON RD
VAN WYCK RD
E STUART RD
JUNE RD
E KELLOGG RD
MAHOGANY AVE
DARBY DR
PRINCE AVE
W BAKERVIEW RD
E BAKERVIEW RD
BELLIS FAIR PKWY
TELEGRAPH RD
MCLEOD RD
E MCLEOD RD
CHERRYWOOD AVE
ALDERWOOD AVE
COTTONWOOD AVE
BAKER ST
W ORCHARD DR
BIRCHWOOD AVE
CEDARWOOD AVE
SQUALICUM PKWY
W ILLINOIS ST
E ILLINOIS ST
E MARYLAND ST
E SUNSET DR
S PARK DR
BROADWAY
1ST ST
H ST
G ST
F ST
E ST
D ST
RAILROAD AVE
GRAND AVE
CORNWALL AVE
OHIO ST
IOWA ST
MEADOR AVE
FRASER ST
LAKEWAY DR
N GARDEN ST
HIGH ST
N STATE ST
E COLLEGE WAY
BILL MCDONALD PKWY
BYRON AVE
DUMAS AVE
SAN JUAN BLVD
TAYLOR AVE
DOUGLAS AVE
HARRIS AVE
MILL AVE
WILDWOOD DR
DONOVAN AVE
HAPPY CT
OLD FAIRHAVEN PKWY
CODY AVE
WILLOW RD
LINDEN RD
CHUCKANUT DR N
SEA PINES RD
FAIRHAVEN AVE
CHURCH ST
CALIFORNIA ST
FIELDSTON RD
CHUCKANUT DR
BROAD ST
WILKIN ST
HARRISON ST
SEHOME AVE
PROTEA DR
GABRIAL LN
TOWER 2000 RD
TOWER 3000 RD
OLD SAMISH RD
SAMISH WAY
PALMER RD
BASS ST
W MAPLE ST
E MAPLE ST
E LAUREL ST
W RACINE ST
LOPEZ CT
VENDOVI DR
E 51ST ST
ZANDER DR
KELLY RD
HUNTLEY RD
STERK LN
NETTLE LN
PATTON RD
HACKETT RD
E 3RD DR
N KING MOUNTAIN RD
GUIDE MERIDIAN
VACCA LN
VINING RD
HANNEGAN RD
VAN WYCK LN
ANDERSON WAY
NOON RD
MISTY LN
E 19TH CRST
MT BAKER HWY
DENEE RD
HUNSICKER RD
LOSS RD
CHANCE RD
STRIDER LN
MIDWAY LN
DIVISION ST
E SUNSET DR
IDELL DR
SUSSEX DR
SPYGLASS DR
MAGRATH RD
LEVITT ST
BRITTON RD
CINDY LN
ISAACSON RD
AHTI DR
SPRINGLAND LN
E OREGON ST
ILLINOIS LN
ACADEMY ST
ACADEMY RD
HAGGEN RD
TOAD LAKE RD
RIMLAND DR
BARKLEY BLVD
SILVER BEACH RD
IDAHO ST
YORK ST
FLYNN ST
OLD MILL RD
NORTHSHORE RD
LAKE WHATCOM BLVD
LAKE LOUISE RD
ANN CT
AUSTIN ST
GENEVA ST
LAKEVIEW ST
LAKEWOOD LN
ORIENTAL AVE
LOWE AVE
EUCLID AVE
PARKSTONE LN
PORTAL DR
BIRCH ST
ROLAND ST
RAYMOND ST
KENOYER DR
VERONA ST
TOLEDO ST
NEVADA ST
PUGET ST
MOORE ST
LINCOLN ST
IRON ST
GRANT ST
ELLIS ST
FRANK LINST
HUMBOLDT ST
JAMES ST
KING ST
CAROLINA ST
VIRGINIA ST
ORLEANS ST
ERIE ST
VINING ST
HURON ST
ST CLAIR ST
MICHIGAN ST
WOBURN ST
YEW ST
FIR ST
SYLVAN ST
DARIN ST
CROWN LN
VALENCIA ST
MERIDIAN ST
VALLETTE ST
WALNUT ST
LYNN ST
VICTOR ST
UTTER ST
PARK ST
ELM ST
LONG DR
NORTHWEST AVE
ALDRICH RD
CORDATA PKWY
KING AVE
GOODING AVE
COUGAR RD
HAMMER DR
KRAMER LN
IRON GATE RD
JAMES ST
HOME RD
NORTHWEST AVE
MARLEWOOD AVE
AIRPORT DR
MITCHELL WAY
PACIFIC HWY
KOBLE RD
WYNN RD
WYNN RIDGE LN
MARIETTA AVE
PENCE AVE
CURTIS RD
COUNTRY LN
HOFF RD
JONES LN
GRIFFITH AVE
HOWARD AVE
BANCROFT RD
FORT BELLINGHAM RD
MARINE WAY
MARINE DR
BENNETT DR
COHO WAY
SQUALICUM WAY
TC LN
RURAL AVE
SLATER RD
LABOUNTY DR
BYERS RD
GRAVELINE RD
FAT DOG LN
WASCHKE RD
NORTHVIEW
GUIDE MERIDIAN
NORTHWEST DR
KOBLE RD
PACIFIC HWY
MITCHELL WAY
ALDRICH RD
CORDATA PKWY
KING AVE
GOODING AVE
COUGAR RD
HAMMER DR
KRAMER LN
IRON GATE RD
JAMES ST
HOME RD
NORTHWEST AVE
MARLEWOOD AVE
AIRPORT DR
MCLEOD RD
CHERRYWOOD AVE
ALDERWOOD AVE
COTTONWOOD AVE
BAKER ST
W ORCHARD DR
BIRCHWOOD AVE
LONG DR
NORTHWEST AVE
WALNUT ST
VALLETTE ST
MERIDIAN ST
ELM ST
PARK ST
UTTER ST
LYNN ST
VICTOR ST
WEST ST
SQUALICUM WAY
TC LN
BENNETT DR
MARINE DR
MARINE WAY
FORT BELLINGHAM RD
BANCROFT RD
HOWARD AVE
GRIFFITH AVE
JONES LN
HOFF RD
COUNTRY LN
WYNN RD
MARIETTA AVE
WYNN RIDGE LN
PENCE AVE
CURTIS RD
SLATER RD
LABOUNTY DR
BYERS RD
GRAVELINE RD
RURAL AVE
SUNSET AVE
LANGE RD
WASCHKE RD
FAT DOG LN
NORTHVIEW
GUIDE MERIDIAN
E 51ST TER
E 51ST ST
ZANDER DR
KELLY RD
HUNTLEY RD
STERK LN
NETTLE LN
PATTON RD
HACKETT RD
E 3RD DR
N KING MOUNTAIN RD
KLINE RD
W KLINE RD
TREMONT AVE
SMOKEY DR
WILTSE LN
W HORTON RD
E HORTON RD
VAN WYCK RD
VACCA LN
VINING RD
HANNEGAN RD
VAN WYCK LN
ANDERSON WAY
NOON RD
MISTY LN
E 19TH CRST
MT BAKER HWY
E STUART RD
JUNE RD
E KELLOGG RD
MAHOGANY AVE
DARBY DR
PRINCE AVE
W BAKERVIEW RD
E BAKERVIEW RD
BELLIS FAIR PKWY
TELEGRAPH RD
MCLEOD RD
E MCLEOD RD
DENEE RD
HUNSICKER RD
LOSS RD
CHANCE RD
STRIDER LN
MIDWAY LN
DIVISION ST
E SUNSET DR
IDELL DR
SUSSEX DR
SPYGLASS DR
MAGRATH RD
LEVITT ST
BRITTON RD
CINDY LN
ISAACSON RD
AHTI DR
SPRINGLAND LN
E OREGON ST
ILLINOIS LN
ACADEMY ST
ACADEMY RD
HAGGEN RD
TOAD LAKE RD
RIMLAND DR
BARKLEY BLVD
SILVER BEACH RD
IDAHO ST
YORK ST
FLYNN ST
OLD MILL RD
NORTHSHORE RD
LAKE WHATCOM BLVD
LAKE LOUISE RD
ANN CT
AUSTIN ST
GENEVA ST
LAKEVIEW ST
LAKEWOOD LN
ORIENTAL AVE
LOWE AVE
EUCLID AVE
PARKSTONE LN
PORTAL DR
BIRCH ST
ROLAND ST
RAYMOND ST
KENOYER DR
VERONA ST
TOLEDO ST
NEVADA ST
PUGET ST
MOORE ST
LINCOLN ST
IRON ST
GRANT ST
ELLIS ST
FRANK LINST
HUMBOLDT ST
JAMES ST
KING ST
CAROLINA ST
VIRGINIA ST
ORLEANS ST
ERIE ST
VINING ST
HURON ST
ST CLAIR ST
MICHIGAN ST
WOBURN ST
YEW ST
FIR ST
SYLVAN ST
DARIN ST
CROWN LN
VALENCIA ST
MERIDIAN ST
VALLETTE ST
WALNUT

Whatcom County | *Comprehensive Plan*

Map 2-5b
Birch Bay UGA Urban and Community Forest



Birch Bay

- Public; >= 5.0 ac.; 75% Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- Whatcom County Assessor
- Whatcom County 2024 Aerial Photo

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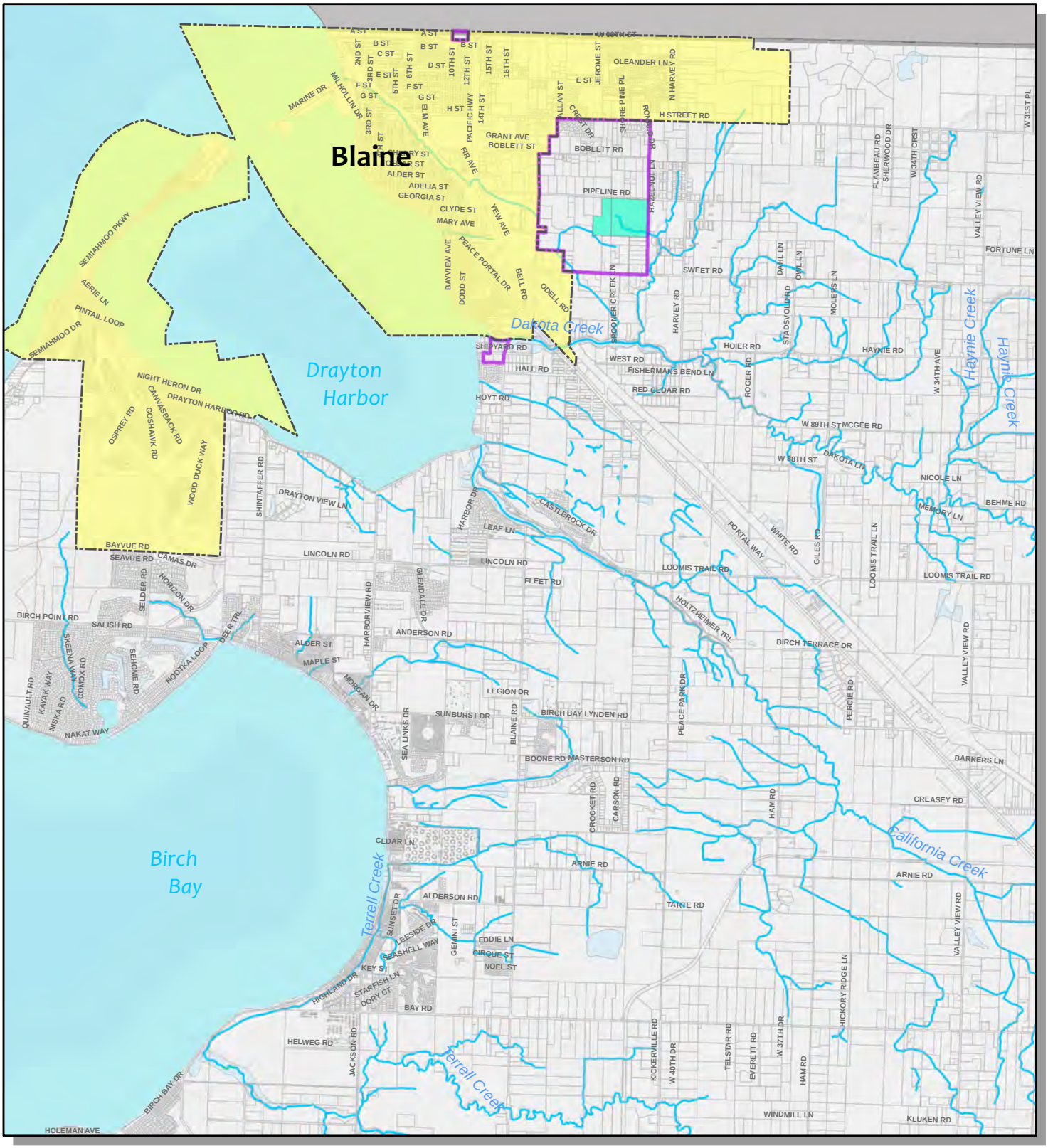
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0 475 950 1,900 2,850 3,800 Feet

Geographic Information System WHATCOM COUNTY WASHINGTON 2025

Whatcom County

Map 2-5
Blaine UGA Urban and Community Forest



Blaine

- Public; >= 5.0 ac.; 75% Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- Whatcom County Assessor
- Whatcom County 2024 Aerial Photo

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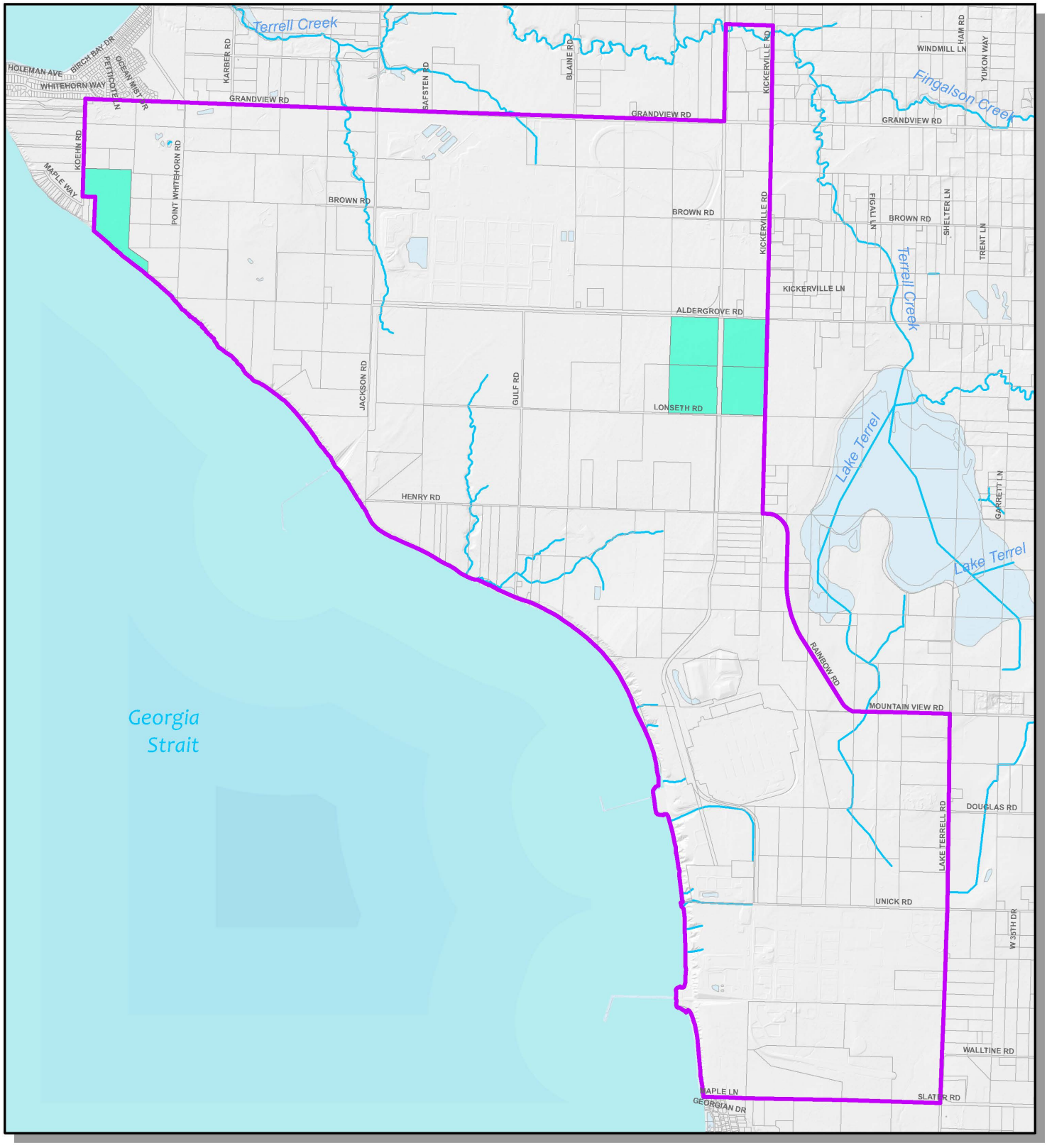
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Geographic Information System
WHATCOM COUNTY
WASHINGTON
2026

Whatcom County | *Comprehensive Plan*

Map 2-5d
Cherry Point UGA Urban and Community Forest



Cherry Point

- Public; >= 5.0 ac.; 75% Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

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Geographic Information System
WHATCOM COUNTY
WASHINGTON
2025

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 3: Housing

Chapter Three

Housing

Introduction

Housing is not only a basic human need; it is a fundamental building block in the development of strong communities. The quality, price and availability of housing have far reaching effects. Housing is an issue of equity, and a healthy community strives to provide housing affordable to households at all income levels.

Every community and neighborhood needs a healthy mix of housing sizes, types and prices, affordable at the wages of the jobs nearby. A balanced mix will have housing costs in sync with wages and incomes.

The built and natural environments must co-exist in balance. Housing should be developed sustainably, in an effort to address housing needs while also protecting and conserving natural resources and mitigating and adapting to worsening climate change related natural hazards like flooding, wildfires, and rising sea levels. Whatcom County must be strategic about where and how it grows and develops. It is important to consider access to or cost of new infrastructure, adjacency to basic needs and services such as health care, education, food, childcare, and jobs, locations that are out of harm's way and avoid conversion of critical areas, natural resources, and working lands. Housing development should also consider sustainable building materials, energy efficiency, and onsite renewable energy like rooftop solar. In the development of neighborhoods, impacts should be considered and mitigated as well as opportunities for bicycle and pedestrian infrastructure, community gardens, and other community amenities.

Purpose

The purpose of this housing element is to plan for future needs for housing in Whatcom County by examining existing housing patterns, projected housing needs, and accommodate those housing needs within the constraints of housing demand, financial resources of county residents, environmental stewardship, sound public policy, and the mandates of the Washington State Growth Management Act (GMA).

GMA Goals and Countywide Planning Policies

Realization of all the fifteen GMA goals is fostered by the goals, policies, and action plans in this chapter. Those directly relating to housing will be met with successful adoption of this comprehensive plan chapter. This chapter has been written to satisfy those goals while also meeting the intent of the County-Wide Planning Policies (CWPP). CWPP's direct the county and its cities to ensure a balance of housing and economic growth consistent with diverse income levels and allowing for a range of housing types and costs. Further, the county and cities can employ innovative techniques providing for a variety of housing types including: single-family-detached, multifamily building for both ownership and rental, accessory dwelling units (ADUs), manufactured and modular homes, manufactured and mobile home parks, duplexes, triplexes, fourplexes, townhomes, co-living housing, permanent supportive housing, emergency housing, along with mixed use and increased densities as affordable

housing alternatives. GMA goals and County-Wide Planning Policies will be served by adoption and implementation of this chapter.

GMA Requirements

In 2021, the State legislature approved House Bill 1220 (HB 1220) amending the housing-related requirements for jurisdictions planning under the provisions of the GMA. In accordance with RCW 36.70A.070(2), the GMA requires that a housing element:

- Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, including units for moderate, low, very low, and extremely low-income households, and emergency housing, emergency shelters, and permanent supportive housing;
- Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences and, within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;
- Identifies sufficient capacity of land for housing, including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multi-family housing, and group homes and foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes;
- Makes adequate provisions for existing and projected housing needs of all economic segments of the community, including incorporating consideration for all income brackets, documenting programs and actions needed to achieve housing availability such as gaps in local funding, barriers such as development regulations and other limitations, consideration of housing location in relation to employment location, and consideration of accessory dwelling units in meeting housing needs;
- Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect, disinvestment, and infrastructure availability;
- Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
- Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
- Establishes anti-displacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

Background Summary

Comprehensive plans have been developed for Whatcom County and each of the cities that lie within its boundaries. Each of these plans contains a housing element that addresses the housing needs of each jurisdiction and offers suggestions for changes that could occur to help meet these needs.

This chapter will overlap many of the ideas put forth in those plans—the problems perceived in each community, their changing demographics, and the directions the communities are willing to go to address the acknowledged housing crisis and the increasingly competing interests that influence the resolution of that crisis. The *Whatcom County Housing Needs Analysis* is in Whatcom County Comprehensive Plan Appendix I.

Demographic Overview

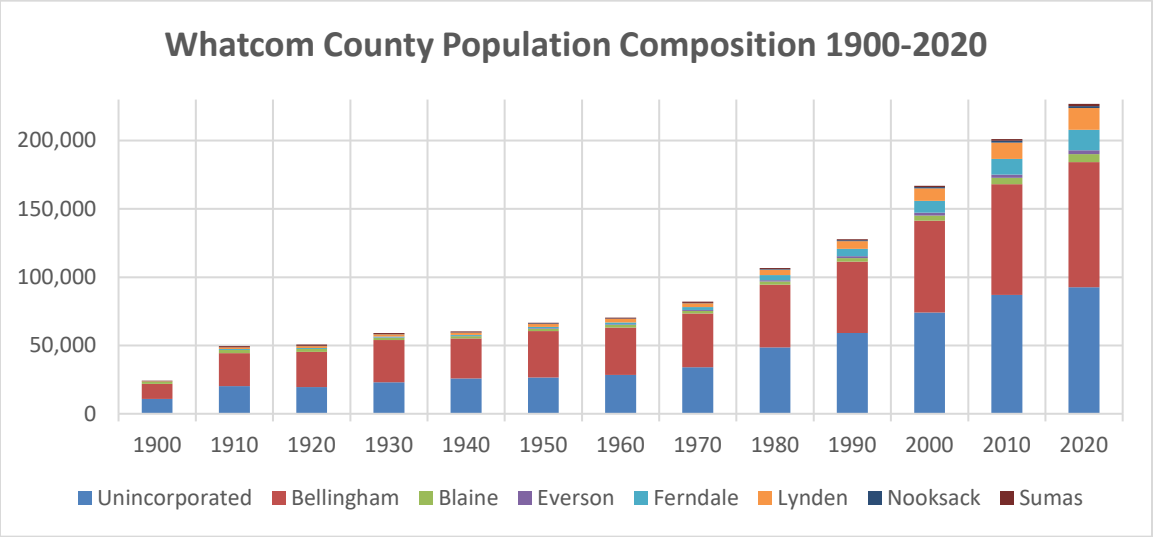
Whatcom County demographics in general are similar to Puget Sound within the municipal jurisdictions (Bellingham in particular), reflecting the county's continuing urbanization along the I-5 corridor. Western Washington University, Port of Bellingham, Cherry Point Industrial Zone, and other major regional enterprises have influenced employment, housing, services, and other facilities that have attracted age-specific populations and households.

Even so, Whatcom County in total is less urban than Puget Sound with more base industry (agriculture, forestry, and manufacturing) employment, lower incomes, high housing costs, and less racially and ethnically diverse communities including households in which English is not the primary language.

Specific jurisdictions within Whatcom County reflect the iterative influence of age and household-specific relationships to employment, housing, and services. Where Nooksack, for example, is predominantly single-family housing stock, owner occupied, and car dependent; whereas Bellingham includes more households with unrelated individuals, multifamily housing stock, renter occupied, and sees more bike/transit commuting.

Whatcom County's diverse population is growing steadily. A large portion of our growth is attributable to in-migration as opposed to birth rate. Washington State Office of Financial Management (OFM) estimates that net migration into Whatcom County was 15,457 between 2018-2023, representing 98% of population growth in this period (which included the COVID pandemic). OFM forecasts that 100% of county growth will come from in-migration after 2035. In addition to increasing the number of people living in the County, in-migration is resulting in changes to its demographic makeup. Increased minority, retirement-age, college age and single-parent household populations characterize demographic changes resulting from in-migration.

Figure 1. Whatcom County Population Composition 1900-2020



Source: Washington State Office of Financial Management (OFM), 1900-2020.

Whatcom County's future demographics, particularly the composite social characteristics of each municipal jurisdiction, will largely depend on how specific demographic groups are attracted to each municipal jurisdiction by each jurisdiction's unique economic, land use, transportation, housing conditions, and public policies.

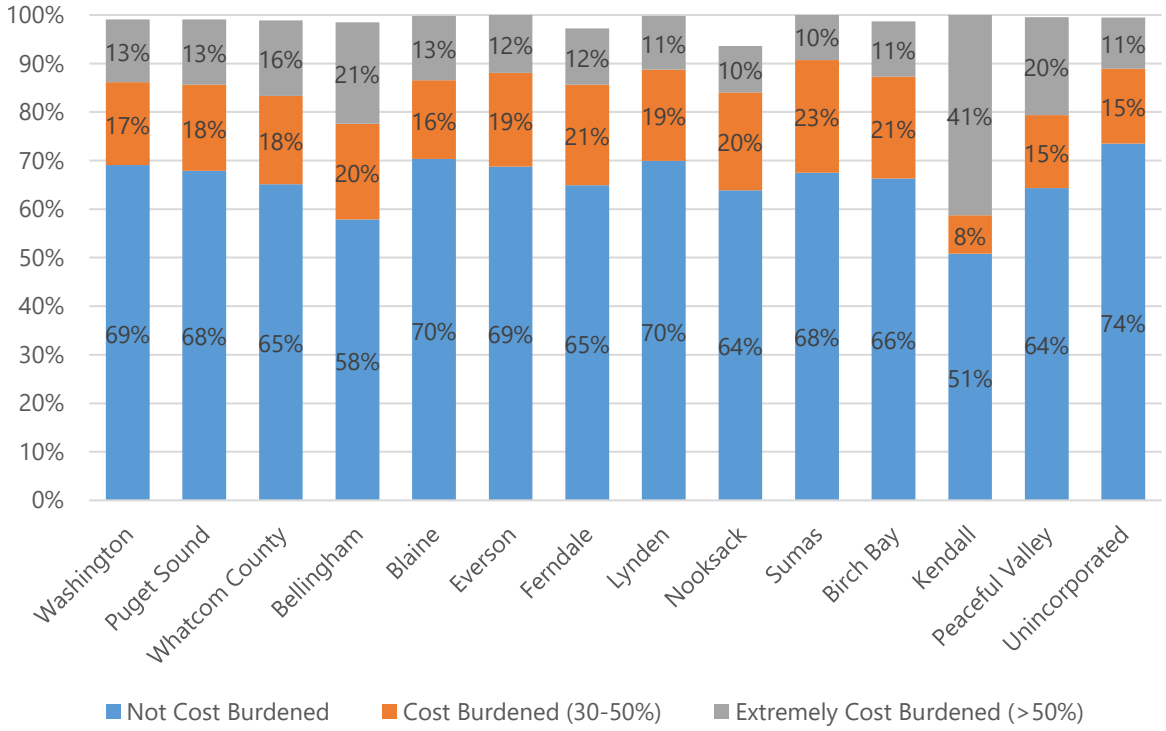
Please see *Whatcom County Housing Needs Analysis (Comprehensive Plan Appendix I)* for more information on demographics.

Income Distribution

Statistics have shown that as housing prices increased at a faster rate than household incomes, so decreased the ability of Low- to Moderate-Income (LMI) populations to obtain decent housing in Whatcom County. This has consequentially led to more affordable housing options being developed in rural, unincorporated, underserved, and climate impacted areas that often struggle with adequate infrastructure and access to basic needs such as health care, education, food, childcare, and living wage jobs.

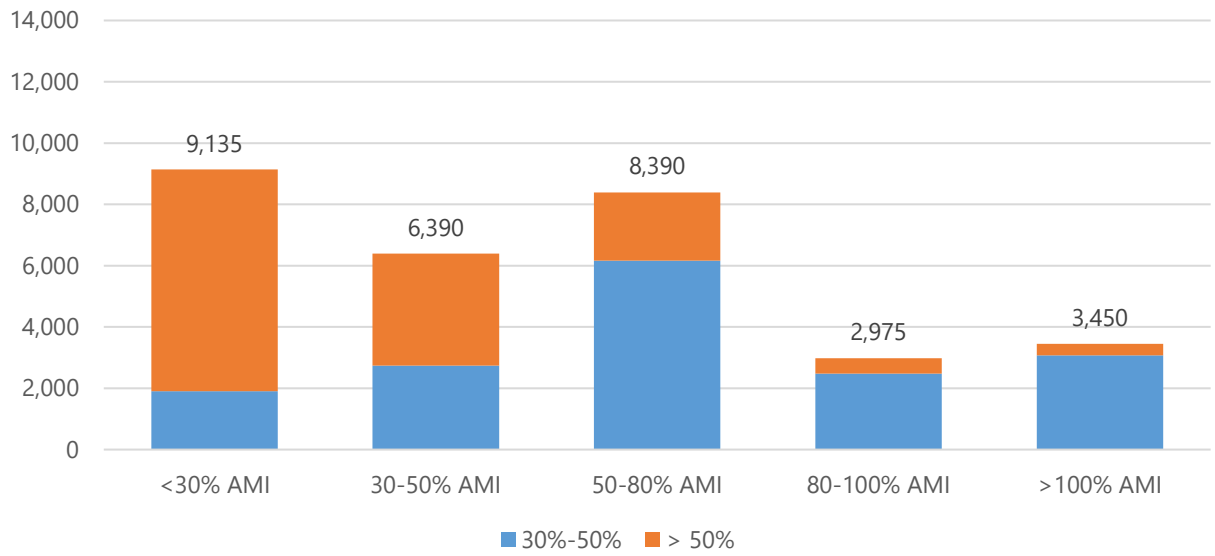
Significant percentages of extremely low, very low, and low-income households in Whatcom County are paying more for ownership and rent than they can feasibly afford to pay and still have sufficient income for transportation, health care, clothing, food, and the like. The US Department of Housing and Urban Development defines cost burdened households as those spending more than 30 percent of their income on housing costs. Extremely cost burdened households spend more than 50 percent of their income on housing costs. Housing cost burdened households are most prevalent in the lowest income groups but remain a problem in all income groups, particularly those paying more than 50% of income for housing. See the figure below for the number of households which are housing cost burdened.

Figure 2. Share of Cost Burdened Households, Whatcom County, 2021



Source: Draft *Whatcom County Housing Needs Analysis* (Leland Consulting Group, 2025).

Figure 3. Cost Burdened Households by Income Level, Whatcom County, 2021



Source: Draft *Whatcom County Housing Needs Analysis* (Leland Consulting Group, 2025). AMI refers to Area Median Income. The 30-50% category refers to households that spend between 30% and 50% of their income on housing costs. The >50% category refers to households that spend greater than 50% of their income on housing costs

Please see *Whatcom County Housing Needs Analysis 2025* for more information on income distribution and housing cost burden.

Needs

Innovative housing solutions are needed to provide enough housing units to accommodate the County's growing housing needs at all income levels in each community. By the end of the 20-year planning period, Whatcom County will likely experience substantial growth.

While there are many programs that address affordable housing issues in Whatcom County, a growing number of households are in need of assistance, causing increased competition for existing resources. Many of these resources are not available to some jurisdictions that do not meet all of the necessary criteria or cannot produce the required matching funds to participate in certain programs.

Accommodating our future housing need will require substantial public and private sector cooperation, effort, and planning. The County should encourage a broad range of affordable housing options across the housing continuum, including multi-generational housing, housing that supports aging in place, farmworker housing, and housing with supportive services, so residents can find options that support different household structures, cultural preferences, ages, abilities, and life stages. Types of housing include but are not limited to duplex, triplex, fourplexes, townhomes, multi-family housing, multi-generational housing, flexible floor plans, and smaller single-family houses constructed on smaller lots. These efforts to diversify housing types affordable to all income levels will also support more diverse and inclusive communities accessible to all residents who call Whatcom County home.

Land Capacity to Accommodate Housing Needs

The GMA requires the housing element to include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the State Department of Commerce. In order to identify the number of housing units needed for each jurisdiction, the State Department of Commerce developed the Housing for All Planning Tool (HAPT) spreadsheets for use by local jurisdictions (the County's consultant modified the tool to address UGAs and limitations on Rural housing under GMA). The overall countywide population figure is inserted in the HAPT, and it calculates the number of housing units that are needed at the various income bands (e.g. low, moderate, high income households) in each UGA and the Rural & Resource Lands outside UGAs. HB1220 requires local jurisdictions to plan for more housing capacity than is needed simply to accommodate projected population growth over the 20-year planning period. There are multiple factors contributing to this additional need, including:

- Additional needed housing to account for a future vacancy rate of 6% by the 2045 planning horizon;
- Housing for existing population experiencing homelessness; and
- Housing for existing cost-burdened households (paying more than 30% of income to housing).

The County and the cities have jointly identified, based upon the HAPT calculations, the housing needs shown in Table 1 below.

Table 1. Whatcom County Housing Needs 2023-2045

	% of Total	Total	0-30% Non-PSH	0-30% PSH	>30-50%	>50-80%	>80-100%	>100-120%	>120%	Emergency Housing Needs
Bellingham City & UGA	52.20%	18,390	4,978	1,944	4,158	1,197	989	1,400	3,725	299
Birch Bay UGA	3.25%	1,146	244	103	216	68	136	165	213	17
Blaine City & UGA	5.04%	1,774	480	188	401	115	95	135	359	29
Cherry Point UGA	0.00%	0	0	0	0	0	0	0	0	0
Columbia Valley UGA	1.23%	433	95	46	92	33	27	38	102	8
Everson City & UGA	1.73%	610	165	65	138	40	33	46	124	10
Ferndale City & UGA	13.22%	4,659	1,261	492	1,053	303	250	355	944	76
Lynden City & UGA	10.03%	3,535	957	374	799	230	190	269	716	58
Nooksack City & UGA	1.23%	433	117	46	98	28	23	33	88	7
Sumas City & UGA	1.83%	643	174	68	145	42	35	49	130	10
Rural and Resource Lands	10.24%	3,606	0	0	0	731	145	141	2,589	45
Total	**100.00%**	**35,229**	**8,472**	**3,325**	**7,101**	**2,788**	**1,923**	**2,631**	**8,989**	**559**

The housing figures in Table 1 above are from the HAPT and represent the housing needs anticipated between 2023 and 2045. PSH means "Permanent Supportive Housing." This term is defined in the Growth Management Act at RCW 36.70A.030(33)). The 0-30%, 30-50%, 50-80%, etc. figures refer to Area Median Income (AMI). Emergency housing needs represent the beds needed.

The County and the cities will identify sufficient capacity of land for a healthy mix of home types, sizes, and prices, including but not limited to ownership opportunities for the widest possible range of incomes, income-restricted housing, manufactured

housing, multifamily housing, co-living housing, farmworker housing, group homes, foster care facilities, emergency housing, emergency shelters, and permanent supportive housing and other supportive housing types.

The *Whatcom County Housing Needs Analysis* (Comprehensive Plan Appendix I) shows that each UGA can accommodate the housing needs for the various low, moderate, and high income households in the County.

Housing Stability and Access

RCW 36.70A.020(4) requires counties plan for and accommodate housing affordable to all economic segments of the population, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. Safe, stable, and attainable housing supports strong families, economic resilience, and healthy communities. This chapter focuses on expanding housing choices, improving access to housing near jobs and services, and reducing barriers that prevent residents from securing or maintaining stable housing.

Housing challenges are not experienced equally. Some residents face greater barriers due to income constraints, limited housing supply, location, or market conditions. The County will identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing in accordance with RCW 36.70A.070(2)(e) and work collaboratively with cities, Tribal governments, housing providers, and community partners to promote fair access to housing opportunities throughout the county.

Issues, Goals, and Policies

In order to plan for appropriate and affordable housing for everyone in the County, programs and policies designed to meet a variety of housing needs for all economic segments of the community will need to be implemented throughout each neighborhood and community. With the right mix of policy decisions and local programs, we can increase the supply of affordable housing and offer a variety of housing choices, thereby strengthening our communities. Thousands of Whatcom County households do not live in affordable housing and it is recognized that housing scarcity drives up prices. Looking ahead, the incomes of working people in Whatcom County will make affordability one of the County's biggest challenges. Both public and private investments can be directed into housing that ensures that low- to moderate-income people will be able to continue to live near where they work in the community. (According to the US Department of Housing and Urban Development, a Whatcom County family of four earning $76,800 in 2023 was considered low-income, while the median income for a family of four was $102,600).[1]

This Chapter adopts an overarching Housing Goal to achieve an adequate supply of housing types and sizes that are affordable to all economic segments of the population.

To achieve this overarching goal, the following goals and policies are adopted:

[1] HUD FY 2023 Income Limits Documentation System

Permitting Process Efficiency

Building codes and zoning ordinances, in part, influence costs of development and construction of housing. The permitting processes require time (raising finance costs), fees, and the personal time investment of parties involved. Building plan reviews increase cost and time. Local plans checking of non-commercial development by county officials could save time and money. A budget that allows adequate staff is necessary to minimize processing time. Also, to the extent possible, regulatory predictability and certainty in the processes required of the private sector will contribute to its willingness to contribute to housing affordability. Implementation of this chapter should prioritize predictable, coordinated, and time-bound permitting processes that minimize costs and delays while supporting housing production, economic development, and job creation.

Goal 3A: **Provide housing opportunities through clear, predictable, coordinated, and timely housing-related permitting processes that reduce unnecessary delay, cost, and duplication while supporting housing affordability, housing production, public participation, consistent application of adopted regulations, and clear decision-making authority.**

Policy 3A-1: Streamline and simplify existing and proposed permitting processes. Review County land use, development, and building codes to simplify, modernize, and improve efficiencies.

Policy 3A-2: The County will work with neighboring municipalities to facilitate consistent zoning, regulations, and permitting to support annexation of municipal UGAs for consistency with the municipalities future development within the UGA.

Policy 3A-3: 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-4: Consistently apply all applicable local, state, and federal laws. Clearly communicate rationale for rejected permits and/or provide guidance and request information that will ease applicants' ability to remedy identified application deficiencies.

Policy 3A-5: Provide clear and accessible permitting guidance and pre-application assistance to homeowners, small builders, and housing providers to reduce uncertainty and support housing development across a range of income levels.

Policy 3A-6: Where provisions of the Comprehensive Plan are subject to more than one reasonable interpretation, apply the interpretation that most effectively advances the County's adopted housing supply and affordability objectives, provided that such interpretation:

- Remains consistent with the Growth Management Act.

- Does not diminish required protections for critical areas or designated resource lands.
- Maintains internal consistency among Comprehensive Plan elements.

Policy 3A-7: Periodically review development regulations and administrative practices to identify and eliminate unnecessary ambiguity that may unintentionally constrain housing supply or increase housing costs.

Policy 3A-8: The County should implement housing-related regulations through transparent and predictable procedures, defined review timelines, coordinated interdepartmental review, clear application-completeness standards, and consistent interpretation of adopted development regulations.

Policy 3A-9: The County should consider the effect of new regulations, fees, mitigation requirements, and permitting processes on housing affordability, housing supply, project feasibility, and the ability to deliver timely housing production.

Policy 3A-10: The County should encourage collaboration with municipalities, Tribal governments, agencies, community organizations, and stakeholders while maintaining clear decision-making authority consistent with applicable law.

Mixed Land Uses with Appropriate Buffering and Siting Criteria

Where feasible, compatible mixed land uses should be encouraged in an effort to balance the need for both residential and commercial growth and development. The concept of encouraging denser housing development near employment and siting employment near the work force is well-accepted and logical. Housing, transportation, and employment-base needs are well-served by this proximity; it is desirable from public, employer, employee, and public service perspectives. Incompatible uses such as heavy, noisy, or noxious industrial facilities adjacent to residential uses should continue to be discouraged or fully mitigated. Some non-polluting, low-impact types of light industrial uses such as computer or medical equipment assembly, which could be large-scale but not environmentally or aesthetically offensive, could, with some buffering, be perfectly acceptable and probably desirable near residential development. Design standards and funding sources will be needed to fully explore the potential for mixed use since, in some instances, lenders are reluctant participants in mixed-use projects.

County-Wide Planning Policies, preservation of industrial and agricultural lands and environmentally sensitive areas, the comprehensive plan, and zoning regulations generally prescribe preferred locations for housing a growing population of county residents. Various levels of affordability and types of housing are needed and must be blended into locational constraints.

Subsidized housing, housing for people experiencing homelessness, transient, emergency, and special needs housing are all part of the affordability challenge, and

in some instances a major part. Residents currently possessing safe and decent housing may not fully understand the scope of the housing problem and they may tend not to want housing for less advantaged households near them. In that regard, the location of affordable housing can be as difficult an issue as funding. Many people who do not want rural sprawl also do not want in-fill near them.

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

Policy 3B-1: Expand availability and development of housing, especially mixed and middle housing options, near transit and employment opportunities to reduce travel needs and vehicle miles traveled.

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: Residential development adjacent to major transportation routes may require buffering.

Policy 3B-4: Consider environmental justice risks associated with locating residential development adjacent to heavy impact industry in a municipal Urban Growth Area and mitigate any social, economic, and environmental harms while maintaining sufficient land use flexibility to support industrial and employment-generating uses.

Policy 3B-5: Future zoning decisions should protect public health and community well-being by ensuring adequate separation between incompatible land uses. This includes avoiding or minimizing residential uses in close proximity to heavy industrial activities whenever possible and implementing appropriate buffering, siting, and design measures where such proximity cannot reasonably be avoided.

Goal 3C: **Plan for and accommodate housing affordable to all economic segments of the population. Create opportunity for a broad range of housing prices, sizes, densities and types, and encourage mixed affordability and self-build opportunities.**

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, co-living housing, 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, dense, and affordable mixed-use 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 residential densities and a variety of housing types commensurate with residential market demand and the need for housing that is affordable to all economic segments of the community including lower and moderate income households. Identify priority affordable housing areas and potential sites within unincorporated Whatcom County.

Policy 3C-9: In UGAs, plan and provide zoning that allows for a full range of affordable housing types including multifamily apartments, condos, townhomes, fourplexes, triplexes, duplexes, detached single family homes, ADUs and tiny homes. In areas adjacent to UGAs with proximity to urban utilities, include sites into the UGA when accompanied by a property owner commitment to produce affordable housing and other GMA requirements are met.

Policy 3C-10: Support housing, including middle and high density multi-family housing, in proximity to commercial zones in UGAs.

Policy 3C-11: Explore and pursue opportunities to provide a clear and predictable pathway for code-compliant, sustainable, low-impact, off-grid housing in an effort to accommodate housing, alleviate conversion and development pressures at the rural-forestry interface, and permanently conserve adjacent working forest land necessary to support the local timber industry.

Access to Housing

Changing demographics demand flexibility in siting, regulating, and designing future housing stocks. Family size, household size, proximity to employment and services, living space requirements due to cultural preferences, immigration patterns, and other factors contribute to changes in the type, number, and location of housing opportunities required for the future. The demographic makeup of Whatcom County's population can logically be expected to change over time through the 20-year Growth Management Act planning period.

While the upper ends of the housing scale are normally well-served by the developers of housing projects, other housing needs are frequently overlooked or neglected. Making housing affordable and accessible in all residential areas will help integrate a diversity of people into the larger community. Farmworker housing is also important in the community.

Housing appropriate for those with temporary, transitional, emergency, and special needs is available only on an exceptional basis. Population growth will directly affect the number of people seeking such shelter.

Goal 3D: **Plan for and accommodate adequate housing types at every income level.**

Policy 3D-1: Participate with other local, state, federal, and tribal agencies, non-profit organizations, jurisdictions, and the private sector to plan for a regional distribution of housing for all income levels, including permanent supportive housing types and emergency housing and shelter for very low-income households ensuring economic integration to strengthen our communities. This includes 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.

Policy 3D-5: Advocate for condominium reform at the state level in order to provide long-term housing affordability and diversity.

Policy 3D-6: Review and modify development regulations to remove barriers to development of housing. For affordable housing sites, explore alternatives to remove development barriers including placing an

affordable housing site within the UGA, establishing proper zoning, and working cooperatively with utility providers.

Policy 3D-7: The county will support efforts to secure additional affordable housing finance resources and programs that assist in addressing the housing goals and policies of this Chapter, including:

- Support the continuation of existing affordable housing financing programs in the county, including those enabled by state authorizing law;
- Work to secure new local resources to leverage federal and state programs that support the development and preservation of affordable housing and increase the capacity of the county to meet the identified housing needs in the county; and
- Periodically update documented programs and actions needed to achieve housing availability including gaps in local funding, particularly for housing that addresses the needs of households within the < 30% Area Median Income (AMI), 30-50% AMI, 51-80% AMI income bands.

Goal 3E: **Provide for future housing needs, affordable to all segments of the community, and respond to changing household demographics.**

Policy 3E-1: Review and revise existing regulations to identify and reduce barriers to development for the varying housing needs. Focus on particular needs such as housing for lower and moderate income households, multi-family housing, middle housing, permanent supportive housing, and temporary, transitional, or emergency housing.

Policy 3E-2: Evaluate all new regulations or codes developed at the county level to ensure they accommodate housing 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.

Policy 3E-5: Use Economic Development Investment (EDI) funds for long term, low interest loans to pay for onsite infrastructure for affordable housing. Encourage the use of utility local improvement districts (ULID) assessments to repay the EDI fund to maintain it as a revolving loan fund.

Incentives for Affordability

Cost and profit generally drive the production of most housing. Some types of housing, particularly some of the more affordable types, are less profitable to build. If the private sector is expected to play a part in the provision of affordable, obtainable housing, there must be incentives encouraging them to do so.

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

Policy 3F-1: Utilize Development Agreements as a mechanism to set project parameters and incentivize development that incorporates community benefits such as permanently affordable housing requirements, new and/or improved infrastructure, parks and open space, onsite and off-site mitigation, mitigation fees, and local workforce development opportunities. Development agreements may also be used to establish clear, negotiated exchanges between community benefits provided by a project and development incentives or regulatory flexibility.

Policy 3F-2: 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 lower income or special needs populations are specifically served.

Policy 3F-3: Review accessory housing regulations for effectiveness and appropriateness and revise when necessary.

Policy 3F-4: Support innovative housing ideas including co-living housing (essentially a micro-community with some centralized facilities), elder cottages (housing units for healthy but aging household 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-5: 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-6: Study 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-7: 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 parent 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-8: 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-9: Explore and consider various financial incentives and funds to support affordable housing.

Policy 3F-10: Encourage the integration of child care centers into multi-family housing developments.

Policy 3F-11: Support the adoption and expansion of the Multifamily Tax Exemptions in Whatcom County cities.

Policy 3F-12: 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 land trusts.

Policy 3F-13: Encourage land acquisition for permanently affordable housing development such as a community land trust or land bank model.

Policy 3F-14: Provide a waiver of Construction Impact Fees for long term guaranteed affordable housing for the <20% AMI income strata.

Regulatory Controls

Many forces act to inhibit the availability of affordable housing. Among these are regulatory controls, including zoning, subdivision regulations, development standards, and critical areas requirements. In addition, growth management itself implies some restrictions to affordable housing, by excluding land from development by focusing growth in urban areas, avoiding environmentally sensitive areas, and other ways. Mechanisms are needed to balance these inhibitions to affordability, such as design variety promoted through covenants, conditions, and restrictions, relaxed infrastructure requirements, and zoning.

Goal 3G: Identify and remove barriers 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. Promote equitable distribution of housing and anti-displacement protections.

Policy 3G-4: Allow development of smaller lots and creative housing options, especially in UGAs in areas with access to services, education, and jobs. Further explore opportunities for sustainable, low-

impact, off-grid development in rural contexts that is footprint constrained, minimizes the need for new infrastructure, and can co-exist with active forest management operations.

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

Policy 3G-6: Update 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.

Policy 3G-7: Pursue greater coordination between cities, the County, and for profit and non-profit development community to provide feed-back on housing needs.

Policy 3G-8: Adopt customer service standards that include required responses times and monitor outcomes.

Policy 3G-9: Tighten coordination and integration between Public Works, Health and Community Services, and Planning to streamline processes and avoid conflicts and confusion.

Policy 3G-10: Consider creating a program similar to A Regional Coalition for Housing (ARCH) to manage income qualified rentals and Multifamily Tax Exemptions. Coordinate education material for developers and renters regarding this program.

Policy 3G-11: Coordinate with cities and special purpose districts, as applicable, to support annexation of city UGAs.

Policy 3G-12: Support cultural and linguistic accessibility. Public engagement, housing resources, and permitting information should be available in multiple languages and communicated through culturally relevant outreach. Partner with local cultural organizations, faith groups, and community leaders to co-design outreach and education around affordable housing and tenant rights. Establish partnerships with nonprofits to expand renter education programs, translation services, and pathways to homeownership for immigrant households.

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 preservation, improvement, 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.

Policy 3H-4: Encourage preservation and improvement of affordable housing, including existing mobile home parks.

Policy 3H-5: Support voluntary and incentivized energy reducing retrofits in existing homes.

Quantifiable Targets and Outcomes

The breadth of data identified in the U.S. Census, Land Capacity Analysis, Housing Needs Assessment, Buildable Lands Report and other sources provide a foundation for monitoring and quantifying the outcomes of policy. Use the Buildable Lands Report to review and evaluate whether Whatcom County has achieved its goals and policies and work to implement any identified reasonable measures necessary to reduce the differences between growth and development assumptions contained in the county and cities comprehensive plans with actual development patterns. By developing policies which are measurable, the County can further track results and identify needed actions.

Goal 3I: Develop aspirational measurable targets regarding housing and work to meet targets within the planning period.

Policy 3I-1: Target an average residential rental vacancy rate range of 4% to 7%.

Policy 3I-2: Target available housing for sale supply of 4-6 months, for all income levels.

Policy 3I-3: In accordance with RCW 36.70A.130(9), the County will produce an implementation progress report, consistent with measures developed by the State Department of Commerce, to address adopted changes to Chapter 3 – Housing and the effect those changes have had on housing affordability and availability within the unincorporated portions of the County.

Policy 3I-4: Consider prioritizing affordable housing projects in Whatcom County. The County should consider staffing levels to expedite project review for affordable housing projects.

Policy 3I-5: The County will continue to monitor housing stability indicators, housing production across income levels, geographic distribution of new housing, and cost burden trends to inform future updates and policy adjustments.

Racially Disparate Impacts, Displacement, and Exclusion in Housing

Whatcom County recognizes that housing policy directly affects the social, cultural, and economic diversity of Whatcom County. When housing is unaffordable or inaccessible, the community loses essential diversity like young families, working-class residents, immigrants, and elders. Maintaining a diverse population is a core community value and a marker of economic and social health.

The GMA requires the County to identify local policies that result in racially disparate impacts, displacement, and exclusion in housing and identify areas that may be at higher risk of displacement. Such policies and areas are identified in *Whatcom County and City Comprehensive Plans Racially Disparate Impacts Analysis* (Leland Consulting Group, November 14, 2025). The GMA requires local comprehensive plans to identify policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. Historical barriers to property ownership, such as discriminatory lending, racial covenants, and redlining, have had long lasting negative impacts on communities of color and low-income people that have spanned multiple generations and in many ways are still prevalent today.

The GMA also requires housing elements to establish anti-displacement policies with consideration given to the preservation of historical and cultural communities, investments in low, very low, extremely low, and moderate-income housing, equitable development initiatives, inclusionary zoning, community planning requirements, tenant protections, land disposition policies, and consideration of land that may be used for affordable housing.

Goal 3J: **Reverse racially disparate impacts, displacement, and exclusion in housing.**

Policy 3J-1: Increase affordable housing production. Consider generation of revenue for affordable housing and/or encouraging more affordable housing production through options such as affordable housing incentive programs, density bonuses, zoning reforms, tax incentives, and fee waiver programs.

Policy 3J-2: Preserve existing affordable housing. Consider programs or policies including mobile home park preservation or conversion to cooperative, supporting third-party purchases of existing affordable housing, community land trusts, notice of intent to sell ordinances, and regulating short-term rentals.

Policy 3J-3: Consider programs or policies including homeownership programs, such as those that support financial assistance to low-income homeowners or home repair and rehabilitation assistance; rental assistance; and tenant protections, such as right to return policies, rental inspection and registry programs, deferral of taxes, and tenant opportunity to purchase programs.

Policy 3J-4: Ensure benefits of investment and development are equitably distributed.

Policy 3J-5: Consider voluntary inclusionary zoning that provides incentives for a specified percentage of units in a new residential development to be affordable for households with low to moderate incomes.

Goal 3K: **Whatcom County should establish measurable housing equity targets and work collaboratively with the Cities, Lummi Nation, Nooksack Indian Tribe, Whatcom Racial Equity Commission, and relevant stakeholders to achieve more equitable housing outcomes and inclusive neighborhoods.**

Policy 3K-1: Reduce racial cost-burden gaps by supporting wealth building pathways such as co-ops, land trusts, and down payment assistance to increase homeownership among communities of color.

Policy 3K-2: Consider anti-displacement and tenant protections such as right-to-return, relocation assistance, preservation funds, rent increase restrictions, just-cause eviction protections, and continued elimination of racial covenants.

Policy 3K-3: Acknowledge the historical and current disparities created by policies aimed at keeping "neighborhood character". Remove all policies and goals aimed at keeping "neighborhood character" and other similar language to allow for a broader range of housing throughout Whatcom County.

Policy 3K-4: Integrate housing with access to food, transit, parks, and essential community services.

Policy 3K-5: Establish structures and frameworks to improve early and meaningful engagement with community-based organizations and impacted residents so their input can inform housing policy decisions.

Policy 3K-6: Create an accessible process for removal of all racial covenants on homes and lands in Whatcom County.

Policy 3K-7: Conduct equity and environmental justice impact analysis and mitigate harms in development projects.

Policy 3K-8: Require periodic fair housing audits and set up a local reporting mechanism for housing discrimination, coordinated with the Washington State Human Rights Commission.

Policy 3K-9: Coordinate respectfully and early with Tribal governments on housing-related planning topics, consistent with Whatcom County government-to-Tribal government practices and shared regional interests.

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 4: Capital Facilities

Chapter Four
Capital Facilities

Introduction

Capital facilities as defined here, and for purposes of the plan, include facilities owned by Whatcom County and other public entities. Capital facilities typically have long useful lives, significant costs, and are not mobile. Whatcom County capital facilities include buildings, land, parks, and roads (transportation facilities, including roads, are addressed in chapter 6). Capital facilities provided by other public entities may be addressed in this plan. Those capital facilities may include water, sewer, fire protection, stormwater, and schools.

Purpose

This chapter contains policies to guide Whatcom County in providing adequate public facilities and services within the county's financial capability, and provides a unifying framework for facilities planning. It also establishes levels of service for certain capital facilities. The cities and other public owners of capital facilities are encouraged to use the *Whatcom County Comprehensive Plan* as a guide in preparing their own plans and capital improvement programs, particularly with respect to designated urban growth areas (UGAs).

GMA Goals and Countywide Planning Policies

The goals and policies in this chapter contribute to achievement of several of the GMA planning goals, including those considering urban growth, open space and recreation, public facilities and services, and climate change and resilience. The chapter has been written to satisfy those goals while also meeting the intent and requirements of the Countywide Planning Policies (CWPP).

Although CWPPs do not separately address capital facilities, as defined in this chapter, they are addressed within a number of the policies. Policies requiring fiscal and physical ability to provide adequate public facilities, services, and infrastructure are satisfied in this chapter. The interlocal agreements specified in the policies must address reasonable criteria for annexation and ensure adequate public services including transportation, parks, administrative services and corrections facilities.

GMA Requirements

The Growth Management Act mandates that counties required to plan under the Act adopt comprehensive plans including an inventory of facilities (including green infrastructure), a forecast of future needs for such facilities, the proposed location and the capacities of expanded or new facilities, minimum levels of service, a six-year plan for financing those facilities with indication of sources for that funding, and a requirement to re-assess the Land Use chapter if there are funding shortfalls. The Land Use element must be consistent and coordinated with the capital facilities plan. These Growth Management Act requirements are addressed in this chapter of the Comprehensive Plan, the Whatcom County 20-Year Capital Facilities Plan (Appendix E) and in the *Six-Year Capital Improvement Program for Whatcom County Facilities (Appendix F)*.

Background Summary

Capital facility cost is estimated based on studies, adopted level of service standards, or other planning assumptions. Availability of revenue from existing sources may not be sufficient for needed facilities. Mechanisms for additional funding may be developed or proposed; these mechanisms may include new or additional taxes, or impact fees.

The GMA expressly authorizes cities and counties to impose impact fees on new development to help finance the capital facilities required to serve new development (RCW 82.02.050-110). This authorization applies only to capital facilities owned or operated by government entities: (a) public streets, roads and bicycle & pedestrian facilities; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities.

If the adopted level of service cannot be achieved without acquiring major debt, raising taxes beyond acceptable levels or establishing unacceptably high impact fees, then the level of service standard must be adjusted, facility costs must be reduced, or growth must be curtailed until a balance is achieved. When planning major capital facilities, the County should evaluate whether policy, service, or programmatic strategies could influence long-term facility demand, ensuring that capital investments remain consistent with the County's long-term financial capacity. Adjusting land use to achieve level of service standards is one means of attaining concurrency. Concurrency, as required by the GMA, means that adequate facilities as defined by adopted levels of service are available at the time that the impacts of development occur or within a specified time thereafter. The GMA, at minimum, requires concurrency for transportation facilities. Concurrency is preferred for all other capital facilities as well in providing for new development while maintaining an acceptable quality of life that people desire.

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) and facilitates potential city annexation.
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: **Consistent with the Justice Project Implementation Plan, 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. Plan correctional facilities as part of a comprehensive justice system that prioritizes diversion, treatment, and behavioral health services, so that the facilities reflect community needs and align with Whatcom County's long-term financial capacity.**

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 incarcerated individuals. The number of jail beds in adult corrections facilities will be determined after a comprehensive review and analysis of multiple factors, including projected population growth, local criminal justice policies and state sentencing laws, alternative response programs, prevention, treatment, behavioral health, diversion programs, early release programs, re-entry support, the need to separate violent incarcerated individuals, the need to separate incarcerated individuals by gender, the need to separate incarcerated individuals by other classification considerations, average length of stay, peak incarcerated individual 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 youth involved in the legal system. Existing facilities may be expanded, remodeled and/or new facilities developed in response to changing need.

Policy 4D-4: Develop, maintain, improve, expand, and operate behavioral health facilities such as the 32-bed crisis stabilization center, behavioral care center, 23-hour crisis relief center, and other facilities aimed at improving opportunities for prevention, intervention, treatment, aftercare, diversion, rehabilitation, and jail alternatives to reduce incarceration rates and use of the criminal justice system.

Policy 4D-5: 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 tribes, cities, school districts, park & recreation districts, non-profit stakeholders, and others when planning and implementing park and trail projects. Make a good faith effort to consult with Lummi Nation and Nooksack Indian Tribe on relevant land acquisitions and the development of new trails and other

recreational facilities that may have an impact on their cultural resources.

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 undertaking the following: (1) Community-informed program planning, conducted in coordination with community stakeholders and partners, 2) evaluation of budgetary constraints and opportunities 3) exploration of innovative partnerships for service delivery.

Goal 4G: Coordinate with non-county facility providers such as cities, tribes, school districts, fire 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. Where feasible, develop a strategy to mitigate harmful impacts and aim to achieve net ecological gain of salmon and other aquatic species habitat for all public projects and a voluntary incentive driven strategy for private projects.

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.

Policy 4J-4: Develop an updated culvert inventory and prioritized list and proposed schedule for the removal of county owned fish passage barrier culverts (consistent with the memorandum of agreement with Tribes). Work with the cities, state, federal and tribal governments, and private landowners, to support investment in removal of fish passage barriers and installation of fish-friendly culverts and bridges.

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. Establishing mitigation fees or impact fees must carefully balance the need to mitigate against the impacts of new development and fund critical capital facilities and infrastructure with the need for housing that is affordable to all economic segments of the community.**

Policy 4K-1: The Bellingham School District No. 501 Capital Facilities Plan, adopted by the district in June 2021 , is adopted into the comprehensive plan by reference.

Policy 4K-2: The capital facilities plan for the Ferndale School District, adopted by the district in September 2025, is adopted into the comprehensive plan by reference.

Policy 4K-3: The Lynden School District Capital Facilities Plan, adopted by the district in March 2025, is adopted into the comprehensive plan by reference.

Policy 4K-4: The Meridian School District No. 505 Capital Facilities Plan, adopted by the district in September 2025, 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.

Policy 4K-6: The Capital Facilities Plan for Whatcom County Fire District #8, adopted by the District on March 12, 2026, 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 June 2020, is adopted by reference into the comprehensive plan.

Policy 4L-2: The Birch Bay Water and Sewer District Comprehensive Sewer System Plan, dated April 2020 , is adopted by reference into the comprehensive plan.

Policy 4L-3: The Birch Bay Comprehensive Stormwater Plan, dated July 2006 and amended in March 2025 to include sub-watershed master plans, is adopted by reference into the comprehensive plan.

Policy 4L-4: The Blaine School District Capital Facilities Plan, dated December 2025 , 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 Drinking Water System Plan, dated January 2022 , 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 Management Plan, dated July 2021 , 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 #14 Capital Facilities Plan, dated June 2026, 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 September 2025, is adopted by reference into the Comprehensive Plan.

Goal 4M: Plan for greenhouse gas emissions reduction and climate resilience as part of all capital projects included in the County's Capital Improvement Program.

Policy 4M-1: Install fleet and publicly accessible electric vehicle charging infrastructure at new and existing County facilities, as required by WAC 51-50-0429, and in support of fleet electrification requirements under RCW 43.19.648, to the extent practicable.

Policy 4M-2: Construct new and renovated County facilities over 5,000 square feet to a minimum of LEED (Leadership in Energy and Environmental Design) Silver standard where feasible, as required in County resolution 2005-028, and evaluate costs to meet LEED Gold or Platinum certification level.

Policy 4M-3: Retrofit County owned buildings, that are regulated under the Clean Buildings Performance Standard, to meet energy use

intensity targets set by the state's energy benchmarking law, RCW 19.27A.210.

Policy 4M-4: Site solar systems with battery storage at County facilities, where suitable.

Policy 4M-5: Consider vulnerability of existing and new County facilities to climate and natural hazards including but not limited to:

- Avoid siting critical facilities in high-risk flood areas where feasible.
- Account for future floodplain conditions and sea level rise.
- Design facilities for continuity during extreme weather, smoke, heat, and outages.

Policy 4M-6: Assess Whatcom County owned facility and short-term sheltering needs outlined in the Whatcom County Comprehensive Emergency Management Plan, required by RCW 38.52.

Policy 4M-7: Explore opportunities to support alternative infrastructure models and off-grid and distributed renewable energy systems serving public facilities development, where such systems reduce reliance on existing infrastructure and advance the County's climate resilience goals.

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 5: Utilities

Chapter Five
Utilities

Introduction

Utilities, as defined herein and for purposes of the plan, include all lines and facilities used to distribute, collect, transmit, or control electric power, natural gas, petroleum products, information (telecommunications), water, and sewage. Most utilities in Whatcom County are operated by special-purpose districts, private companies, or by cities. The County's responsibility for utilities provided by other agencies ranges from regulating land use to managing activities in public rights-of-way.

Electricity, natural gas, petroleum, and some other utilities treated herein are inherently regional and are regulated directly and indirectly at several levels, including by the Washington Utilities and Transportation Commission (WUTC) and the Federal Energy Regulatory Commission (FERC). At every level, changing regulations affect the way utilities will be managed through the planning period. Changes in the utility marketplace, together with new and varying utility needs, can be expected to affect the way other utilities are marketed, transmitted, and used.

Purpose

This section contains policies to guide Whatcom County in reviewing private utility development proposals and regional transmission proposals, and in reviewing and regulating utility services and facilities provided by other public agencies and the private sector. This section also provides a general framework for utility-specific comprehensive plans including those prepared by entities other than Whatcom County. The cities, Puget Sound Energy, Cascade Natural Gas, Public Utility District No. 1 (Whatcom PUD) and other special-purpose districts are encouraged to use the Whatcom County Comprehensive Plan in preparing their own plans and capital improvement programs.

It is the intent of this plan to support providers of electricity, natural gas, petroleum, telecommunications, internet, and other utilities in fulfilling their public service obligations required by state law to provide service on demand to existing and future customers. It is also the intent of this plan to minimize any negative effects resulting from the provision of that service on the residents, infrastructure, and the environment of the county.

GMA Goals and Countywide Planning Policies

The goals, policies, and action plans in this chapter contribute to achieving several of the GMA planning goals, including those considering urban growth, reduction of sprawl, open space and recreation, and public facilities and services. The chapter has been written to satisfy those goals while also meeting the intent and requirements of the Countywide Planning Policies (CWPP) and general guidelines of Visioning Community Value Statements.

Although CWPPs do not address all utilities as a separate category, various types of utilities are addressed within a number of sections. Specifically, the policies

encourage sharing of corridors for utilities, trails, and other transportation rights-of-way. The CWPPs also call for cities to develop plans, in cooperation with existing water purveyors and other municipal corporations providing water or sewer services, affording urban-level water and sewer services within their Urban Growth Areas (UGAs). The interlocal agreements specified in the policies must address reasonable criteria for annexation and ensure adequate services including water and sewer utilities. The CWPPs specify that cities will not extend water and sewer utilities without an adopted program for annexation and an adopted Capital Facilities Plan. Exceptions may be made in cases where human health is threatened. The CWPPs require that if water extensions are made, they must be consistent with the service area boundaries and other provisions of the *Coordinated Water System Plan*. Outside of UGAs, cities and other public and private utilities may extend water only at rural levels of service. If rural levels of service are extended, availability of pipeline capacity to meet local supply needs shall not be used to justify development counter to countywide land development patterns and shall not be considered in conversions of agriculture land, forestry, or rural lands. These and other water quantity and quality issues covered in the CWPPs are addressed directly and supported in the goals and policies of this chapter, and any action plans adopted by Council.

The Growth Management Act, in conjunction with CWPPs, clearly identifies the County in a decision-making role when it comes to utility provisions. This is implemented through the County's authority to set urban growth boundaries and can be specified through the Interlocal Agreements assigned in the CWPPs. It should be noted that the CWPPs are locally adopted and could be subject to change in the future.

GMA Requirements

The Growth Management Act mandates that counties required to plan under the act adopt comprehensive plans including "a utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines." The utilities element will include maps illustrating existing and proposed facilities and define goals and policies concerning those facilities and future proposed locations for utility facilities and corridors. By future proposed locations, it is the interpretation of Whatcom County that "proposed" means projects that have been submitted to the appropriate Whatcom County agency seeking permits or approval. See **Map 5-1**, which shows existing and planned electrical facilities; **Map 5-2**, natural gas facilities; and **Map 5-3**, telecommunications facilities. This plan does not address all the issues regarding energy or energy policy. As required by GMA, this plan addresses only those issues that are considered utility issues of Whatcom County. Therefore, this document does not address coal, automotive-oriented, or other non-utility energy issues except with regard to transmission corridors.

Whatcom County is not a municipal purveyor of electric power or water. While this chapter addresses provision of electric power and other utilities by private and public purveyors, it does not address water supply other than as might be provided by Whatcom PUD or through other various water districts, associations, or private wells with one or more connections. Water supply and coordination affected by these

organizations or parties is largely addressed in the *Whatcom County Coordinated Water System Plan (CWSP)*. Maps showing locations of water purveyors' pipelines and service areas, and locations of existing sewer system areas, are adopted as they presently exist or are modified.

Background Summary

Whatcom County is in a special situation due to its unique location between Canada and major utility users to the south. This creates a situation where utility services move through Whatcom County for their products to reach from the source to the destination. Whatcom County can be viewed as a gateway for utilities entering from Canada to reach demand elsewhere. This is especially true for natural gas, petroleum products, and electricity.

Utility services in Whatcom County are provided by a number of private and public utility operators. The main purveyor of electrical power within Whatcom County is Puget Sound Energy, but there are other providers as well, notably Whatcom PUD and the cities of Blaine and Sumas. Cascade Natural Gas provides natural gas for the county; however, there are locations throughout the county where natural gas is not available. Such locations have to rely on electricity, propane, or other means to meet their energy needs. Telecommunications are provided by multiple telephone, cable television, internet, and wireless communication companies. Water is obtained from private and public systems. Sewage treatment is primarily by septic system in the unincorporated areas of the County. There are areas of the County where consumers have the choice between multiple providers of the same utility service. Whatcom County supports free market competition for services, when such competition benefits the County consumers.

Whatcom County strongly encourages utilities to develop in a safe and rational manner based on the demand requirements of development consistent with the County Comprehensive Plan.

The 20-Year Capital Facilities Plan (Appendix E) provides additional information relating to water systems, sewer systems, and solid waste management.

Issues, Goals, and Policies

Locational Criteria for Siting Utilities

Countywide Planning Policies, open space, greenways, the environment, zoning, existing development patterns, urban growth areas, and other physical, political, business, economic, and geographical constraints and plans will demarcate both the need for and the locations available for any new electric power and/or natural gas corridors. Electric power, communications, and natural gas purveyors are part of regional systems that are demand-driven and are regulated at the State and, to some degree, at the Federal levels. This chapter provides for general locations of utility facilities needed in the future. Precise locations will be determined in the future and will be evaluated through existing regulatory and review processes including conditional use and environmental review.

It is the County's preference that utility corridors must be located in areas of least impact to the public and environment as measured by proximity to populous and environmentally sensitive areas. Furthermore, any construction activities within utility corridors should be done with proper notification and coordination.

While it is in the best interest of the public to plan for the location of utility services in future growth areas, every effort must be made to avoid undesirable effects of locating those facilities in areas where the health or safety of Whatcom County residents may be adversely affected, where the development is prohibitively expensive, or where environmental costs may be too high. Utility corridors shall be shared by compatible utilities when safely possible.

Goal 5A: **Specify a clear process for determining appropriate locations and coordinating construction activities for future needed utility facilities.**

Policy 5A-1: Use existing permitting and environmental review processes to evaluate and determine the suitability of proposed locations for any new utility facilities not under exclusive Energy Facility Site Evaluation Council (EFSEC) jurisdiction or above the distribution level.

Policy 5A-2: Any new construction, expansion, or improvements of utility systems located within the County's Rights-of-Way should be done with proper notification to and coordination with Whatcom County Public Works, any co-located utility providers, and area businesses and residents, as applicable.

Policy 5A-3: When expansion or improvements of utility systems or generation facilities are being considered, Whatcom County prefers the following in the order provided:

- upgrading of existing facilities in existing corridors;
- parcels where generation is currently sited, or in already disturbed sites;
- replacing facilities in existing corridors where appropriate;
- sharing existing corridors.

Policy 5A-4: Encourage utility purveyors to consider underground installation of distribution facilities consistent with WUTC rates and tariffs.

Policy 5A-5: 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-6: Discourage siting utility facilities in known areas at risk due to climate impacts and natural hazard areas, unless public benefit outweighs the risk.

Policy 5A-7: Ensure that utilities and power generating facilities are sited where they will not adversely impact the habitat of protected species.

Policy 5A-8: Whatcom County should work in good faith with the PUD to implement the goals and policies contained in the Utility chapter of the comprehensive plan.

Trends in Utility Technology

Changing technology will affect the costs and types of utility services and systems available. Technologies can evolve very rapidly, particularly when breakthrough discoveries occur. It is likely that new technologies will emerge and existing technologies will evolve within the planning period.

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, including net reliability benefits, 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 with major utility providers to enhance the County and private geographic information systems (GIS) databases.

Electric Power, Natural Gas, Petroleum, and Telecommunications

All Whatcom County residents should have access to utilities as defined in this section. The WUTC requires equitable availability and controls the price of electric power and natural gas services provided by investor-owned utilities. FERC does so for electric, natural gas, and petroleum facilities crossing state lines. Additionally, the Energy Facility Site Evaluation Council (EFSEC), the Department of Labor and Industries (L&I), and the US Department of Energy (DOE) regulate utility siting and operations. Goals relating exclusively to natural gas and hazardous liquid lines are addressed separately.

Changes in the utilities marketplace will probably create a need for recognition of a variety of service needs and for new models of how energy is distributed, stored, and used. Regulations concerning provision of utility services to consumers should remain

flexible and offer opportunities for review with respect to changes in utility industry dynamics dictated by market forces and regulations at the state and federal levels.

Access to affordable, reliable, and highspeed internet access is essential for everyday activities such as working from home, remote learning, telehealth, staying connected to communities, and social interaction.

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 levels of utility services shall be limited to areas designated for urban development.

Policy 5C-9: Appropriately scale public utility systems to accommodate anticipated population growth.

Policy 5C-10: Support equitable internet access, affordability, and quality for all residents and businesses, with a target of 1 Gbps symmetrical service throughout the County.

Policy 5C-11: Encourage utility purveyors to coordinate their construction activities and consider underground installation and co-location of facilities as a way to minimize ground disturbance and improve overall resiliency of utility infrastructure.

Policy 5C-12: Actively encourage and coordinate with wireless carriers to expand and upgrade cellular voice and data networks countywide,

ensuring reliable coverage in all communities and along major transportation corridors.

Permitting Process Efficiency

Time required for permitting processes can increase development costs and can impede the timely provision of electric power and other utilities to residential, commercial, and business users. Any new utility installation requires precisely designed and selected components to complete and bring a facility on line. Careful planning is necessary to ensure the proper components are available as needed. Delays in obtaining permits can disrupt planning cycles and can result in utility services not being available when needed. Local permit processing should not interfere with or cause long delays for the provision of utilities to residents, industry, or business. However, permitting processes should also consider impacts to human and environmental health and facilitate mitigation measures when feasible.

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, while mitigating against associated harms to human health and environment.

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 5E-2: 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 5E-3: Utility companies shall provide notification of proposed projects to abutting landowners consistent with County code.

Impediments to the Provision of Utilities

The ability of utility purveyors to meet the mandates of WUTC and FERC could be affected by all of the following: GMA regulations, goals, and policies; plat covenants, conditions, and restrictions; infrastructure requirements; zoning; Countywide Planning Policies; and environmentally sensitive areas.

Goal 5F: Identify and remove impediments to effective siting of necessary utility facilities.

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

Policy 5F-2: Review and update Whatcom County Code to align with current state law.

Regulatory Controls Encouraging Energy Conservation and Efficiency

Energy conservation and efficiency are substantial contributors to regional and local energy supplies. Generally, there are two components of conservation: *regulatory issues* and *infrastructure*. Regulatory issues include the efficiencies created by zoning density, development standards, establishing minimum energy efficiency standards, and energy code enforcement. Infrastructure issues include existing utility facilities and privately-owned equipment ranging from purveyor-owned hardware to consumer-owned appliances. While energy demand increases as a result of growth, conservation plays a large role in limiting the quantity of that new demand.

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 and the climate element.

Policy 5G-2: Encourage and support the use of energy conservation strategies 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 should work with utility providers and consider opportunities for coordinated education and outreach to inform the public about energy efficiency and renewable energy sources.

Policy 5G-6: Consider the County's potential role in supporting rural off-grid residential development in partnership with landowners and partners, where such development is designed to minimize public infrastructure demand, including demand on the energy grid, generate useful performance data, and remain consistent with the long-term use of adjacent resource lands.

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 and the climate element.

Policy 5H-2: Explore emerging low-carbon or renewable energy technologies, and when applicable, update Whatcom County Code as needed to support renewable energy production, generation, transmission, and distribution. Policy 5H-3: Whatcom County should engage and coordinate with Tribal treaty rights holders and other impacted communities before recommending resource, land, or water-intensive energy projects such as hydroelectricity, nuclear, and tidal energy when the County has permitting responsibilities.

Policy 5H-4: Encourage and support the development of low-carbon or renewable energy projects and technologies, such as anaerobic digesters solar, battery energy storage systems, wind energy, geothermal, nuclear, wave, tidal, and green hydrogen where applicable.

Policy 5H-5: Support renewable energy incentives to businesses and groups to install renewable energy systems.

Policy 5H-6: Coordinate with the Department of Ecology for eligible renewable energy products through the Clean Energy Coordinated Permitting Process, Chapter 43.158 RCW.

Policy 5H-7: Work with utilities regulated under the Clean Energy Transformation Act (CETA) to ensure Clean Energy Implementation Plans align with state target for an electricity supply free of greenhouse gas emissions by 2045.

Policy 5H-8: Support Whatcom Public Utility District's energy efficiency programs and exploration of alternative energy sources, such as geothermal and fusion.

Policy 5H-9: Support regional and statewide efforts to develop utility scale renewable projects to increase production of energy from renewable sources, such as wind, solar, green hydrogen, and other alternatives.

Policy 5H-10: Explore pathways to support integrated off-grid renewable energy and utility systems — including solar generation with battery storage and alternative onsite wastewater treatment — serving low-impact rural residential development on resource lands, subject to applicable state health and building codes, site suitability, and County capacity considerations. Consider off-grid renewable energy systems as a complementary distributed energy strategy.

Policy 5H-11: Support reliable, affordable, resilient, and environmentally responsible energy systems, including renewable, non-carbon or low-carbon, and emerging energy technologies, while ensuring

appropriate protection of natural resources, treaty rights, cultural resources, public safety, and rural character.

Policy 5H-12: Recognize geothermal energy, including hydrothermal, direct-use, closed-loop, and other emerging geothermal technologies, as a potential renewable energy resource that may contribute to regional energy reliability, economic development, and greenhouse gas reduction goals.

Policy 5H-13: Recognize that certain non-carbon or renewable energy resources, including geothermal resources, may be geographically constrained and may require case-specific siting considerations based on geology, thermal resource location, transmission availability, environmental constraints, and public safety considerations.

Policy 5H-14: The County should periodically evaluate and update development regulations, permitting procedures, definitions, and environmental review processes related to non-carbon, renewable, and emerging energy technologies to ensure regulations remain effective, scientifically informed, and consistent with state law, technological advances, and regional energy needs.

Policy 5H-15: The County may adopt or amend land use designations, zoning classifications, development regulations, conditional use procedures, performance standards, or other implementing regulations to accommodate non-carbon or renewable resource energy generation, storage, transmission, and related infrastructure, including location-dependent energy resources where appropriate and consistent with environmental review, public safety, and resource protection goals.

Policy 5H-16: Non-carbon or renewable resource energy generation, storage, transmission, and supporting utility infrastructure may serve essential public functions and should not be categorically precluded from consideration within the County where impacts can be appropriately mitigated.

Utility Corridors

Where feasible, multiple land uses in utility corridors should be encouraged. The potential for shared use of utility corridors should be realized to the greatest practical extent. While some corridor uses have proven incompatible and are clearly mutually exclusive, an effort shall be made to share utility corridors when utility distribution facilities are unaffected, or in some cases enhanced, by proximity to other uses thereby serving multiple needs.

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

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

Policy 5I-2: When reasonable and feasible, promote the co-location of new public and private utility distribution facilitates in shared trenches/corridors, as well as coordination of construction timing.

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

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

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

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

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

Policy 5J-3: Coordinate with Cities on the development, expansion, or improvement of energy and utilities infrastructure within city adjacent UGAs in effort to accommodate future growth and maximize potential benefits.

Gas and Hazardous Liquid Transmission Pipelines

Transmission of hazardous liquids and gases by pipeline is an efficient and convenient transportation mode for these products. However, pipelines pose a risk of ruptures and uncontrolled leaks of products that are highly flammable, explosive, or toxic and therefore require careful consideration of pipeline siting, nearby land uses, and protection of pipelines from excavation damage. The goal is to protect the health, safety and welfare of County residents, to provide predictability for future pipeline siting, and to encourage communication and coordination with pipeline operators, landowners, and county, state and federal agencies.

The County is not able to control all issues regarding pipelines, as there are other agencies with jurisdictional authority (such as the Energy Facility Site Evaluation Council and the Federal Energy Regulatory Commission), as well as demand from areas outside of Whatcom County, which preclude the County from having the ultimate authority. Nonetheless, goals and policies for the County are appropriate and incorporated herein.

The following goals and policies shall apply to all gas and hazardous liquid transmission pipelines as defined by state and federal regulations. The goals and

policies presented herein should be interpreted in conjunction with the general utility policies of this chapter where applicable, with priority and deference given to these policies which are specific to gas and hazardous liquid pipelines where they appear contradictory. The *Natural Gas and Hazardous Liquid Pipelines Background Report, Oct 2001,* contains more detailed information regarding pipelines and related issues. Map 5-2 indicates a notification area of 1,000 feet (500 feet from each side of the pipeline) for gas and hazardous liquid transmission pipelines, which may be of value to the public.

Goal 5K: **Facilitate a coordinated approach for the siting of natural gas and hazardous liquid transmission pipelines to protect the current and future health, safety, and welfare of county residents**

Policy 5K-1: Seek intervener status on all pipeline proposals that 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 5K-2: Carefully scrutinize new or updated franchise agreements. Review and evaluate model franchise agreements, if available, for provisions to be incorporated into negotiations regarding proposed provisions and mitigations in future franchise agreements. Consider the adoption of a franchise agreement ordinance for consistency and guidance if multiple new agreements are anticipated.

Policy 5K-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 5K-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 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 5K-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 conducted by an independent third-party 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 5K-6: Require pipeline proponents to notify cities if the proposal is within their urban growth area, and all utility providers and special purpose districts where the siting of new pipelines crosses those service areas.

Policy 5K-7: Monitor transmission pipeline construction to ensure pipelines are installed in accordance with all applicable County, state, and federal regulations.

Policy 5K-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 5K-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 5K-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 5K-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 5K-12: Prior to issuing any land disturbance or construction permits abutting pipeline rights-of-way, verify that applicants use one-call locator services in accordance with state law, and require physical protection of the pipeline corridor during construction.

Policy 5K-13: Encourage ongoing coordination and communication between pipeline operators and the emergency response community including the County's Emergency Management Division, County Health and Community Services (HCS), fire districts, and the Sherriff's 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.

Policy 5K-14: Provide predictability for future pipeline siting by coordinating future land use designations with pipeline infrastructure.

Policy 5K-15: Encourage pipeline operators and agencies to communicate and coordinate with landowners as well as agencies at the county, state, and federal levels.

Goal 5L: Maintain locational siting criteria specific to special conditions regarding transmission and large distribution pipelines.

Policy 5L-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, Oct 2001*.

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

Policy 5L-3: Transmission pipelines are inappropriate and discouraged in urban growth areas (UGAs) and limited areas of more intense rural development (LAMIRDs).

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

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

Policy 5L-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 5L-8: Require that applicants for land divisions, high-consequence land uses, and essential public facilities located within 500 feet of the centerline of a pipeline corridor 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 5L-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

Whatcom County residents obtain domestic water from public and private water systems. Water supply requirements of state law require new development to provide evidence of adequate water supplies—meaning both legal and physical water availability. For the purpose of this discussion, the term "public" refers to the State Department of Health (DOH) definition, and not to ownership of the system. This distinction is important and can often be confusing. Public systems, as defined by the DOH, must comply with specific regulations designed to protect the health of people using the supply. Private systems do not have to meet these same requirements. However, the County Council, acting as the Board of Health, adopted the Whatcom County Drinking Water Ordinance in 2002, which established standards for private water systems used for new development. This ordinance includes siting criteria, such as setbacks from septic tanks, and initial water quality sampling requirements. It does not impose on-going water quality monitoring on private water systems. This ordinance was last amended in 2018.

The complete definition of a public water system is found in WAC 246-290 and WAC 246-291. In general, DOH regulations define a public water system as all systems *except* those serving only one single family residence or a system with four or fewer connections all of which serve residences on the same farm. However, the regulations do allow systems with only two connections to be exempted from DOH rules at the discretion of local/DOH. Whatcom County has taken advantage of this allowance and, in certain circumstances, does not require residential systems with two services to meet public systems requirements. However, these two-party wells exempt from DOH rules must still comply with the County's Drinking Water Ordinance.

Over 80% of Whatcom County residents obtain potable water from a municipality or public water system. The rest obtain their drinking water from private water supplies including wells, surface water, and rainwater catchment. Water is critical to Whatcom County agriculture; irrigation is necessary for all high-value crops. Livestock must be watered year-round, and dairy equipment and facility cleanup also occur all year. Some industries are also large-scale water users, and they may need both potable and non-potable water.

Four major water systems– PUD #1 of Whatcom County (Whatcom PUD), City of Bellingham, Lake Whatcom Water and Sewer District, and City of Lynden, draw surface water from the Nooksack River and Lake Whatcom. Most of the rest rely on groundwater as their source. This is not as distinct a difference as it seems, since Whatcom County water resources are an interconnected system. Water supply for public water systems in the county is identified in the *Coordinated Water System Plan*. The current Whatcom County Coordinated Water System Plan (CWSP)[1] coordinates the plans of the county's public water purveyors (e.g., forecasting demand, identifying supplies and service areas) with the objective of ensuring the County has an adequate supply of potable water to serve planned domestic,

[1] https://www.whatcomcounty.us/DocumentCenter/View/24740/2019---Whatcom-County-Coordinated-Water-System-Plan-CWSP?bidId=

commercial, and industrial uses, provided by public water systems. The CWSP must be consistent with this Comprehensive Plan, including land use designations, permitted densities, and related growth management policies, including identifying sufficient water supplies to accommodate projected growth for the next 20 years. The CWSP was updated and adopted in 2025.

The 2025 CWSP planning framework is consistent with this Comprehensive Plan's population forecasts and other amendments directing a greater share of future development towards urban growth areas that have greater available water supply for growth. Under the 20-year population growth allocations for the cities and county in this 2025 Comprehensive Plan Update, the non-UGA growth allocations represent a significant reduction in the allocated future growth share to rural areas (more reliant on permit-exempt wells) compared to the 2016 Comprehensive Plan rural population allocations and past trends over the last several decades. The allocated share of growth to UGAs (reliant on municipal water supplies) over the next 20 years is commensurately higher than allocated under the 2016 Comprehensive Plan.

The largest purveyor in the county is the City of Bellingham. Bellingham directly supplies water to more than 88,000 people, relying primarily on water from Lake Whatcom and the Middle Fork of the Nooksack River via a diversion pipeline. However, Bellingham also sells water to Water District 2, Water District 7, Water District 10, Lake Whatcom Water and Sewer District, California Street Water Association, Montgomery Road Water Association, Deer Creek Water Association, Lummi Tribal, Glen Cove Water Co-Op, Ferndale Emergency Intertie, and Governors Point. The City also has the largest collection of water rights of all purveyors in the county. This large water right portfolio could enable it to continue its role as a major purveyor in the future.

The Public Utility District No. 1 of Whatcom County (Whatcom PUD), which obtains water from the Nooksack River, has the second largest collection of rights in the county. The Whatcom PUD is a public water utility authorized under RCW Chapter 54 which provides retail service within its designated service boundary and has the potential to provide wholesale water on a county-wide basis. The Whatcom PUD currently provides both direct retail and wholesale water supplies to customers within the county. The Whatcom PUD holds water rights for municipal water supply purposes – including residential, commercial, industrial, and agricultural use. Pursuant to state law, the Whatcom PUD develops and provides water supply within its service area in accordance with authoritative demand and/or population projections.

The Whatcom PUD will consider petitions for service or assistance from all areas in Whatcom County which are not presently claimed by cities, water districts, or other purveyors operating within the county. The level of service to be provided to PUD customers requesting service or new supply will be consistent with their water rights and relevant capital facility and/or land use plans and policies in existence at the time of service extension.

Regardless of size, public or private, many water purveyors in Whatcom County face common challenges in meeting existing and future demands. Water quality concerns which have been identified include nitrates, arsenic, bacteria, iron/manganese, sea

water intrusion, and pesticides/VOCs. Quantity concerns include legal limitations on supplies and questions regarding actual amounts and depletion of water. Regulatory requirements under the Safe Drinking Water Act, for example, further challenge the ability of purveyors to meet new demands.

1985 Instream Flow Rule

The 1985 Instream Flow Rule (WAC 173-515) sets minimum streamflow levels for the Nooksack River and its tributaries, and aims to ensure adequate water for fish migration, spawning, and overall ecosystem health. Its use of exceedance levels (10%, 50%, or 90%) to balance water usage between ecological needs and human demands essentially limited future uninterruptible water supply, while recognizing that groundwater could be used to meet future water needs. However, the 1985 rule did not fully account for the interaction between surface and groundwater where groundwater withdrawals can reduce streamflow in connected surface water systems. The impact of new groundwater withdrawals was then addressed in the 2018 Streamflow Restoration Act. The 1985 Instream Flow Rule and the 2018 Streamflow Restoration Action present limitations for both current and future water supplies. Policies in the Whatcom County Comprehensive Plan Chapter 10 (environment), also address the role of water right relinquishment as well as strategies that can help mitigate water supply deficiencies in the future in the context of both out-of-stream and in-stream water needs.

Adjudication

A water adjudication is a legal process to quantify and prioritize water rights in WRIA 1, the Nooksack Basin, including the entire Nooksack River watershed and nearby areas. The Washington Department of Ecology initiated this process in May 2024, and it is expected to last over a decade. All those who withdraw water from a well or divert water from a waterbody in WRIA 1 are involved, but not those who solely rely on water received from municipal water suppliers such as a city, water district, or water association. Evidence collection and submission will follow, culminating in a court-ordered inventory of all legal water rights. This adjudication is a result of the Water Resources Adjudication Assessment, which identified WRIA 1 as a priority area due to its water resource challenge.

WRIA 1 Watershed Management Board

The WRIA 1 Watershed Management Board is an integrated, multi-government structure for coordinating and facilitating implementation of WRIA 1 programs.

The WRIA 1 Watershed Management Board was established by a joint Interlocal Agreement in 2016 by the WRIA 1 Joint Board and WRIA 1 Salmon Recovery Board. This board retains a collaborative multi-jurisdictional decision-making process and combines the duties and functions of the roles under the previous agreements.

The WRIA 1 Watershed Management Board developed a 5-year Implementation Strategy in 2018, and it was updated in 2021. The 2018-2023 WRIA 1 Watershed Management Board Implementation Strategy represents an integrated strategy to

advance implementation of actions associated with the primary functions of the WIRA 1 Board.

Meeting existing and future water demands throughout the county will require careful integration of land use and water resource planning. The County's strategy to meet existing and future water demands throughout the county include:

- Periodically updating the Coordinated Water System Plan (CWSP) to identify future supply, demand, and delivery requirements for the public water systems that supply the majority of potable water supplies in the County;
- Implementing and updating the 2018-2023 WRIA 1 Watershed Management Board Implementation Strategy including pursuing water rights negotiations, developing a groundwater model to better understand groundwater supply potential and continuity with surface waters, and identifying future non-public water system needs such as agriculture and private well owners;
- Adhering to the various protection and management strategies discussed in *Chapter Ten: Environment, Water Resource Section*;
- Incorporating the updated comprehensive water plans developed by water purveyors; and
- Implementing the Capital Facilities Plans and Interlocal Agreements developed by the cities and County under the *Growth Management Act to facilitate delivery of water to urban growth areas.*

Although the various tools noted above will assist in helping to meet water demands, there is work to be done in both completing the specific elements and ensuring their consistency with each other.

With so many uncertainties and so few clear answers, caution is necessary in making water-related decisions. It is likely that much dialogue, coordination, and clear understanding will be necessary to work through a myriad of water-related issues and decisions. Changing priorities, organization, and regulations at state and federal levels make comprehensive decision-making yet more arduous. County staff and elected officials must participate in all processes aimed at quantifying, regulating, or managing water in any way to protect the best interests of the public.

Water rights are a significant issue in planning for adequate facilities. Treaty rights with the tribes, minimum instream flows for adequate protection of fish, and use and protection pursuant to state water laws all affect the issuance of new water rights. The County will review plans periodically to ensure consistency with the growth and population projections of this plan, and changes in the availability of water or permits that may affect the ability to serve.

Because of concerns about water supply and requirements of state law, development will be contingent on providing evidence of adequate water supplies.

Goal 5M: Resolve county water issues through proactive participation in processes leading to a solution of water-related conflicts.

Policy 5M-1: Plan for interlocal agreements with other agencies, such as the Whatcom PUD, to manage failing water associations that fall into receivership.

Policy 5M-2: Encourage and actively participate in forums, workshops, and other water-related planning activities.

Policy 5M-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 5M-4: The County should periodically examine its role as a potential purveyor of water and wastewater collection and treatment in order to determine if increased involvement may be needed to help solve some of the utility problems in the county.

Policy 5M-5: Investigate the opportunity for multiple solutions to other issues, such as flood management, when looking towards acquiring additional water supplies and rights.

Policy 5M-6: Evaluate and, where feasible, support development of water storage systems that take advantage of floodwaters, high precipitation, and excess water when needed for beneficial uses such as fisheries, agriculture, domestic, and industrial water supplies. Prioritize projects that maintain or enhance watershed function, such as natural water storage projects, over those that degrade existing natural systems and infrastructure.

Policy 5M-7: Encourage and support the broad implementation of water use efficiency.

Goal 5N: Work with water purveyors to provide service to all existing and designated Urban Growth Areas and LAMIRDS.

Policy 5N-1: Work with the appropriate jurisdictions to ensure adequate water rights and supplies to the Urban Growth Areas and LAMIRDs. 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 5N-2: Ensure provision of urban levels of water service to urban growth areas.

Policy 5N-3: Periodically review Urban Growth Areas to ensure adequate water supplies.

Policy 5N-4: Encourage annexation of areas zoned for urban densities concurrent with extension of urban level services.

Policy 5N-5: The County should work closely with purveyors and the DOH in the development and review of Comprehensive Water Plans to ensure land use and urban growth are consistent with projected water availability.

Policy 5N-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 5O: Prioritize locating housing near existing potable water supplies that are available for occupancy and use to serve developments.

Policy 5O-1: Permit applicants for uses requiring water service, shall 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 5O-2: Work with water purveyors in modifying their systems as necessary to support anticipated development as described in Chapter 2, Land Use element.

Policy 5O-3: The majority of future growth and development should be directed towards urban growth areas that have the greatest available municipal water supplies.

Policy 5O-4: Update Group A water systems plans to include a climate resilience element at the time of approval, as required by HB 1181.

GOAL 5P: Identify, quantify, and plan for water demands in various zoning designations, ensuring sustainable use of water resources.

Policy 5P-1: **Agriculture Zoning:** Accurately assess and quantify irrigation acreages necessary to sustain the designated agricultural zoning of 85,000 acres with the goal of increasing to 100,000 acres. Establish a system for flexible movement of irrigation water across the designated agricultural zones as needed, depending on varying seasonal demands, crop needs, and water availability, and that promotes efficient and sustainable irrigation practices.

Policy 5P-2: **Rural Forestry Zoning:** Accurately assess and quantify water needs for the designated 35,638 acres in rural forestry zoning designations, with water needs arising from various activities such as agriculture, animal care and feeding, sawmills, shake, and shingle mills, maintenance buildings, and one single-family

dwelling per legal lot. To fully support the water needs of the designated land for rural forestry, the ability of water associations to serve and the current and future number of exempt wells needs to be quantified to ensure adequate water supply for all intended uses.

Policy 5P-3: **Commercial Forestry Zoning:** Accurately assess and quantify water needs for the designated 186,243 acres of commercial forest zoning designations, with water needs arising from activities such as sawmill operations, fish and wildlife management, recreational vehicle usage, housing for trail crews, fire crews, nursery crews, logging crews, and maintenance crews, as well as livestock care. To fully support the diverse water needs for forestry and related operations, it is necessary to quantify current and exempt wells required to ensure adequate water supply for this zoning, and encourage use of water-saving measures in forestry activities.

Policy 5P-4: **Rural Zoning:** Accurately assess and quantify water needs for zoning acreage and lots of record in the rural zoning designations and quantify the current and future supply for intended uses associated with those acreages and lots. To fully support the water needs of the designated land for rural, the ability of water associations to serve and the current and future number of exempt wells needs to be quantified to ensure adequate water supply for all intended uses.

Policy 5P-5: Evaluate water management strategies to address insufficient instream flows and out-of-stream water needs.

Sewage Treatment

Whatcom County does not currently own, operate, or maintain a sewage treatment facility or associated pumping stations or pipelines. Sewage treatment in the unincorporated county is primarily by septic system. While adequately designed and installed on-site septic systems can be appropriate for rural-level development, maintenance of such systems varies from excellent to none-at-all. Poorly maintained septic systems are a source of ground and surface water pollution and have been identified at both the state and the local level as significant contributors to high nitrate levels in soil and coliform bacteria in surface water. Some systems can be in failure mode for years before being noticed. "Package" sewage treatment systems and multiple-user septic systems may be a desirable alternative to the single-user, on-site system. Larger sewage treatment facilities are more appropriate for urban levels of growth. Whatever type of system is used, adequate maintenance is the best deterrent to system failure and pollution of ground and surface water. Whatcom County's On-Site Sewage System Program (OSS) oversees permits, education, and inspections regarding on-site sewage systems in the County.

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

Policy 5Q-1: Support state on-site sewage system regulations (WAC 246-272) by maintaining the HCS program of ensuring proper maintenance and operation for all on-site systems.

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

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

Policy 5Q-4: Per RCW 43.20.065, Whatcom County OSS shall provide updated on-site sewage system information on its website that is consistent with state code.

Goal 5R: **Support development of new sewage treatment facilities, including pipelines and extensions, to Urban Growth Areas.**

Policy 5R-1: Discourage extension of sewer lines to areas outside of 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 5R-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 5R-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 5R-4: Support the development of new technology and alternative sewage disposal methods as an alternative to current sanitary sewer systems to assure groundwater quality is maintained. This includes composting toilet systems and engineered graywater management meeting applicable state health standards, particularly where deployed in conjunction with low-impact rural

residential development that minimizes the need for new public infrastructure.

Policy 5R-5: Encourage utility providers to address aging and inadequate sewage infrastructure by prioritizing upgrades and maintenance strategies that mitigate risks related to climate change impacts, including sea level rise, flooding, and severe storm events.

Solid Waste Management

State law (RCW 70.95.010) requires counties to plan an integrated solid waste management system that emphasizes waste reduction and recycling. Management of solid waste that cannot be recycled can be incinerated or placed in a landfill. HCS is the lead planning agency for solid waste planning in the County as of January 1, 2015, taking on the responsibility formerly assigned to the Public Works Department. The County prepared a Comprehensive Solid and Hazardous Waste Management Plan in 2022. That plan has been prepared to meet the requirements of RCW 70.95.

Private collection, processing, and disposal services managed in accordance with the provisions of County ordinances and city contracts constitute Whatcom County's solid waste management system. Adopted Disposal and Collection Districts, and a Service Level Ordinance serve as the foundation for county waste management. The Lummi and Nooksack Reservations and the Newhalem area are excluded from the planning area in the County's waste management plan.

Generally, County waste management system priorities are met by waste prevention, recycling and source-separated composting, market development to increase local use of recyclables, collection, transfer, export, and landfilling.

The county includes several waste-prevention programs as part of its highest waste management priority, including waste reduction and reuse, education, legislation, and governmental waste-prevention activities. Education is directed at school-age children through in-school programs; at commercial businesses; at shoppers; and at the general public through awareness programs, videos, demonstration sites, and awards programs.

Whatcom County provides a hazardous waste management program including education, technical assistance, and operation of a moderate risk waste (MRW) facility. The MRW facility receives household hazardous waste and small quantities generator waste and prepares the waste for off-site treatment and disposal.

Goal 5S: Support waste prevention for both solid waste, including food waste, and hazardous waste as a primary focus prior to waste management.

Policy 5S-1: Support solid waste source reduction activities, including countywide conservation education programs, source reduction technical assistance for small quantity generators through the Pollution Prevention Assistance Program, home composting, and commercial waste reduction, including reducing the volume of nonrecyclable single-use items and product packaging materials.

Policy 5S-2: The County's waste diversion goal is to increase source-separated recycling, with additional diversion potentially available through waste processing of non-source-separated recyclables.

Goal 5T: Support Washington's organic management goal of reducing organic waste going to the landfill by 75% in eligible Business Organic Management Areas and eligible residential customers, through source reduction, composting, anaerobic digestion, or other means.

Policy 5T-1: The County's goal is to reduce Whatcom County's share of food waste sent to landfills by 50%, consistent with the Use Food Well Washington Plan, Whatcom County Food Systems Plan, Whatcom County Climate Action Plan, and Comprehensive Solid and Hazardous Waste Management Plan.

Policy 5T-2: Participate in state programs to conduct regular audits of food waste sources across the county, establish food waste reduction programs, and support stakeholders required to comply with Washington's organic management law.

Policy 5T-3: Increase diversion from the landfill by providing financial incentives to programs that donate surplus food to food banks and food shelters.

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

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

Policy 5U-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.

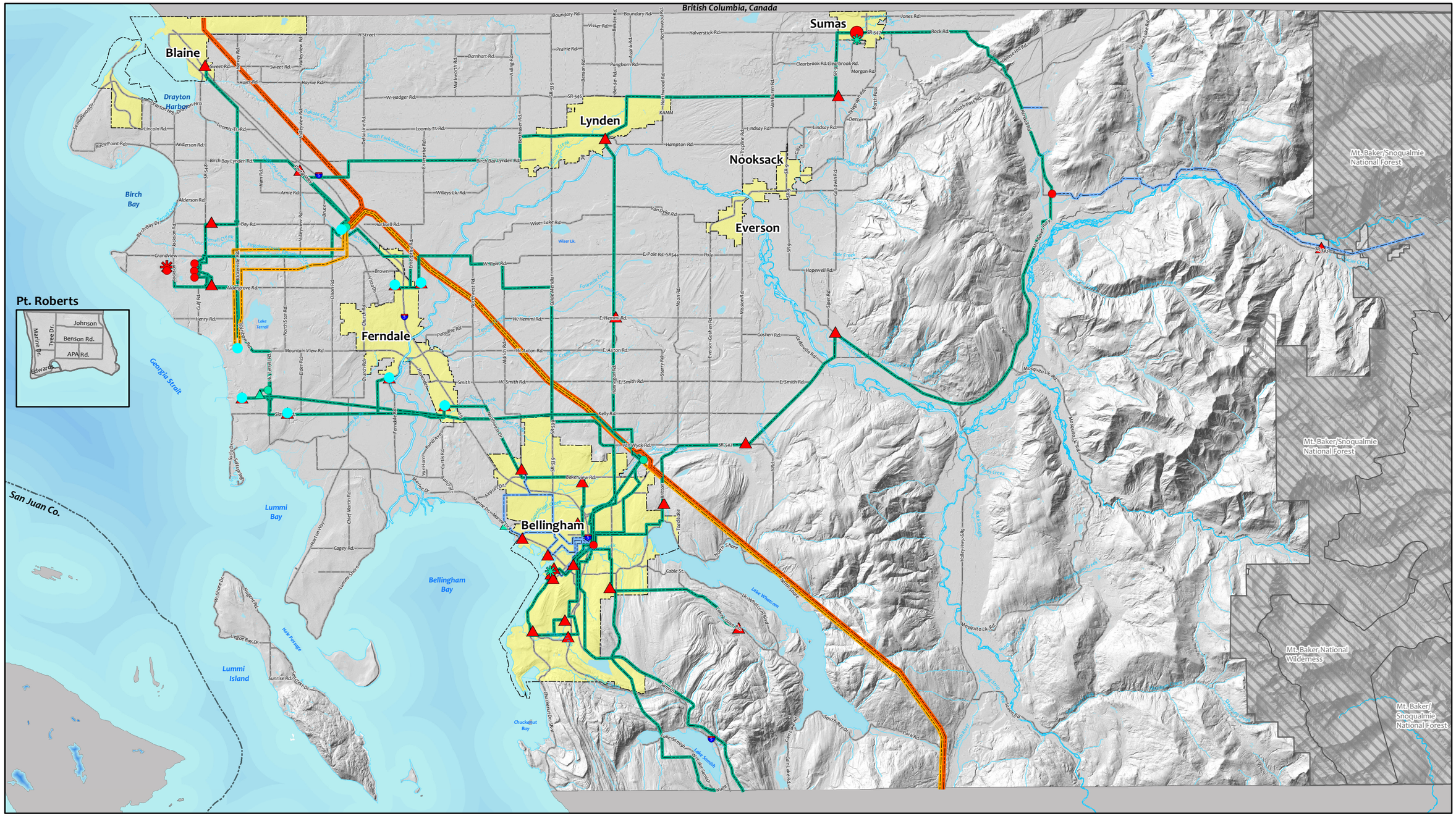
Stormwater Management

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

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Map 5-1
Power Transmission & Generation Facilities



- PSE Generation Station
- PSE Transmission Switch Station
- PSE Distribution Sub Station
- PSE Transmission Sub Station
- Other Generation Station
- Other Transmission Station
- Other Distribution Station
- 55KV Transmission Line
- 115KV Transmission Line
- 230KV Transmisison Line
- 500KV Transmission Line

Source:
-Whatcom County PDS 2015 (base)
-PSE 2016

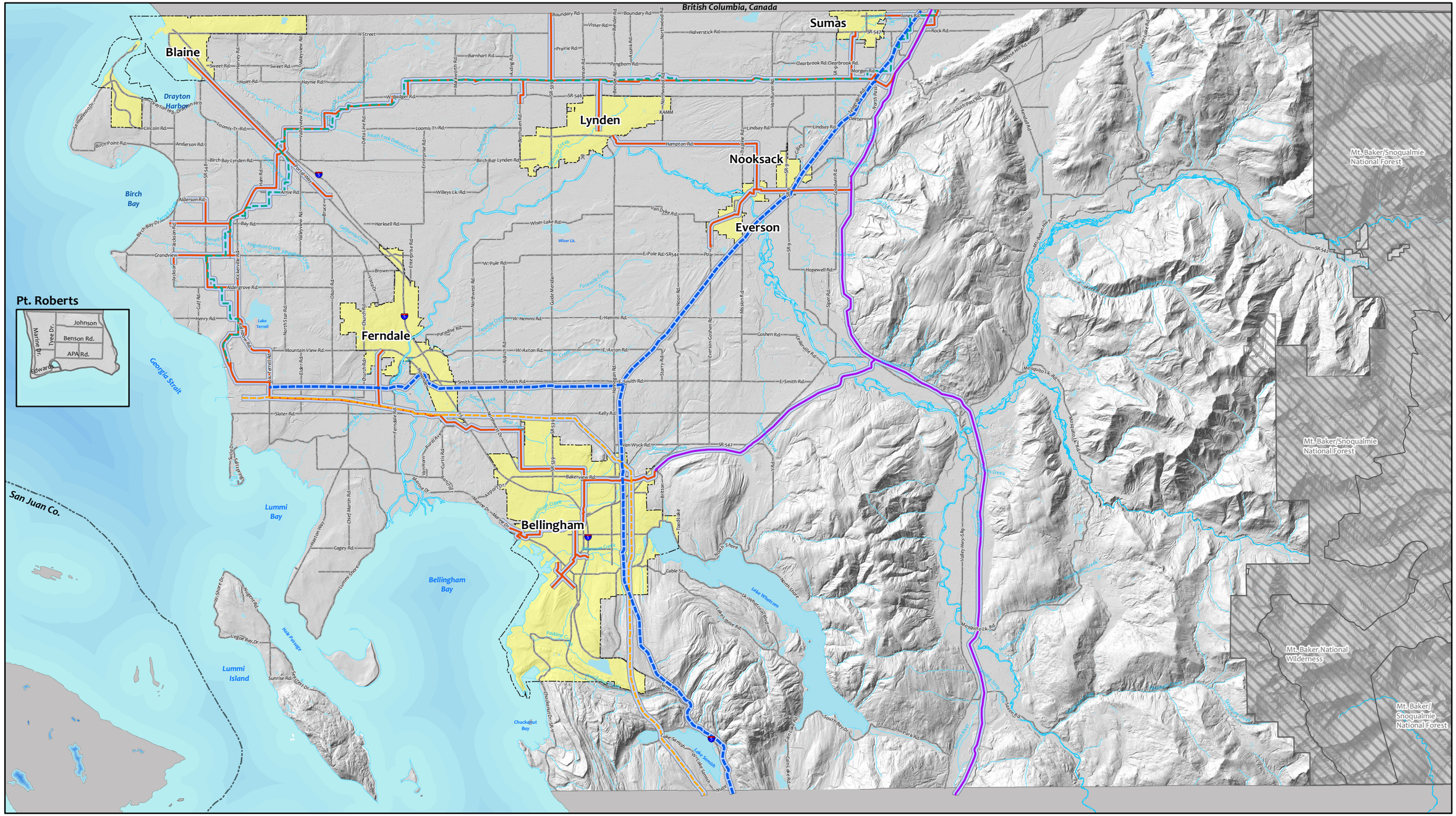
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Miles
0 0.75 1.5 3 4.5 6

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Map 5-2
Natural Gas & Hazardous Liquid Transmission



Ferndale Pipeline System (BP) - Gas

Cascade Natural Gas Corp. - Gas

Olympic Pipeline - Hazardous Liquid

Trans Mountain - Hazardous Liquid

Northwest Pipeline - Gas

500' Buffer

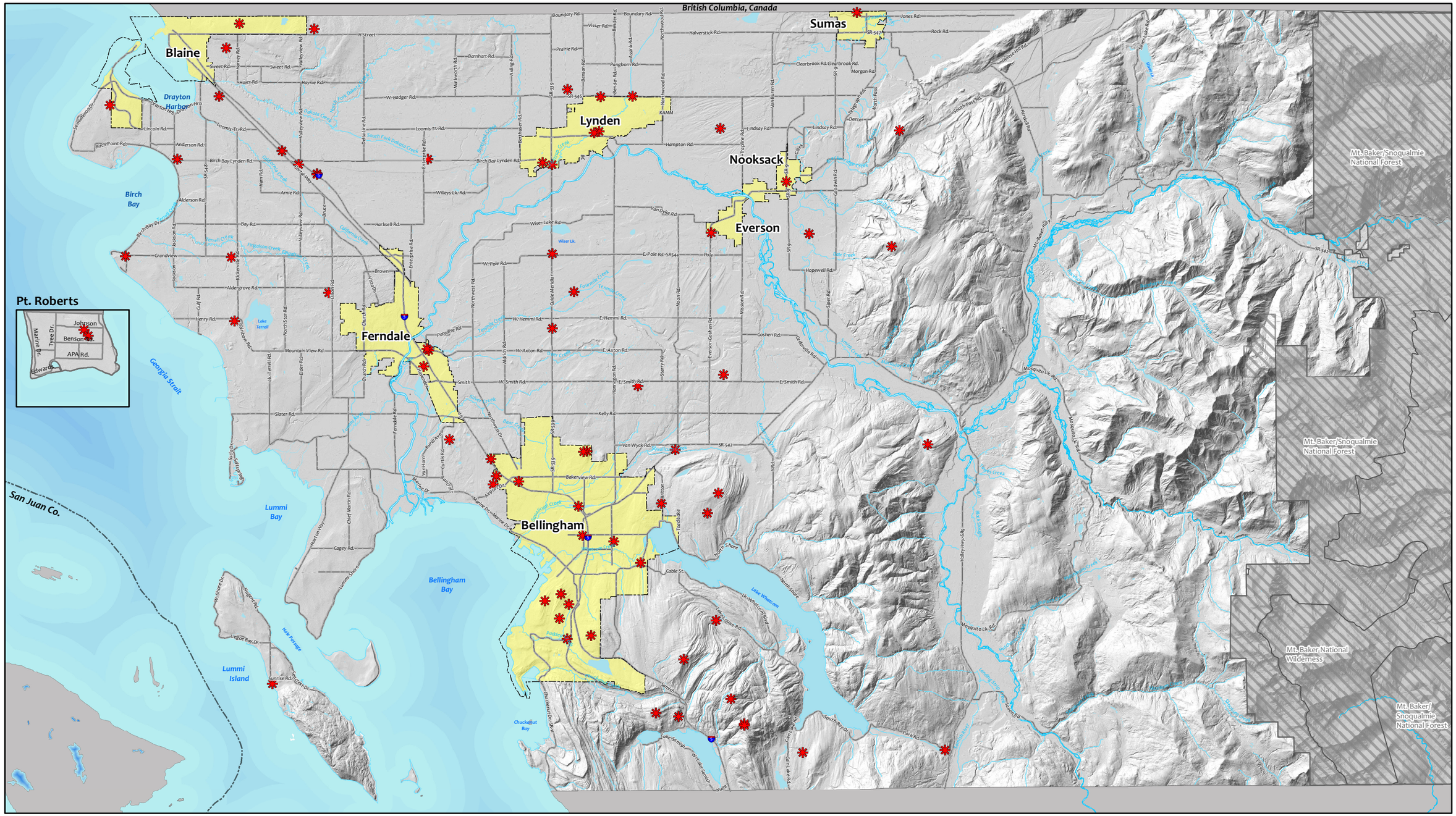
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0 0.75 1.5 3 4.5 6 Miles

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Map 5-3
Telecommunications - Wireless Towers



Wireless Towers (owned by ATT, Verizon, T-Mobile)

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0 0.75 1.5 3 4.5 6 Miles

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 6: Transportation

Chapter Six

Transportation

Introduction

Purpose

Whatcom County plans and maintains the County-owned portion of the region's transportation system. This chapter sets goals and priorities for Whatcom County's transportation facilities over the next 20 years. It inventories current facilities, projects future needs, and guides the planning and implementation of projects and programs to meet those needs. Its overall purpose is to ensure that Whatcom County's transportation system continues to allow for the movement of people and goods throughout the county in a way that is safe, efficient, environmentally responsible, accessible to all users, and cost effective.

Countywide Planning Policies

This chapter supports Countywide Planning Policies by encouraging alternative modes of transportation through goals and policies. It includes policies on demand management strategies and considers intercounty and international transportation links.

GMA Requirements

The Growth Management Act (GMA) requires county comprehensive plans to contain "a transportation element that implements, and is consistent with the land use element." This chapter, together with the Capital Facilities Plan in Appendix E, provides that transportation element, incorporating the sub-elements also required by GMA, including inventory of facilities; multimodal level of service (MMLOS) standards for highways, locally owned arterials, pedestrian, bicycle, and transit; estimated traffic impacts to state-owned transportation facilities; land use assumptions; financing; intergovernmental coordination efforts; demand-management strategies; and a pedestrian and bicycle component. (RCW 36.70A.070(6)(a))

The GMA also has a concurrency provision that requires counties to "adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development." (RCW 36.70A.070(6)(b)) Whatcom County's concurrency management program is codified in Whatcom County Code Chapter 20.78, based on levels of service established in below in Policy 6A-1.

Inventory

Map 6-1 shows the existing countywide roadway network. Whatcom County owns and maintains 943 miles of public roads. The county uses the federal function

classification system to classify those roads, as depicted on Map 6-3. In 2024, approximately 3 percent of county roads are classified as arterials, 18 percent are major collectors, 17 percent are minor collectors, while 62 percent are local access roads. In 2024, about 23 miles of county arterial roads include bike lanes or are designated as bike routes. In 2024, the Washington State Department of Transportation (WSDOT) manages about 217 miles of state highways in Whatcom County, 119 miles of which are Highways of Statewide Significance (HSS) and 98 miles are Highways of Regional Significance (HRS).

The Port of Bellingham owns and operates three seaport facilities within the city of Bellingham, (Bellingham Shipping Terminal, Squalicum Harbor, and Bellingham Cruise Terminal) and one in the city of Blaine (Blaine Harbor). The Bellingham Cruise Terminal acts as the southern terminus of the Alaska State Ferry system and host to private cruise vendors. Adjacent to the Port's Bellingham Cruise Terminal is the Port's Fairhaven Transportation Station, Whatcom County's only passenger rail station and a terminal for the private Greyhound bus line. Whatcom County owns and operates a vehicle and passenger ferry on the 0.9-mile run between Gooseberry Point and Lummi Island, and the City of Blaine owns a passenger-only ferry between Blaine Harbor and the Semiahmoo resort within the Blaine city limits. There are no Washington State-owned ferry facilities in Whatcom County. Three privately-owned shipping terminals serve major industries in the Cherry Point Major Port Industrial UGA and small privately-owned recreational marinas exist in several rural communities, including Point Roberts, Semiahmoo, Sandy Point, and Sudden Valley, as well as Birch Bay Village, which is part of the Birch Bay UGA.

The Port of Bellingham owns and operates Bellingham International Airport in the unincorporated UGA of Bellingham. The City of Lynden owns and operates the Lynden Municipal Airport located inside the Lynden city limits. Privately owned and operated airports exist in Whatcom County, including Point Roberts (Point Roberts Airpark), on Lake Whatcom (Floathaven Seaplane Base), near Custer (Meadow Mist), and Eliza Island.

The Burlington Northern Santa Fe (BNSF) railway owns a north-south rail line that runs through Bellingham, Ferndale, and Blaine, and a parallel line that runs through Acme, Deming, Nooksack, and Sumas. Both lines are used to transport freight, and have industrial spurs that serve industries in the Cherry Point Urban Growth Area, and Lynden, respectively. The line though Bellingham also accommodates passenger service, the Amtrak Cascades between Seattle and Vancouver, BC.

Whatcom Transportation Authority (WTA) operates the public transit system in Whatcom County, including fixed-route, paratransit, and rideshare service. The system serves all seven of Whatcom County's incorporated cities, the County's non-city UGA's, Birch Bay and Columbia Valley, and rural areas in between. The transit system includes transit stations in Bellingham, Ferndale, and Lynden, three of which include park and ride lots.

Goals and Policies

As stated above, under GMA Requirements, Whatcom County is required to adopt multimodal level of service (MMLOS) standards for all locally owned arterials,

pedestrian and bicycle facilities, and transit. Historically, the term "level of service" was used primarily in reference to vehicle capacity on roadways or at intersections, but the term "multimodal level of service" is inclusive of all transportation modes. To comply with GMA, and as detailed below, Whatcom County uses Highway Capacity Manual methodology for roadway capacity to measure MMLOS for motor vehicles, an Active Transportation Network measured annually for degree of completeness for MMLOS for pedestrian and bicycle facilities, and annual measures of ADA accessibility and connectivity to pedestrian facilities at WTA bus stops in the County right-of-way as MMLOS for transit.

Multimodal Level of Service – Motor Vehicles

GMA requires counties to adopt multimodal level of service (MMLOS) standards for County roads classified as arterials. For purposes of concurrency management, Whatcom County adopts multimodal level of service (MMLOS) standards for motor vehicle travel on county-owned arterials and major collectors, per GMA requirements. In addition, it is appropriate to include concurrency for the county-owned ferry service (see Policy 6A-1 and Map 6-3). MMLOS standards for other facilities, which are used for planning purposes but not for concurrency management, are established in subsequent policies.

The Whatcom Council of Governments (WCOG) sets MMLOS standards for state highways of regional significance (SR 11, 542, 544, 547, and 548). WSDOT, in consultation with local governments, sets MMLOS standards for highways of statewide significance (I-5, SR 9, SR 20, SR 539, SR 543, and SR 546). MMLOS standards for state-owned facilities are included in this plan to help the state monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the department of transportation's ten-year investment program. Whatcom County does not use MMLOS standards on state-owned facilities for concurrency evaluation purposes.

For roadway segments (between but not including intersections) MMLOS is expressed as letters A-F, which correspond to the ratio of volume to capacity for a roadway segment (see Table 6-1). That ratio is determined by dividing the projected weekday afternoon peak hour traffic volume of a roadway segment by the calculated per-hour capacity of that segment. Adopted MMLOS for all County and State-owned facilities are shown on Map 6-3. Whatcom County's concurrency management system is established in Whatcom County Code Chapter 20.78, and is based on roadway segment volume to capacity ratios.

For intersections, the MMLOS is determined by the time delay (seconds per vehicle) of the stopped approach vehicle, per the current Highway Capacity Manual. Congestion at intersections due to capacity and delay issues are identified and mitigated through the SEPA process. Intersection MMLOS is not used for concurrency evaluation purposes.

Table 6-1 County Roadway Volume/Capacity Range by LOS Designation

LOS Designation	V/C Range
A	0-0.59
B	0.60-0.69
C	0.70-0.79
D	0.80-0.89
E	0.90-0.99
F	>1.00

Multimodal Level of Service – Pedestrian, Bicycle, and Transit

GMA also requires counties to include MMLOS standards for pedestrian, bicycle, and transit modes in the transportation element. Whatcom Transportation Authority (WTA) is the only public transit agency in the County. For pedestrian, bicycle, transit, and ferry, Whatcom County does not establish MMLOS standards based on volumes or facility capacity, but instead focuses on progress towards completion of the planned networks (see Goals 6D and 6E below).

Ferry service to Lummi Island is not subject to concurrency under GMA. It is, however, the only point of access for Lummi Island. For the purposes of future infrastructure planning, a MMLOS standard for the Lummi Island ferry is established in Policy 6A-1.

Goal 6A: **Provide for the long-term safe and efficient movement of people and goods, taking into consideration mitigation of climate impacts and natural hazards, by establishing and maintaining multimodal level of service (MMLOS) standards for motor vehicle traffic volumes compared to roadway capacity (Maps 6-5, 6-6, and 6-10) and for Active Transportation Network (ATN) completeness (Maps 6-2, 6-7, and 6-8).**

Policy 6A-1: Establish the following MMLOS standards for purposes of maintaining transportation concurrency:

- The MMLOS 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 MMLOS 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 MMLOS standard for county arterials and major collectors within city urban growth areas during weekday 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 consider opportunities to jointly fund ADA upgrades in County right-of-way using WTA's ADA bus stop improvement program investments.
- 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 MMLOS standards for county facilities other than arterials, major collectors, and transit routes (facilities not subject to concurrency requirements):

- The MMLOS standard for county collectors located outside of urban growth areas during weekday p.m. peak is C or better.
- The MMLOS for county collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better.
- The MMLOS for county collectors within city urban growth areas during weekday p.m. peak hours is D or better.
- The MMLOS 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 MMLOS for state highways in urban growth areas is D or better.
- The MMLOS for state highways in rural areas is C or better.

Policy 6A-4: For proposed developments in urban growth areas, increase the roadway 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:

- WTA transit service and an ADA-compliant bus stop is within one quarter mile walking distance accessible from the development using walking or biking facilities that meet or are functionally equivalent to Whatcom County Road Standards.

- Active transportation facilities that meet or are functionally equivalent to Whatcom County Road Standards along the impacted facility.

Policy 6A-5: Encourage extension of city vehicle MMLOS standards, concurrency review authority, and associated transportation impact fees 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.

Policy 6A-7: Pedestrian MMLOS Standards on the countywide Active Transportation Network (Maps 6-2, 6-7, and 6-8) are listed below; incorporate these standards into long-range capital planning and Six-Year TIP programming to achieve network completion over time subject to funding availability:

a) Incorporated UGA: Urban standard sidewalks both sides or shared two-way multiuse pathway one side.
b) Unincorporated UGA: Urban standard sidewalk both sides or shared two-way multiuse pathway one side.
c) Rural County: 5-foot-wide shoulder on roadway

Green = Complete Network Link, meets County standards

Yellow = Incomplete Network, doesn't meet County standards

Red = Missing Network Link, doesn't meet County standards

Policy 6A-8: Bicycle MMLOS Standards on the countywide Active Transportation Network (Map 6-2, 6-7, and 6-8) are listed below; incorporate these standards into long-range capital planning and Six-Year TIP programming to achieve network completion over time subject to funding availability:

a) Incorporated UGA: Urban standard marked bike lanes both sides or shared two-way multiuse pathway one side.
b) Unincorporated UGA: Urban standard marked bike lanes both sides or shared two-way multiuse pathway one side.
c) Rural County: 5-foot-wide shoulder on roadway

Green = Complete Network Link, meets County standards

Yellow = Incomplete Network, doesn't meet County standards

Red = Missing Network Link, doesn't meet County standards

Policy 6A-9: The Transit MMLOS Standard is based on site readiness for installation of stop amenities and ADA accessibility of WTA transit bus stops within the public road right-of-way. The prioritization

and completion of ADA upgrades at all WTA bus stops provides mutual benefit to Whatcom County and WTA.

Gold = ADA Compliant Pedestrian Connection to Transit Stop and a landing pad sufficient to support a transit shelter

Green = ADA Compliant Transit Stop and ADA-compliant Pedestrian Connection to Transit Stop or a landing pad sufficient to support a transit shelter

Orange = Non ADA-compliant Transit Stop and Substandard Pedestrian Connection to Transit Stop and a landing pad sufficient to support a transit shelter

Red = Non-compliant Transit Stop and No Pedestrian Connection to Transit Stop

Policy 6A-10: Continue to evaluate using Level of Traffic Stress (LTS) as the MMLOS standard for pedestrian and bicycle facilities on the countywide Active Transportation Network, including studying the appropriate LTS for Rural County roads that form connections between population and employment centers located in UGAs and cities.

Current and Projected Multimodal Levels of Service

Map 6-5 shows the 2023 daily motor vehicle traffic volumes in Whatcom County. Map 6-6 shows the 2023 volume-to-capacity data for County-owned arterials, based on the traffic volumes in Map 6-5 (adjusted to represent afternoon peak hour volume) and 2023 data on hourly roadway capacity for each road segment. When compared with the MMLOS standards adopted in Policy 6A and shown on Map 6-6, it is evident that there was only one road segment where roadway capacities were approaching deficiency in 2023 (where current volume-to-capacity ratios are approaching the adopted MMLOS standards for those county-owned arterials): Lakeway Drive between Bellingham City limits and Terrace Avenue North.

WCOG has developed a motorized travel demand model and has projected future vehicle travel demands based on assumptions of planned development patterns established in Chapter Two Land Use. Comparing the projected demand for peak hour trips with the hourly vehicular carrying capacity of County roadways shows how well the roadways are predicted to function (predicted MMLOS) in future years.

Map 6-9 shows projected daily traffic volumes on County-owned arterials and state highways in 2045, based on the WCOG model, and Map 6-10 shows projected volume-to-capacity ratios for that year. For the roadways classified as arterials, the GMA requires the County to prohibit development approval—or assure needed improvements concurrent with development—if the development causes the MMLOS to fall below adopted standards.

Map 6-10 highlights segments where the projected ratio exceeds the adopted MMLOS established under Policy 6A-1 above. The segments where County-owned roadways

classified as arterials fall below the adopted MMLOS standards in 2045 are Lakeway Drive between the Bellingham City Limits and Terrace Avenue North (0.63 mile).

Planning and Design of Transportation Improvements

The Capital Facilities Plan (Appendix E, Chapter 6 Transportation) includes a list of multimodal transportation improvement projects planned for implementation over the next 20 years. This list was developed in response to safety, capacity, active transportation, ADA, and transit needs identified by Public Works, WTA, and through various citizen planning efforts such as the Whatcom County Pedestrian Bicycle Plan and the Birch Bay Community Plan. This list would also include any projects needed to bring into compliance any facilities that are currently below the established MMLOS standard for active transportation (Map 6-2 and 6-7), or are projected to fall below those standards within the 20-year planning period.

Each year the County adopts a six-year Transportation Improvement Program, which selects projects from the list of planned projects and assigns funding amounts to them, programming their construction over the next six years. Due to limited funding, not all the recommended projects can be programmed for construction.

Accordingly, in deciding how best to use its finite resources, the County must prioritize among many competing items, including new projects as well as preservation, operation, and maintenance of existing facilities. Multimodal safety improvements that are needed to reduce the risk of personal injury and property damage must be the County's top consideration. The next priority is preservation of current facilities, which not only supports the first priority of safety (preventing possible hazards from developing over time), but also addresses the need to maintain and operate the transportation system in a cost-effective manner, minimizing the need for costly reconstruction projects in the future.

The next priorities for implementation, after multimodal safety and roadway preservation, are maintaining or improving level of service for vehicles, buses, bikes, and pedestrians, followed by active transportation network projects aimed at providing pedestrian and bicycle facilities to help reduce vehicle miles traveled (VMT), greenhouse gas (GHG) emissions, and vehicle traffic congestion (Map 6-8).

Goal 6B: **Create a cost-effective transportation system that prioritizes multimodal safety, roadway preservation, active transportation, 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 feasibility study indicates that the public interest is better served by new capital expenditures over preservation of existing infrastructure, or when capacity or connectivity increasing improvements are necessary to correct level of service deficiencies on County-owned transportation facilities 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.

Policy 6B-3: Increase the resilience of the transportation system against climate impacts, natural hazards, and disaster, develop prevention and recovery strategies, and plan for coordinated responses with relevant federal, state, regional, local, and tribal agencies.

Policy 6B-4: Evaluate whether potential improvements to local internal road networks would increase local circulation at the rural service centers/areas of rural commercial development/LAMIRDs level.

Arterial and Collector Improvements

Whatcom County's program of arterial and collector improvements addresses the following elements: uncongested traffic flow; sound engineering and construction; safety; mobility; facilities for public transit, bicycles, and pedestrians; access to air, rail, ferry, and other forms of transportation; and cost effectiveness.

Goal 6C: Ensure an efficient regional multimodal transportation system 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 county-designated arterials and major collectors as all-weather roads and develop emergency maintenance plans for adverse weather conditions.

Policy 6C-4: 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-5: Set appropriate speed limits on County roadways based on current best practices for transportation planning and engineering, including but not limited to land use context, collision data, speed studies, road geometry, and vehicle types.

Policy 6C-6: Minimize delay at intersections for all users by timely provision of warranted traffic controls and other improvements.

Policy 6C-7: Recognize the critical role that movement of freight and people plays in Whatcom County and study ways to improve east-west connectivity for commercial and passenger vehicle traffic between Interstate 5 and areas to the east.

Policy 6C-8: 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

The way land is developed affects the need for transportation facilities; conversely, the availability of transportation can influence development. This two-way relationship needs to be taken into account in both land use and transportation planning. The Growth Management Act requires Whatcom County to link the two processes.

Goal 6D: Support land use planning efforts in Whatcom County that include land use types and densities that promote walking, biking, and transit and reduces reliance on single-occupant vehicles and vehicle miles traveled.

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: Promote land use strategies and transportation investments that reduce single occupant vehicle trips and vehicle miles traveled while discouraging transportation investments 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 support walking, biking, and transit to help 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: Prioritize transportation investments and encourage new housing developments to be located in urban growth areas to help provide

a sense of community and safe, active transportation to community facilities and public transit nodes.

Policy 6D-7: Encourage use of existing and new public roads to maximize internal circulation within Whatcom County and promote economic development and community connectivity. Focus on making it attractive to build higher density development in UGAs by:

- Maximizing the density to a level that supports frequent public transit options
- Provide clear regulatory requirements
- Reducing regulatory constraints and uncertainty
- Reducing regulatory processing times

Policy 6D-8: Support compatible land uses on the multimodal regional transportation system, including state highways subject to state Complete Streets requirements, to address all user needs.

Policy 6D-9: Consider establishing predictable, reliable sources of funding developers can access (and repay) such as Utility Local Improvement District assessments, to finance the considerable expense of bringing UGA's up to city standards including:

- transportation infrastructure (roads, curbs, bike lanes, roundabouts, sidewalks)
- utilities (sewer, potable water, stormwater, fire flow)
- other (new fire/Ems stations, greenspace, etc.)
- mitigation (critical area mitigation etc.)

Multimodal Approach

Whatcom County's transportation facilities must accommodate a variety of transportation modes including automobiles, bicycles, pedestrians, buses, ferries, emergency vehicles, commercial vehicles, and agricultural equipment. In the planning, design, and construction of these facilities, the County must balance the needs of all users in all modes, and make the improvements appropriate to the context of the area, as well as the amount of funding available.

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 active 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: Ensure mobility choices for people with special needs, including people with disabilities, the elderly, the young, and low-income populations in multimodal design for all new transportation facility improvement projects as well as roadway preservation and maintenance projects, unless physically or financially impracticable. An example would be a separated facility accessible to all ages and abilities.

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.

Policy 6E-4: Incorporate racial and social equity in planning for transportation improvements, programs, and services in historically underserved areas and vulnerable populations.

Policy 6E-5: Identify gaps in the transportation network to promote a more efficient multimodal transportation network.

Policy 6E-6: Implement the ADA Transition Plan.

Bicycle and Pedestrian Facilities

A countywide Active Transportation Network (ATN) (Map 6-2) enhances community access and promotes healthy lifestyles. ATN facilities can be adjacent to roadways or separated from them.

Policies 6A-7, 6A-8, and 6A-9 establish multimodal level of service (MMLOS) standards for pedestrians, bicyclists, and transit riders that measure different characteristics than capacity and speed used for vehicle MMLOS. Walkways serve pedestrians well when they provide a safe, accessible, and connected route. Pedestrians and transit riders are well served by ADA-compliant walkways, sidewalks, crosswalks, and bus stops or transit shelters. Bicyclists may be well served by a low speed and traffic shared local roadway lane in an urban location but may benefit from a wide (= or > 5') shoulder or a separated multiuse pathway on a rural higher speed road.

Goal 6F: Develop a countywide Active Transportation Network (Map 6-2) of bicycle and pedestrian facilities that encourages enhanced community access and promotes healthy lifestyles and supports both the transportation and 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 be the standard approach in these areas since they are expensive, require large impervious surfaces, and may detract from the rural atmosphere. Other separated walkway designs should be considered that provide physical separation or a 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 Bay to Baker Trail or the proposed Salish Coast Trail.

Policy 6F-4: Coordinate design and implementation of multimodal transportation system improvements with cities, WTA, local community organizations, associations, or other governing structures. Collect and use the best available data to identify, analyze, and prioritize multimodal transportation 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 active transportation network
- offers economic development potential for an underserved area

- ease of implementation due to low cost, public ownership, or other feature
- increases public safety and resilience to climate impacts and natural hazards

Project prioritization should utilize a transparent and publicly available scoring framework that evaluates safety benefits, network connectivity, school access, traffic/stress rating, climate resilience, and cost effectiveness. The scoring criteria and results should be published as part of the Six-Year TIP development process.

Policy 6F-5: Fund an update to the existing (2011) Bicycle and Pedestrian Plan to be included in the Active Transportation Network (Map 6-2) improvement planning that identifies and prioritizes future pedestrian and bicycle facilities. The updated plan should identify and prioritize development of low-stress active transportation corridors that provide safe and comfortable connections between urban growth areas, rural communities, schools, and major activity & transit centers. Give priority to construction of pedestrian and bicycle facilities on streets within and between urban growth areas and rural communities where practical, and not at risk from climate impacts or natural hazards, 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, consideration of regional trail segments, 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.

Policy 6F-8: Publish an Annual Concurrency Report documenting the status of the countywide multimodal transportation system to inform investment in transportation facilities in the Whatcom County six-year transportation improvement program (TIP).

Policy 6F-9: Prioritize active transportation projects that utilize existing public rights-of-way, surplus roadway capacity, or publicly owned corridors to accelerate network completion and reduce implementation barriers.

Policy 6F-10: Develop and maintain a phased implementation strategy for achieving completion of the countywide Active Transportation Network (Map 6-2), including interim solutions where full buildout is not immediately feasible. Progress toward network completion shall be tracked and reported annually.

Commercial Transportation

In addition to the commercial traffic that serves Whatcom County industries and residents, the county's transportation system carries heavy cross border truck traffic between the United States and Canada. Freight vehicles' access to industrial and commercial areas, safety on roads shared with private vehicles, efficient long-distance movement of goods, and coordination of commercial transportation with rural land uses are all issues for Whatcom County. Trucks make up the bulk of the commercial traffic, but rail, air, and ship transportation are involved as well.

Goal 6G: Support the Whatcom County economy by providing safe and efficient access and movement of commercial vehicles.

Policy 6G-1: Support economic development goals by providing adequate air, rail and surface freight movement routes on the County road system.

Policy 6G-2: Freight and Goods Transport System (See Map 6-XX) – Invest in all-weather road improvements for the countywide Freight and Goods Transportation System (FGTS). Coordinate with WSDOT to designate portions of the County road system as truck routes.

Policy 6G-3: Provide roads structurally adequate to handle anticipated commercial traffic demand, particularly on the FGTS.

Policy 6G-4: Encourage the enhancement and expansion of freight rail service to and from economic activity centers.

Policy 6G-5: Encourage improvements to air and marine transportation facilities provided by the Port of Bellingham, as well as road and transit linkages to airport facilities.

Intergovernmental Coordination and Implementation

Transportation planning is done in a regional context, involving many agencies and jurisdictions at the federal, state, tribal, and local levels. The Whatcom Council of Governments (WCOG), the region's Regional Transportation Planning Organization, publishes the Whatcom Transportation Plan. That plan is a combined Metropolitan and Regional Plan required by federal and state law, and was most recently adopted by the WCOG Whatcom Transportation Policy Board in 2022. It is a multimodal plan setting general policies and establishing a regional Transportation Improvement Program, while referencing the transportation plans of local jurisdictions. The seven incorporated cities of Whatcom County, as well as the Lummi Nation, each have transportation elements in their comprehensive plans. The Washington State Department of Transportation (WSDOT) owns, plans, and maintains state highways.

The Whatcom Transportation Authority (WTA) and Port of Bellingham are also public entities that adopt plans influencing transportation in the region. Whatcom County Council Members are part of the WCOG's Whatcom Transportation Policy Board and the WTA Board of Directors. The Whatcom County Health and Community Services and Parks and Recreation Departments are also a participant in transportation planning, as transportation issues affect the health and safety of the community.

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

Policy 6H-1: Support the Whatcom Council of Governments (WCOG), Metropolitan Planning Organization (MPO), and Regional Transportation Planning Organization (RTPO) to coordinate transportation planning that affects Whatcom County.

Policy 6H-2: Participate in the WCOG Transportation Technical Advisory Group (TTAG) 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 WCOG, 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 and Community Services Department regarding transportation's role in promoting safe and healthy communities.

Policy 6H-7: Coordinate with the Whatcom County Parks and Recreation Department regarding transportation's role in community connectivity in support of the active transportation network (Map 6-2).

Policy 6H-8: Support state and federal agencies that regulate rail safety, in order to maximize safety of people and property along railroad corridors.

Policy 6H-9: Coordinate with the Port of Bellingham to facilitate convenient access to ports, airports, and other intermodal freight facilities.

Policy 6H-10: 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 6H-11: Coordinate with state and local agencies to implement a "safe systems approach" using best practices to advance transportation safety for all users of the transportation system, including transit, bike and pedestrian activities.

Policy 6H-12: Inform and coordinate early and often with WSDOT to:

a) Identify and plan for projects on or across state facilities.

b) Identify and plan for projects[1] to support multimodal use along and across the regional transportation network including state highways consistent with RCW 47.04.035 Complete Streets Principles.

c) Identify and plan for projects to support multimodal use along and across the regional transportation network including state highways consistent with the WSDOT Active Transportation Plan.

d) Pursue support and funding for recommended projects identified in the 6-year Transportation Improvement Plan and the Capital Improvement Plan.

e) Support maintenance in state rights of way or state facilities based on maintenance agreements.

f) Review development projects near or adjacent to state facilities to coordinate local access and address transportation needs for all users.

g) Minimize private access to state highways to enhance safety and mitigate chances of vehicle collisions.

h) Coordinate with WSDOT to ensure that improvements meet the need of development and maintain MMLOS standards.

i) Establish that proposed improvements on state facilities are consistent with the WSDOT Design Manual.

j) Coordinate alterations to landscaping in WSDOT right-of-way are consistent with WSDOT removal and replacement policies, in coordination with maintenance agreements.

[1] Specific design considerations like appropriate shoulder width, bicycle lane treatments, sidewalks, buffers, street lighting, and so on, will be determined as a project develops.

k) To determine shared priorities related to international border crossings.

Environmental Practices

Transportation facilities can potentially create adverse environmental impacts. Effective design and construction practices can reduce or eliminate impacts on wildlife, water quality, and nearby residents.

Goal 6I: **Construction and operation of transportation systems, should avoid, or mitigate against, adverse environmental impacts, including impacts to wildlife, water quality, and to adjacent residential areas while also balancing the need to provide an appropriate level of service.**

Policy 6I-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 6I-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 6I-3: Avoid or mitigate future wetland impacts from transportation system construction and maintenance.

Policy 6I-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 6I-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 6I-6: Allow natural stream processes to continue by minimizing bank hardening and streambed disturbances to the greatest extent possible, while meeting transportation objectives.

Policy 6I-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 6I-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 6I-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 6I-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 6I-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.

Policy 6I-12: Determine emergency access needs and traffic flow to support rapid evacuation (from natural disasters, etc.).

Policy 6I-13: Consider establishing County wetlands mitigation banks adequate to support twice the minimum anticipated mitigation requirements for the County six year rolling Transportation Improvement Projects and Capital Facilities lists.

Congestion and Emissions Reduction

Transportation provides mobility benefits to people and the economy, but also creates physical, hydrological, atmospheric, and societal impacts from infrastructure, runoff, emissions, traffic congestion, and public health.

Goal 6J: Reduce the need for costly capacity-increasing roadway construction projects, and minimize emissions from combustion of fossil fuels, through completion of the Active Transportation Network (Map 6-2), motor vehicle travel demand reduction programs, promoting transit, and the use of intelligent transportation technology.

Policy 6J-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 6J-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 6J-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 6J-4: Coordinate with Whatcom Transportation Authority and Washington State Department of Transportation to consider redevelopment of existing under-utilized park-and-ride lots along major corridors as Transit-Oriented Development opportunities to encourage infill development and transit use.

Policy 6J-5: Support multimodal use by encouraging, for example, secure bicycle storage facilities at park-and-ride lots and other transit facilities, and providing for transportation of bicycles on public transit vehicles.

Policy 6J-6: Consider, where needed, bus pull-outs on street/road improvements.

Policy 6J-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 6J-8: Work with Whatcom County and the Sudden Valley Association to provide appropriate level of transit service to Sudden Valley to reduce traffic in the Lake Whatcom watershed.

Policy 6J-9: Encourage the development and installation of a comprehensive electric vehicle charging network, including the following opportunities:

- Allow charging stations in commercial parking lots and other convenient locations;
- Provide a streamlined and expedited permitting process for charging stations;
- Provide incentives to developers, employers, and organizations that provide charging stations;
- Consider requirements to include infrastructure for charging stations in multifamily and commercial developments; and
- Pursue partnerships with Puget Sound Energy to consider voluntary development of charging stations to reduce costs.

Funding of Transportation Improvements

GMA requires an analysis of funding capability to judge needs against probable funding resources, and a multiyear financing plan based on the needs identified in the plan. The Capital Facilities Plan, Appendix E of this plan contains the funding analysis and the current 20-year list of transportation projects. The County also has a six-year Transportation Improvement Program, which is updated annually, and programs funding for specific projects over the next six years.

In addition, GMA authorizes counties to impose impact fees that fund a proportionate share of transportation system improvements made necessary by planned growth. In the event that Whatcom County enacts a transportation impact fee system, it would need to identify future system improvements eligible for impact fee funding (projects that are reasonably related to and reasonably benefit the planned growth).

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

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

Policy 6K-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 6K-3: Adopt a transportation impact fee ordinance requiring new development to fund a proportionate share of the costs of multimodal transportation system improvements that benefit and are reasonably related to new development.

Policy 6K-4: The Capital Facilities Plan establishes the 20-year finance plan that balances transportation improvement needs, costs, and revenues available to assist with the annual adoption of the Six-Year Transportation Improvement Program (TIP).

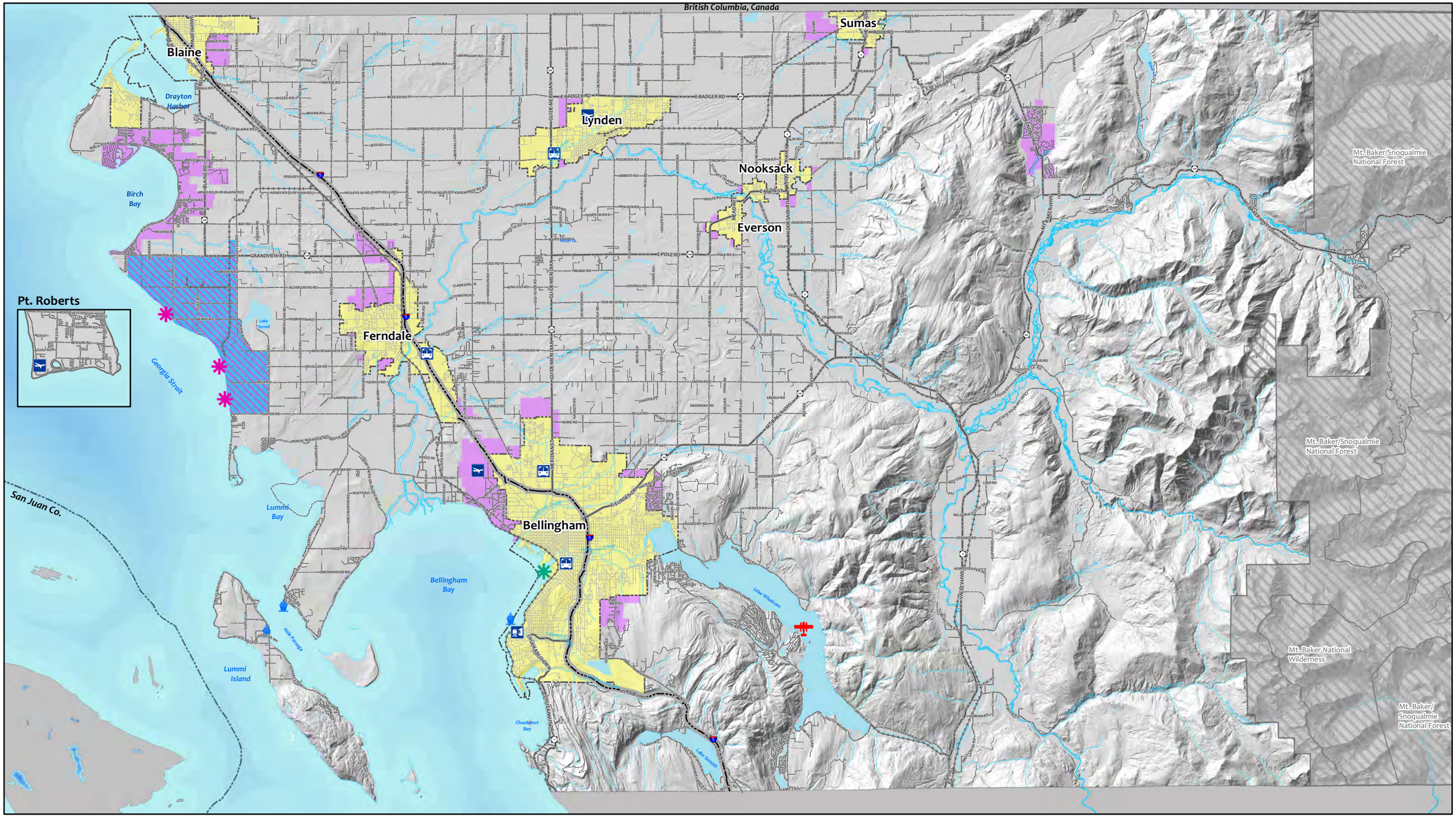
Policy 6K-5: Identify and pursue joint funding opportunities (WTA Transit Access Fund, WTA ADA Bus Stop Improvement Program, other grants) to promote safe, equitable, and ADA-compliant transportation access and mobility needs, especially at intersections and near public facilities such as schools, parks, WTA bus stops, and other community facilities.

Policy 6K-6: Pursue mitigation, such as requiring a Transportation Impact Analysis, from developers to reduce the impact to local and state transportation agencies.

Policy 6K-7: Allocate at least 5% of funding in the County's Six-Year Transportation Improvement Program (TIP) to projects that advance completion of the countywide Active Transportation Network (Map 6-2), including pedestrian, bicycle, and ADA accessibility improvements. Progress toward this goal shall be reported annually in the Concurrency Report.

Whatcom County

Map 6-1
Roadway Network



Geographic Information System
WHATCOM COUNTY
WASHINGTON
2026

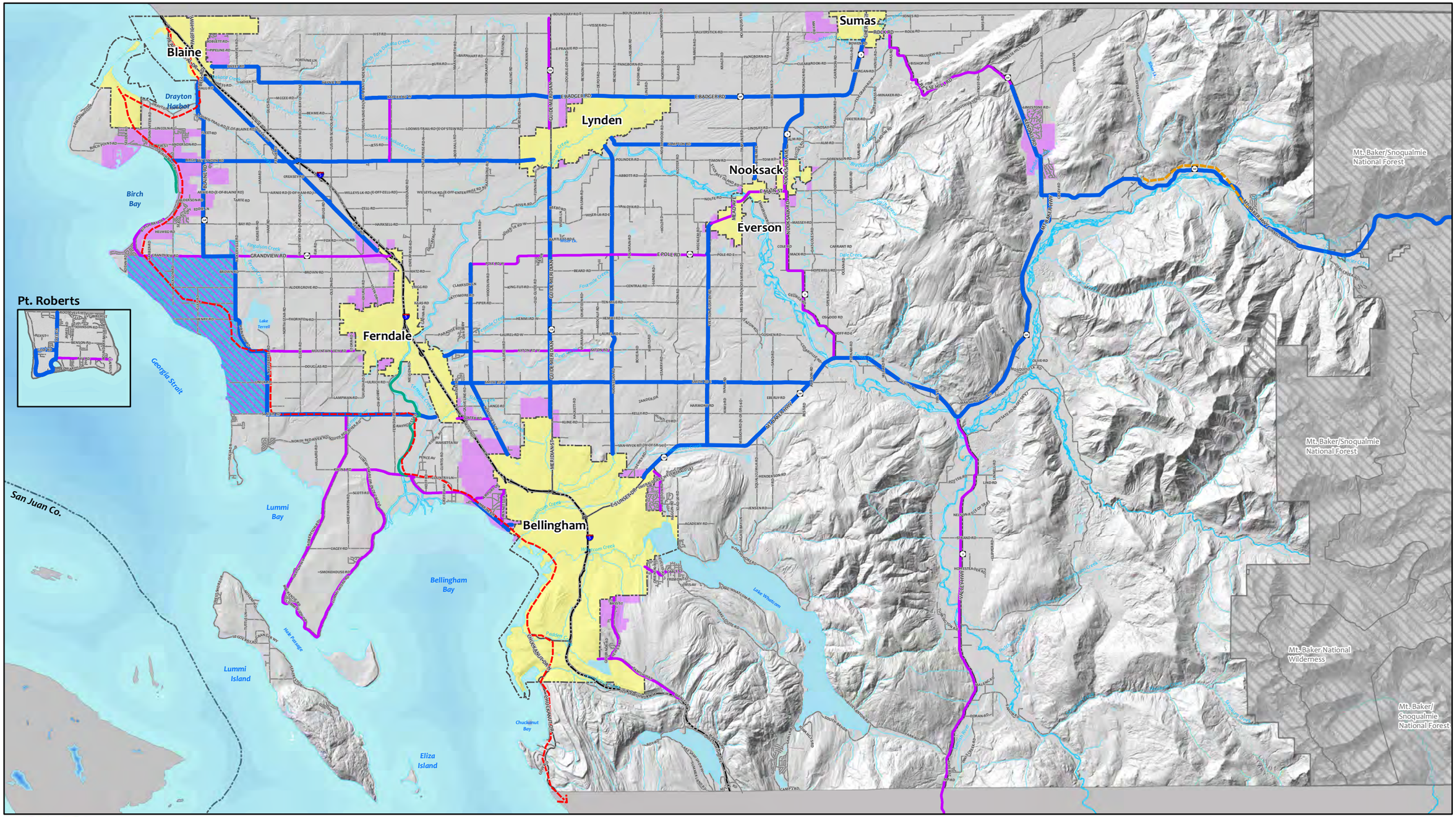
- County Roads
- State Highways
- Interstate 5
- Railroads
- Airports
- Floathaven SPB
- Amtrak Station/Greyhound Station
- WTA Transit Stations
- Ferry Terminals
- Private Shipping Terminal
- Public Shipping Terminal
- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

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Miles
0 0.75 1.5 3 4.5 6

Whatcom County

Map 6-2
Active Transportation Network



Route Type

- Primary, On Street
- Secondary, On Street
- Secondary, Trail
- Bay to Baker Trail Constructed ★
- Salish Coast Trail ★
- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

★ *Planning Commission proposal to remove - 6/12/2025 Meeting*

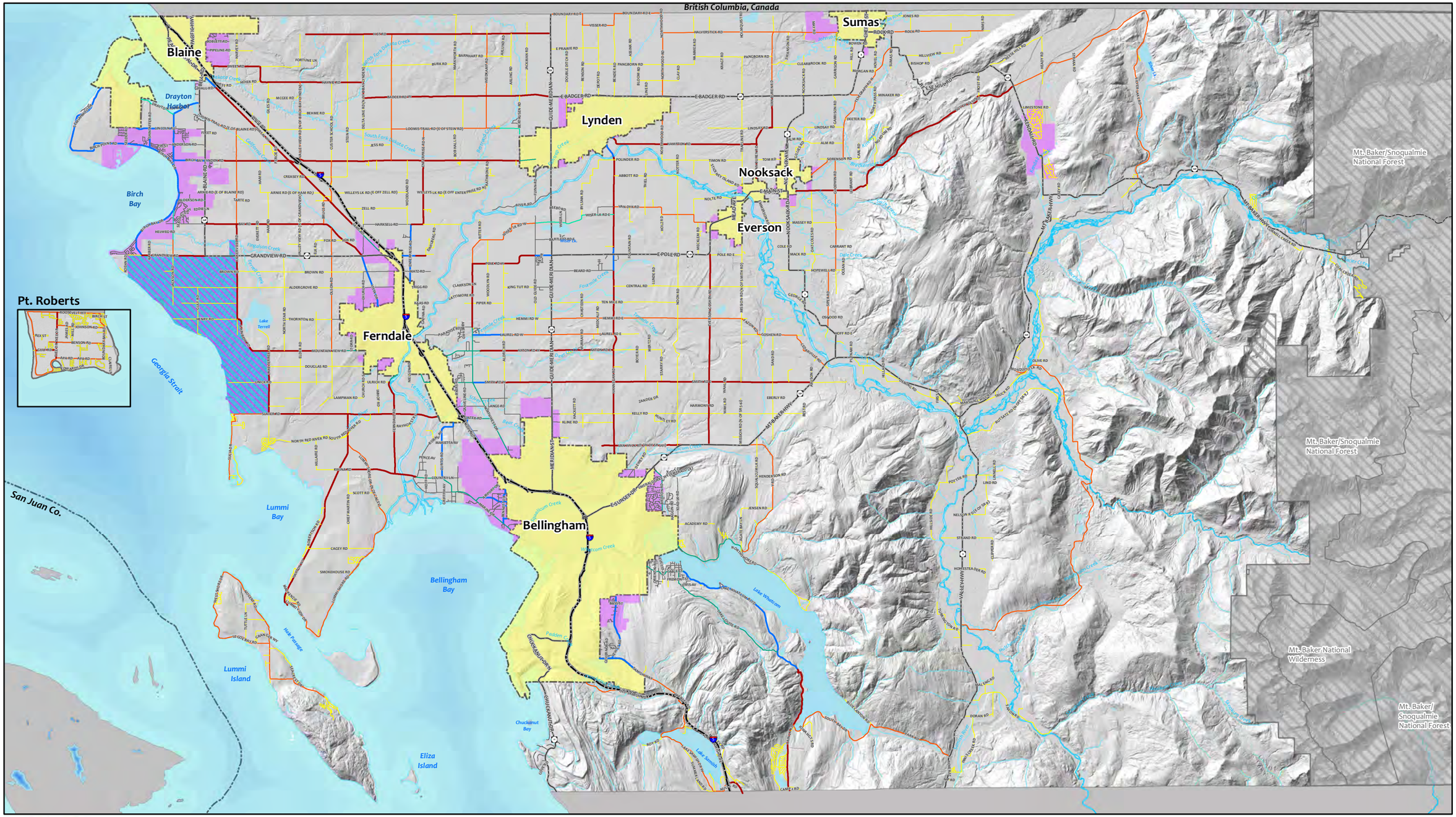
Source:
-WCOG Travel Demand Model

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County

Map 6-3
Federal Function Class



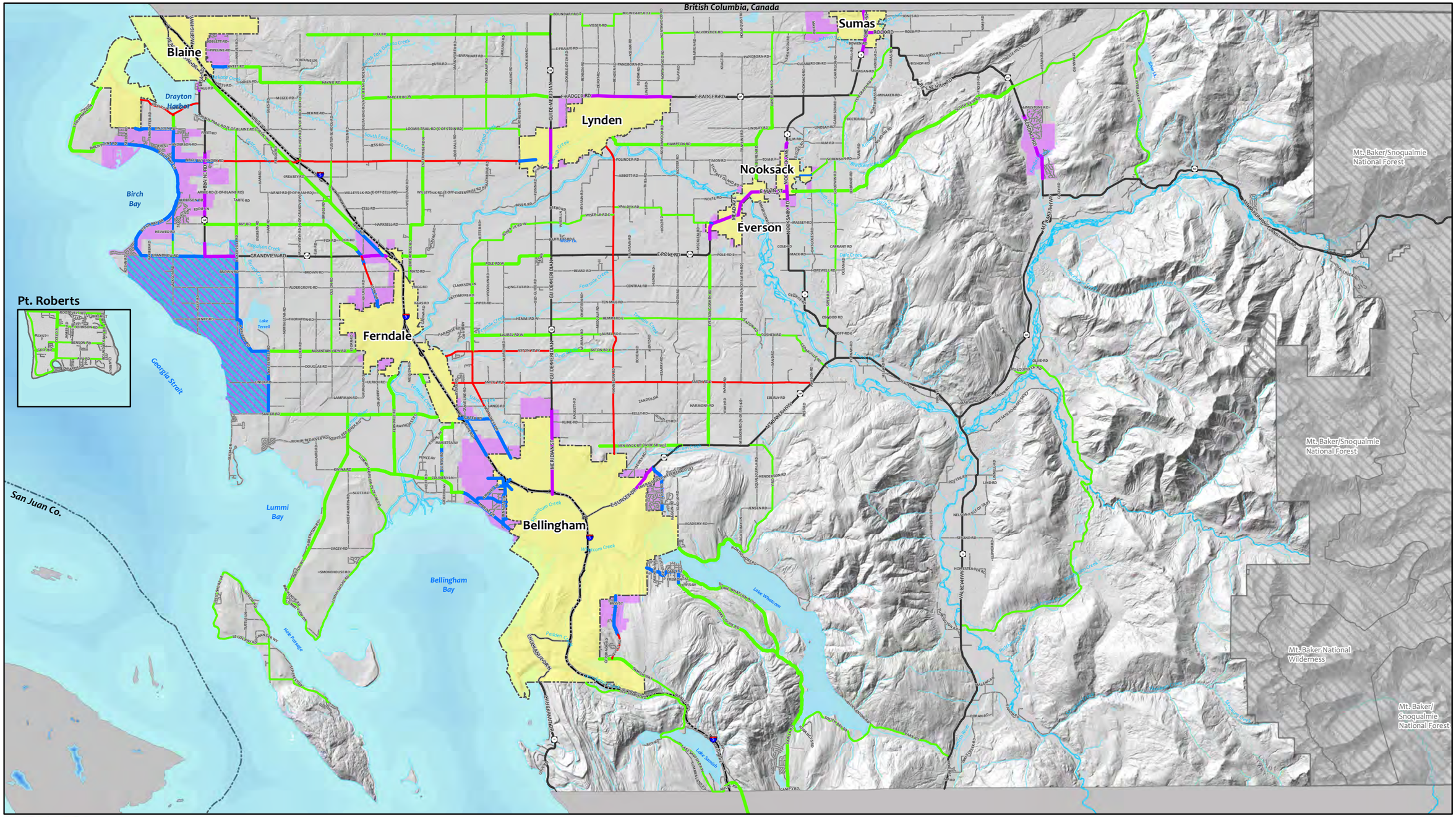
- 7 - Rural Major Collector
- 8 - Rural Minor Collector
- 9 - Rural Local Access
- 16 - Urban Minor Arterial
- 17 - Urban Major Collector
- 18 - Urban Minor Collector
- 19 - Urban Local Access
- State Road
- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

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Miles
0 0.75 1.5 3 4.5 6

Whatcom County

Map 6-4
Adopted Vehicle Level of Service Standards



- LOS C Arterial / Major Collector Outside UGA
- LOS C Minor Collector Outside UGA
- LOS C State Highway
- LOS D Arterial Major Collector in UGA
- LOS D Minor Collector in UGA
- LOS D Primary Route
- LOS D State Highway

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

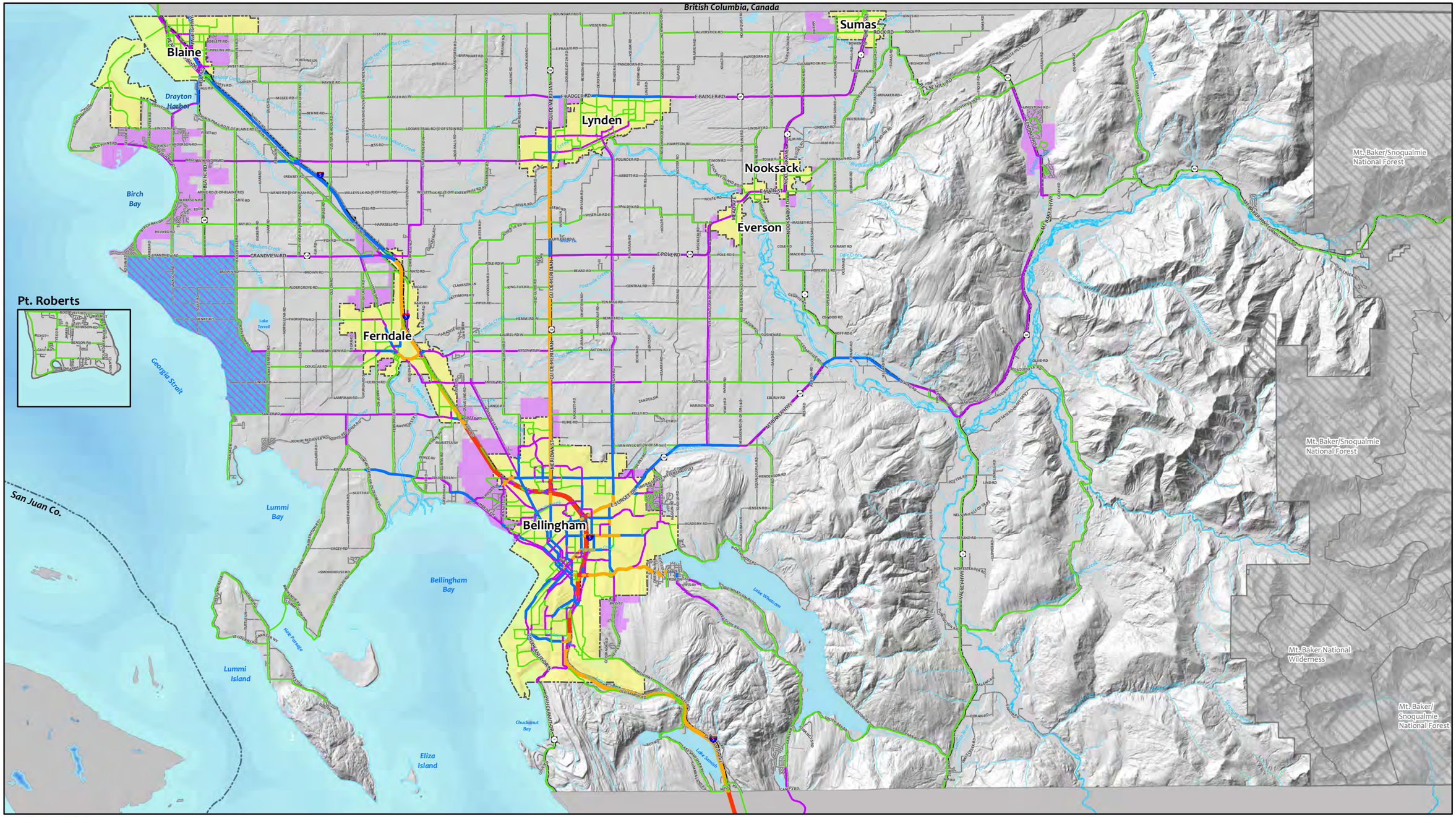
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Miles
0 0.75 1.5 3 4.5 6

Geographic Information System
WHATCOM COUNTY
WASHINGTON
2026

Whatcom County

Map 6-5
Vehicular Traffic Volumes



2023 Daily Volume

- 0 - 3,500
- 3,501 - 8,000
- 8,001 - 15,000
- 15,001 - 25,000
- 25,001-42,345

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

Source:
- Transpo Group

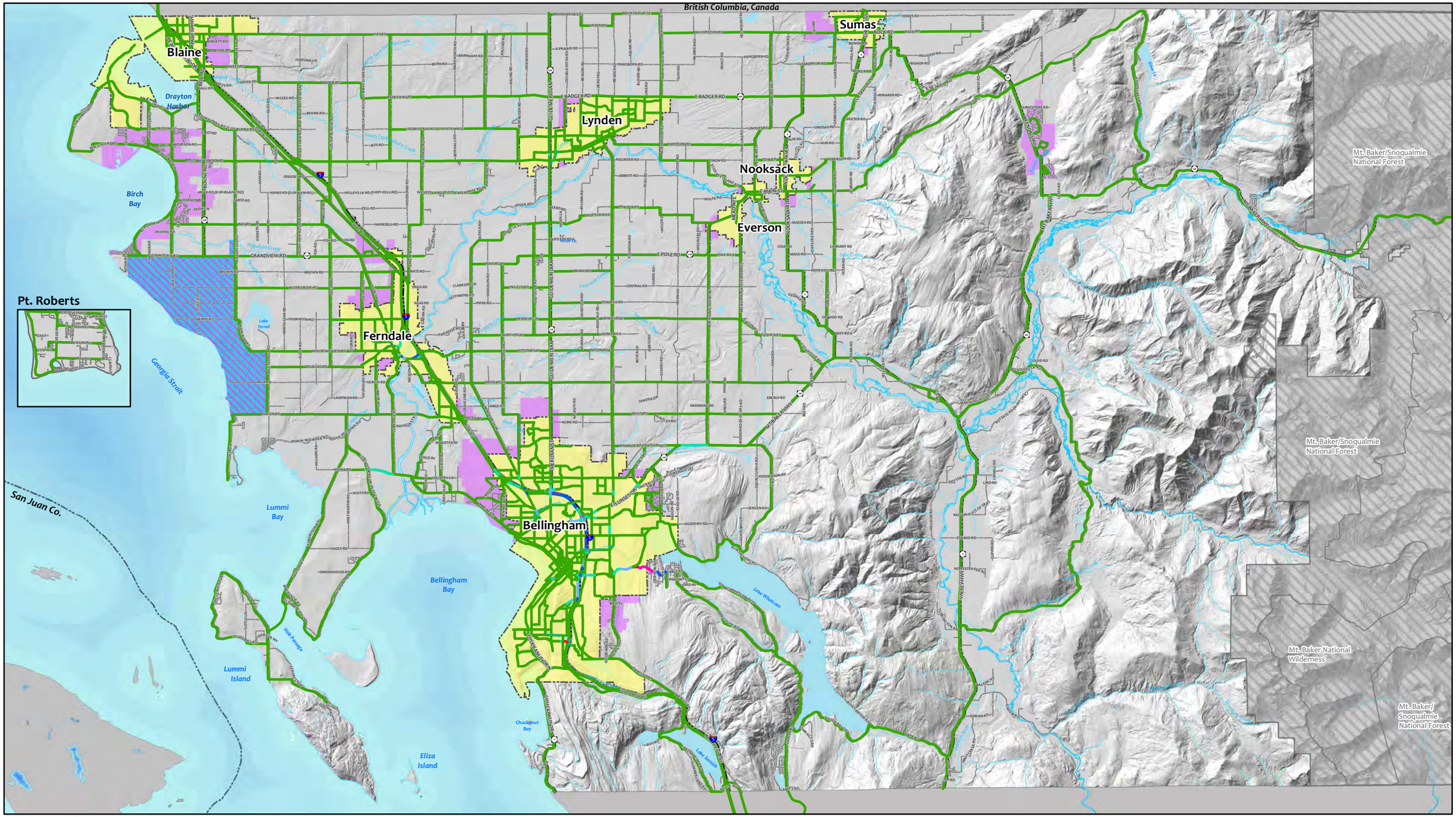
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0 0.75 1.5 3 4.5 6 Miles

Geographic Information System WHATCOM COUNTY WASHINGTON 2026

Whatcom County |

Map 6-6
Vehicle Level of Service 2024



Year 2023 Baseline MaxVOC

- 0.00 - 0.60
- 0.60 - 0.70
- 0.70 - 0.80
- 0.80 - 0.90
- 0.90 - 1.00
- 1.00 - 10.00

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

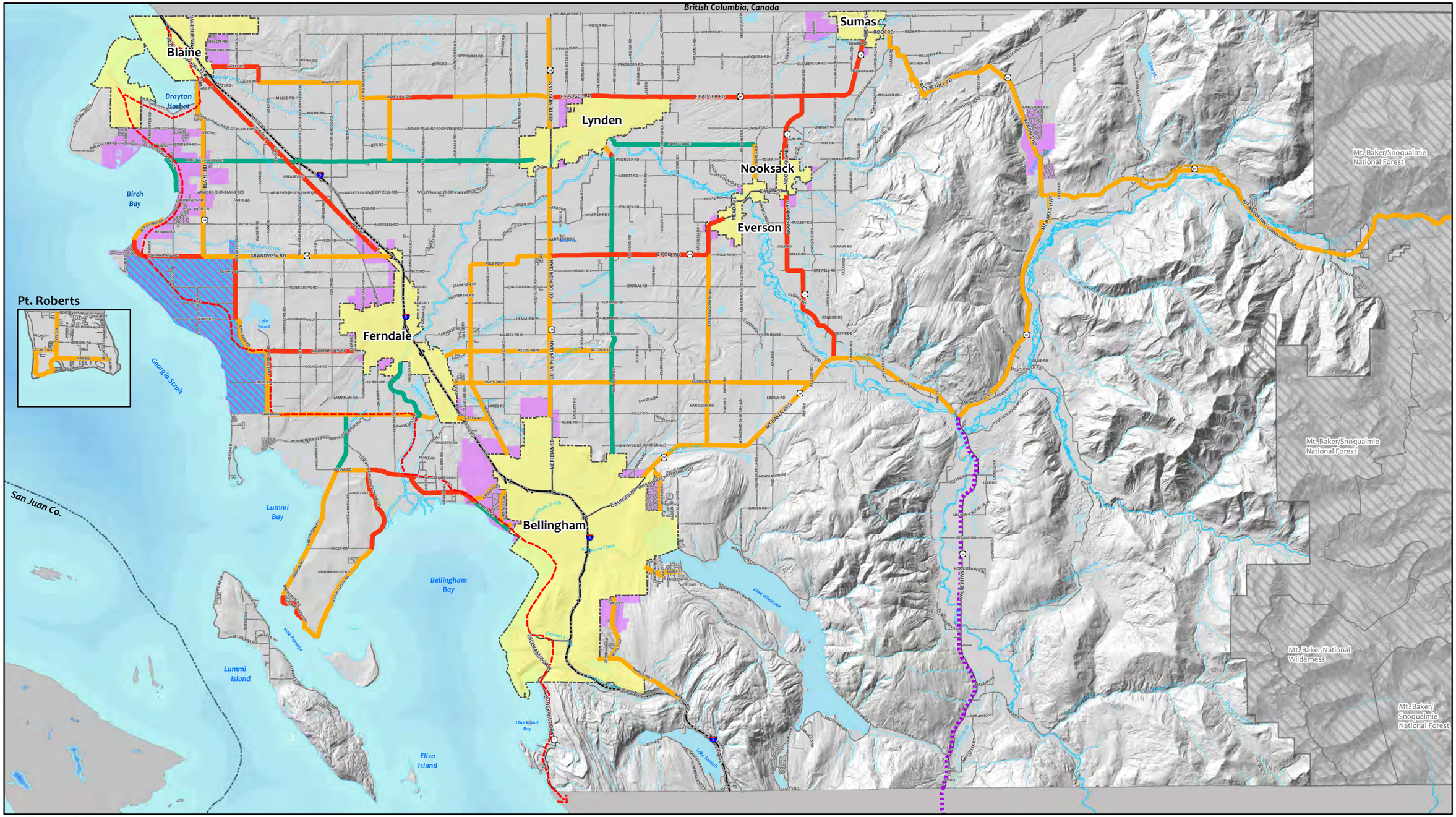
Source:
-WCOG Travel Demand Model

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Miles
0 0.75 1.5 3 4.5 6

Whatcom County

Map 6-7
Active Transporation Network Level of Service Standards 2024





Active Transporation Network LOS

- Complete Facilities
- Incomplete Facilities
- No Facilities
- Further Study Needed
- Bay to Baker Trail Constructed ★
- Salish Coast Trail ★

★ *Planning Commission proposal to remove - 6/12/2025 Meeting*

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

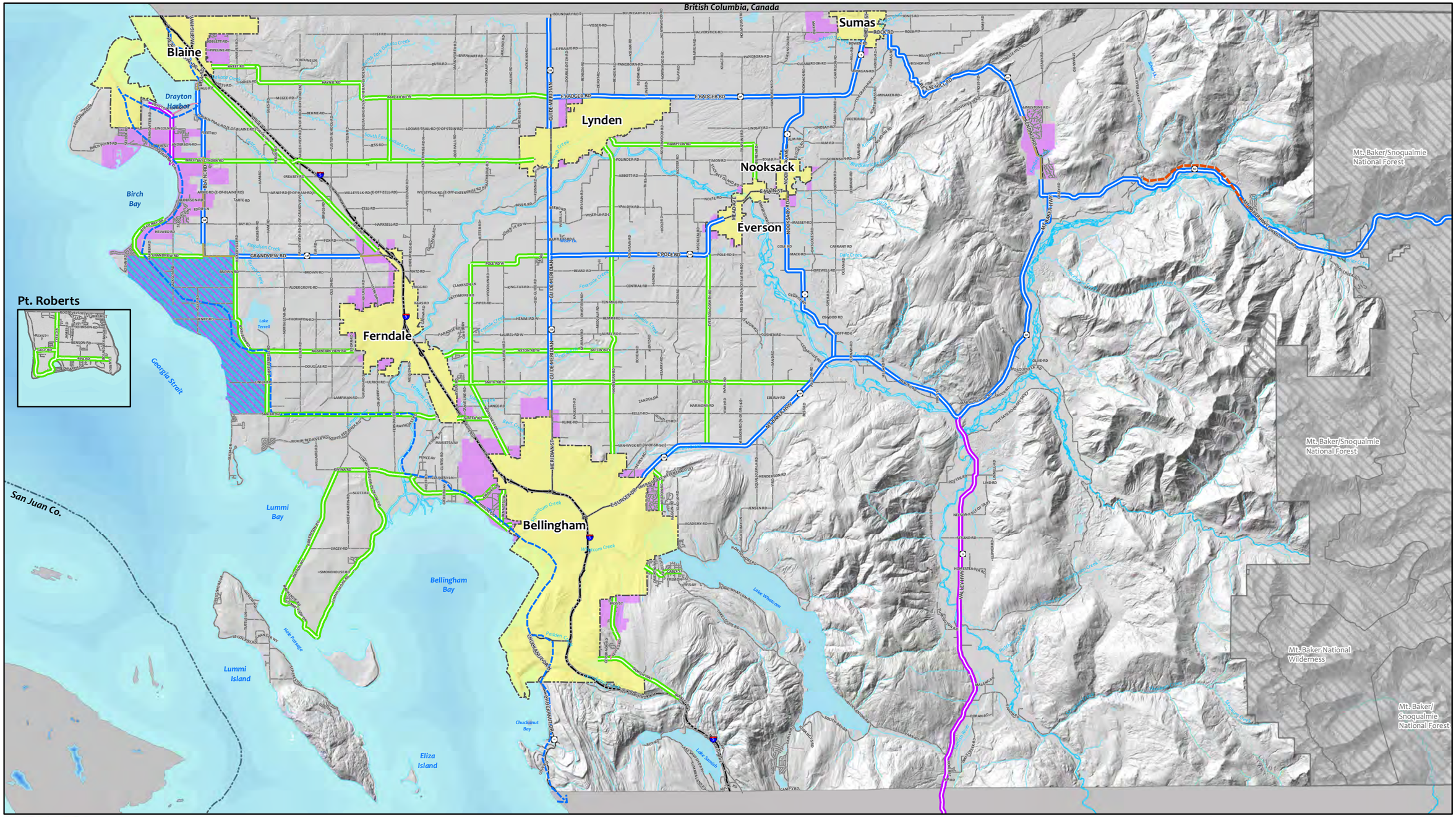
Source:
- WCOG Travel Demand Model

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County

Map 6-8
Active Transporation Network Improvements 2025



Project Opportunity

- County
- WSDOT
- Further study needed
- Bay to Baker Trail Constructed
- Coast Millennium Trail
- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

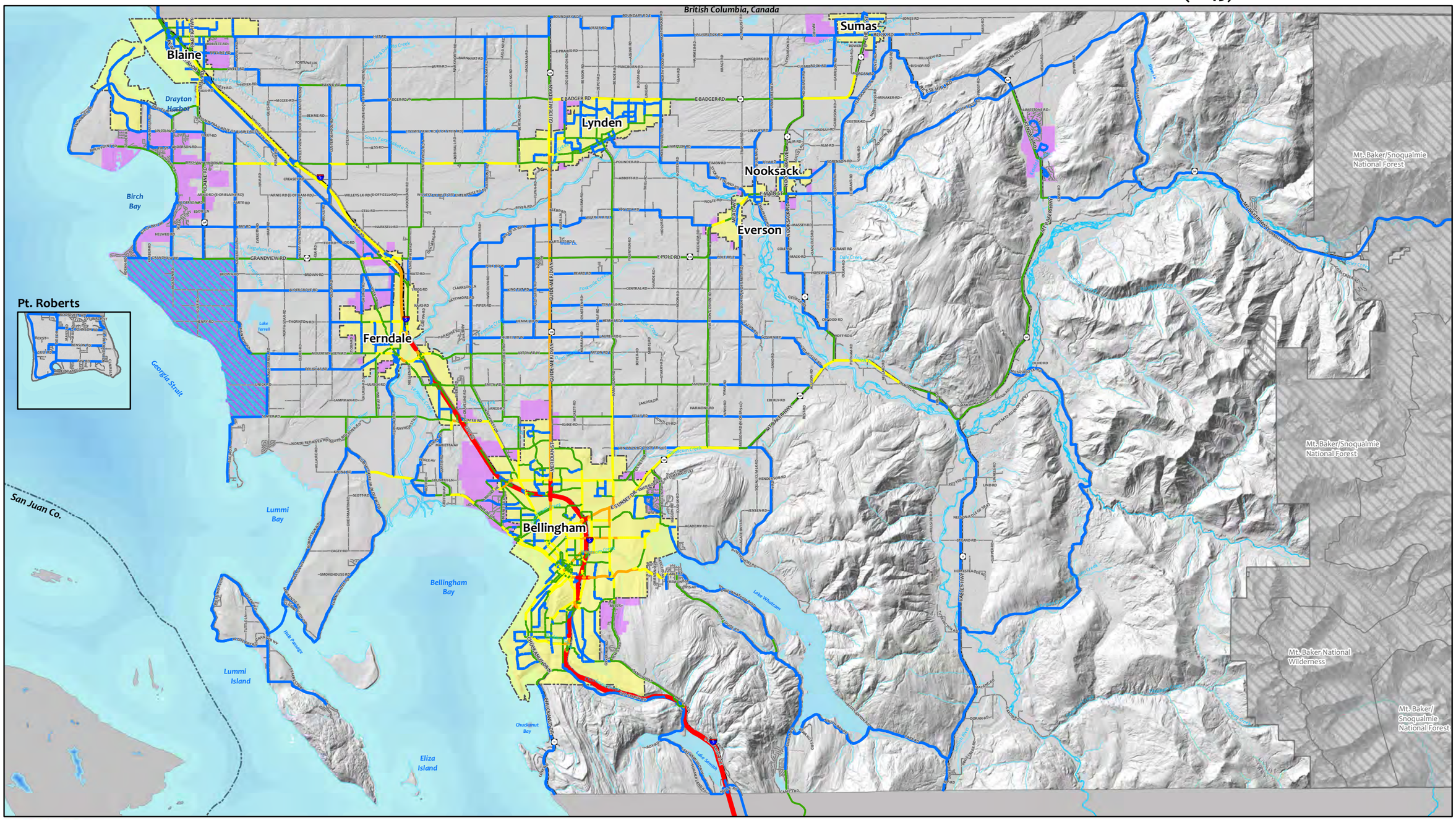
Source:
- WCOG Travel Demand Model

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Miles
0 0.75 1.5 3 4.5 6

Whatcom County

Map 6-9
Future Forecast (2045) of Vehicular Traffic Volumes



2045 Daily Volume

- 0 - 4,000
- 4,001 - 10,000
- 10,001 - 20,000
- 20,001 - 30,000
- 30,001 - 50,365

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

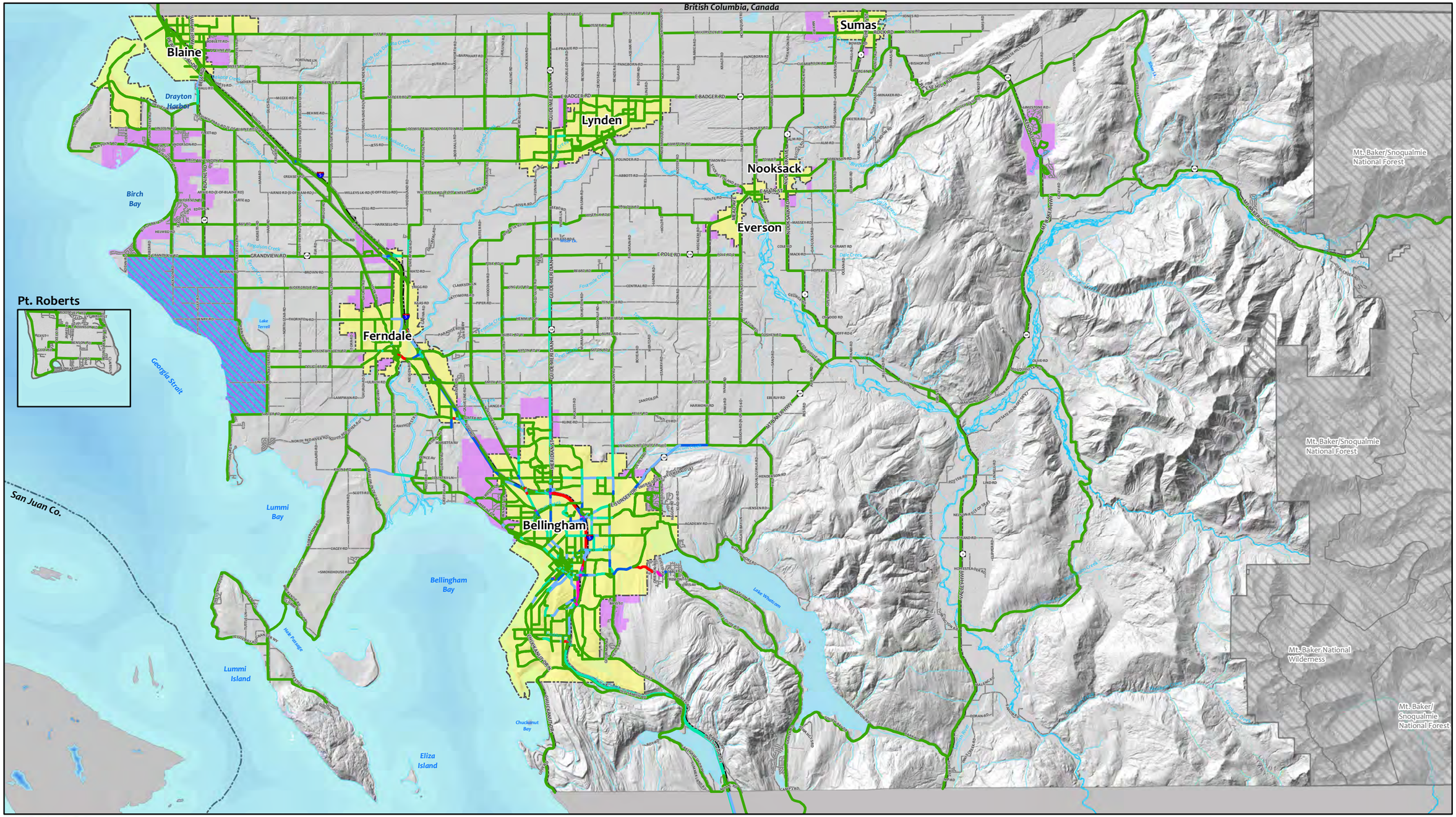
Source:
- WCOG Travel Demand Model

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County

Map 6-10
Vehicle Level of Service 2045



Year 2045: Scenario A3
A3_MaxVOC

- 0.00 - 0.60
- 0.60 - 0.70
- 0.70 - 0.80
- 0.80 - 0.90
- 0.90 - 1.00
- 1.00 - 10.00

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

Source:
-WCOG Travel Demand Model

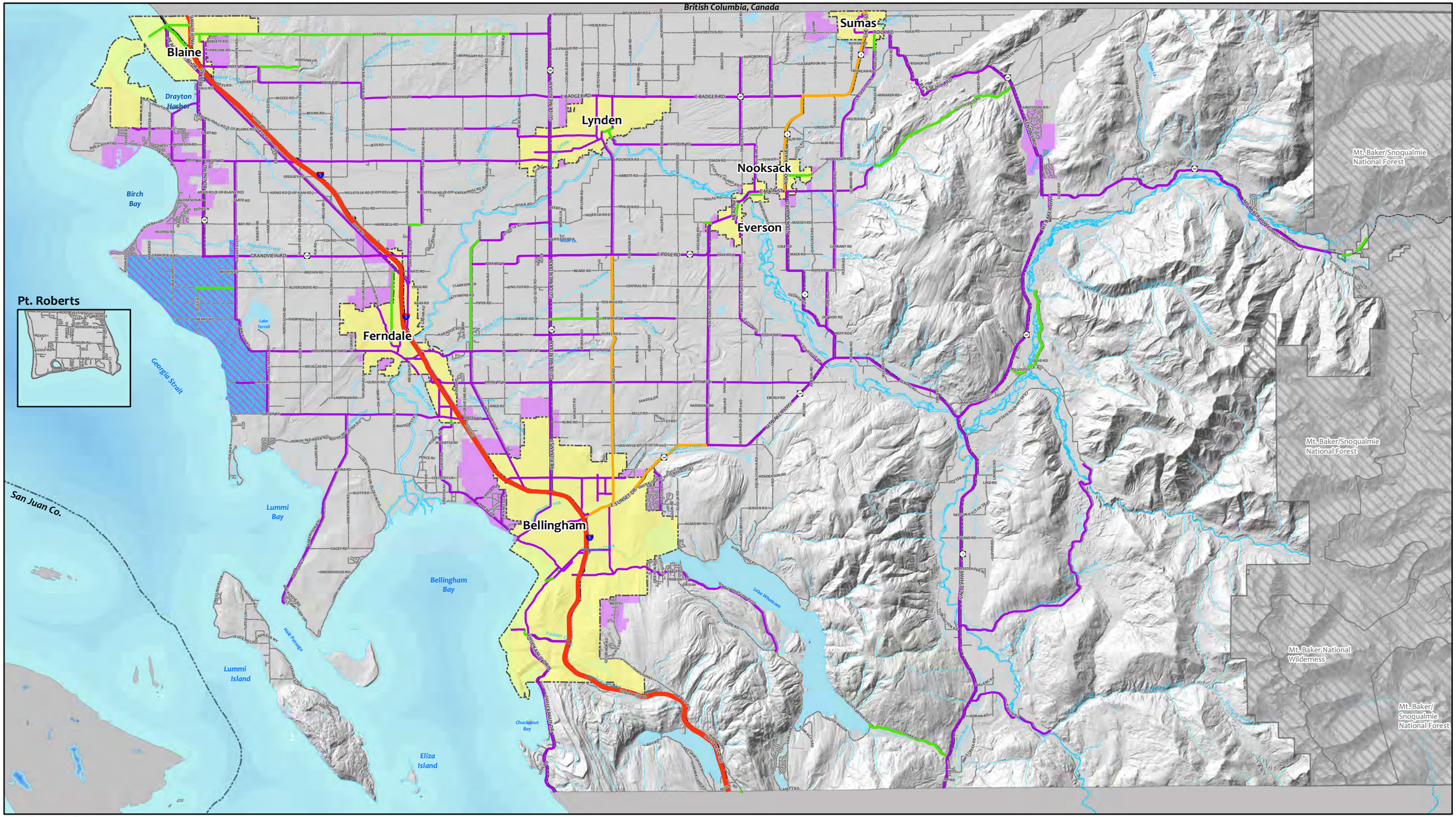
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Miles
0 0.75 1.5 3 4.5 6

Geographic Information System
WHATCOM COUNTY
WASHINGTON
2026

Whatcom County

Map 6-11
WSDOT Freight & Goods Transporation System



FGTS Class

- T-1
- T-2
- T-3
- T-4

- Incorporated City
- Urban Growth Area
- Major/Port Industrial UGA

Source:
-WCOG Travel Demand Model

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Miles
0 0.75 1.5 3 4.5 6

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 7: Economic Development

Chapter Seven
Economic Development

Introduction

Purpose

Economic vitality is the measure of the economic health of the County—its people, businesses, and government. Different ways of enhancing economic vitality are through public and private actions designed to achieve:

1. Maintenance of a strong sustainable economic base;
2. Diversification of the local economy;
3. Improved job training and educational opportunities; and
4. Creation and maintenance of a range of living wage jobs.

Economic vitality depends on job retention, job creation, job training programs, public and private capital investment, and business and community capacity-building, as well as the conditions that allow workers and families to participate fully in the workforce, including access to housing, childcare, and education. The purpose of the economic element is to set goals and establish policies that promote economic vitality for the future of Whatcom County. This chapter provides policies that directly affect other elements of this plan. There are also policies that can be utilized to help direct future planning actions or to review private requests for plan amendments, rezones, or specific projects.

GMA Goals and Countywide Planning Policies

This chapter specifically addresses Goal #5 of the Growth Management Act, which encourages economic development and economic opportunity for all residents of the state. The Countywide Planning Policies also have a section on economic development, which this chapter specifically addresses. Examples include recognition of the need for a diversified, robust economy; the emphasis on coordination and cooperation among jurisdictions and public/private partnering; coordination between environmental quality, economic development, and climate resilience; and the desire to maintain the resource-based and recreation industries. This chapter recognizes the best path towards economic prosperity will likely be found through promotion of the county's existing strengths (e.g. business retention and expansion), as well as our unique position to accommodate Canadian companies looking to expand and access the US market, our extensive recreational infrastructure, and the skilled workforce produced by our excellent educational institutions.

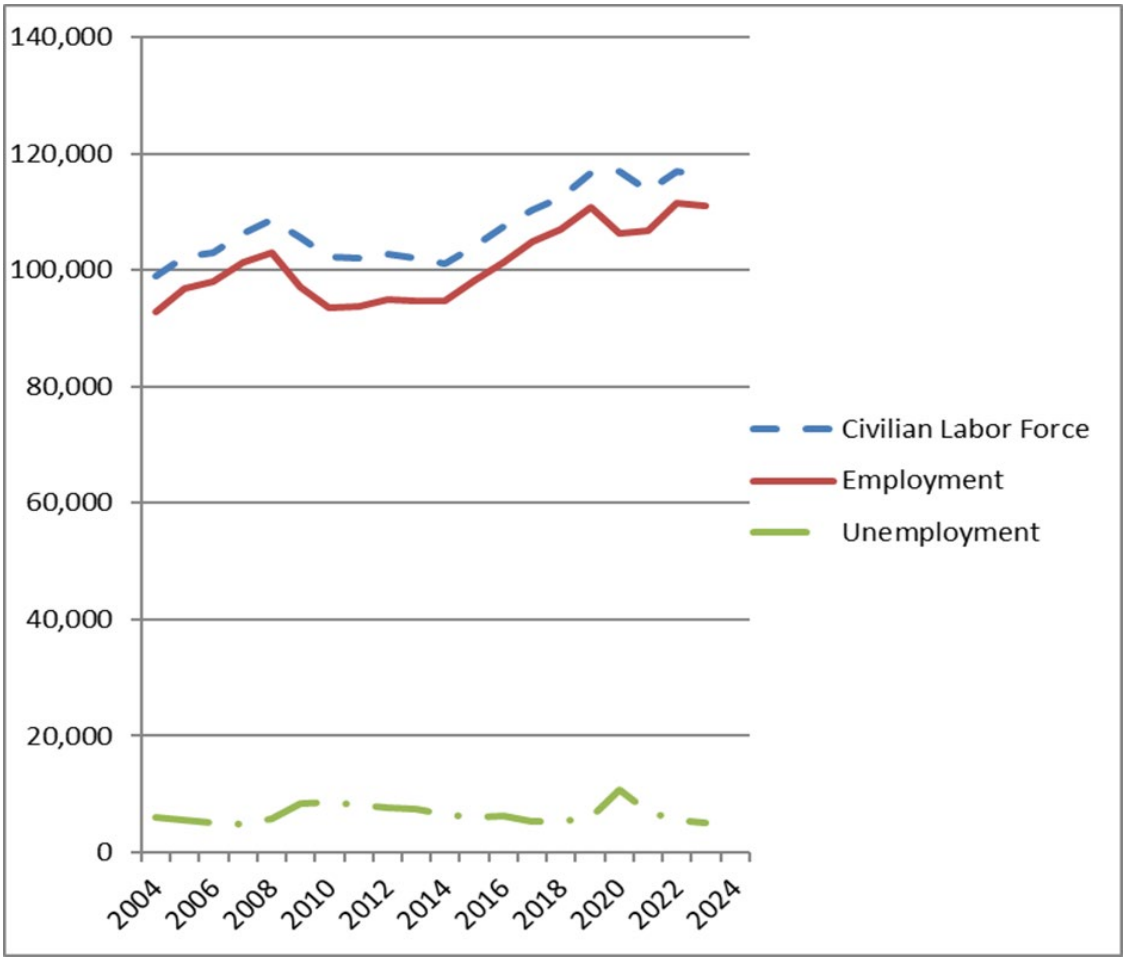
GMA Requirements

The GMA was amended in 2002 to require an economic development element in a comprehensive plan upon appropriation of state funding. As of 2025, state funding for the economic development element has not been provided.

Background Summary

Total number of people employed in Whatcom County increased from 92,875 in 2004 to 111,058 in 2023, an increase of more than 18,000 people with jobs. During this period, average yearly unemployment has typically ranged from about 4.5% to 8%, but has gone as high as 9.2% in 2020 during the COVID pandemic to as low as 4.4% in 2023.

Figure 1. Whatcom County Labor Force, Employment and Unemployment, 2004-2023



Source: Washington Employment Security Department (2024)

Employment for Whatcom County is shown below in Table 1 by North American Industry Classification System (NAICS) codes.

Table 1. Employment by Sector, 2010-2021

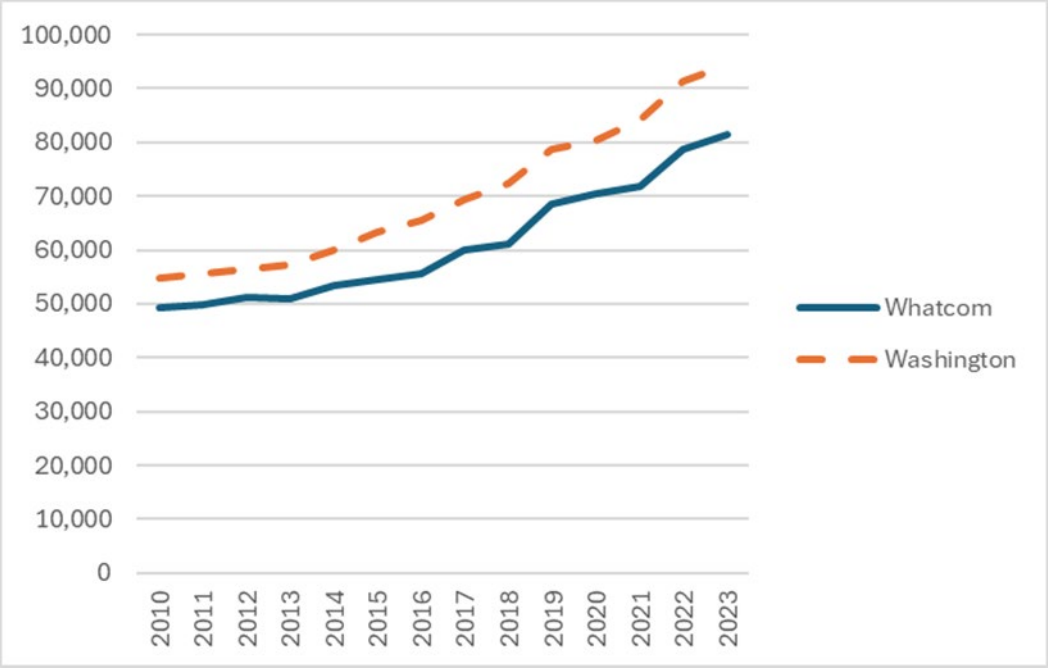
	2010	2021	Growth	Percent Change 2010-21
Resources & Utilities	2,829	3,343	514	18.2%
Construction	4,885	7,556	2,671	54.7%
Manufacturing	7,738	8,699	961	12.4%
Wholesale Trade	2,425	2,629	204	8.4%
Retail Trade	8,099	8,450	351	4.3%
Transport & Warehousing	2,073	2,344	271	13.1%
Health Care Svcs	9,347	13,494	4,147	44.4%
Accommodation & Food Services	6,413	6,148	-265	-4.1%
Other Services	15,893	17,247	1,354	8.5%
Government	13,718	12,247	-1,471	-10.7%
Total	**73,420**	**82,157**	**8,737**	**11.9%**

Source: *Population and Employment: Growth Projections and Preliminary Allocations Technical Report*, May 2024 (Leland Consulting Group) and U.S. Census Longitudinal Employer-Household Dynamics (LEHD) On the Map.

Total employment in Whatcom County increased by 11.9% between 2010 and 2021, while population grew by 12.5% during this same period (see Table 1 above). Construction jobs grew 54.7% from 2010-2021, although the 2010 base-year figure was in the aftermath of the economic downturn. Health care services jobs also increased significantly, growing by 44.4% from 2010 to 2021. Government and accommodation & food services employment declined during this period.

Median household income in Whatcom County increased between 2010 and 2023, although not as much as in Washington State. In 2023, the median household income was almost $81,432 in Whatcom County. In the state as a whole, 2023 median household income was approaching $95,000. A comparison of County and State median income, not adjusted for inflation, is presented below.

Figure 2. Median Household Income, 2010-2023



Source: Washington Office of Financial Management (2024)

Communitywide Strategic Planning Efforts

Whatcom County Comprehensive Economic Development Strategy

The Whatcom County Comprehensive Economic Development Strategy (CEDS) (2022-2026) was updated in 2020-2021 and was approved unanimously by Whatcom County Council in 2021. The principal purpose of the CEDS is to facilitate the retention and creation of living-wage jobs and to foster a stable and diversified regional economy, thereby improving the quality of life in the region. Its intent is to bring together the public and private sectors in the creation of an "economic roadmap" to diversify and strengthen the regional economy by integrating the region's human resources and capital improvements planning in the service of economic development. The CEDS incorporates the following vision statement relating to the County's preferred economic future:

> "A resilient regional economy that has: a dynamic and inclusive business community, a commitment to living wage jobs and equity, and the physical, social, and economic infrastructure to support it" (p. 23).

The 2022-2026 CEDS report provides valuable contributions to the challenge of the improving the Whatcom County economy and Whatcom County has much to offer prospective employers as indicated by the latest informational resource www.ChooseWhatcom.com.

The CEDS also identifies infrastructure and other projects that support economic development and includes economic data. The Whatcom County Economic

Development Investment (EDI) Board has primarily directed sales tax revenue collected under RCW 82.14.370 be used to fund infrastructure, with a focus on infrastructure that facilitates affordable housing development.

Current County Economic Development Activities

Whatcom County delegated job creation activities to the Port of Bellingham, which serves as the County's "Associate Development Organization" (ADO). The Port of Bellingham was designated as the ADO in Whatcom County by the County Executive in 2012. An ADO is intended to serve as a point of contact for local economic development activities by supporting business retention, expansion of existing businesses, and new business development. ADOs are also the local arm of the Washington State Department of Commerce and are supported by a small financial contract with quarterly and annual deliverable requirements related but not limited to: business retention and expansion, recruitment, startup assistance, and export assistance.

As the ADO, the Port of Bellingham is also responsible for maintenance and updating of the Whatcom County CEDS and the associated CEDS Project List. The Port of Bellingham's mission statement is: "To promote sustainable economic development, optimize transportation gateways, and manage publicly owned land and facilities to benefit Whatcom County."

Issues, Goals, and Policies

Leverage our historical strengths – recognize and address our weaknesses

Whatcom County's economy thrives when its intrinsic strengths are leveraged with entrepreneurial talent and investment capital. The county's well-educated workforce, proximity to the Canadian market, accessible health care services, seaport facilities, and high-quality natural environment collectively invites domestic investment.

The County has also historically benefited from its distinctive capacity to attract Canadian businesses interested in accessing the U.S. domestic market. The proximity of Vancouver, BC, to Whatcom County uniquely allows Canadian professionals to manage their U.S. operations during the day while still being able to return home to their families in Canada each evening - a convenience available nowhere else along a 2,000-mile stretch of the border.

Established domestic businesses that offer living wages (or better), recruit skilled graduates from local educational institutions (such as cyber security and computer numerical control technicians). However, due to limited affordable workforce housing and a shortage of developable industrial land, these businesses typically relocate these new hires to other counties where such resources are more accessible.

Traditionally, as skilled professionals advance in their careers, some choose to establish startup enterprises, with a portion achieving success as living-wage employers for future generations. Similarly, certain graduates from local educational institutions' programs go on to serve as educational mentors, instructors, or venture capital investors.

Companies that are unable to secure affordable housing and industrial land for local employment not only contribute to the outmigration of skilled workers, but also remove the potential for these individuals to become local living-wage employers or educators within Whatcom County.

Among the significant factors determining our success in attracting and retaining family and living wage employment opportunities is our capacity to offer affordable housing and "shovel-ready" industrial land. Raising wages for all is closely linked to ensuring these foundational resources are accessible.

Diversified Economy

Quality of life is an essential component in many people's choice to live in Whatcom County. A fundamental aspect of "quality of life" characteristics is a strong and diversified economy that remains resilient through business cycles, and can provide living wage employment, affordable housing, discretionary income, tax base, and sponsors for worthy causes. Such an economy should provide for all segments of society with a geographic distribution that, in accordance with the land use plan, spreads the jobs and tax base throughout the area.

The goal is to retain the diverse base of manufacturing and other living wage firms already here, as well as prepare for future opportunities by:

- working with our workforce development partners to ensure we focus on the skills enhancement needed for existing and future industries; and
- maintaining an adequate supply of shovel-ready land to support the buildings and infrastructure companies will require.

The wage and job prospects in the service sector vary widely based on the nature of the employment. Retail positions offer relatively low wages and limited prospects for job growth in part due to the trend of retail sales shifting away from traditional storefronts to the internet. Conversely, computer programming and cyber-security positions offer entry level wages that are typically well above the national average with some artificial intelligence positions attracting very high starting salaries.

As the developed world evolves away from a resource-based and high-volume/low-value-added manufacturing economy, most of the new generation of living wage jobs will likely come from knowledge intensive industries like cyber security, health care, and high-value-added specialty manufacturing, such as alternative energy manufacturing and food processing.

In 2025, the Port of Bellingham initiated a study to assess the quality and quantity of industrially zoned land in the county, assess market trends, industrial employment growth and identify future industrial land needs to capture greater industrial employment opportunities.

The Industrial Land Study made a number of findings including that the quantity of the industrial land supply meets the projected countywide industrial employment demand identified in the preferred alternative for the Whatcom County 2025-2026 Comprehensive Plan Update. However, the quality of the existing industrially zoned land supply is challenging—from the perspective of an industrial user—based on issues with freight access, rail access, utilities and wetland mitigation. In particular,

the report noted issues in industrial lands fully served along freight corridors and a lack of large properties (e.g., >30 acres) that could accommodate large-scale manufacturers.

To address these concerns the Study recommended a number of forward-looking strategies to expand the land supply to meet future industrial land needs, including focusing on:

- Concentrating industrial land along truck and rail freight corridors that connect industrial areas to the I-5 corridor;
- Assessing potential ready-to-develop industrially zoned properties within one-half mile of an I-5 interchange;
- Identifying available properties that are at least five acres in size, including a ready set of properties totaling 20 or more acres in size for major industrial users;
- Coordinating among local jurisdictions, the Port and utility providers to ensure properties are ready for development with water, sewer and power services; and
- Facilitating additional wetland mitigation banking opportunities.

Goal 7A: **Promote a healthy economy that provides ample opportunity for living wage jobs for diverse segments of the community, which is essential to maintaining and enhancing the quality of life in the area.**

Policy 7A-1: Support the implementation and evaluation of the Whatcom County CEDS, as well as the planning and future updates of the document every five years.

Policy 7A-2: Together with the cities, provide an ample, developable land supply for commercial and industrial uses to provide opportunities for business retention, expansion and recruitment in Whatcom County. Where applicable, retain existing light and heavy industrial zoning and identify additional industrial sites as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand.

Policy 7A-3: Foster a diverse, private-sector job base including those that contract with government, as well as facilitate public sector jobs which will provide living wage jobs —defined as jobs that offer compensation at or above the state median income level and include essential benefits such as health insurance and employer retirement contributions—to ensure long-term economic stability for workers and their families, and facilitate the retention and expansion of existing businesses.

Policy 7A-4: Employ innovative techniques to recruit and develop a diversified mix of businesses for a broader economic base using the

economic development program funded with monies collected under RCW 82.14.370.

Policy 7A-5: In addition to stimulating living wage employment and jobs in diverse sectors including renewable energy and green industry and infrastructure, ensure we retain entry level and service-related jobs such as those necessary to support tourism, recreation, retailing, manufacturing, and other industries.

Policy 7A-6: Support public-private partnerships to develop training and technology solutions relevant to current industry needs with local education resource providers to develop an educated and skilled 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, Northwest Career and Technical Academy, career and technical education programs in K-12 schools, apprenticeship programs, and businesses and industries.

Policy 7A-7: Partner with the Western Washington University Small Business Development Center, Port of Bellingham, Chambers of Commerce, and other stakeholders to support business start-up operations and entrepreneurship to facilitate growth of businesses.

Policy 7A-8: Foster an adequate amount of preferred housing supply that is affordable for all income levels as a prerequisite for a healthy economy.

Policy 7A-9: Enhance the environment for resource-based and knowledge-based industries with an emphasis on attracting employment to the communities in eastern Whatcom County by rezoning nearby land suitable for companies who need the type of skills already possessed by residents in the eastern areas.

Policy 7A-10: Maintain a strategic plan to guide the county's participation in tourism marketing.

Policy 7A-11: Establish a competitiveness review of county policies, regulations, taxes/fees, and other processes to help promote affordable housing, child care that supports workforce participation, high-speed internet, modern infrastructure, and other influences that impact county businesses, and identify opportunities to improve efficiency, streamline processes, and reduce unnecessary barriers to economic development.

Policy 7A-12: Support supply chain resiliency by encouraging local sourcing, distributed production, and diversification of inputs for key industries, including food, construction materials, energy, and health-related goods.

Policy 7A-13: Encourage Bellingham Technical College, Whatcom Community College, Northwest Indian College, and Western Washington University to develop and design training programs in rapidly growing industries such as alternative home construction technologies and renewable energy.

Policy 7A-14: Evaluate and consider the impacts of land use, housing, transportation, and climate policies on economic security for residents, workers, and businesses. Review other elements of the Comprehensive Plan to inform decisions that support equitable economic opportunity and long-term financial stability across all communities in Whatcom County.

Policy 7A-15: Long term prosperity in Whatcom County depends on reliable access to water and fiscally responsible management of local resources. While adjudication may ultimately clarify legal rights, experience from other basins demonstrates that multi decade litigation can create uncertainty and imposes significant costs on water users and County government. The County should support a process and outcome that achieves water certainty faster, protects the economy, and relieves unnecessary strain on the County's justice system and taxpayers.

Policy 7A-16: Whatcom County supports adjudication or other negotiated or mediated water rights quantification and settlement process among all major water use sectors including but not limited to agricultural, municipal, industrial, tribal, and environmental. The County should provide leadership, facilitation, and technical support to help all parties reach consensus on allocation, mitigation, conservation measures, and long-term water solutions that sustain the county's economic base while protecting ecological resources.

Policy 7A-17: The County should consider evaluating the economic and fiscal costs of adjudication to better understand the impacts on agricultural production, housing investment, and County government operations.

Policy 7A-18: Recognizing that the State initiated the adjudication but does not fully fund its implementation, the County shall advocate for state reimbursement of adjudication-related costs including courtroom expansion, judicial staffing, administrative expenses, a negotiated or mediated water rights quantification and settlement process, and other ongoing expenditures.

Policy 7A-19: Adjudication or other negotiated or mediated water rights quantification and settlement should be used as a vehicle to invest in local economic infrastructure including but not limited to water infrastructure, conveyance efficiency, and mitigation banking that benefits multiple sectors and offsets the costs of adjudication. The County shall seek state and federal partnership

funding to implement such projects as part of any basin-wide agreement.

Policy 7A-20: Encourage that adjudication or other negotiated or mediated settlement frameworks explicitly address the water needs of all users acknowledging that stable water supply supports job creation, food security, and housing affordability. The County's facilitative efforts should aim to preserve the viability of existing farms while ensuring sufficient water resources for urban and rural housing consistent with Comprehensive Plan goals.

Coordination/Cooperation and Public/Private Partnerships

Cooperation and coordination by businesses, jurisdictions and other entities are essential components to achieve a strong economy. The CEDS states that one of its purposes is communication and outreach that encourages local goal setting, public engagement, and a commitment to cooperation among the different levels of government, the business community, and the not-for-profit sector.

Collaboration between public and private entities can help promote and prioritize responsible industry that balances both the need for living wage jobs and protection of our environment and natural resources. Whatcom County should craft policy and allocate resources that support local economic and workforce development initiatives, an adequate industrial lands base, and the sustainable development of affordable housing in the Cities and UGAs.

New employers have traditionally emerged from three primary sources:

- Canadians looking for skilled labor and cheaper industrial land than can be found in BC and/or access to the US market;
- Home grown entrepreneurs who have chosen to remain headquartered in the county as their businesses have grown; and
- Established business owners who have relocated because they are attracted to the county's superior quality of life.

Goal 7B: Support increased public-private partnerships 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 across multiple departments and to attract appropriate businesses to Whatcom County. In accordance with the Whatcom County CEDS, the ADO and partners will evaluate their progress on economic development goals annually in the form of a CEDS Progress Report.

Policy 7B-2: Continue participating in the Small Cities Caucus and Whatcom County Business and Commerce Advisory Committee monthly

meetings, which are largely focused upon issues of economic development that impact the county, cities, and local business.

Policy 7B-3: With the cities, Port of Bellingham, Council of Governments, Tribal governments, 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 Program), 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 living 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.

Policy 7B-7: Facilitate opportunities for government entities to stimulate the local economy including leveraging public funding to create local, living wage jobs for local workers and workforce development opportunities such as apprenticeship utilization in public work.

Policy 7B-8: Preserving farmland alone is not sufficient to sustain Whatcom County's agricultural economy. County policy should strive for agricultural lands to remain not only physically preserved but also economically productive, while acknowledging that access to water is necessary for agriculture to remain the highest and best use of designated Agricultural Lands.

Policy 7B-9: Land-use regulations, agricultural conservation easements, through the Conservation Easement Program (WCC 3.25A), and preservation tools shall be implemented in a manner that supports active agricultural production and farm business viability. The County shall evaluate existing agricultural zoning, easement terms, and critical area provisions to ensure they do

not unnecessarily restrict agricultural infrastructure or operational flexibility.

Policy 7B-10: A viable agricultural economy cannot exist without reliable access to water. The County should support efficient agricultural water use in land-use, resource management, and economic planning. Water management policies should explicitly support ongoing and future agricultural operations as a critical component of Whatcom County's economy.

Policy 7B-11: The County shall recognize agricultural production as a cornerstone of the local economy and shall integrate farm viability into its economic development strategies. Planning efforts shall emphasize infrastructure investments, workforce development, and financing mechanisms that enable continued agricultural production.

Policy 7B-12: To sustain a viable agricultural economy, the County shall support the development of processing, storage, distribution, and marketing facilities as permitted or accessory uses in the Agriculture Zone. The County shall review zoning and permitting processes to remove unnecessary barriers to small and medium scale "value added" operations, including processing, storage, and on farm retail.

Policy 7B-13: Agricultural conservation easements, through the Conservation Easement Program (WCC 3.25A), and Transfer of Development Rights programs shall be designed to protect both the land base and the ability to farm it. Easement terms shall permit necessary agricultural buildings, farmworker housing, and resource improvements essential for modern and sustainable farming.

Policy 7B-14: The County shall review Title 20.40 (Agriculture District) to ensure that the regulations reflect current agricultural practices and market realities. This review should evaluate minimum lot sizes, accessory use definitions, and conditional use procedures to promote economically viable farm operations while maintaining environmental protections.

Policy 7B-15: All future amendments to agricultural land policy shall consider data on farm income, product diversification, infrastructure capacity, and generational land transfer trends to ensure that preservation measures enhance rather than constrain long-term viability.

Policy 7B-16: The County should continue to support apprenticeship utilization requirements on the construction of all public work in accordance with WCC 3.72. The County should collect apprentice registration numbers or similar documentation for each individual apprentice from contractors entering into a contract with the county to construct an applicable public work and validate that utilization reports are accurate and verifiable. Policy 7B-17: The County

should strive to include pre-apprenticeship graduates in the County's economic development strategy and equity efforts. Pre-apprenticeship programs play a key role in preparing local residents—especially those from underrepresented communities—for entry into registered apprenticeships and living-wage careers, strengthening long-term local workforce.

Infrastructure

Despite the many natural advantages for economic growth in Whatcom County, several factors constrain potential economic development. One of the factors is the lack of adequate infrastructure for future industrial development. This includes a lack of access to power, water, sewer, stormwater, and internet utilities and an adequate supply of "shovel ready" buildable land for workforce housing and industrial development.

Water quantity and quality and the distribution system needed to supply water are all elements of the water supply problem. Whatcom County has been engaged in many processes to address water quality and quantity issues including watershed planning and salmon recovery through the WRIA 1 Watershed Management Board and water system coordination through the Coordinated Water Supply Planning process. In addition, the Washington State Department of Ecology filed a basin-wide water rights adjudication in May 2024 which is leading to uncertainty regarding who will be able to access water. A water rights adjudication is a legal process that will validate, quantify, and prioritize water rights in WRIA 1, the Nooksack Basin, including the entire Nooksack River watershed and nearby areas. This process is expected to last at least a decade. All those who directly withdraw water from a well or divert water from a waterbody in WRIA 1 will be included in the adjudication. Evidence collection and submission will follow, culminating in a court-ordered inventory of all legal water rights. This process may identify entities that are using water now that may not have the legal right to do so and would need to curtail their use or it could lead some water users needing to curtail their use during certain times of year in order for more senior instream flow rights to be met. While the process will lead to a lot of uncertainty while the case winds its way through court, it will ultimately provide certainty once it is completed.

Watershed planning must continue to be considered relative to the 20 year plans for sewer, all-weather access roads, and appropriate storm drainage to encourage new industries to easily locate in Whatcom County.

Effective government services, such as criminal and civil justice, public health and safety, planning and development services, safe roads, water resource planning, and stormwater facilities play an important role in supporting economic development. Adequate funding for governmental services and the infrastructure to support them is critical to expansion of the Whatcom County economy.

Along with planning for future water and other infrastructure for economic development, electric energy supply and telecommunications are also important for future economic growth within the county. The expansion or construction of new

transmission facilities is important for the locational decisions of the industries that might want to locate to Whatcom County.

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. Within the County's areas of responsibility, work with service providers to maintain and upgrade critical infrastructure, including reliable communication networks, to support existing and future businesses, particularly small businesses, technology startups, and large-scale industries.

Policy 7C-4: To retain and attract living wage jobs, encourage location of additional industrial areas where sewer and water service and all weather access can be readily provided, near highway interchanges and freight corridors, as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand.

Policy 7C-5: Support the efforts of PUD #1, the Port of Bellingham, and area communication and cable companies to develop high-speed internet infrastructure in unserved and underserved areas of Whatcom County.

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

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 upgrades or expansion when 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).

Policy 7C-11: Encourage use of renewable energy sources and energy conserving/GHG reducing technologies, where feasible, in infrastructure projects.

Policy 7C-12: Consider opportunities for off-grid renewable systems serving low-impact rural residential development, where such systems reduce long-term public infrastructure costs and support rural economic diversification.

Policy 7C-13: Recognize that access to available and affordable child care supports workforce participation and economic vitality in Whatcom County. Support local efforts to expand the availability of affordable, quality child care as part of workforce development. Consider the recommendations of the Child and Family Well-Being Task Force relating to child care issues.

Regulations/Processing

Sufficient regulatory control and enforcement is needed to protect the environment and general health, safety, and welfare of the community and also to assure minimum quality standards to protect development investments from adverse effects This must be tempered to avoid excessive cost, inflexibility, unpredictability, and excessive time delays. Ample land is needed with proper zoning to ensure a wide range of choice and preclude excessive land prices. Such lands should be located in areas suitable for development, thus minimizing the need for regulatory controls.

Site-specific environmental constraints such as wetlands, streams, and river protection areas reduce land use options for many businesses and industrial firms. One step toward addressing this issue is a land capacity analysis, which includes an inventory of the supply and availability of industrial and commercial properties in the county and a forecast of future demands. Any land capacity analysis should include all known data from all available resources on potential and actual wetlands, including consideration of the impact of current and potential increases in buffers which could come into effect during the 20-year planning period covered by the Comprehensive Plan.

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

Policy 7D-1: Work with state, federal, and tribal agencies to coordinate and streamline environmental review.

Policy 7D-2: Conduct 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, streamline, and simplify regulations to make them more understandable and user-friendly in an effort to facilitate planned development. Utilize accessible language and graphic illustrations to explain land-use and development codes and regulations.

Policy 7D-4: 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-5: Streamline and coordinate the permit process and sustain a supportive customer service approach towards permitting.

Policy 7D-6: 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-7: Create options for greater flexibility in the regulatory and development review process.

Policy 7D-8: Consider the vision statements and action items in the CEDS when conducting local planning processes.

Policy 7D-9: Develop a Countywide Wetland Mitigation Bank to facilitate development and appropriately mitigate for impacts to wetlands.

Policy 7D-10: To further facilitate development of housing and land for industry consider making Advanced Wetlands and Buffer Mitigation Credit creation and Compensatory Offsite and Wetlands and Buffer mitigation an outright permitted use in all R5, R10, Forestry and AG zones outside of Urban Growth and Urban Growth Reserve Areas.

Policy 7D-11: To further facilitate development of housing and land for industry, the county should evaluate allowing land that has been planted and maintained in USDA Conservation Reserve Enhancement Program (CREP) habitat to qualify as Advanced Wetlands and Buffer Mitigation Credit and Compensatory Offsite mitigation creation with the effective date of the CREP contract serving as the commencement date of the mitigation creation.

Policy 7D-12: Collaborate with the cities to clarify industrial and commercial land uses in zoning districts designated for industrial development to ensure greater consistency among the codes and to ensure nonindustrial uses or uses not contributing to living wage jobs should generally not remain an allowed use, as recommended by the July 2025 Whatcom County Industrial Lands Study.

Proximity to Canada

The impact of British Columbia on the local Whatcom County economy is considered both an asset and a liability, depending on the particular type of impact being considered. The large Canadian consumer population has created a large retail sector in Whatcom County, increasing jobs, retail sales, taxes, and traffic. Over time, the impacts of Canadian consumer activity have fluctuated greatly, primarily in relationship to the value of the Canadian dollar and the degree to which the Canadian border is open for commercial and personal travel.

Retail jobs tend to be low-wage, frequently part-time, and without benefits. Even though these jobs can prove to be a valuable asset to a community by providing supplemental family income, part-time work availability, and entry-level positions, when this is factored with the rising cost of living in Whatcom County, it becomes apparent that many local retail jobs do not pay a living wage. This fact has important ramifications for funding public sector services, provision of affordable housing, meeting rising medical costs, and supply of other basic services.

A positive aspect of the proximity to Canada is the opportunity for job creation through BC companies looking for a great location to expand or relocate in the United States or enjoy other economic advantages.

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:

- Events such as the "Ski to Sea" race and festival.
- The Whatcom Museum, Mount Baker Theater, other historic and cultural centers, and community revitalization efforts.
- Parks and open spaces.
- Local festivals.
- The Mount Baker outdoor recreation area.
- Farmers markets and other natural resource-based activities.
- Projects, events and activities of unincorporated areas such as Point Roberts, Birch Bay and East County.

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 an American Headquarters based in Whatcom County, while at the same time encouraging our companies to explore and develop markets in Canada.

Policy 7E-5: Actively recruit Canadian businesses using Whatcom County's unique ability to allow Canadian professionals to manage their U.S operations during the day while still being able to return home to their families in Canada each evening – something unavailable anywhere else along a 2,000-mile stretch of the border.

Business Retention and Expansion

Businesses create jobs, supply needed goods and services, and enhance economic opportunities for the residents of the County. Businesses support the local community and economy by paying taxes (property, sales, and B&O), often reinvesting profits into business and infrastructure improvements and expansion, investing in philanthropic endeavors, and paying wages enabling workers to live, learn, work and play in Whatcom County. A local company with national or international interests, or a national firm with major local investment, can provide substantial support to local causes, educational and cultural activities, and the tax base. Local businesses use local banks and other support services, which help keep dollars cycling through the local economy. Therefore, business retention and expansion are important elements that support the economic well-being of the community. Business retention and expansion for existing businesses in Whatcom County has been identified as a top priority in the Whatcom County CEDS 2022-2026.

Goal 7F: Encourage development that creates local reinvestment funds and provides jobs in the local community.

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 and non-profit sectors in sharing costs for civic, cultural, and philanthropic needs of the community-at-large.

Policy 7F-4: Enhance opportunities for sustainable 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

Often economic development and environmental protection are viewed as opposing interests because growth can increase pressure on critical areas and resource lands. However, both economic vitality and environmental quality are interrelated and are extremely important to the community. Economic development requires adequate water supply as a fundamental need. The fishing and shell-fishing industries are particularly dependent on water quantity, good water quality, and habitat. The tourism industry relies on these same attributes, as well as having naturally beautiful vistas, trails, and shorelines for recreation. Quality of life and the amazing natural environment are also reasons that businesses and employees are attracted to Whatcom County in the first place. Thus, a commitment to preserving and enhancing the natural environment is actually an economic development strategy for Whatcom County. Additionally, a strong economy that provides living wage jobs allows the leisure time and additional resources to focus on environmental stewardship and protection.

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

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 tourism industry to maintain, promote, and enhance responsible tourism and recreation, which should balance the economic benefits of tourism and protection of the local environment, natural resources, and 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 alternative energy systems that protect public health and safety.

- Exploring opportunities for off-grid residential development on rural and resource lands as a component of the County's distributed energy and resilience strategy.

Policy 7G-5: Coordinate environmental and economic planning efforts with Port of Bellingham, cities, county, state, federal, and tribal governments and business, industry, and tourism stakeholders.

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.

Policy 7G-7: Support living wage job opportunities that are sustainable, responsible, and meet the future needs of the community and economy. This could include renewable energy industries such as manufacturing hardware for solar panels, batteries, heat pumps, biofuels, and hydrogen, professional services, technology, alternative transportation, green infrastructure, and affordable housing, childcare, and health care. Plan for adequate provision of fully serviced, shovel-ready, and permit-ready retail, commercial, and industrial land to support investment in local business and workforce.

Policy 7G-8: Support a just transition to a clean energy economy by investing in workforce retraining, education, and economic opportunities for communities and workers historically dependent on fossil fuels or vulnerable to energy insecurity.

Policy 7G-9: Explore opportunities for rural residential development models that integrate off-grid utility systems, low-impact land stewardship, and conservation of working forest land, as a pathway toward sustainable rural economic diversification consistent with rural character.

Natural Resource Based Industries

Natural resource-based industries include but are not limited to agriculture, forestry, fishing, and mining. While accounting for less than 5% of the total county employment, resource-based industries are still major components of the economy. For example, the market value of crop and livestock product sales from Whatcom County farms was over $510 million in 2022 (USDA Census of Agriculture). In 2023, Whatcom County accrued $362,229 in revenue from state forestlands in (State Department of Natural Resources). In 2024, the state distributed $450,873 in forest excise tax revenue to Whatcom County (State Department of Revenue). Farming, forestry, fishing, and mining are important to the economic health of the County.

Agriculture is a critical component of Whatcom County's economy. According to the most recent USDA Census of Agriculture County Profiles, among the four Northwest Washington counties (Whatcom, Skagit, Island, and San Juan), Whatcom County has the most acres of farmland under production (102,886 acres). In 2022, 1,582 Whatcom County farms produced a market value of $510 million in crops and livestock. Locally produced milk produced in 2022 had a market value of $204.5million. Berries (along with tree nuts and fruit trees) combined for a market value of $183.5 million in 2022 (USDA Census of Agriculture).

The marine trades industry, which includes fishing, continues to be an important aspect of Washington State's and Whatcom County's economy and culture. The Port of Bellingham commissioned an economic impact study that found 6,400 jobs (3,600 direct, 2,800 indirect) were attributable to Whatcom County's maritime industry in 2023. In the same year, the maritime industry generated $416 million in total labor income, resulting in $1.6 billion in total revenue. Sectors included in this study were maritime logistics and shipping, commercial fishing and seafood processing, shipbuilding, repair and maintenance, recreational boating and fishing, maritime support services, and passenger water transportation.

Goal 7H: **To promote economic diversity, food security, and climate resiliency, 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 tribal treaty protected fishing rights and fishery resources, including water quality and quantity, habitat maintenance, restoration, and enhancement, especially for estuaries, riparian areas, and other habitats utilized by threatened and endangered fish species, and removal of fish passage barriers.

Policy 7H-3: Maintain the commercial forestland base of Whatcom County to assure the industry's continued economic viability and sustainable harvest. Whatcom County should continue to work with state and federal agencies, Tribes, private timber industry, and other relevant stakeholders to balance the economic interest with climate resilience and managing forestland for multiple benefits including jobs, wood products, recreation, carbon capture and sequestration, ecosystem services, and wildfire resilience. In an effort to protect Lake Whatcom, the drinking water source for nearly half of Whatcom County's population, public and private management of forestland in the watershed should follow more stringent regulations, forest practice rules, and compliance monitoring to ensure consistency with the Lake Whatcom Management Program and compliance with the Landscape Plan,

Clean Water Act, forest management plans, and other relevant state and federal laws.

Policy 7H-4: Explore compatible low-impact residential uses on Rural Forestry lands where such uses support conservation outcomes, co-exist with active forest management, and do not impair the primary resource use.

Policy 7H-5: As part of a broad-based economy, foster productive timber, agriculture, and fisheries industries in a sustainable manner that aligns with County Comprehensive Plan Climate chapter, Climate Action Plan, Forest Resilience Plan, Lake Whatcom Management Program Work Plan, Comprehensive Parks, Recreation, and Open Space Plan, WRIA 1 Salmon Recovery Plan, forest management plans, and other relevant county plans.

Policy 7H-6: Support sustainable mining operations 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-7: 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.

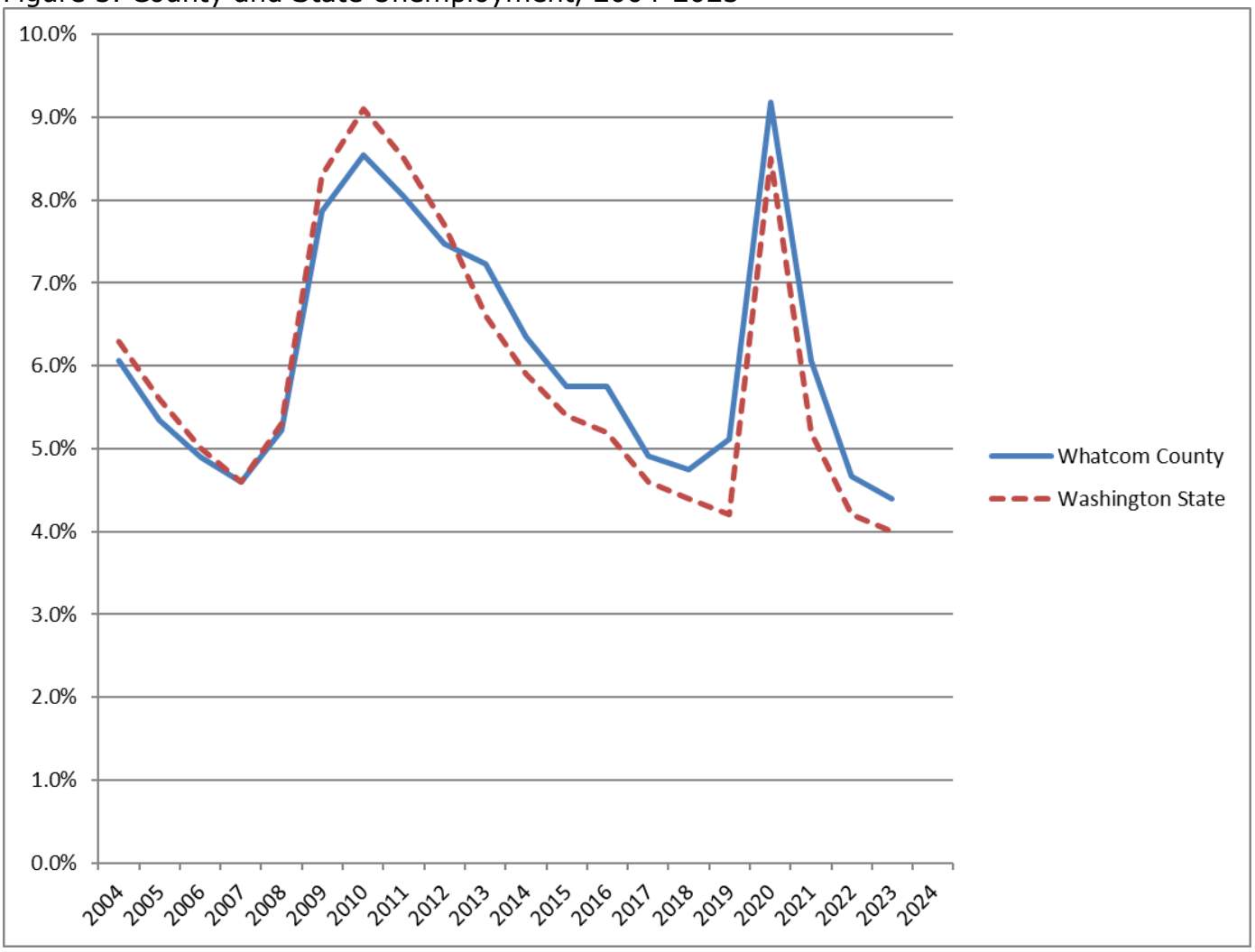
Policy 7H-8: Encourage growth of tourism, recreational activities, and businesses that diversify and strengthen the natural resource industry, provided they comply with County regulations and are in alignment with County Comprehensive Plan Climate chapter.

Policy 7H-9: 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

Average yearly unemployment rates in Whatcom County have generally tracked the trajectory of unemployment rates in Washington State as a whole, although Whatcom County rates have been higher than State rates since 2013. State unemployment was higher from 2008 to 2013.

Figure 3. County and State Unemployment, 2004-2023



Source: Washington State Employment Security Department (2024)

Unemployment was deeply impacted by the COVID-19 pandemic, resulting in closures for at least a period. In February 2020, Whatcom County's unemployment rate was 4.8%. In April 2020, unemployment temporarily skyrocketed to 17.9% due to mandatory COVID-19 closures. These dramatic numbers stabilized within a year and actually continued to decline to an all-time low point in summer 2023, with Whatcom, Skagit, and Island counties hovering between 3-3.3% unemployment and San Juan County at a dramatic low of 2.3% in June 2023 (ESD 2024). Unemployment levels below 5% typically indicate a tightening labor market and businesses continue to report labor shortages in several sectors as of December 2024 (ESD 2024; Northwest Workforce Council 2024).

Whatcom County is part of Washington State's Workforce Development Area #3, which also includes Skagit, Island, and San Juan Counties and is served by the Northwest Workforce Council. Northwest Workforce Council, in consultation with local

elected officials, oversees the WorkSource (one-stop) system programs and Workforce Innovation and Opportunity Act (WIOA) Title IB employment and training programs, coordinates local area workforce development services, and provides expertise and demand-driven workforce services to employers and job seekers in Whatcom, Skagit, Island, and San Juan Counties. Council members chart an important course to help local businesses, workers and communities realize a more prosperous future.

Northwest Workforce Council is responsible for updating the regional workforce plan since implementation of WIOA every five years. The plan is developed with local workforce development system partners and stakeholders and reflects system-wide goals and strategies to achieve optimum results serving shared business and job seeker customers.

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

Policy 7I-1: Support creation of job opportunities for local residents, especially living wage jobs to decrease unemployment and underemployment.

Policy 7I-2: Support economic development that recognizes and respects diversity and promotes inclusion and equity through workforce training, education, and access programs, in order to enhance and extend opportunities to participate and benefit from high wage employment.

Policy 7I-3: Focus on absorbing and retraining displaced and discouraged workers and addressing the skills gap through grants, training by the Northwest Workforce Council, Western Washington University, Bellingham Technical College, Whatcom Community College, Northwest Indian College, apprenticeship programs, and other opportunities.

Geographic Diversity

A final issue with the local economy is the location of the majority of jobs in the westernmost portion of the lowlands area of Whatcom County. This is where the majority of the population lives and works, the infrastructure is available, and where most of the jobs should continue to be located. People from smaller communities located throughout the County generally have longer commutes, creating greater impacts on the road system and environment. It also creates additional need for more income for travel costs.

These and other area-specific issues have spurred three communities to focus efforts on economic development: Point Roberts; Birch Bay; and East County. Each has successfully developed an area Economic Development Plan and has a subarea plan. The ongoing work of these groups is crucial to addressing the most urgent and long-range planning needs in these areas such as loss of living wage jobs and tax base revenues and increased demand for services by a growing residential population.

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

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

Policy 7J-2: Designate adequate zoning to allow business and industrial development where it is needed and most appropriate.

Policy 7J-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 7J-4: Encourage resource and tourism based recreational, commercial, and cottage industry uses to create economic opportunity in the rural areas of the county.

Policy 7J-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 7J-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 7J-7: Support agriculture, agricultural and food processing, and manufacturing as a high priority in future allocations of water rights.

Policy 7J-8: Within urban growth areas, balance areas planned for housing and jobs to potentially shorten commute times.

Policy 7J-9: Recognize high speed Internet and cellular coverage is essential for all regions of our economy to succeed, including facilitating remote work, learning, and telehealth, maintaining and attracting businesses, and supporting essential services and critical County infrastructure.

Policy 7J-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, that are underserved or where service is unavailable.

Local Food System

Whatcom County is home to a robust agricultural production industry, marine harvest industry, as well as an associated local consumption industry. To maintain and advance the quality and quantity of food produced in Whatcom County, consideration

must be given to interconnected sectors which support a thriving food system, including land, water, fishing, farming, labor, processing, transportation, consumption, aquaculture and waste. A vibrant local food system is a community asset to be protected, strengthened, planned for and celebrated.

The Whatcom County Council adopted the Whatcom County Food System Plan in 2023 (Resolution 2023-018). The Food System Plan contains goals, objectives and actions to strengthen the food system in Whatcom County including to:

- Cultivate equity and justice in our food system;
- Protect and regenerate our soil, water, and land;
- Build a resilient and vibrant local food economy;
- Ensure access to healthy food for all; and
- Mitigate emissions from food system activities and adapt the food system to a changing climate.

Goal 7K: **Support a thriving local food system including production, processing, distribution and consumption of locally grown, harvested, and made foods. Strengthen the local food system and take steps to improve conditions for a healthy, resilient, secure, and prosperous food economy.**

Policy 7K-1: Support implementation and evaluation of the Whatcom County Food System Plan and update the Community Food Assessment as necessary.

Policy 7K-2: Encourage local farmers and producers to sell their products to local markets and remove barriers to local market development.

Policy 7K-3: Encourage food accessibility and affordability by incentivizing government, institutions, and private-sector organizations in purchasing food produced in Whatcom County.

Policy 7K-4: Support development plans and zoning changes that increase access and remove barriers to healthy, nutrient-dense foods that are locally grown, raised, harvested, and made.

Policy 7K-5: Support food outlets such as grocery stores, convenience stores, and local food markets that provide fresh, healthy foods, especially in underserved areas.

Policy 7K-6: 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 7K-7: Support efforts to protect water quality and quantity, soil health, and best management practices as related to the food system.

Policy 7K-8: 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 7K-9: Support establishment of communitywide food system development plans consistent with the Whatcom County Food System Plan.

Policy 7K-10: Support healthy and safe working conditions as well as healthy and safe living conditions for farmworkers and other food chain workers.

Policy 7K-11: Support organizations that provide technical assistance, educational programs, and general support to people and businesses within the local food system.

Policy 7K-12: Consider food waste systems that reduce food waste and capture food waste nutrients.

EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 8: Natural Resource Lands

Chapter Eight

Natural Resource Lands

Introduction

The lands, waterways, and natural resources of Whatcom County have been stewarded by the Lummi, Nooksack, and other Coast Salish peoples since time immemorial. It is important to recognize that healthy and functioning natural systems sustain natural resources foundational to both honoring and upholding tribal treaty rights and maintaining viable natural resource-based working lands, such as agriculture, forestry, fisheries, and mineral resource lands. Natural resource-based industries such as the growth and harvest of farm products, re-generation and harvesting of timber, use of aquatic resources, and excavation of minerals all shape Whatcom County's physical, social, and economic landscapes. Whatcom County therefore must take decisive action to restore and conserve natural resources and productive working natural resource-based lands in order to sustain viability key to life and livelihood.

Chapter Organization

This chapter is divided into four sections: Agricultural Lands, Forest Resource Lands, Marine Resource Lands, and Mineral Resources.

Purpose

This chapter contains goals and policies designed to identify and protect the important natural resource lands found in Whatcom County as defined by RCW 36.70A. The development of these goals and policies is necessary to ensure the provision of land suitable for long-term, sustainable farming, forestry, fishing, and mineral extraction so the production of food, fiber, wood products, and minerals can be maintained as an important part of our economic base through the planning period. Without protection of these natural resource-based lands, some of the lands could be inappropriately or prematurely converted into land uses incompatible with long-term resource conservation, restoration, and production. The premature conversion of resource lands into incompatible uses places additional constraints on remaining resource lands and can lead to further erosion of the resource land base.

GMA Goals and Countywide Planning Policies

The following goals and policies in this chapter have been developed:

- to be consistent with and help achieve the statewide GMA goals to "maintain and enhance" natural resource-based industries.
- to implement Countywide Planning Policies that express the intention for the county to govern rural and natural resource lands in a sustainable manner.
- to fulfill the public’s vision of Whatcom County where sustainable resource-based industries are widely practiced and encouraged.

The Agricultural Lands, Forest Resource Lands, Marine Resource Lands, and Mineral Resources sections of this chapter address Goal 8 of the GMA, which reads:

> "**Natural Resource Industries**. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses." (RCW 36.70A.020)

The goals and policies of this chapter support the achievement of this goal by identifying, designating, and protecting productive resource lands from incompatible uses, thereby helping to maintain the county's important natural resource-based industries.

Identifying and designating productive resource lands also helps implement the Countywide Planning Policies directed towards agriculture, forestry, mineral resources, marine industries, and other natural resources. In addition, land use policies that encourage best management practices are included within this chapter to support and maintain working lands that benefit a broad cross-section of the public, as well as an economy of productive timber, agriculture, mineral, and aquatic industries in a sustainable manner. (CWPP I-9)

Agricultural Lands

Introduction

Purpose

The purpose of this section is to provide a clear set of guidelines that preserves the agricultural and food production base in Whatcom County; prioritizes the human need for food, fiber, shelter, and energy; and ensures thriving and sustainable agricultural and food production industries in the years to come.

Process

In 1991 an Agricultural Resource Land Advisory Committee was formed to adopt Agricultural Resource Land Designations under the GMA. After 13 committee meetings and three public information meetings, the committee recommended adoption of refined goals and objectives and re-adoption of the existing Agriculture zoning and plan designations. Their recommendation was adopted by Council through Ordinance 92-013. Exhibit A to Ordinance 92-013 explains the locational criteria that were used to designate agricultural lands. The revised criteria are now found in Policy 8A-3.

Currently, approximately 86,000 acres are designated as agricultural lands of long-term commercial significance.

GMA Requirements

The Growth Management Act requires the identification of the "general distribution and general location and extent of the uses of land… for agriculture..." **Map 8-1, Map 8-2, and Map 8-3** show agricultural soils and existing agricultural zoning boundaries.

Map 8-1 shows prime agricultural soils. Prime farmland, as defined by the Natural Resources Conservation Service (NRCS), "is the land that is best suited to food, feed, forage, fiber, and oilseed crops." Categories of prime soils depicted on **Map 8-1** are described as follows:

Category I:	All areas are prime farmland.
Category II:	Prime farmland if drained.
Category III:	Prime if drained and protected from flooding or not frequently flooded during the growing season.
Category IV:	Prime farmland if irrigated.
Category V:	Prime if irrigated and either protected from flooding or not frequently flooded during the growing season.

These prime soil categories are taken directly from the NRCS National Soil Survey Handbook Part 622. Whatcom County does not contain all NRCS categories of prime soils.

Map 8-2 shows Agriculture Protection Overlay soils and lands zoned Rural-5A or Rural-10A that are outside UGAs. The map provides a visual representation of those areas that are subject to the Agriculture Protection Overlay (APO). The APO recognizes that agriculturally important soils may lie outside existing agricultural zoning, in designated rural areas, and provides a mechanism for conserving these soils for agricultural use, if conservation is appropriate. Soils were classified as APO soils based on the NRCS's Prime Farmland classification system and Land Evaluation and Site Assessment (LESA) system. A comprehensive list of soil types that are subject to APO restrictions is listed in WCC 20.38.

The purpose of the APO is to promote and encourage commercial agricultural activity, meet long-term agricultural needs not otherwise met in the Agriculture district, provide a reasonable mix of uses and activities that may enhance the economic resources available to agricultural and other food producers, and provide for a variety of uses within the rural areas that are not inconsistent nor incompatible with the use of lands within these areas for agricultural activities.

Conserving productive agricultural lands in rural areas is a primary objective of the APO. The APO applies to all lands zoned Rural-5A or Rural-10A that are outside designated urban growth area boundaries and held in parcels of 20 acres or larger. **Map 8-2** shows lands zoned Rural-5A or Rural-10A that are outside UGAs. Applied at the time of subdivision, the APO uses cluster zoning in order to allow development on one portion of a parcel, while leaving the remainder of the parcel available for agricultural use. The portion available for development will be limited to 30%.

The APO seeks to conserve lands with agriculturally important soils whose predominant use has been and continues to be, or could be commercial agriculture. This overlay zone shall include areas that:

1. Have been designated as agricultural open space for county property tax purposes within the past seven years; and/or

2. Those that include more than 50% APO soils;

The GMA also specifies the need for regulatory protection relative to agriculture. It requires that the county "shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands…" Whatcom County has enacted a Right-to-Farm ordinance that meets this requirement.

Map 8-3 shows the Agricultural Comprehensive Plan designation and Whatcom County's Rural Study Areas (RSAs). Those lands designated as Agriculture in the comprehensive plan are designated as "Agricultural Lands of Long-Term Commercial Significance" as defined by GMA as "agricultural lands that have the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land." (RCW 36.70A.030(10). RSAs are specific geographic zones within R-5 and R-10 rural zoning districts that were identified in the 2019 Rural Land Study as requiring enhanced agricultural protection and/or additional irrigation resources to maintain long-term agricultural viability. These areas are significant for their agricultural importance and are the focus of efforts to implement stricter measures, such as potentially rezoning to Small Lot Agriculture Districts, strengthening conservation easements, and developing policies to minimize non-agricultural development.

Background Summary

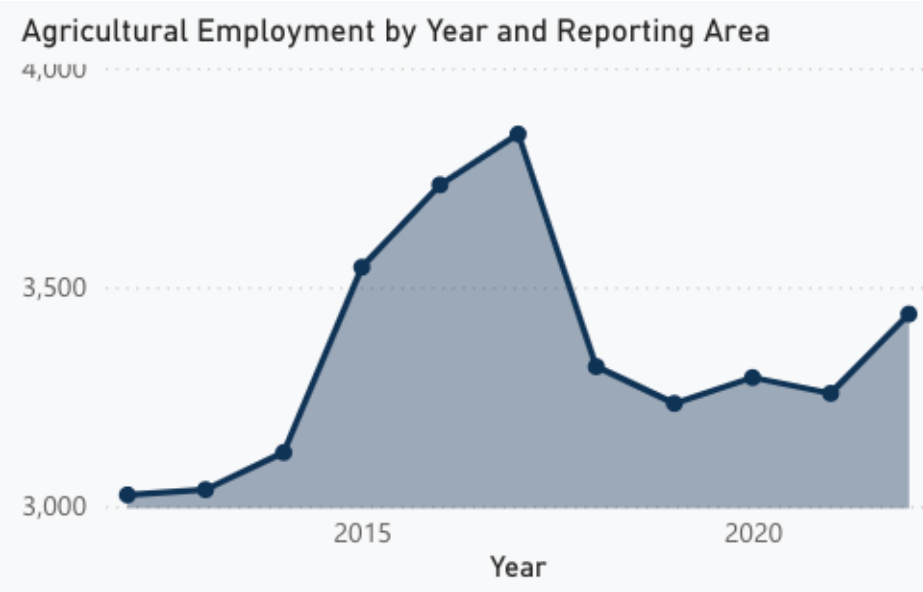
Today agriculture plays an important role in both Whatcom County's economy and its identity.

Whatcom County agriculture, including food production, is widespread and diverse, ranging from small, organic farms in the Mt. Baker Foothills to cold-storage facilities in Bellingham, and includes orchards, berry farms, dairies, cattle ranches, produce farms, and nurseries, to name a few. Our farms are the country's top producers of red raspberries and are also major producers of milk, beef, blueberries, potatoes, nursery products, and many other agricultural commodities.

The economic impacts of agriculture on Whatcom County are substantial. According to the U.S. Department of Agriculture's 20222022. Census of Agriculture, 1,582 Whatcom County farms produced a market value of $510.2 million in crops and livestock that year, ranking seventh in the state. Milk produced locally in 2022 reached a market value of $204.5 million ranking second in the state for milk production. Berries, tree fruits, and tree nuts, accounted for an impressive market value of $183.5 million in 2022.

Average annual agricultural employment in Whatcom County in 2021 was 3,258, with substantial seasonal variation within that average, according to the Washington State Employment Security Department. Locally, agricultural jobs increased to 3,439 in 2022 In addition, farms and support businesses, such as equipment retailers, veterinarians, processing facilities, and feed suppliers employ many Whatcom County residents.

Figure 1. Agricultural Employment by Year, 2012-2022



Source: WA Employee Security Department, 2022

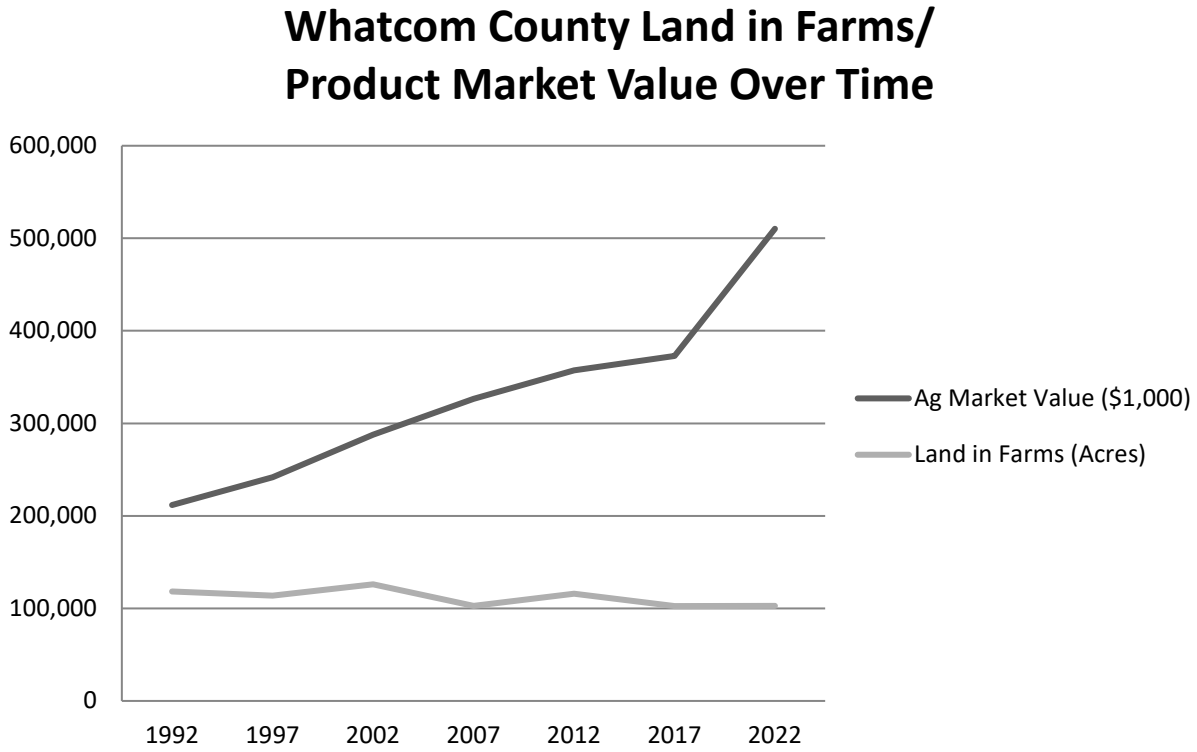
Agricultural activity occurring on agricultural land in connection with the commercial production of agricultural products may include, but not be limited to, the land, freshwater ponds, buildings, infrastructure, and machinery. Commercially viable agricultural products often require rich and fertile soil with appropriate amounts of water to bring them to a harvestable stage. Agricultural lands and food production are an important resource to the people of Whatcom County and Washington State, yet if not adequately protected through zoning and other measures, these lands may be converted to urban or rural uses. Often the conversion process begins when rural uses move onto agricultural land, creating smaller parcels, more buildings, and activities that, in some cases, are incompatible with agriculture. In many cases, this blurs the line of distinction between agricultural and other uses and sets the stage for further conversion of the limited agricultural land base in Whatcom County.

The viability of an agricultural resource economy is dependent upon the presence of certain agriculture related industries and activities, as well as the well-being of their respective workforces. These include processors (for example, fruit and vegetable packers and milk processors in Whatcom County), farm implement sales and repair, fertilizer and pesticide suppliers, trucking firms, certified meat inspectors and processors, workforce development organizations, and skilled agricultural and food sector workforce. These activities, in turn depend on a stable or expanding agricultural products economy that is in turn dependent on maintaining a stable agricultural resource land base. If agricultural production is reduced below a certain level in a given geographical area, then it becomes no longer economical for the agriculture related activities to remain in that area. Loss of these support industries results in further reduction and conversion of the agricultural land base and an accelerating downward spiral for the local agricultural economy.

Another important consideration is maintaining a large contiguous land base without a significant potential for conversion to non-agricultural residential uses for agriculture. Smaller, discontinuous agricultural areas are more vulnerable to conversion pressures resulting from longer hauling routes, difficulty in transporting farm equipment and supplies on roads dedicated to residential traffic, conflicts with neighboring non-agricultural land uses, and the reduced importance of agriculture in the local economy. Maintaining such a large contiguous land base sometimes requires preserving within the agricultural resource land area some lands that are not well suited to actual production of crops. Such inclusions may best be used for building sites, windbreaks, specialty crops, livestock wintering, forestry, etc. Thus, it is important to consider both the size and the configuration of the agricultural resource area to provide long term stability of the agricultural resource and support industry economy.

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. According to the 2022 Agricultural Census there are 102,886 acres of Land in Farms. However, since 1992, both the amount of land in farms (between 100,000 and 125,000 acres) and the number of farms (between 1,200 and 1,700) have remained relatively stable, and at the same time, the diversity of farm types in the County has been increasing. Even while the amount of land in agricultural use has remained relatively stable over the past three decades, the economic value of the products produced on those farms has increased by nearly $300 million in the same time period.

Figure 2. Farm Product Market Value, 1992-2022



Source:https://www.nass.usda.gov/Publications/AgCensus/2022/Online_Resources/County_Profiles/Washington/cp53073.pdf

Issues, Goals, and Policies

Agricultural Land Base

The state legislature has recognized that agriculture faces unprecedented international market competition and costs. Low profit margins for major commodity crops including milk and raspberries have contributed to the decline of Whatcom County's agricultural land base from 1949 to 2022. The continued loss of working agricultural land also harms critical areas because, as the Puget Sound Partnership has noted, farm and cattle ranch lands can deliver critical area outcomes that can be superior to converted lands, in terms of water quality functions, floodplain, aquifer recharge, and food and habitat functions for fish and wildlife species. Additionally, federal, state and local investments have supported the voluntary restoration and enhancement of riparian areas on farmland, which has resulted in multiple benefits. Because of this, additional regulations need to be carefully tailored to prevent additional threats that can accelerate conversion to non-agricultural uses.

Agricultural viability is dependent upon long-term supplies of clean water, a large fertile land base, and predictable climate patterns. Erosion of the farm land base has been recognized as a national and local problem. The maintenance of a sufficiently large land area devoted to agricultural activity is necessary to support associated farm processing operations such as milk and berry processing facilities.

Demand for low cost residential building sites coupled with fluctuating profit margins for agricultural operations and availability of residential development rights brings pressure to convert agricultural land to residential and other non-agricultural uses.

On July 7, 2009, Whatcom County passed Resolution 2009-040, in which the County Council confirmed that 100,000 acres of land available for agricultural use is the minimum goal for ensuring a land base necessary to support a viable agricultural industry in Whatcom County. The resolution also stated the need to strengthen agricultural land protection in the County's Rural Study Areas as defined in the 2007 Rural Land Study by the Agricultural Advisory Committee (AAC).

The AAC assisted in the creation of the County's Agricultural Strategic Plan in order to support the goals of Resolution 2009-040 and outline methods to implement the goals and policies of the Comprehensive Plan related to agriculture. Priorities for the Agricultural Strategic Plan include regular review of the agricultural land base (designated ag lands as well as RSAs) and zoning restrictions in order to track and discourage agricultural land loss and develop new policies and mitigation strategies to prevent further loss.

As part of the 2025 Programmatic Update to the Comp Plan, Whatcom County has developed the Agricultural Land Assessment (ALA), a county-wide analysis that maps agricultural lands of long-term commercial significance and assesses land use trends across the agricultural land base. Per WAC 365-190-040, counties are required to conduct a comprehensive county-wide assessment of agricultural resource lands when county governments designate or de-designate agricultural resource lands. The ALA maps lands that have high agricultural productivity and have potential to be designated as agricultural resource lands (ARLs). The ALA provides recommended

changes to promote the conservation of prime farmlands located within the Rural Zone.

Goal 8A: **Conserve and enhance Whatcom County's food production and agricultural land base to ensure at least 100,000 acres land base for the continued production of food, fiber and other agricultural products.**

Policy 8A-1: Develop and implement long-term agricultural land protection measures that align with the agricultural strategic plan. 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, farmworkers and other food chain workers and agricultural lands as part of the legislative decision making process. The County's longstanding goal is to maintain a minimum of 100,000 acres of agricultural land to support a healthy agricultural industry. To support working farms and maintain the agricultural land base, the County should:

- Maintain a voluntary 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 shall supplement the Conservation Easement Program.
- Incentivize agricultural best practices that enhance larger-scale watershed processes and functions through identifying opportunities on agricultural land to improve both watershed health and food system viability. Compensate producers for actions that exceed minimum regulatory standards and enhance larger-scale watershed processes and functions through a Natural Resource Marketplace.
- Prioritize funding for a Conservation Easement Program that compensates farmers for the voluntary 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.
- Fund and collaborate with land trusts and other land-tenure and stewardship community organizations to facilitate access to land for food production that is distributed in the local market.
- Create incentives and cooperation between landowners and public agencies such as the use of the current use tax assessment provisions.
- Implement land use policies that encourage farming on Rural lands of high agricultural productivity and potential.

- Discourage conversion of designated agricultural lands to non-agricultural uses.
- Ensure adequate staffing to track acres lost due to conversion, development, or policy implementation (such as critical areas regulations), and implement mitigation strategies to offset the acres lost.
- Educate the public about the local and regional significance of agricultural land as a natural resource and the economic, social, and ecological benefits it provides.
- Work cooperatively with local farmers and coordinate with local, state, federal and tribal agencies to address water quality and quantity impacts of agricultural activities on local streams and groundwater.
- Secure 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.
- Provide economic development assistance to agriculture-related enterprises.
- Recognize regulatory impacts on local food production and encourage producer-friendly regulations.
- Design conservation easements and Transfer of Development Rights programs on agricultural lands to protect both the land base and the ability to farm it. Easement terms should permit necessary agricultural buildings, farmworker housing, and resource improvements essential for modern and sustainable farming.

Policy 8A-3: Designate or de-designate land for Agriculture land use following applicable laws including RCW 36.70A.050 and WAC 365.190, as amended. Apply the following criteria to preserve 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.

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 as defined in WAC 365-190-050. In determining this factor, consider the following nonexclusive criteria:
    a. The majority of the area contains prime and unique farmland soils, and farmland of statewide importance as mapped 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. The predominate parcel size in the area is large enough to adequately maintain agricultural operations and may include smaller parcels if contiguous with other agricultural resource lands.
    e. The availability of public services.
    f. The availability of public facilities, including roads used in transporting agricultural products.
    g. The area contains a predominance of parcels that have current use tax assessment derived from the Open Space Taxation Act.
    h. The area’s relationship or proximity to urban growth areas.
    i. The area’s proximity to agricultural markets.
    j. Land value under alternative uses.
4. Additional Whatcom County criteria that define land that has long-term commercial significance for agriculture. In determining this factor, consider the following nonexclusive criteria:
    a. A majority of the area is composed of agricultural operations that were historically in agriculture prior to 1985.
    b. Special purpose districts exist that are oriented to enhancing agricultural operations such as drainage improvement, watershed improvement, and flood control.

c. The area has a pattern of landowner capital investment in agricultural operations improvements including irrigation, drainage, manure storage, barns and support buildings, enhanced livestock feeding techniques, agricultural worker housing, etc.

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, technical assistance, education, 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 consistent with policy 8A-3 or, in the case of a request for UGA expansion into designated agricultural lands, that no other option is available consistent with WAC 365-196-310(5)(e)(v).

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 RSA zoned areas as one way to increase agricultural production in areas outside of designated agricultural land of long-term commercial significance.

Policy 8A-10: Support the Agricultural Advisory Committee as advisors to the Whatcom County Executive and Council on agricultural issues and agricultural land use. Provide the Agricultural Advisory Committee with staff and other resources, and recognize the AAC’s input with regard to agricultural resource lands.

Policy 8A-11: Enhance local food security and food sovereignty by implementing the recommendations of the Whatcom Community Food Assessment, including increasing access to local food, supporting community-based food production, and prioritizing equity in food system planning.

Policy 8A-12: Support the development of safe, affordable on-farm and near-farm housing for farmworkers and their families, and improve access to transportation and healthcare for both farmers and farmworkers in rural areas. Cities should plan for and remove

barriers to more multifamily housing affordable to nearby farm workers and their families.

Policy 8A-13: Support agricultural land uses to include non-traditional and innovative farming models, such as agroforestry, farm incubators, cooperatives, value-added enterprises, agrivoltaics, and agritourism, while preserving the primary function of agriculture on designated resource lands.

Policy 8A-14: Encourage investment in ongoing development of farms and forests that are locally managed and/or stewarded as working lands.

Policy 8A-15: The County shall require mitigation when lands designated as agricultural resource lands of long-term commercial significance under RCW 36.70A.170 are de-designated and converted to urban growth areas/urban growth area reserve, as applicable, on the Whatcom County Comprehensive Plan Land Use Map that result in an overall net loss of agricultural designated lands.

The mitigation requirements shall include:

A. The subject de-designated agricultural lands shall remain in the County Agriculture Zoning District designation, allowing one dwelling unit/40 acres, until the time of annexation.

B. For each property designated as agricultural resource land of long-term commercial significance under RCW 36.70A.170 that is subject to the requirements set forth in this policy, a mitigation agreement memorialized by covenant between the affected property owner(s), city and the county shall be required and filed with the County Auditor within:

- Ninety (90) days of the date the County Council officially approves de-designation of such lands; or

- Forty-five (45) days of issuance of the Growth Management Hearings Board final order or court decision on appeal, if a petition for review to the Board or any appeal to a court of law is timely filed.

In the event that covenants for all properties within a contiguous UGA Expansion Area are not timely recorded, the County Council shall review the UGA designation and, if determined to be necessary, shall take action to eliminate or modify the UGA Expansion Area to ensure that logical outer boundaries are maintained. All such agreements shall be appurtenant to and run with the land. This

requirement does not apply to de-designations of five (5) acres or less when there is an existing house or other structural improvements on the property.

C. The mitigation agreement shall require a fee-in-lieu payment to Whatcom County for use in the Whatcom County Conservation Easement Program (Chapter 3.25A WCC) to purchase voluntary conservation easements that remove development rights from agricultural properties. The fee shall be determined at the time of annexation and shall be based upon the average value, per acre, of agriculture conservation easements that have been finalized through the Whatcom County Conservation Easement Program in the five-year period prior to annexation, excluding City owned property in use for public purposes and lands in the one-hundred-year floodplain for which the development rights have been permanently extinguished pursuant to RCW 36.70A.110(10).

D. Assurance, acceptable to the County, regarding payment of the fee-in-lieu shall be required as a condition of annexation by the city. Assurance may be an amendment to the interlocal agreement between the city and Whatcom County concerning planning, annexation and development within the UGA stating that the fee-in-lieu shall be paid prior to issuance of the first city development permit for the subject property.

Policy 8A-16: Evaluate the potential for designating additional agricultural natural resource lands of long-term commercial significance through creation of a small-lot agriculture zone that allows for a maximum of one dwelling unit/20 acres (Ag-20) within applicable Rural Study Areas identified in the current Whatcom County Rural Lands Study including consideration of the current Agricultural Land Assessment. The evaluation should include the consideration of potential transfer of development rights to rural areas zoned R5A or R10 outside UGA with one or more of the following: 1) NON-APO soils 2) Access to public water 3) Less or lower wetlands 4) Better septic soils.

Agricultural Economic Viability

Agriculture is an essential contributor to the local Whatcom County economy. Agriculture is most productive in agricultural communities where neighbors support agriculture and where labor, farm supplies, and market systems for farm products are available.

Agriculture is one of the most important resources in Whatcom County. Whatcom County works with producers and community food system organizations to ensure productive agricultural land and improved nutrient management practices help reduce impacts on aquatic lands. Whatcom County is also strongly fiscally supported by agriculture with sales and jobs.

Goal 8B: Maintain and enhance a viable and sustainable agricultural products and services industry.

Policy 8B-1: Promote the expansion and stability of local and regional agricultural and food system economies through local sales platforms and outlets, food hubs, farmers markets, wholesale, and marketing, etc.

Policy 8B-2: Strengthen Whatcom County's agricultural industry through strategies and policies that support long-term agricultural viability, production and diversity.

Policy 8B-3: Encourage agricultural infrastructure and 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 industry.

Policy 8B-6: Use a range of result-oriented non-regulatory programs, options, and incentives collaboratively developed and monitored by the County, food system workforce, and landowners, that agricultural landowners can employ that meet or exceed county environmental regulations.

Policy 8B-7: The County shall review Title 20.40 (Agriculture District) to ensure that the regulations reflect current and evolving agricultural practices and market realities. This review should evaluate minimum lot sizes, accessory use definitions, and conditional use procedures to promote economically viable farm operations while maintaining environmental protections.

Agriculture and Food System Investment

Food and agricultural production are not just businesses, but reflective of cultural traditions and practices across multiple generations of land stewardship. This includes the food practices of the Lummi, Nooksack and other Indigenous peoples as well as family owned and operated farms. These cultural practices and traditions are valuable assets for the well-being of our county residents and workers.

Agriculture is a way of life, with many farmers farming the same land their parents and grandparents farmed. The sense of community that people have built over the years is one of the most valuable assets of our county.

Nevertheless, the livelihood of food producers and other food system workforces appears to be threatened. For example, property has become a valuable commodity in Whatcom County and oftentimes beginning farmers cannot afford to buy productive farmland because the cost is so prohibitive. Wages have not kept up with the cost of living in Washington State, and workers are faced with difficult decisions in meeting their basic needs.

Goal 8C: **Preserve and enhance investment in current and future agriculture and food production.**

Policy 8C-1: Identify, preserve, and enhance community character, landscape, and buildings associated with agricultural activity.

Policy 8C-2: Involve those who 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 agricultural economy.

Policy 8C-3: Prioritize the continuation of owner occupied/family owned farms and locally-owned agricultural cooperatives through succession planning, land access tools, and technical assistance.

Policy 8C-4: Encourage investment in programs including Buy-Protect-Sell, land trusts and the Conservation Easement Program that help beginning farmers buy and rent productive farmland.

Policy 8C-5: Encourage investment in and support more community-led programs and projects to promote agritourism, farm-to-school partnerships, and community-based ag-education. These programs should promote public awareness of the nutritional, cultural, ecological, and economic value of agriculture, our food chain, and quality food production. Investments should be made equitably to organizations led by and for underserved communities.

Land Use Conflicts

The Right-to-Farm regulations (WCC Chapter 14.02) were created because agriculture is the priority use on agricultural lands of long-term commercial significance. Usual and accustomed farm activities create odors, dust, sprays, noise, etc. and are prioritized with the Right-To-Farm regulations. Agriculture may conflict with other land uses. Improper nutrient/manure management practices on agricultural land may impact the commercial and recreational use of aquatic lands miles away. Residents of non-farm housing adjacent to farms, and owners and patrons of nearby commercial uses, have complained of nuisances such as odors, dust, chemical sprays, and noise from machinery. Farm equipment, crops, and livestock may suffer from increased vandalism. In addition, non-farm residential

development, particularly residential subdivisions, can raise assessed valuation or lead to special assessments on adjacent farmlands, resulting in higher property taxes for farmers. The same is true of commercial uses. On the other hand, the open space value of farmland can be diminished or destroyed by the location of commercial uses such as junk yards, auto wrecking yards, etc.

Many agricultural drainage districts have been in existence since the early 1900s with little or no outside influence. Their sole function has been to keep the water table down low enough to allow crops to grow throughout the season. In the last few years, however, there has been growing concern about the impact this activity may have on fish habitat and fish populations. As a result, hydraulic permits have been difficult to get from the Washington State Department of Fish & Wildlife and drainage activity has been slowed.

Mining activities, such as the extraction of sand and gravel, are often an alternative use of land zoned for agriculture. Such activities may limit options for later agricultural use, depending upon the intensity of the activity and the extent of soil rehabilitation efforts.

Many profitable agricultural operations are located on land outside of predominantly agricultural areas. Although these operations may not be entirely compatible with neighboring urban and suburban developments, they are important contributors to the agricultural base in Whatcom County.

Goal 8D: **Reduce land use conflicts between Whatcom County's agriculture and non-agricultural landowners, ensuring that agricultural and supportive land uses are prioritized on agricultural lands of long-term commercial significance.**

Policy 8D-1: Reduce potential conflicts between agriculture and incompatible 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 regulations (WCC Chapter 14.02). Give priority to agricultural uses and owners of parcels zoned for agriculture priority in land use and nuisance conflicts with residents and owners of adjacent properties.

Policy 8D-3: Support improved communication and understanding between agricultural landowners and the public through community forums, educational programs, and Right-to-Farm regulations.

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. Ensure such practices do not degrade agricultural lands.

Policy 8D-5: Accommodate the location of designated mineral resource lands in or near agriculture zones when determined 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: Cooperatively analyze and understand 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 in order to resolve conflicts.

Policy 8D-8: Develop a continuum of efforts including 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 and agritourism 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 up to 30% percent or less 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

While agriculture is very important to Whatcom County, it is also important to recognize that it can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality and quantity.

Goal 8E: **Support efforts between agricultural land users, tribes, and regulatory agencies to find clear, efficient and effective incentives and mitigation measures to protect and improve environmental function and wildlife habitat while also maintaining agricultural viability.**

Policy 8E-1: Ensure that existing riparian buffers are maintained along rivers and streams, and promote voluntary restoration where adequate riparian buffers are absent through technical assistance and incentives.

Policy 8E-2: Protect water quality and riparian and instream habitat from agricultural and livestock impacts by requiring mitigation and best management practices such as fencing, alternative watering systems, cover crops, and filter strips.

Policy 8E-3: Encourage the use of integrated pest management practices and ensure proper storage and application of pesticides, herbicides, manure, fertilizers, and other substances that can pollute our waterways.

Policy 8E-4: Support and encourage the maintenance and operation of existing drainage systems to avoid water quality and quantity impacts and retain viable agricultural land use.

Policy 8E-5: Work with the watershed improvement districts, drainage districts, Whatcom Conservation District, Washington State Conservation Commission, and the Washington State Department of Fish and Wildlife to resolve conflicts associated with fish and wildlife habitat on agricultural lands.

Policy 8E-6: Provide outreach, education, and incentives to farmers on using Best Management Practices (as defined by WCC 16.16.900) to protect water quality and protect threatened and endangered species.

Policy 8E-7: Increase funding with support from State and Federal agencies to incentivize implementation of best management practices on farms and avoid adverse impacts to water quality, shellfish, and the habitat of threatened and endangered fish and wildlife species.

Water for Agriculture

Agriculture uses a significant amount of water, most of which is pumped from wells or surface waters. Given the competition for scarce water supplies (addressed in Chapter 10, Environment, Water Resources), ways must be found to secure an adequate long-term water supply while encouraging water conservation, storage, and improving water quality prior to it entering the waterways.

Water Rights Adjudication

A water rights adjudication is a legal process to quantify and prioritize water rights in WRIA 1, the Nooksack Basin, including the entire Nooksack River watershed and nearby areas. The Washington Department of Ecology initiated this process in May 2024, and it is expected to last over a decade. All those who withdraw water from a well or divert water from a waterbody in WRIA 1 are involved, but not those who solely rely on water received from a city, a water district, or a water association. Evidence collection and submission will follow, culminating in a court-ordered inventory of all legal water rights. This adjudication is a result of the Water Resources Adjudication Assessment, which identified WRIA 1 as a priority area due to its water resource challenges. Whatcom County is serving an administrative, facilitative, and impartial role in the adjudication process including providing a court room, designating a Superior Court Judge, and providing technical assistance and studies as funded. Whatcom County will seek reimbursement from the State of Washington on all adjudication related expenses including courtroom expansion, judicial staffing, administrative expenses, a negotiated or mediated water rights quantification and settlement process, and other ongoing expenditures. Whatcom County also intends to protect its own modest legal water right associated with its facilities.

Goal 8F: **Prioritize adequate water supplies that balance supporting tribal treaties and senior water rights, a long-term and thriving agricultural sector, and residents while promoting water use efficiency, stewardship, and collaborative basin-wide planning in the face of anticipated changes in temperature, precipitation, and demand.**

Policy 8F-1: Actively participate in the WRIA 1 Watershed Management and Salmon Recovery Programs, balancing the needs of agricultural water users and other out-of-stream users with the needs for instream uses.

Policy 8F-2: Conserve water quantity resources to ensure and enhance continued agricultural viability.

Policy 8F-3: Advocate to State regulatory agencies throughout and after the adjudication process to ensure the agricultural community's access to sustainable, and legal water rights sufficient to support long-term agricultural viability.

Policy 8F-4: Recognize the regulation of water quality and the water need for production of food, fiber, shelter and energy by agricultural resource lands are equally important.

Forest Resource Lands

Introduction

Purpose

This section contains policies to guide Whatcom County in the conservation and restoration of forest resources, including ecological benefits and productive working forest lands, and to implement the provisions of the Growth Management Act and the adopted Countywide Planning Policies. Whatcom County recognizes conserving and restoring forests is closely connected to maintaining a productive timber economy and strengthening climate resilience. The County should support forest management strategies that balance these priorities while discouraging forest conversion and other incompatible uses. Healthy forests provide high-quality timber, cultural and recreational benefits, and critical ecosystem services such as clean air and water, wildlife habitat, and reduced risks of disease, pests, and wildfires.

GMA Requirements

Designation and conservation of forest resource lands of long-term commercial significance is required under the Growth Management Act (RCW 36.70A.060). The Growth Management Act [RCW 36.70A.030(8)] defines forest lands as follows:

> "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term

> commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economical and practically managed for such production, the following factors shall be considered: (a) the proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

Long-term commercial significance is defined by RCW 36.70A.030 (10) as including:

> The growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

Map 8-4 shows lands designated as forest resource lands of long-term commercial significance.

Background Summary

The forest resources of Whatcom County have historically been one of the most important natural resources in the region. Lands in the lower foothills that were initially harvested between 1900 and 1950 now support commercially mature stands of timber, some of which are structurally complex, older growth forests that sequester and store carbon and generate many ecosystem services. Few areas of original forest still remain, which is why protecting late seral stage forest lands is critical.

The majority of the county's non-federal forest resource lands (about 268,597 acres) are located in the foothills of western Whatcom County. Most of this land (223,613 acres) is zoned for forest production uses, and is owned and managed by a few large institutions, including natural resource-based corporations, insurance companies, the State of Washington, and small private forest management companies. These landowners manage their lands primarily for the production of timber resources.

A smaller portion of the land zoned for forest production is owned and managed by individual woodlot owners and farm/foresters, some of whom reside on their properties.

Traditionally, forest land use has been seen as having a lower economic value compared to agriculture, rural, suburban, urban, commercial, or industrial uses. As a result, some forest landowners have held forest land in reserve at low cost (current use tax status) while managing for forest products and waiting for the growth of more intense land uses in the vicinity of their property. Many landowners in Whatcom County have taken advantage of the current use taxation programs in order to make forest management on their land more economical. These programs greatly benefit community interests by helping forest landowners keep land in open space and forest use.

With a growing population, there is a genuine need to promote conservation of productive forest land and associated public resources through a balanced combination of regulatory protection as mandated by the Growth Management Act,

and the provision of incentives for maintaining lands in long-term commercial timber production. It is state and county policy, as stated below, to provide forest landowners with long-term land use predictability, for both productive forest lands and adjacent non-forest use lands. Premature conversion of those productive forest lands to other land uses that are incompatible with the management of forest resources is recognized as a threat to the forest industry and to ecosystem services provided by forest lands to the watershed-scale ecosystems of which they are a part. Such conversions include changing the use of forest land from commercial timber production to incompatible residential, commercial, industrial, or agricultural land uses, or parks and preserves that exclude forest production management. Once forest land has been converted and roads, utilities, and other infrastructure have been constructed, the land is not as useful for long-term commercial forest production and no longer meaningfully provides ecosystem services. In addition, the encroachment of land uses such as non-forestry related residential into areas devoted to forest production can create conflicts between residents and forest landowners.

Issues, Goals, and Policies

The following goals and policies apply to both Rural and Commercial Forest lands and address the issues of conserving productive forest land and meeting the goals of the Growth Management Act. Furthermore, the issues, goals, and policies outlined in this Comprehensive Plan should also be coordinated with the goals, objectives, and actions, forest management resources, and collaboration framework outlined in the Whatcom County Forest Resilience Plan.

Forest Land Base

The working forest land base in Washington State and in Whatcom County has been steadily decreasing over time. Most of the forest land base change is attributed to conversion of forest land to rural residential development, agricultural lands, parks, preserves, and set-asides, or taken out of production by environmental regulations. A minor amount of land has been converted to rights-of-way and urban and suburban uses. With the additional population growth forecast for Whatcom County, there will be continued pressure to convert all types of lands to residential uses. The greatest pressure to convert forest land will likely occur along the margins of traditional forest land where a spectrum of possible land uses may exist, in areas near infrastructure, and on forest sites with commanding views.

Complicating the issue of maintaining and protecting the forest land base from conversion is the existing diverse character of forest resource ownerships and forest management goals among Whatcom County's timber landowners. While the larger forest landowners manage their lands primarily for timber production, the smaller forest landowners tend to have diverse forest management goals. Public investment and zoning and land use regulations to conserve forest land in Whatcom County need to recognize that forest land is a community asset for living-wage employment, innovative enterprise, and climate resiliency. Community-led enterprises in forestry can create new, multi-tiered business models that will expand and diversify productivity and provide for a range of allowed land uses to ensure the viability of both large- and small-scale forest management goals while achieving the broader comprehensive goal of conserving the forest land base of the county.

Goal 8G: **Promote the economic sustainability of the Whatcom County forest land base, industry, and infrastructure by supporting policies that protect Whatcom County's working forest land base and forestry industry.**

Policy 8G-1: Recognize that ownership of the forest resource land base of Whatcom County is diverse, ranging from rural woodlot owners, farm/foresters and small private timber companies to large natural resource corporations, the Federal Government, and the State of Washington.

Policy 8G-2: Provide appropriate land use regulations 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 or public roads built to Whatcom County development standards, 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. Educate forest landowners on state Forest Practices Rules (RCW 76.09) and ensure that county policies are not duplicative (including Shoreline and Critical Area regulations).

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: Expand the commercial forest land base by incentivizing afforestation in fallow farm fields, floodplains, etc. Support forest conservation programs that promote afforestation, reforestation, and climate-adaptive forest management.

Policy 8G-7: Encourage and support the use of the Small Forest Landowner Forestry Riparian Easement Program to enhance small landowners' economic viability and willingness to keep the land in forestry use (WAC 222-21-005).

Policy 8G-8: Establish flexibility in land use plans and regulations to encourage maintenance of the productive forest land base.

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 forest products, such as for parks, open space, or habitat preservation purposes. Working forests are actively managed for forest products and to provide a balance of social, economic, and ecological benefits, products, and values.

Policy 8G-12: Support thriving local forestry and forest products industries and sustainable resource economy that provides living wage jobs, encourages value-added production, and promotes long-term ecological stewardship of forest lands.

Policy 8G-13: Enhance the economic resilience of the Whatcom County forestry economy by encouraging forest management practices that increase structural complexity and stand diversity to ensure the future range of possible forest management options. For example, incentivizing landowners to pre-commercially thin and/or increase rotation age to support specialty saw mills that process large diameter timber and other specialty products.

Policy 8G-14: Encourage and incentivize working forest management practices that enhance climate resilience, forest health, and ecosystem services, including healthy fish and wildlife habitats, assisting species migration through road infrastructure and active management, watershed health, clean water, carbon sequestration and storage, wildfire resilience, and open space

preservation. Healthy and ecologically diverse forests can help mitigate the harmful impacts of increased frequency and severity of wildfire events, increased occurrence of pests and disease, and drought and extreme heat events. Promote forest and forestry sustainability through education, financial incentives, and technical assistance.

Policy 8G-15: Develop and implement forest management plans for county managed lands such as community forests and county forestry lands including but not limited to Lake Whatcom Park, Canyon Lake Community Forest, and Stewart Mountain Community Forest that reflect the County's values for ecological stewardship, public access, and long-term sustainability. Hire the requisite staff or contractors to develop programming and play a more active role in the management of these forest lands.

Policy 8G-16: Encourage uneven-aged forest management practices such as selective harvesting and variable density thinning to promote structural complexity, enhance biodiversity, improve drought and fire resilience, support hydrologic function, and protect both fish-bearing and non-fish-bearing streams.

Policy 8G-17: Seek to expand opportunities for forest landowners to participate in carbon and ecosystem services markets by supporting programs and incentives that reward active forest management practices that increase carbon storage, enhance ecosystem services, and promote long-term sustainability.

Policy 8G-18: Support forest industry workers and businesses in transitioning to climate-resilient forest harvest practices by investing in training, safety improvements, and workforce development. Promote fair wages, benefits, and safe working conditions as part of a just and sustainable forestry economy.

Policy 8G-19: Maintain a working forest land base by considering the benefits and impacts of working forests as part of the legislative decision-making process. Measures that can be taken to support working forests may include:

- Implementing land use policies that encourage active management plans on Rural Forest lands;
- Tracking acres of forest lands lost from productivity due to conversion, development, or policy implementation such as critical areas ordinance, and work with the Forest Advisory Committee to identify economically viable mitigation strategies that can be implemented to offset the acres lost;

- Implementing land use policies that recognize the multiple values of working forests and respect the rights and responsibilities of private and public forest landowners;
- Implementing education programs that emphasize recognition that wood is a renewable natural resource;
- Implementing public and institutional education programs that promote the benefits of working forests;
- Championing the implementation of the U.S. Forest Service's *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;
- Encouraging county coordination and education of small forest landowners to assure that participants understand the responsibilities and opportunities inherent in the Designated Forest Land Current Use Tax program. Promote county and other programs to better serve small forest landowners, including educating landowners on active forest management, timber production, forest health, and fire resilience;
- Discouraging conversion of designated forest lands to non-forest uses. Consider docketing a study of Rural Forestry properties that may benefit from rezoning to Commercial Forestry in an effort to encourage commercial forestry, discourage residential growth in forested areas, and improve climate and wildfire resilience.
- Devoting county staff time and resources to apply for federal grants and support the formation and convening of a "Forest Collaborative" that will help facilitate multi-stakeholder conversations about proposed timber harvest and forest restoration activities on US Forest Service Land within Whatcom County.

Policy 8G-20: Encourage active restoration in riparian areas to mitigate invasive species and promote forest health as exemplified by DNR's Forest Riparian Restoration Strategy.

Policy 8G-21: Provide resources for monitoring forest health conditions, especially in the non-working forest land base, and consider active forest management to achieve desired conditions.

Policy 8G-22: Educate forest landowners on treatments that buffer forest lands and eco-systems from wildfires, increasing vertical separation where possible, reducing fuels around homes and

other structures along roads and stand edges and managing riparian zones.

Policy 8G-23: Review county ordinances involving lot sizes and building setbacks to ensure compliance with defensive-space best practices for Western Washington forest types and to ensure compliance with the FireWise USA program. Update ordinances where appropriate.

Forest Products Industry

Investment in forest land is complicated by the long time it takes to realize any financial return from growing trees. Once a forest is harvested and a new forest plantation is established, it can take from 40 to 60 years at a minimum before another harvest can occur. Due to the fact that investments in forest land and timber growing are long term in nature, it is necessary to provide forest landowners with assurance that their investments will be realized.

Forest resource lands make an important contribution to the local economy in Whatcom County. Resource-based employment continues to provide some of the better paying jobs in our area. Several major employers operate primary and secondary forest product processing facilities. Furthermore, Whatcom County has a long history of involvement in the forest industry, with many families and communities involved in forest management and forest products manufacturing.

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 that serves the well-being of the enterprise owners and workforce of Whatcom County.

Policy 8H-4: Work cooperatively with the co-managers, Washington State Department of Natural Resources, Lummi Nation, and Nooksack Indian Tribe, to maximize co-benefits and 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 U. S. Forest Service and the Washington Department of Natural Resources to implement sustainable harvest practices that balance the use of forest lands for timber harvest and enhancing ecosystem services while allowing appropriate multiple uses such as cultural practices and recreation.

Policy 8H-8: Collaborate with organizations led by and for forest industry workers to support the educational needs of a skilled workforce.

Land Use Conflicts

One of the most significant impacts for timber landowners in Washington State is the growing number of conflicts between forest landowners and their neighbors. These conflicts are the result of expansion into the margins of the commercial forest land base by people seeking residential land and recreational tracts, and who bring with them conflicting values concerning resource extraction such as logging.

Goal 8I: 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 regulations, which require 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, make every attempt to annex the property on which the development is located into local fire district boundaries. Before a development permit or a rezone is approved, demonstrate 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, Lummi Nation, Nooksack Indian Tribe, forest

landowners, and the general public to address community concerns and land use conflicts that may arise as a result of forest practices.

Policy 8I-6: Further explore opportunities for off-grid living and its benefits associated with the Rural Forestry interface.

Fish and Wildlife

The use of forestlands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.

Goal 8J: Support the Department of Natural Resources in ensuring 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 best management practices.

Policy 8J-3: Ensure that riparian and stream functions are protected when forestlands are converted to non-forestry uses.

Policy 8J-4: Update the Lake Whatcom Landscape Plan using best available science and data to ensure forest activities within the watershed are consistent with the goals and objectives of the Lake Whatcom Management Program. Consider expanding membership of the Interjurisdictional Committee and improve compliance monitoring to ensure post-harvest conditions are not increasing risk of landslide or impairing water quality.

Mineral Resources

Introduction

Purpose

The purpose of this section is to guide Whatcom County in the conservation of mineral resource lands of long-term commercial significance and in land use decisions involving lands where mineral resources are present, and to implement the provisions of the Growth Management Act and the adopted Countywide Planning Policies.

GMA Requirements

One of the goals of the Growth Management Act is to maintain and enhance resource-based industries, including the aggregate and mineral resource industries, with the purpose of assuring the long-term conservation of resource lands for future use. The goals and policies in this section support that goal. In addition, the GMA mandates that each county shall classify mineral resource lands and then designate and

conserve appropriate areas that are not already characterized by urban growth or have other GMA values that may preclude designation and that have long-term commercial significance.

Mineral resource lands are lands primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of minerals.

Classification is first step in implementing natural resource lands designations, as required in RCW 36.70A.170, and requires defining categories to which natural resource lands and critical areas will be assigned. Designation is the second step in implementation, in which natural resource lands must be designated based on their defined classifications. Designated Mineral Resource Lands of Long-Term Commercial Significance are displayed on **Map 8-5.**

As part of the required periodic review, Whatcom County must consider new information in determining if amendments are necessary to the mapped designated mineral resources.

History of Government Efforts.

1990 - The Growth Management Act (GMA) initiated the following County efforts. The Surface Mining Advisory Committee (SMAC) was formed to reach consensus on the issues, goals and policies adopted into Chapter 8 of the County Comprehensive Plan.

1992 - County adopted the Department of Natural Resources (DNR) Interim Classification of Mineral Resources to designate mineral resources in the County.

2003 and 2014 aggregate resource studies were commissioned and updated.

2016- Whatcom County takes a more proactive role in designating mineral resources, rather than relying on State level designation.

2021 - SMAC developed several options to study of potential additional Mineral Resource designations. County Council recommended further study of potential MRL expansion only within ½ mile of existing MRL designations.

2024-2025 – PDS consultant initiated potential MRL expansion suitability analysis within ½ mile of existing MRL designations. Process ongoing into 2026.

Background Summary

Mining activities in Whatcom County have taken place since the 1850s, though the nature, scope, and extent of such activities has changed considerably through time. These changes have reflected the economics involved at each point in time, at least as much as they reflect the geologic character of Whatcom County. Historically, the more important mineral commodities of Whatcom County have been coal, gold (placer and lode), sandstone, clay, peat, limestone, olivine, and sand and gravel aggregate, with the latter three being especially important at present.

In Whatcom County, sand and gravel mining has been historically concentrated mainly to the east of Interstate-5 and north of Bellingham, with some exceptions. The more important historic aggregate mining areas from east to west include: (1) the Siper and Hopewell Road area two miles north of Nugent's Corner; (2) the

Breckenridge Road area just east of Nooksack; (3) the Pangborn and Van Buren Road area two and one half miles southwest of Sumas; (4) the Pole and Everson-Goshen Road area to the southwest of Everson; (5) the Axton Road area one mile east of Laurel; and (6) the Valley View Road area three miles to the east of Blaine.

Limestone has been mined since the early 1900s in Whatcom County. Historically, the main use for limestone was for Portland cement manufacturers and pulp and paper industries. Today, limestone is mined in the Red Mountain area north and east of Kendall and is primarily used for rip-rap to mitigate effects of flooding, and for crushed rock. In 1966, about 500,000 tons of limestone were produced annually from deposits on Red Mountain and deposits north of Maple Falls. Since then, limestone mining has decreased significantly.

Whatcom County is home to one of the largest known deposits of olivine in the United States, located in the Twin Sisters Mountain. The extraction of high-quality Twin Sisters dunite (olivine), largely from the Swen Larsen Quarry, has ranged from 400 tons in the early years of operation to a more recent annual average of approximately 70,000 to 80,000 tons.

In the past, extraction of river gravel occurred primarily within the banks of the Nooksack River between Deming and Lynden. As of March, 1993, 34 gravel bars had approved status for extraction. However, because of federal regulations and decreasing seasonal windows in which gravel could be removed from the river due to impacts to riparian habitat and endangered salmon spawning and habitat, there has not been any river bar scalping on the Nooksack River since 1995.

Issues, Goals and Policies

General Issues

While development creates demand for sand and gravel resources, it may also encroach upon or build over those same resources, rendering them inaccessible. Strong community opposition to mining near residential, agricultural, or environmentally critical areas may also limit extraction opportunities. Adequate resource protection could help ensure a competitive market and guard against inflated land prices by allowing the supply of minerals to respond to the demand of a free market. Helping the aggregate industry and associated businesses, trades, and export markets also creates jobs and stimulates the economy, to the benefit of the county.

Surface mining can create conflicts with other land uses. Those impacts may include increased noise, dust, scenic impacts, traffic, road wear, and neighboring property devaluation. Mines can affect property values while at the same time nearby residents may use the area for shooting, dirt bike riding, and other activities. Controlling trespassing to surface mines can be a significant safety issue for mine operators. Adjacent land use issues range from the right to mine and use mineral resource land to the right to live in an area with a high quality of life and retain home values. The public may generally be unaware of the zoning of surrounding property and the mining uses that are allowed, and mining impacts, such as blasting and traffic, can affect a larger area or community. Trespassing and various other activities that may conflict with other land uses are generally illegal and can cause liability for mine

owners/operators. Numerous federal, state, and local regulations also mitigate impacts of noise, dust, traffic, and environmental issues. These and other factors may contribute to a climate of distrust and hostility between the aggregate industry and property owners in the vicinity.

Surface mines, when reclaimed properly, can enhance wetlands, fish, and wildlife habitat, possible productive agricultural land, or provide land for parks, housing, industrial, or other uses. When not reclaimed properly, mines may create environmental issues, such as groundwater or aquifer impacts, and contamination or disruption of fish and wildlife habitat.

As a natural result of geologic forces, it is not uncommon in Whatcom County to have excellent mineral deposits located under prime farmland soil and/or above an aquifer recharge area. Mining in these areas can substantially reduce the productive capacity of the soil and make the underlying aquifer more susceptible to contamination. Removing the soil overburden eliminates the natural filtration system, exposing the aquifer to direct contamination from turbidity, industrial spills, illegal dumping, and agriculture products. Removing, stockpiling, and spreading soil may create a risk of compromising the productive capacity of the most productive and versatile farmland in the county. Another potential problem is that digging out a side hill and/or through a clay barrier could tap the groundwater and suddenly drain an aquifer. This creates a conflict between competing natural resource industries: agriculture and mining. While agriculture is a sustainable industry, mining is an industry that relies on a fixed, nonrenewable resource.

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 the 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: **Minimize any adverse impacts of mineral extraction industries on neighboring people and properties by establishing appropriate and beneficial designation and resource conservation policies, while recognizing the rights of all property owners.**

Policy 8L-1: Avoid significant impacts of mineral extraction on adjacent or nearby land uses, public health and safety, or natural resources.

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 as mineral deposits are depleted. Use Best Management Practices to achieve this.

Policy 8L-5: As part of the mining permit process, plan for an ultimate end use of 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 a financial surety 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

Significant mineral deposits occur in some parts of the county's rural areas, and many have been or are being used for mineral extraction. Some of these areas have higher surrounding residential densities than others, many residents of which expect less intrusive forms of land uses. Low density rural areas with potential natural resources such as sand and gravel may be able to accommodate a variety of uses, and surface

mining has been a traditional use. Determining which areas are the most appropriate for mineral extraction is a difficult and challenging task.

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 may be reduced for a limited period 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

There is considerable overlap between high-quality aggregate lands and high-quality agriculture lands. Several deposits represent a primary source for sand and gravel and, as well, form the parent material for prime agricultural soils. Both large, deep, open pit mines and smaller projects removing ridges and high ground have been operating in these overlap areas in the agricultural district. The smaller projects usually occur on dairy farms where corn or grass is cultivated. Potential drawbacks from commercial mining in agricultural areas may include reclamation problems, the loss of scenic terrain, an increased risk of groundwater contamination from future agricultural practices, soil rehabilitation difficulties, negative cost-benefit balance, and changes in drainage patterns.

Some farmers want the freedom of choice to use their land for farming or surface mining, especially in cases where mining income could "save the farm." Others want to preserve farmland. Some questions to consider are the extent to which surface mining should occur on farmland and the extent to which it should be reclaimed back to farmland if it does.

The agriculture zone is sparsely populated and there are fewer conflicts between homeowners and mining industries than in urban or rural zones. Nevertheless, mining activities can significantly impact nearby landowners.

Goal 8N: **Recognize the importance of conserving productive mineral lands and conserving productive agricultural lands within or near the agricultural zones 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

Surface mining of gravel and rock resources is an integral part of a forest landowner's forest management. Adequate supplies of gravel and rock not only add to the economics of forest management, but also reduce environmental impacts of forest roads. Rock crushing helps conserve a valuable commodity by reducing the amount of material necessary for road construction. The use of crushed rock on roads reduces the amount of sediment developed and better protects water quality.

Zoning densities in the Forestry Districts protect the access to mineral resources in the future. These regions contain most of the county's hard rock reserves, such as olivine and limestone. In some areas, the soils overlaying mineral deposits may have a lower productivity for growing timber compared to the high mineral resource value.

As lowland sand and gravel resources become exhausted or unavailable, the commercial potential of mining in forest zones may increase enough to warrant the expense of hauling. While this would increase the potential for impacts, such as heavier truck traffic, land use conflicts may be minimal based on the lack of or low residential densities in these zones.

Goal 8O: **Conserve productive mineral and forestry lands within or near the forestry zones of Whatcom County.**

Policy 8O-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 8O-2: Allow commercial surface mining operations, including rock crushing, washing, and sorting, in the forest zones when appropriate as long as conflicts with other land uses can be mitigated.

Policy 8O-3: Carefully consider the siting of asphalt and concrete batch plants due to possible adverse impacts.

Riverine Areas

Gravel harvest from within 150 feet of the Ordinary High Water Mark (OHWM) for commercial use is neither a cost effective nor ecologically sound practice. It can produce conditions that will encourage channel instability, increase flooding and damage to infrastructure and shall not be allowed.

Improper mining methods in fish spawning reaches can de-stabilize spawning gravel or clog it with silt, remove cover vegetation, or trap smolts during out-migration. Over-harvesting of gravel can erode the river bed and expose the underlying substrate, reducing or eliminating pool and riffle habitat for fish and other aquatic animals. Finally, petroleum spills from mining equipment can degrade local surface water quality if not responded to properly.

While river gravel is a resource that could extend the life of other Whatcom County gravel resources, river bars are not a reliable source from year to year. The amount of gravel that can be mined varies with seasonal and yearly rates of gravel deposition; high and low water levels and timing; and fish migration, spawning, and out-migration timing.

Various costs raise the price of river bar gravel. For example, there are several streams (e.g. Boulder Creek, Porter Creek, Glacier Creek, etc.) that may offer significant quantities of sand and gravel, but which are not being mined due to prohibitive transportation costs. Other factors include the cost and limited availability of access easements to the river, the repeated handling that is necessary for extraction and processing of the material, and the cost of complying with regulations.

Finally, many state and federal regulations restrict scalping locations and practices. The cost and time delay of regulation, environmental restrictions, royalty charges, and the regulatory process are deterrents to river bar mining.

Goal 8P: **Subject to Federal and State regulations, support strategic sediment removal from river bars and stream channels when necessary for flood control management or environmental mitigation purposes when deemed appropriate as part of a larger strategic plan laid out by governmental agencies and appropriate stakeholders where adverse hydrologic and other environmental impacts are avoided or minimized.**

Policy 8P-1: Designate river gravel as a supplemental source to upland reserves.

Policy 8P-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 8P-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 8P-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 8P-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 8P-6: Carefully consider sediment removal techniques that decrease the likelihood of flooding and lowers the costs of flood damage and repair, flood management, and emergency services; however, any sediment removal shall not cause harm to water quality, fish and wildlife populations and habitat, riparian vegetation, channel stability, and tribal treaty rights.

Policy 8P-7: Support the use of gravel from tributary streams for flood hazard control, provided environmental impacts are fully addressed.

Policy 8P-8: Support the use of existing public access easements to allow gravel removal.

Policy 8P-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

The interim mineral resource land designations, adopted as part of the 1993 Comprehensive Plan, were based upon minimal designation criteria. A more complete set of designation criteria is necessary in order to better define which areas in the County are appropriate or inappropriate for mineral resource land designation. These designations should also include quarry rock and valuable metallic mineral sites because interim designations did not include these resources.

The interim designations were largely based upon a twenty-year planning horizon, and did not consider a fifty-year planning horizon, which previous Surface Mining Advisory Committees (SMAC) have recommended for protection of this critical and

finite resource. Achieving a 50-year local supply is challenging due to limitations of mineral resources and conflicting land uses, however, protecting mineral resource areas that are not currently in conflict with other important goals of the GMA is an important long-term planning goal. Despite this stated goal, it should be recognized that due to geologic constraints particular to Whatcom County, long-term aggregate supply may not be entirely met by local supplies and some areas of Whatcom County may be better served by the import of aggregate materials.

Determining the fifty-year aggregate supply requirement in Whatcom County is a complicated projection requiring many assumptions. In 2004, after review of multiple studies, the SMAC concluded that the County's existing MRL's did not contain a fifty-year supply of aggregate resources and that meeting the demand for construction aggregate in Whatcom County would require expanded mineral resource land designations and consideration of aggregate import from adjacent Counties and Canada by truck, rail and barge. A supplemental aggregate inventory study was commissioned in 2014 to assess on-going aggregate use in Whatcom County and quantify remaining designated aggregate resources. The result of the inventory demonstrated decreasing aggregate availability in Whatcom County and prompted the SMAC to recommend a countywide assessment of MRL designations that would evaluate the compatibility of potential expansion of existing MRLs to protect available mineral resources meeting established designation criteria. The 2016 Comprehensive Plan included language reflecting this identified need and directing the SMAC to develop a countywide MRL designation assessment. The policies and criteria below are meant to guide meeting the demand for construction aggregate.

Goal 8Q: **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 8Q-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 8Q-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 8Q-3: Allow mining within designated MRLs through a conditional use permit process requiring:

- environmental review, with the County as lead agency, and
- application of appropriate site-specific conditions, and

- notification to neighboring property owners within 2,000 feet to ensure opportunity for comment.

Policy 8Q-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 review of land development projects in order to avoid development incompatible with mineral resource extraction.

Policy 8Q-5: Work with the Port of Bellingham, the City of Bellingham, and waterfront property owners to facilitate the importation of mineral resources necessary to provide the public with adequate mineral resources at reasonable prices.

Policy 8Q-6: Consider removal of land from Mineral Resource Designation after mining and subsequent reclamation is completed.

Fish and Wildlife

The use of mineral resource lands can impact habitat, riparian areas, streamflows, channel habitat structure, and water quality.

Goal 8R: Ensure that mining avoids adverse impacts to the habitat of threatened and endangered fish and wildlife species and other critical areas.

Policy 8R-1: Ensure that adequate riparian buffers are maintained along rivers and streams.

Policy 8R-2: Ensure proper treatment of wastewater prior to discharge.

Policy 8R-3: Provide and maintain best management practices for erosion control to prevent sedimentation.

Policy 8R-4: Provide proper storage of hazardous materials.

Policy 8R-5: Provide for appropriate on-site spill response, containment, and clean-up materials and personnel.

Policy 8R-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 8R-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% (1,290 cy/acre/foot).
7. Consider the likelihood of impacts on health and habitat from potentially harmful minerals such as Naturally Occurring Asbestos, Radon, and Mercury when designating MRLs.
8. MRL Designations must not be within nor abut developed residential zones or subdivisions platted at urban densities.
9. 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.

10. MRL Designation should not enclose by more than 50% non-designated parcels.

11. 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.

12. 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.

13. 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

14. 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

15. 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

16. 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

17. MRL Designation status applies to river gravel bars possessing necessary permits and containing significant quality reserves.

18. 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

19. For metallic and rare minerals, mineral designation status extends to all patented mining claims.

20. Mineral Resource Designation status extends to all currently permitted industrial mineral deposits of long-term commercial significance.

21. 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

Introduction

Purpose

Marine resource lands, for the purpose of this plan, are defined as those marine areas waterward of the ordinary high-water mark, together with their underlying lands and their water column, within the jurisdiction of the Whatcom County Shoreline Management Program (WCC Title 23). Marine resource lands have the physical conditions and habitat required to generate and maintain fisheries of all types, including the treaty protected, commercial, ecological, cultural, and recreational harvest of finfish, shellfish, algae, seaweed, and other invertebrates including but not limited to mollusks, crab, and shrimp, etc. This section is intended to guide Whatcom County in the conservation of functioning marine resource lands of long-term commercial, ecological, cultural, and recreational significance, and to ensure that all water-dependent, water-related, and water-enjoyment uses requiring use or access to marine resource lands thrive in the years to come.

GMA Requirements

Goal 8 of the GMA (RCW 36.70A.020) guides the County to ***"Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries."*** While the GMA does not specifically require the designation of marine resource lands that support aquatic-based uses and industries, Whatcom County acknowledges the necessity of protecting and conserving both the sustainable harvest of aquatic species and the protection of natural and cultural resources.

Background Summary

The marine resource lands of Whatcom County have historically been one of the most important natural and cultural resources in the region. Since time immemorial, the shores of Whatcom County provided an important shellfish resource, sustaining our local tribes. More recently, the tidelands of Drayton Harbor supported one of the earlier commercial oyster-farming businesses in the Salish Sea. The shore and nearshore lands of the County provided spawning, rearing, and forage areas for a diverse array of finfish, shellfish, and other aquatic species that together formed an incredible food web for indigenous communities and early commercial fisheries. The County's marine resource lands are located along the coastal areas bordering the

Salish Sea fed by the rivers, streams, and lakes that drain the upland areas of western Whatcom County. Marine resource lands include more than 130 miles of marine shoreline.

Marine resource lands in the area of Cherry Point are designated in the Shoreline Management Program as the Cherry Point Management Area to support adjacent Heavy Impact Industrial (HII) zoned industrial uses that require deep water access. The harbor area and waterways in Bellingham Bay are designated for preservation of commerce and navigation along the Bellingham shoreline. The tidelands of Drayton Harbor are designated to support a small commercial wharf, marinas, residential shoreline development, shellfish production, and natural areas.

The majority of marine resource lands in Whatcom County are owned by the State of Washington (managed by Department of Natural Resources [DNR]), the Lummi Nation, and the Port of Bellingham (via a Port Management Agreement with DNR). These include many of the tidelands and subtidal lands in the County. Marine resource landowners also include some private entities that were sold tidelands prior to 1971, and who manage their marine resource lands for a variety of uses, including recreational, commercial, and industrial.

Historically, marine resource lands have been managed for natural and farmed shellfish production and harvest, fishing, transportation, utility corridors (oil/gas/natural gas pipelines); sewer and stormwater outfall pipes; communication lines (phone/fiber optic); power (electric) lines, and commercial, recreational and subsistence/cultural fishing and food gathering. Historic uses also included commercial and industrial uses, marinas (Bellingham, Blaine), municipal garbage dumps, public parks, etc.

With a growing population, there is increasing interest in improving public access to marine resource lands through the addition of boat ramps and access points for motor, wind, and human-powered craft. Over the last 20 years, the desire to harvest more diverse aquatic resources, particularly from tidelands, has driven a number of significant efforts to improve water quality as well as innovative culturing techniques such as intertidal geoduck seeding, nori farming, etc.

Conservation efforts have resulted in protection of several areas including the Cherry Point Aquatic Reserve and two areas withdrawn from leasing in Bellingham Bay. These areas are valuable due to their high productivity of aquatic life that contributes to the economy and greater ecosystem of Whatcom County. Twenty years of effort and millions of dollars in public investment have kept Drayton Harbor a viable commercial and recreational shellfish growing area for future generations to enjoy.

Marine resource lands provide a huge economic benefit to the County, and the health of our stream, river, and estuarine environments and marine resource lands are the foundation of a critical tribal and non-tribal finfish, shellfish, aquaculture, and other marine based industries. According to the Economic Analysis of the Non-Treaty Commercial and Recreational Fisheries in Washington State published in December 2008, in 2006, non-tribal commercial fish landings from Washington fisheries totaled nearly 109.4 million pounds, generating $65.1-million in ex-vessel value (i.e., the price received by commercial fishers for fish). Whatcom County was the State's second-largest commercial port area that year (after Grays Harbor County), with an

ex-vessel value of commercial fish landings of more than $13.5-million, accounting for nearly 21% of the total value of landings from Washington fisheries. Additionally, the North Puget Sound Region—which the Washington Department of Fish and Wildlife defines as including San Juan, Skagit, Snohomish and Whatcom counties—is also the most popular location for recreational shell-fishing in the State. In 2006, the combined recreational shellfish catch in those four counties included more than 3.3-million pounds of Dungeness crab, 23,520 pounds of shrimp, 93,038 pounds of clams, and more than 19,000 individual oysters.[1] In 2023, the Whatcom County Maritime Industry provided 6,400 jobs with total revenues of $1.6B.[2]

Whatcom County continues to provide income to over 600 Lummi Nation registered Tribal fishers.[3] Many Lummi and Nooksack tribal members depend on finfish and crab harvest for a substantial part of their yearly family income and sustenance. The Lummi Nation shellfish enterprise is highly productive and provides clam, oyster, and geoduck seed to a large part of the northwest shellfish industry. The environmental health of these lands impacts the ability of Tribal Nations to practice fish and wildlife harvests and conduct ceremonial activities for their cultural, economic, and spiritual welfare; protection of these lands is a Treaty trust resource supporting Treaty reserved rights to take fish.

Other direct and indirect benefits to the County are even more substantial given the multiplier effect from marina-related boat works, electronics, fuel and supplies, charter and whale watching businesses, the Alaska Ferry service, sporting goods, kayaking, rowing, sailing, wind surfing, power boating, and all the sales, repair, maintenance, and provisioning that goes with these types of activities. Whatcom County's marine resource areas are not only an international destination for water-dependent, water-related, and water-enjoyment activities, such as bird and wildlife watching, sailing and cruising, fishing and gathering, but they are also a gateway to the San Juan Islands, Gulf Islands, the greater Salish Sea environs, and international waters. Whatcom County must invest in the protection and conservation of its marine resource lands ensuring they are a renewable and sustainable economic driver that will serve this region well into the future.

Issues, Goals, and Policies

The following goals and policies apply to marine resource lands and address the issues of conserving productive aquatic land and meeting the goals of the Growth Management Act.

Marine Resource Land Base

Tidelands, marine waters, major lakes, and navigable rivers were owned by the State of Washington at the time of statehood unless reserved for other uses such as federal facilities or Indian reservations. Between 1889 and 1971, the State sold many of its

[1] Whatcom County, March 2015. *Whatcom County Comprehensive Economic Development Strategy*, prepared by the Whatcom Council of Governments.

[2] Dan Tucker, *Economic Impacts of Whatcom County's Maritime Industry 2023* (Bellingham, WA: Working Waterfront Coalition, 2024), https://www.whatcomworkingwaterfront.org/whatcom-marine-trades-economic-impact-study-2024.

[3] Port of Bellingham. "Whatcom County Comprehensive Economic Development Strategy (CEDS)." Accessed October 13, 2025. https://www.portofbellingham.com/514/Comprehensive-Economic-Development-S

tidelands to railroads, timber companies, and shellfish growers as a way to finance the State. As a result, the State owns only about 30% of the tidelands. The bulk of tidelands and many shoreland areas are owned or managed by ports, industries, tribes, and private property owners. The State retains ownership of most of the subtidal lands that were not sold.

Since their adoption, the marine resource land base in Washington State and in Whatcom County has largely been protected by the Washington State Shoreline Management Act, as well as Whatcom County's Shoreline Management Program (SMP), Critical Areas Ordinance, and other land use regulations such as stormwater, land disturbance, zoning, and other regulations.

Historically, shoreline modification, including filling, hardening, and diking of many natural shorelines has resulted in a significant reduction in the ecological health of marine resource lands in many areas of the County. These modifications came as a result of transportation improvements (roads, railroads, barge landings, and ferry terminals), utilities (electrical, communications, sewer, stormwater, etc.), hydropower, water-dependent uses (marinas, fish processing, ship yards), non-water dependent uses (industrial, agricultural, residential, and commercial development), flood control efforts, erosion control, (including bulkheading, armoring [4]), docks, and parks.

The Washington State Legislature passed the State Shoreline Management Act (SMA) in June 1971. Under the SMA, each county and city is required to adopt and administer a local shoreline management plan to carry out the provisions of the Act. The Whatcom County Shoreline Management Program (SMP) is the set of policies and regulations that implements the goals and policies of the SMA at the local level. The SMP was originally adopted by the County Council in May 1976 in accordance with the SMA and the shoreline guidelines issued by the Washington Department of Ecology. An updated Shorelines Management Plan went into effect on March 13, 2025, including a complete re-write of Title 23, changes to the Critical Areas Ordinance (CAO) in Title 16.16, changes to the Land Use and Development procedures in Title 22, and the creation of Chapter 11 Shorelines of this Comprehensive Plan. The SMP is implemented in coordination with other chapters of the Comprehensive Plan and the Whatcom County Code to protect and manage shorelines throughout the county. It is important to note that Whatcom County and Ecology share joint authority and responsibility for the administration and enforcement of the SMP. In addition, numerous other local, state and federal regulations, permits, and approvals apply to development or use in, on or above the County's marine resource lands. Some of the most common permits and approvals include:

[4] Since adoption of the SMP, shoreline armoring, filling, and bulkheading is only allowed for the purpose of protecting existing structures.

Agency	Permit(s)
Whatcom County	• Shoreline statement of exemption • Substantial development permit • Shoreline conditional use permit • Shoreline variance • State Environmental Policy Act (SEPA) determination
Washington Department of Ecology	• Clean Water Act Section 401 Water Quality Certification • Coastal Zone Management Consistency Determination
Washington Department of Fish and Wildlife	• Hydraulic project approval (HPA)
Washington Department of Natural Resources	• Aquatic use authorization • Aquatic lands lease agreements
U.S. Army Corps of Engineers	• Clean Water Action Section 404 Permit • Rivers and Harbors Act Section 10 Permit

Goal 8S: **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 and the ecological health of marine resource lands.**

Policy 8S-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.

Aquaculture, Fishing, and other Marine Resource Lands Activities

Goal 8T: **Support measures to increase the viability and sustainability of Whatcom County's aquatic biodiversity and production.**

Policy 8T-1: Support environmental protection of marine resource lands by improving the predictability, efficiency and effectiveness of environmental regulations.

Policy 8T-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 8T-3: Support efforts to restore water quality and healthy habitats for fish and other aquatic species to ensure Whatcom County can operate marine-based industries in a long-term, sustainable manner as part of a stable, broad-based economy.

Policy 8T-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 8T-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

Different land owners have different goals for their property and employ different practices when using it, whether it be for their business, home, recreation, or personal enjoyment. But often times, the practices one property owner employs can have detrimental effects on another property owner's use or enjoyment of their property, or the public when using public lands, which can lead to conflict amongst users. Improved communication and education between these groups would be beneficial for each to understand what the other is doing, how their actions affect one another, and how they plan to avoid such impacts. It is also important to honor and uphold treaties as the supreme law of the land, pursuant to the U.S. Constitution.

Goal 8U: Reduce land use conflicts between Whatcom County's Marine Resource Lands Priorities, upland property owners, and tribal treaty protected uses.

Policy 8U-1: Support improved communication and understanding between local, state, federal, and tribal governments, aquatic land landowners and the public through such mechanisms as community forums and educational programs.

Policy 8U-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 conservation and enhancement of marine resource lands.

Policy 8U-3: Continue to implement land use, building, and transportation planning policies, regulations, and practices that help minimize adverse water quality inputs into waterbodies.

Policy 8U-4: Support and participate in education efforts and programs that emphasize the importance of and promote the benefits of marine resource lands while recognizing the history, culture, treaty rights, and sovereignty of the Tribes.

Fish and Wildlife

Land use practices on marine resource lands can impact tidelands and other shallow and deepwater habitats that are important to a wide variety fish and wildlife.

Goal 8V: Ensure that operations associated with marine resource lands avoid adverse impacts to the survival and habitat of aquatic species, particularly to threatened and endangered fish and wildlife species, shellfish, and seaweed resources.

Administration and Regulation

Goal 8W: **Recognize the Shoreline Management Program (WCC Title 23), Zoning Code (WCC Title 20), and Critical Areas (WCC Title 16.16) as the primary regulations used to implement this section.**

Policy 8W-1: Pursuant to RCW 36.70A.480, the Whatcom County Shoreline Management Program is an element of this Comprehensive Plan (see Chapter 11 Shorelines), and the goals and policies therein are recognized as additional goals and policies of this section.

Policy 8W-2: Those coastal aquatic lands waterward of the ordinary high-water mark are hereby designated as Marine Resource Lands.

Policy 8W-3: Regulate land use on Marine Resource Lands within the County through the Shoreline Management Program, Zoning Code, Critical Areas Ordinance, and other appropriate means.

Policy 8W-4: When updating the Shoreline Management Program, consider new or amended policies to further these goals.

Climate

Washington State House Bill 1181 requires local governments to integrate climate change strategies into their comprehensive plans to increase resilience to climate impacts. Policies to increase climate resilience include promoting climate-resilient agricultural, forestry, and marine-based practices, increasing carbon sequestration by protecting resource lands from development pressures, and protecting water resources and healthy habitats. These management practices require adaptation in a changing climate.

Goal 8X: **Maintain and enhance the long-term sustainability, productivity, and value of natural resource-based lands by mitigating and adapting to climate change.**

Policy 8X-1: Through the Whatcom County Conservation Easement Program, increase acreage protected under conservation easements to promote carbon sequestration and preserve agricultural and forest land from development.

Policy 8X-2: Prioritize the protection of designated agricultural lands through partnerships with land trusts and other conservation organizations.

Policy 8X-3: Maintain development regulations to improve habitat connectivity and increase resilience to climate impacts by prioritizing the preservation of agricultural lands, forests, wetlands, critical areas, and shorelines.

Policy 8X-4: Encourage the conservation of forests, wetlands and riparian zones as natural buffers against climate hazards, recognizing their role in absorbing excess water, reducing flood risks, and mitigating extreme temperatures.

Policy 8X-5: Support forest conservation programs that promote afforestation, reforestation, and climate-adaptive forest management to enhance carbon sequestration.

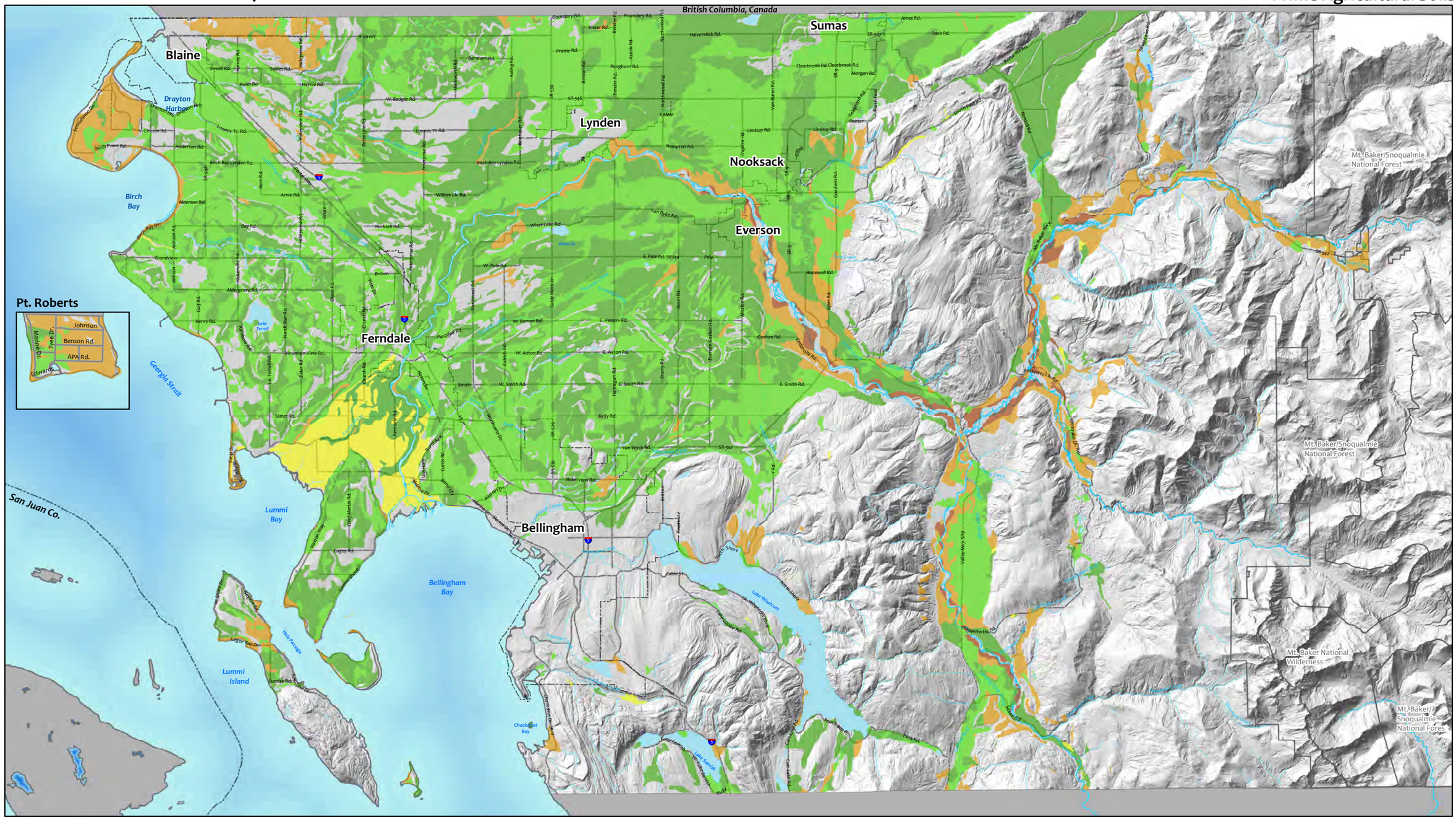
Policy 8X-6: The County may consider limited siting of non-carbon or renewable energy facilities or associated infrastructure on or near designated resource lands when all the following conditions are met:

- the location may be dependent upon the underlying resource,
- where alternative locations may not be feasible,
- impacts to long-term commercial resource use are minimized,
- environmental impacts are mitigated,
- and the proposal is consistent with applicable state and federal law.

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Map 8-1
Prime Agricultural Soils



- All areas prime farmland
- Prime farmland if drained
- Prime farmland if drained & either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if irrigated & either protected from flooding or not frequently flooded during the growing season

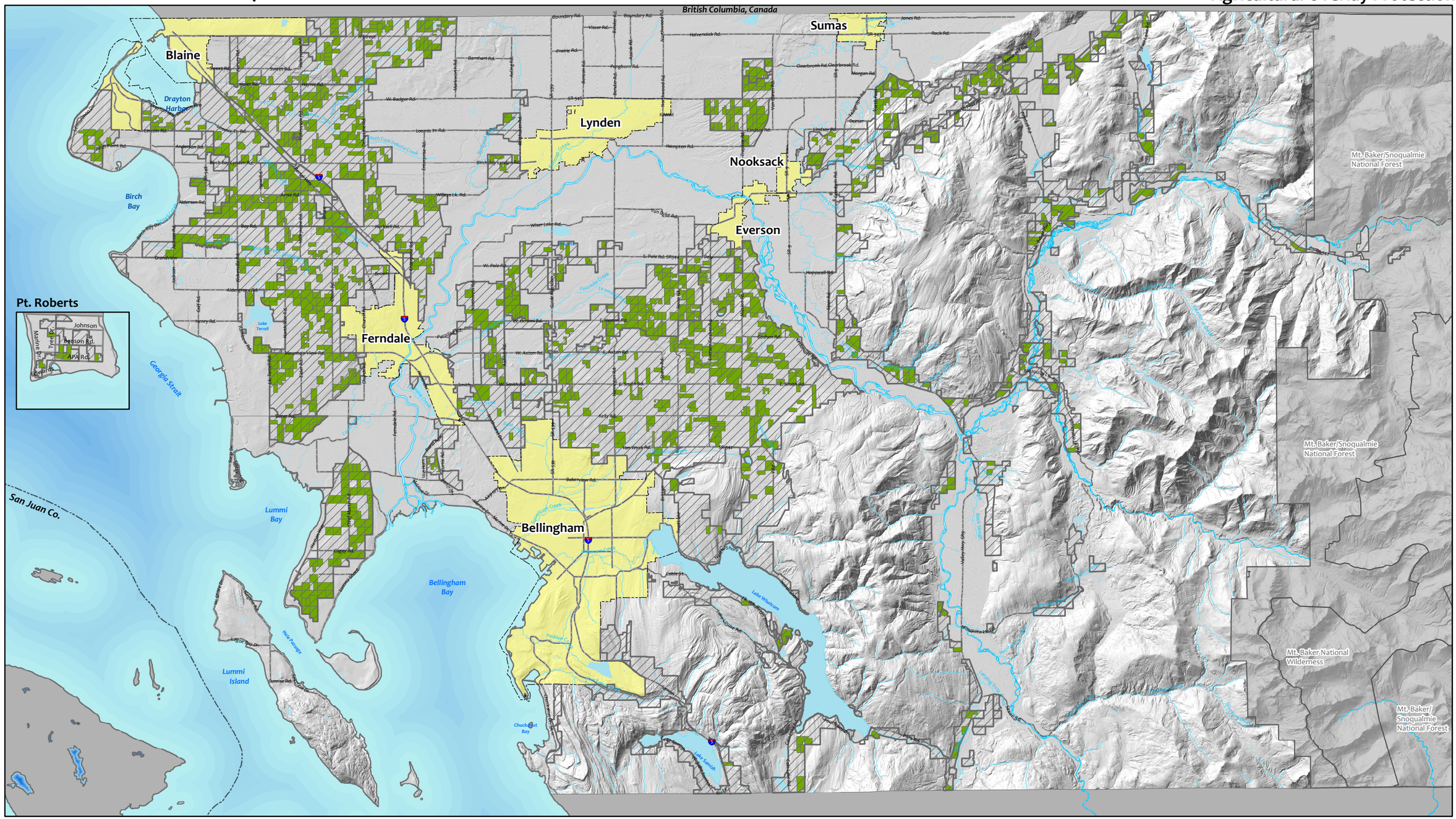
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0 0.75 1.5 3 4.5 6 Miles

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Map 8-2
Agricultural Overlay Protection



Parcels Subject to APO - WCC20.38

Rural 5/Acre and Rural 10/Acre Zoning

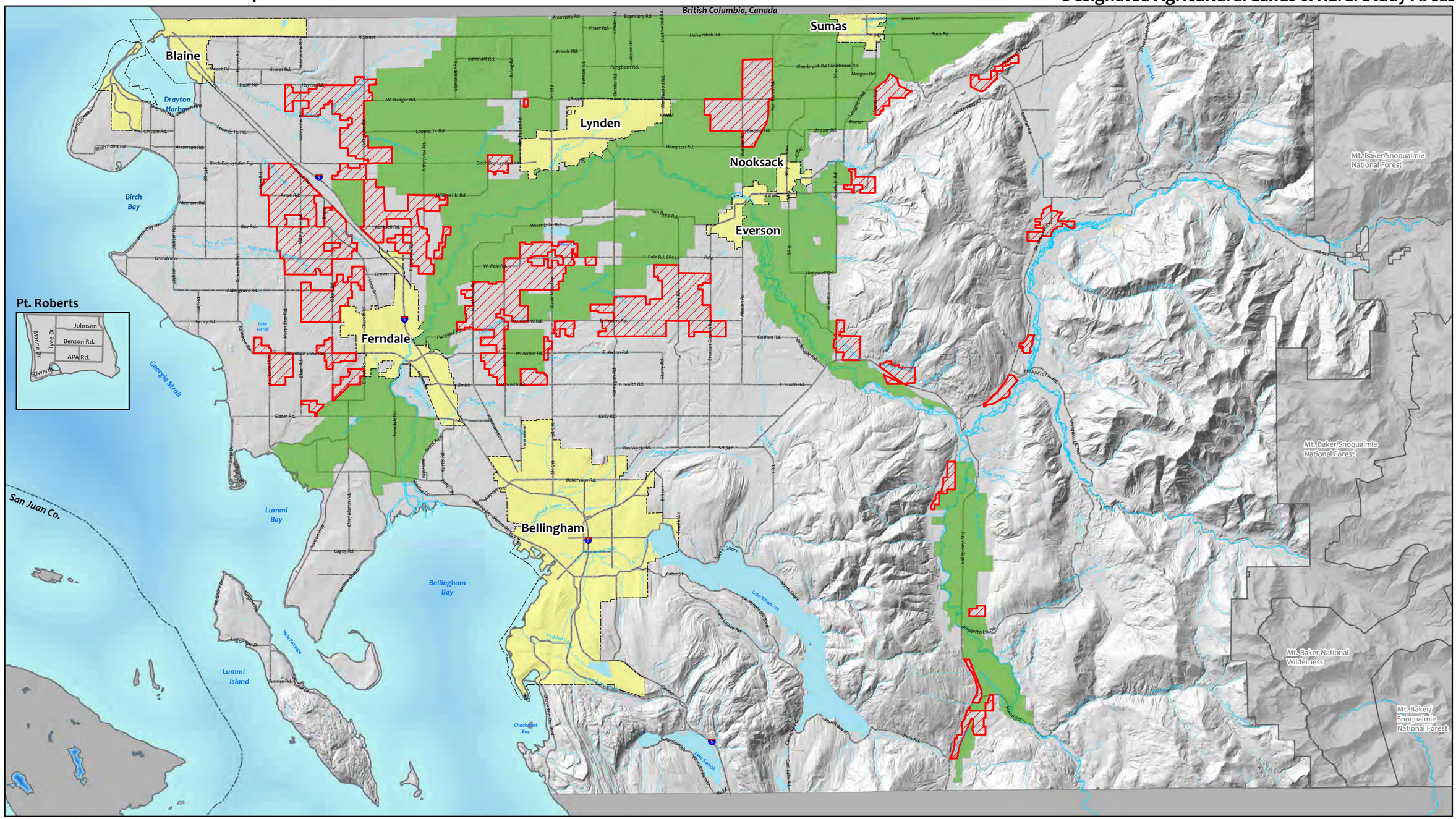
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Map 8-3
Designated Agricultural Lands & Rural Study Areas



Designated Agricultural Lands

Rural Study Areas

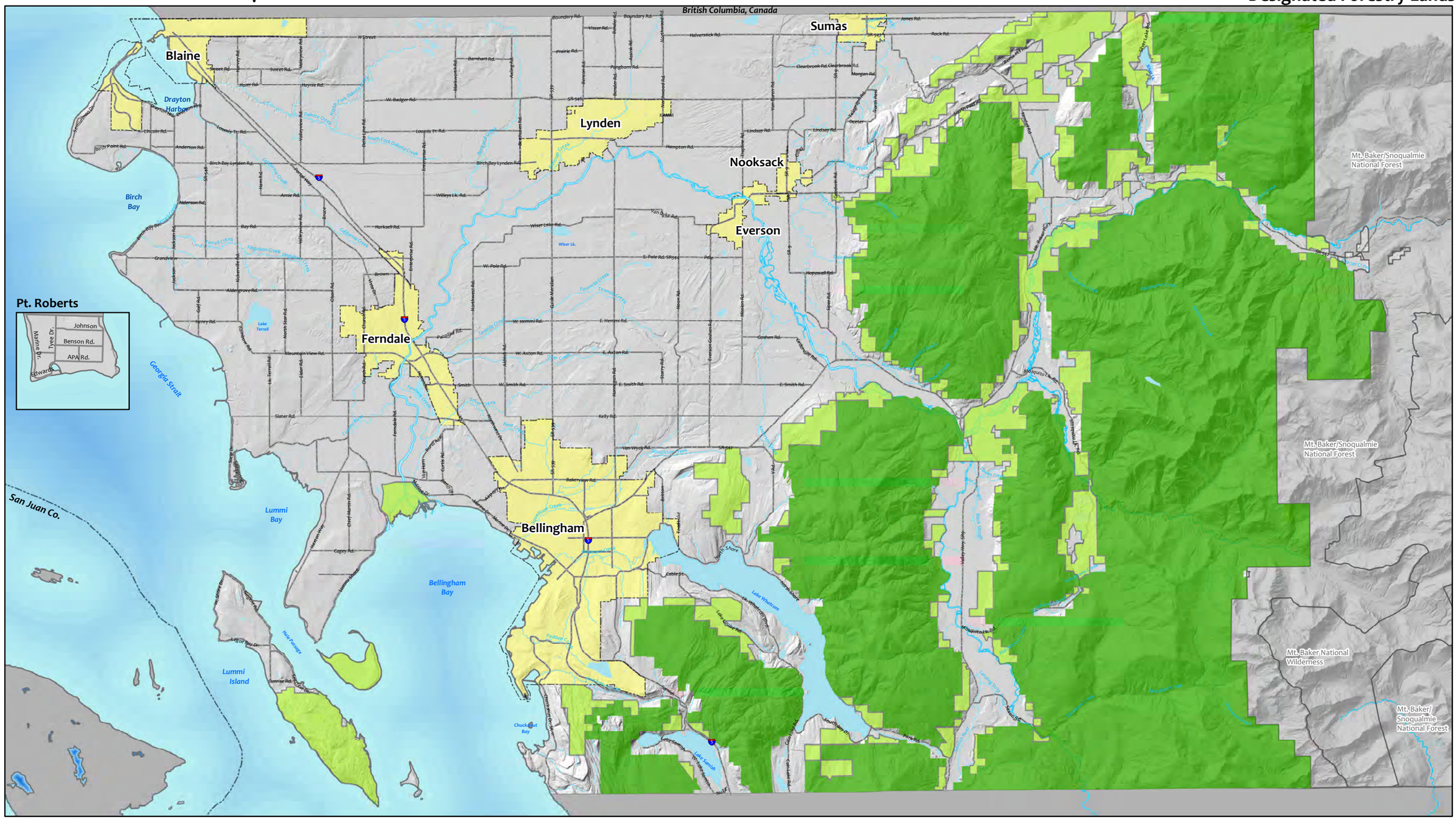
Note:
Agriculture lands outside of Urban Growth Areas and Urban Growth Area Reserves are designated as Natural Resource Lands of Long-term Commercial Significance, pursuant to RCW 36.70A.170.

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Map 8-4
Designated Forestry Lands



Commercial Forestry Comprehensive Plan Designation

Rural Forestry Comprehensive Plan Designation

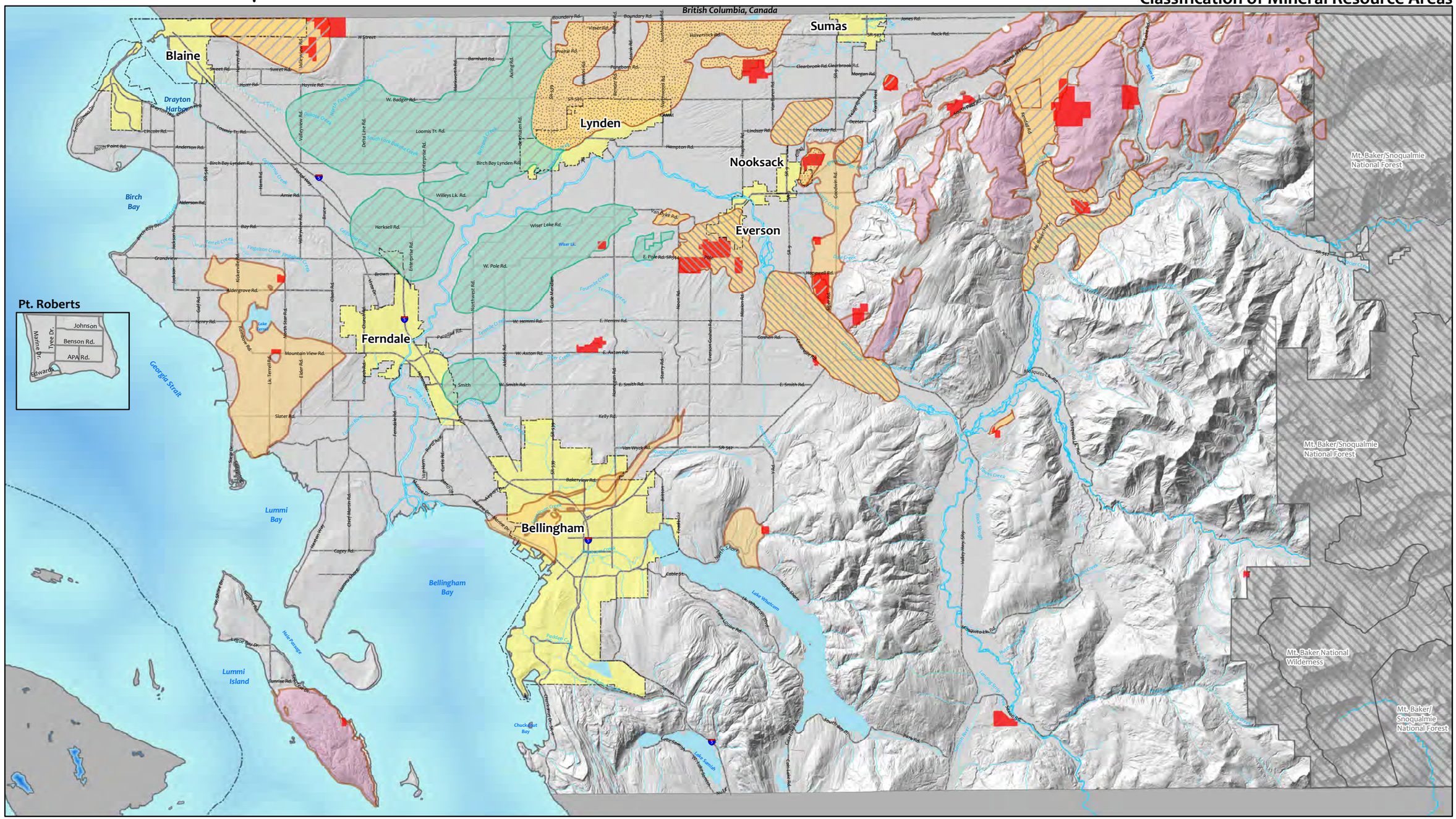
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Map 8-5
Designation of Mineral Resource Lands & Classification of Mineral Resource Areas



Potential Mineral Resource Area

- Low Probability
- Medium Probability
- High Probability
- Potential Bedrock
- Potential Sand & Gravel Resource
- Potential Sand Resource
- MRL Comprehensive Plan Designation

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EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 9: Parks and Recreation

Chapter Nine
Parks and Recreation

Introduction

Recreational opportunities in Whatcom County are abundant. The County's geography and its natural features contribute greatly to opportunities for recreation. Bounded by sea and forested mountains, with wide open vistas, and vibrant flowing rivers, streams, tranquil lakes, mountains, and shorelines, Recreation has always played an important role in the quality of life for Whatcom County residents. Choices to recreate abound with three national wilderness areas, a national forest, one national park, two national recreation areas, three state parks and multitude of county and local parks and trails all located within the County. Over recent decades, Whatcom County has become a regional destination for recreational enthusiasts, and has attracted many new residents who now call Whatcom County "home." Recreation provides health and social benefits while contributing to the economics of the community supporting tourism, hospitality businesses, equipment manufacturers, retailers, and outfitters. Recreational opportunities and abundance of parks and trails is often used as a recruitment tool by area businesses and institutions. According the Whatcom County's 2024 Comprehensive Parks, Recreation, and Open Space (CPROS) Plan, the County Park System had over 2,840,000 combined visitations to park and trail facilities in 2022. Park facility visitations accounted for approximately 1,166,000 (40%) while trails accounted for 1,674,000 (60%). These numbers equate to an Annual Average Growth Rate (AAGR) of nearly 18% for parks and 45% for trails. Based on existing inventory and population, Whatcom County is currently meeting its 1997 adopted minimum level of service for developed parks and activity centers. It currently has a trail deficit of approximately 68 miles.

Access to recreation areas provides significant economic benefits through tourism, retail sales, and business retention and recruitment. In Whatcom County, recreation expenditures annually amount to $919,404,000 in spending. This spending supports over 6,496 jobs in a variety of industries. The recreation industry itself supports 279 businesses employing 3,728 persons with $67,595,000 in revenues. County residents spend an average of 78.1 days a year recreating compared to the state average of 59 days annually (Source: 2015: Economic Contribution of Outdoor Recreation to Whatcom County, Earth Economics).

The continued availability of diverse and numerous recreational opportunities will play a key role in ensuring a high quality of life for future generations in Whatcom County. This chapter explores many of the issues involved in maintaining the high quality of Whatcom County's existing recreational services and facilities, and also outlines goals and policies to support the provision of expanded recreational services and facilities. This chapter establishes policy direction. Specific projects, priorities, and implementation strategies are defined in the CPROS Plan.

Purpose

This chapter primarily focuses on goals and policies that support park and recreation facilities designed to serve Whatcom County as a whole. Whatcom County's first CPROS Plan was adopted in 1989 as part of Whatcom County's pre-growth

management comprehensive land use plan. The CPROS Plan is regularly updated by the County Parks and Recreation Department in accordance with Washington State Recreation and Conservation Office requirements to retain eligibility for certain funding programs. This chapter relies on the CPROS Plan, which includes information on:

- Whatcom County's existing park and open space inventory and demand for park and recreation facilities;
- Parks and Recreation public participation processes, standards for park and trail development, recreation, senior services;
- Policies that support implementation of park and recreation facility goals.

The goals and policies in this chapter inform recommendations found in the Comprehensive Park and Recreation Open Space Plan.

Process

Whatcom County Parks & Recreation Department plays an essential role in providing recreation, senior services, and facilities to county residents and visitors. The Department leads the long-range planning needed to accommodate future parks, senior centers, recreation, and open space needs in the next 20 years that this chapter seeks to guide and support. The CPROS Plan is a separate document from the Whatcom County Comprehensive Plan (WCCP), and is established for distinct but overlapping purposes. The CPROS Plan should be read alongside this chapter of the WCCP, as it informs many of the Issues, Goals, and Policies that are outlined in this chapter.

Collaboration between Whatcom County Parks & Recreation Department and Whatcom County Planning & Development Services Department will ensure that Parks & Recreation capital facility improvement projects identified in the CPROS Plan are consistent with Whatcom County Comprehensive Plan Parks & Recreation Level of Service (LOS) standards (adopted in WCCP Chapter 4), along with a six-year financing plan for improvement projects (including senior centers) addressed as part of the WCCP Capital Facilities Element.

GMA Goals and Countywide Planning Policies

This chapter supports fulfillment of several Growth Management Act (GMA) goals, including: Goal #9, Open Space and Recreation, GMA Goal #12, Public Facilities and Services, and Goal #13, Historic Preservation by directly addressing parks, senior centers and recreation services and facility needs. Habitat and other open space resources are briefly considered in this chapter, but are more completely addressed in the land use, environment, and shoreline chapters of this plan, in Chapters 2 10, and 11, respectively. Similarly, this chapter addresses Section H, Open Space/Greenbelt Corridors, of the Countywide Planning Policies (CWPP). It also partially addresses CWPP Policy K(1) by identifying needs for recreation facilities, including senior centers.

GMA Requirements

This chapter supports implementation of Growth Management Act (Chapter 36.70A RCW) provisions that encourage counties to adopt an optional Parks and Recreation Element under RCW 36.70A.070(8). This chapter is coordinated and consistent with other GMA Comprehensive Plan elements such as the Land Use element, which includes Open Space & Environment; Capital Facilities (including senior centers); Transportation; and Economics.

RCW 36.70A.070(8) includes provisions for a voluntary Parks and Recreation Element though a Parks and Recreation Element is not required in Washington Comprehensive Plans due to funding provisions at the state level, parks, recreation, and open space planning are within the goals of the Growth Management Act and a Parks and Recreation Element is encouraged.

Engagement and Coordination

Whatcom County remains committed to engaging and coordinating with cities, state, federal, and tribal governments on relevant parks and recreation matters. Many parks and recreation issues, such as public access to public lands, shorelines, waterbodies, and trail corridors, have regional and cross-jurisdictional significance. It is important to respect and uphold tribal treaty rights, and coordinate and engage with Lummi Nation, Nooksack Indian Tribe, and other Federally-recognized tribes to address any potential impacts or conflicts parks and recreation may have to cultural resources and areas of cultural significance.

Issues, Goals, and Policies

The following policies and design standards apply to the acquisition and/or development of regional parks, trail systems, specialized facilities, senior centers, and shoreline access areas (**Maps 9-1 and 9-2**).

Regional Parks

Regional parks include those day use parks that are designed to offer a wide range of passive day use activities, may also provide overnight camping opportunities, and contain facilities or recreation opportunities that county residents are willing to travel some distance to reach. In many cases, they are in rural areas of the county. Often a unique feature is the primary attraction in which activities are organized around. Examples are the farmstead at Hovander Homestead Park, the nature interpretation areas at Tennant Lake, and the lake shorelines at Samish Park and Lake Whatcom Park. Some currently undeveloped park properties with limited access have been identified as potential future regional park locations (e.g., Dittrich Park, South Lake Whatcom).

Goal 9A: **Address countywide recreational needs by adequate provision of regional parks.**

Policy 9A-1: The County's role should be to provide regional parks centered around a unique feature or recreation opportunity to augment and complement parks provided by cities and community parks

provided by Park and Recreation Districts authorized by Chapter 36.69 RCW.

Policy 9A-2: Regional parks shall be sited with respect to adequate road access and unique features, rather than proximity to population centers.

Policy 9A-3: Development standards will vary according to the use intended. All facilities and improvements should be designed to be easily maintained and built to code with an eye on appropriate aesthetics for the park environment

Policy 9A-4: Regional parks shall be designed to minimize impacts to surrounding properties and the environment.

Policy 9A-5: Regional parks should be designed with one entrance and control point to secure the option of cost-recovery fees. Emergency vehicle access may be provided by an alternate emergency entrance if deemed appropriate.

Policy 9A-6: Since regional parks are often sited in rural areas, efforts should be made for nearby connection with multi-modal trails and transit options. If possible, regional parks should be located on or adjacent to existing and proposed trail routes enhancing countywide connectivity.

Policy 9A-7: Regional parks should be designed to accommodate a wide range of user abilities and interests.

Policy 9A-8: Conduct a fee study to identify fee-based barriers to public usage of regional parks, and develop potential alternative cost recovery methods to reduce entrance fees and other user fees. Seek public input and review, and report to the County Council on the impact of current fees and insurance requirements on the use of county parks for events and festivals. Make recommendations on potential ways to alleviate barriers to the use of county parks for events and festivals.

Policy 9A-9: Because Regional parks, including those with overnight campgrounds, will attract many non-county residents, they should be recognized for their tourism value.

Policy 9A-10: Within campgrounds, a wide variety of camping types should be offered, including primitive sites, tent sites, full-service RV sites, and group camping areas.

Policy 9A-11: 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 9A-12: Most large camping areas should be designed to a high standard with full-service hookups, flush toilets and restrooms, showers, laundry, and other support facilities.

Policy 9A-13: Whatcom County should manage recreation on County-owned or managed lands in a manner that avoids or minimizes impacts to areas of known and documented tribal cultural use and protects historical, cultural, and natural resources. Whatcom County should consult with the Department of Archaeology and Historic Preservation and all interested federally recognized Tribes on all programs or projects that may impact Tribal resources. Tribal resources include Tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. Work in partnership with Tribes to identify where recreation could co-exist that could support cultural education, stewardship, and shared understanding.

Trail and Pathway Systems

Whatcom County path and trail systems include those that support non-motorized recreational activities such as bicycle riding, mountain bike riding, walking and hiking, and horseback riding. These may include unpaved foot trails and paved and unpaved multi-use trails designed for two or more activities. Whatcom County path and trail systems also include shared-use pathways that provide a recreational benefit and are part of the community's active transportation network. These pathways are designed to meet specific design specifications including those related to accessibility. Examples of these multimodal trail systems include the Regional Multimodal Pathways identified in Map 9-2. Goals and policies related to the County's active transportation network are addressed in Chapter 6 – Transportation. Certain trail and path corridors shown on Map 9-2 that have been prioritized in the CPROS plan and are part of the community's active trail network are shown in Chapter 6. Trail systems in the community also include water trails that provide routes for motorized and non-motorized boats to travel along rivers, lakes, and other bodies of water.

While essentially all non-water based recreational trails are suitable for foot traffic, cyclists and horseback riders find many trails inadequately maintained or not built to appropriate construction standards. Poorly built or maintained trails are less enjoyable to travel and can cause safety hazards and damage the environment. Conflicts may occur between the different user groups. Horseback riders often express concern with mountain bikes that suddenly appear at a bend or rise in the trail, spooking the animal and endangering both riders. Hikers complain about similar problems, but are generally more concerned with personal safety and damage to trails caused by the two rider groups. Motorized (ORV) use of trails is generally incompatible with nonmotorized use for similar reasons. Noise and safety issues and environmental impacts preclude motorbikes from most of the trails identified in this plan. Solutions to user conflicts require some separation of use by designating specific loops or segments for particular users.

Properly built and maintained logging roads in reforested areas provide some of the best riding trails since they are much wider than a footpath for easier passing, and

their base is usually firm and less prone to damage. It is not enough, however, to simply direct horses and bikes to old road grades. They are often seeking the same views and aesthetic experiences as hikers. Some trails will therefore need to be improved to a higher standard to accommodate the use. On shared routes, appropriate design elements need to be implemented to reduce conflicts and enhance the trail experience for each group.

The difficulties in obtaining continuous access through private lands is a major issue in trail development that can discourage residents, planners, and administrators from pursuing what might otherwise be a worthwhile project. Access is usually obtained by way of gift or purchase of an easement or parcel of land containing the trail corridor. On private timber land, access is normally permitted in most areas on an informal basis with the understanding that closures may occur due to logging, fire danger, or other circumstances. Many clubs and volunteers have been successful in obtaining permission to construct new trails on private and state timber land with and without formal easements.

In developed areas of the county where multiple properties are involved, the task becomes more complicated since lack of participation by one landowner can obstruct the trail. Concerns range from vandalism, fire, and nuisances to liability and invasion of privacy. In most cases, trail design, careful facility planning, and public education will help avoid these problems. An existing statute (RCW 4.24.210) offers some protections to landowners from liability where they allow public access to their land without charge. Where access is denied, alternatives need to be considered.

The Whatcom County Bicycle/Pedestrian Advisory Committee (BPAC) developed the Whatcom County Pedestrian and Bicycle Plan in 2010. The Whatcom County Pedestrian and Bicycle Plan informs a number of goals and policies of this chapter.

Goal 9B: **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 9B-1: Trails should be interesting and attractive. Trails that 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 9B-2: Incorporate existing and proposed trails into a comprehensive and integrated system of looped and interconnected trails that give users a wide choice of routes and environments.

Policy 9B-3: Trails should link other recreational uses in the Foothills area and connect to existing trail systems in the National Forest and state lands.

Policy 9B-4: The wet climate of Whatcom County may preclude development, expansion, and/or extensive multi-use of some trails or require seasonal limitations. Development, expansion, and use of trails should consider soil conditions, steep terrain, surface drainage,

watershed health, natural and cultural resources, and other physical limitations that could negatively impact the area's environment.

Policy 9B-5: Bicycle trails should provide opportunities for recreational riders as well as touring and commuter bicyclists.

Policy 9B-6: Bicycle routes should minimize the conflicts between motorists and bicyclists.

Policy 9B-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 9B-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 9B-9: Equestrian trails should be usable most of the year. Some equestrian trails should be close to the urban areas.

Policy 9B-10: Adequate parking, signage, trash receptacles, and toilet facilities should be provided at all major trailheads.

Policy 9B-11: Where public funds are used to construct or maintain dikes, levees, or revetments public access should be encouraged for recreational trail and shared use pathway purposes, where appropriate. The County should consider conducting a planning process in partnership with agencies such as Army Corps of Engineers, diking districts, and the WA Department of Fish and Wildlife to identify barriers to public usage of dikes and levees for public trails. This process should clarify public access and permissions and provide appropriate trail treatments to increase public use.

Policy 9B-12: Water trails for nonmotorized boats should be identified with provisions made for parking, launching, and places of interest along the water route where boats can land.

Policy 9B-13: Trail system development supports broader community goals related to economic development, community connectivity, tourism, and health and wellness. Trail planning should incorporate engagement, and where appropriate, partnership with Tribes, other agencies, non-profit organizations, community organizations, and the public to accomplish recreational goals.

Policy 9B-14: Investigate holistic solutions that will accommodate several county goals, such as recreation, water retention, and flood prevention measures on the same property.

Policy 9B-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 9B-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 9B-17: Promote the connection of trails within subdivisions, planned unit developments, and other development proposals that provide internal circulation to nearby recreational opportunities to enhance countywide trail system connectivity.

Policy 9B-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 9B-19: Regularly update the trails inventory to identify all designated and non-designated trails in the county.

Policy 9B-20: 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 9B-21: Provide active access to regional recreational and outstanding scenic areas in the county.

Policy 9B-22: Reduce conflicts between the various trail user groups through appropriate signage and trail etiquette education/information programs.

Policy 9B-23: Investigate and identify feasible routing of the Salish Coast Trail to increase non-motorized connectivity throughout the region. Work with relevant agencies to secure permanent recreational easements along the closed and abandoned roads in the area with potential to be adapted to the Salish Coast Trail. This includes closed parts of Gulf, Aldergrove, Henry, and Lonseth Roads.

Policy 9B-24: Hertz North Lake Whatcom Trail Extension – Develop and implement a plan to either acquire rights-of-way for a trail corridor along the abandoned railroad right-of-way between the existing North Shore Trail and Blue Canyon Road or consider an alternative route to link these points.

Policy 9B-25: Bay-to-Baker Trail – Develop and implement a plan to secure rights-of-way for trail segments along the abandoned railroad right-of-way in conjunction with the Nooksack River Trail to achieve a continuous trail system between communities and recreation areas.

Policy 9B-26: 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 9B-27: Continue to explore the development of paths and trails that connect communities across Whatcom County and which support development of the community's active transportation and recreational trail networks, such as the Nooksack Loop Trail and the Bellingham-Mt. Baker Trail.

Policy 9B-28: Join ongoing coordination and planning efforts with nonprofit organizations, land trusts, state, federal, and tribal governments regarding the Pacific Northwest Trail, a congressionally-designated National Scenic Trail that connects across Whatcom County from the saltwater shores of the Salish Sea to the Pacific Crest Trail at the Okanogan County border via Lake Samish, Blanchard Mountain, the Mount Baker National Recreation Area, Heather Meadows, North Cascades National Park, Ross Lake National Recreation Area, and the Pasayten Wilderness.

Policy 9B-29: The WC Parks and Recreation Department should report annually to the Whatcom County Council on progress implementing the Regional Multimodal Pathways identified in this Chapter.

Policy 9B-30: Ensure adequate education and enforcement of County regulations to minimize activities such as illegal trail building, off-leash dogs in on-leash areas, improper disposal of pet waste, and incompatible uses that damage the environment.

Policy 9B-31: WC Parks and Recreation Department shall initiate an effort during the next CPROS update to address the increasing use of pedal and throttle-assisted electronic bicycles (e-bikes) on shared use pathways and trails. This effort shall include soliciting community feedback and examining established policies of other communities that have established local laws and regulations that may serve as a starting point in developing a local solution for Whatcom County.

Specialized Recreation Areas

Specialized areas include interpretative centers and small park sites, including those related to Urban Growth Areas, Rural Communities, and neighborhood developments. Examples include Aiston Preserve, Maple Falls Community Park, Josh Vanderyacht Park and the Van Zandt Community Hall.

Goal 9C: Provide specialized recreation areas, taking advantage of unique opportunities to serve both county residents and visitors.

Policy 9C-1: Because these facilities are unique, adopt specific standards for each one individually.

Policy 9C-2: Plan for the need for community parks in LAMIRDS and unincorporated UGAs not associated with cities.

Policy 9C-3: Promote the integration of recreational and open space opportunities in subarea planning, subdivisions, and other development proposals.

Policy 9C-4: The dedication and acquisition of open space and recreation opportunities should be encouraged as new subdivisions and development occurs.

Policy 9C-5: In keeping with policies in other chapters of this plan, develop strategies to ensure 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 and supported.

Shoreline Access Areas

Shoreline access areas include saltwater beaches and bluffs, rivers and streams, and lake frontage. Access may be via a public park area, a street, or just a trail easement. Access includes both physical access to the water and visual access from points above.

Goal 9D: Recognize the shoreline as one of Whatcom County's unique assets and provide adequate physical and visual access for present and future generations.

Policy 9D-1: As economically feasible, acquire for public use as much of the saltwater shoreline as possible. Public and private resources should be explored to further this policy. A reasonable goal is to acquire for public access a minimum of 15% of the saltwater shoreline and adjacent tidelands in Whatcom County.

Policy 9D-2: Use the County’s Floodplains by Design program to implement those elements which are beneficial, appropriate, and economically feasible.

Policy 9D-3: Provide pedestrian, interpretative, and small boat access sites for a variety of public shoreline access types.

Policy 9D-4: When the County acquires property for flood storage or fish and wildlife purposes, the County should consider accommodating a secondary use for park and open space purposes.

Policy 9D-5: Recognizing the long historical use for shoreline recreation and boat launching, and the historical and cultural significance to the

Lummi Nation of the area at the end of Gulf Road at Cherry Point, the County should work with the Lummi Nation, DNR, and the industrial land owners in that area to encourage the management of ongoing recreational use of the shoreline in that area while permanently protecting the cultural and ecosystem significance of both the shoreline and the associated near upland areas.

Policy 9D-6: Support the development of public access to freshwater shorelines, including at Lake Samish (Dittrich Park) and Lake Whatcom (South Lake Whatcom Park), as opportunities to expand recreational access while protecting environmental resources.

Off Road Vehicle Riding Areas

The County should regulate and manage where off-road vehicle (ORV) riding may occur, prioritizing community and user safety and the protection of property, environment, and natural and cultural resources. The County twice attempted to develop an area for exclusive ORV use, but both proposals were met with controversy and not pursued. Unfortunately, ORV riding still occurs in many instances on land not suitable for that use and without the owner's permission. The end result is that ORV riding is impacting neighbors, harming the land and environment in which riding occurs, and is in general creating conflict with less intrusive recreational activities.

Goal 9E: Coordinate with the Federal, State, and Tribal agencies to evaluate the feasibility of providing additional ORV opportunities in Whatcom County that are safe to various user groups and do not damage the land, environment, and natural and cultural resources.

Policy 9E-1: Recognizing that there will continue to be a demand for ORV riding, the County should, as resources allow, coordinate with federal, state, and tribal agencies to better educate user groups, enforce existing ORV restrictions, and evaluate the feasibility of providing safe and appropriate ORV opportunities in Whatcom County.

Activity Centers

Activity centers are facilities that provide a wide range of recreational opportunities. They include the existing senior/community centers, Plantation Rifle Range, the Roeder Home, and indoor recreation centers (multi-purpose centers).

Eight senior/community centers are located in Bellingham, Ferndale, Blaine, Everson, Lynden, Sumas, Welcome, and Point Roberts. There is an increasing trend for use by different agencies and community groups and even church congregations who rent the facilities in Lynden and Bellingham. With appropriate scheduling, the existing senior/community centers have the capacity to absorb additional activity.

The Plantation Rifle Range includes two outdoor ranges, a trap field, an indoor range, and a meeting room. It is a unique facility which receives use from law enforcement agencies, educational activities, and recreation. Due to historical lead contamination, the County has entered into an Agreed Order with the Washington Department of Ecology for clean-up of the facility. The County is obligated to complete site investigations, develop an approved clean-up plan, and implement clean-up activities for affected areas.

The Roeder Home, donated to the County and on the National Historic Register, is a unique facility that provides space for meetings, wedding receptions, special events, and classes.

As population numbers grow, the need for additional aquatic facilities should be re-evaluated.

The East Whatcom Regional Resource Center in Maple Falls provides community services such as early childhood education, family support and health services, transportation, and community gardens.

Goal 9F: **Encourage multi-use activity centers to meet the needs of the growing population, using public and private partnerships where possible.**

Policy 9F-1: Include public and stakeholder engagement specific to the development of regional indoor multi-purpose recreation, including aquatic, facilities in the County's next CPROS update.

Policy 9F-2: Continue cooperation between the County and the cities, the and the Point Roberts Park District on ownership and management of the existing senior/community centers.

Policy 9F-3: Work with Whatcom Sport & Recreation, Ferndale Youth Sports, Bellingham Whatcom County Tourism, and relevant County agencies to develop conceptual planning for improvements to the sports complex at Northwest and Smith Roads that will enhance the facility as a community asset and a regional draw.

Policy 9F-4: In light of lead contamination at the Plantation Rifle Range engage the public and relevant stakeholders, including law enforcement, to develop a plan for future use of the facility that protects the environment, meets community expectations for safe recreation, and provides for an acceptable level of cost recovery for operations.

Policy 9F-5: Acquire property for a buffer area around the Plantation Rifle Range to provide for future recreational use of the site.

Policy 9F-6: Continue to use the Roeder Home for cultural arts activities, community events, and gatherings, while seeking partnerships, leased space, or creative opportunities to accommodate program expansion.

Policy 9F-7: Expand the partnership concept to incorporate school buildings and other public or private facilities that can accommodate meetings and recreational functions.

Policy 9F-8: Review the existing model of provision of Parks-supported community services such as Senior Services and the East Whatcom Regional Resource Center facility and develop a community-informed cross-agency strategic plan that involves community stakeholders, including Park Districts and the non-profit sector to inform the County's future role and responsibilities.

Park Facility Planning

Goal 9G: 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 9G-1: Prior to the next Comprehensive Plan update, complete a revision of the Whatcom County Parks & Recreation CPROS Plan that prioritizes robust community input, including from marginalized communities and communities under-represented in previous CPROS planning to identify community service needs.

Policy 9G-2: Future park development should consider the financial status of the County, and should focus on existing park lands before considering further acquisition. Unique, significant, and important acquisition opportunities should be considered as they arise.

Policy 9G-3: Incorporate racial and social equity in planning for Park improvements, programs, and services in historical underserved areas and those with vulnerable populations.

Policy 9G-4: Develop facilities and areas that will be particularly attractive to Whatcom County residents.

Policy 9G-5: Develop and maintain facilities to meet the minimum Level of Service established by Chapter 4 Capital Facilities, Policy 4F-1. These standards should be established in accordance with the Whatcom County Comprehensive Park and Recreation Open Space Plan (CPROS Plan).

Policy 9G-6: Design and develop recreation facilities for low maintenance and resistance to vandalism.

Policy 9G-7: Continue to plan for full use of existing senior/community centers and explore partnerships to help expand services to meet future need.

Policy 9G-8: Continue to identify and develop major planning initiatives identified in the CPROS Plan.

Policy 9G-9: While recreation access on the majority of Galbraith Mountain has been secured, the County should work to secure rights-of-way for connectors to Lookout Mountain.

Policy 9G-10: In collaboration with cities, county, state, federal, and tribal governments, and stakeholders, develop long-term forest management plans to meet community management goals, protect the County's financial interest, and foster responsible recreation within the Lake Whatcom Watershed, Stewart Mountain Community Forest, and Canyon Lake Community Forest. Forest management goals should balance the County's interest in supporting a sustainable local timber economy and safe recreation opportunities with enhancing carbon sequestration, ecosystem services, wildlife habitat, watershed health, forest health, climate resilience and reducing risks from wildfire and other natural hazards.

Policy 9G-11: Review park inventory to ensure property classification of parks and facilities are aligned according to management objectives.

Goal 9H: Develop a stronger financial base for recreational services.

Policy 9H-1: Design future recreation facilities and areas with the ability to charge user fees.

Policy 9H-2: Explore new innovative methods of financing facility development, maintenance, and operating needs.

Policy 9H-3: Consider joint ventures with private clubs, public agencies, commercial operations, and other groups to build and maintain facilities.

Policy 9H-4: Seek to design and develop facilities that will encourage tourism recognizing that tourism promotion should take into consideration the capacity of existing popular parks and the capacity of the County to manage additional usage.

Policy 9H-5: Explore the wide-range of revenue generating methods available to Whatcom County, including establishing park impact fees under the Growth Management Act, in order to adequately sustain WC Parks and Recreation services.

Policy 9H-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 could be privately operated adventure tourism and locally sourced goods and services (e.g. farm tours, farmers market, etc.). 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.

Policy 9H-7: Strengthen existing relationships with non-profit park friends groups and consider development of new partnerships to support advocacy and fundraising for park initiatives including those related to regional multimodal trails, recreational trails, forest management, and implementation of park master plans.

Climate

Washington State House Bill 1181 requires local governments to integrate climate change mitigation and adaptation into their comprehensive plans. For parks and recreation, this means ensuring green spaces are resilient to climate impacts, contributing to greenhouse gas reduction, and promoting equitable access to recreational opportunities. These efforts support sustainable development, protect public health, and enhance community resilience in the face of climate change. That bill also requires counties, for the first time, to map tree canopy coverage within unincorporated UGAs. That analysis was conducted by digitizing coniferous and deciduous tree stand coverage from 2024 aerial pictometry. See Map- 9-3 and Map Series [9-3 A-H] for each UGAs tree canopy coverage.

Goal 9I: Prioritize climate change and resiliency in parks and recreation planning with consideration for the Climate Element.

Policy 9I-1: Designate high-value greenspaces and greenways for acquisition, conservation easements, or other preservation programs to enhance carbon sequestration and provide community benefits. Prioritize areas that provide co-benefits such as biodiversity, watershed health, climate resilience, recreation, and connectivity between habitats.

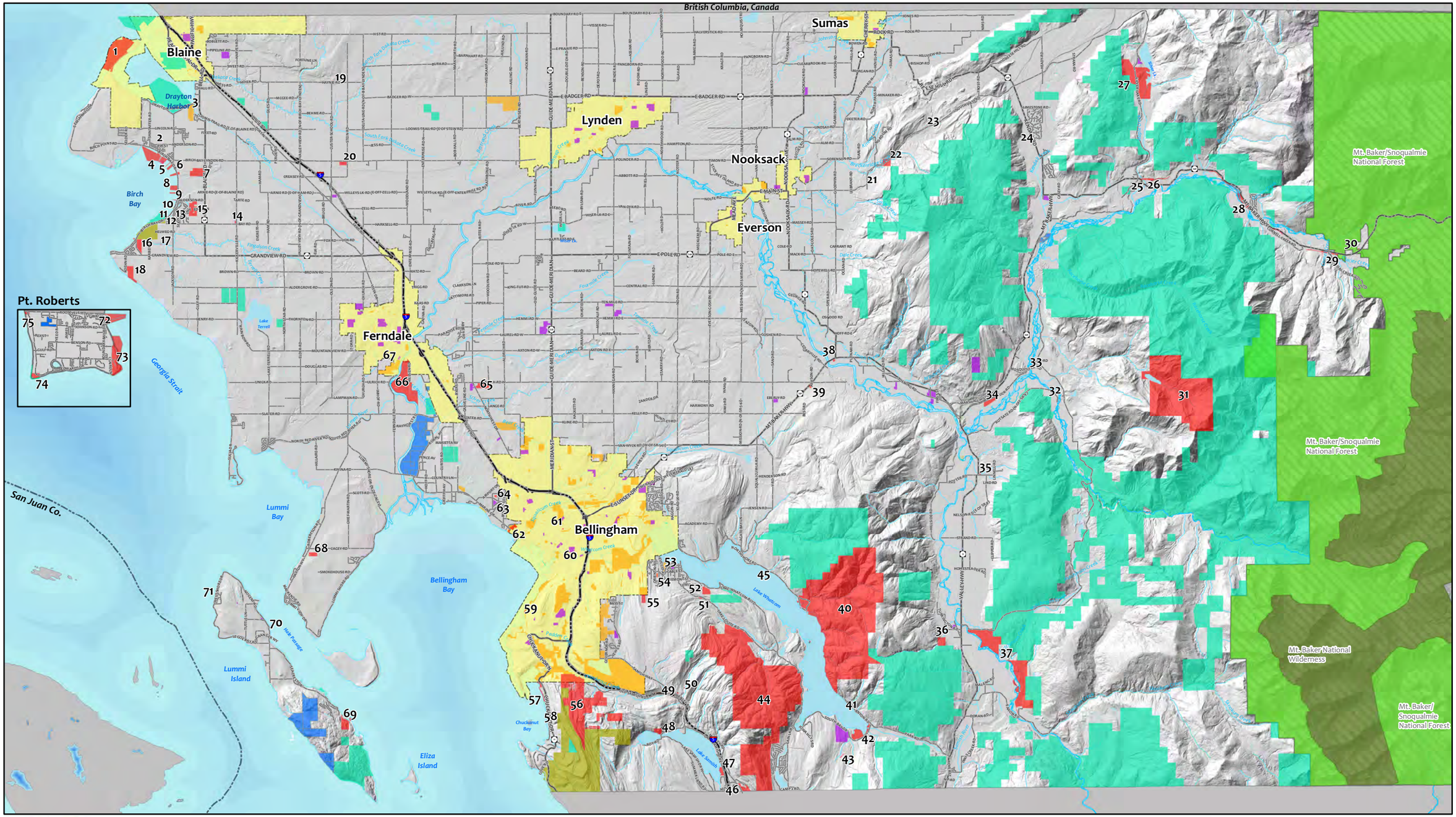
Policy 9I-2: Develop marketing strategies to emphasize Whatcom County's outdoor recreation opportunities while promoting the region's resilience to climate change.

Policy 9I-3: Increase and protect the urban tree canopy, particularly in areas with low canopy cover and vulnerability to urban heat island effects. Develop programs to promote tree planting and maintenance to maximize carbon sequestration, mitigate heat, and improve air quality.

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Map 9-1
Existing Parks & Recreation



- WhatcomCountyParks
- City Parks & Recreation
- School Districts
- Washington State Parks
- Washington State DNR
- Washington State DFW
- Mt. Baker/Snoqualmie National Forest
- Mt. Baker Wilderness

1- Semiahmoo Park
2- Halvorson Park
3- Drayton Harbor Tidelands
4- Birch Bay Tidelands
5- Cottonwood Beach Access
6- Birch Bay Beach Park
7- Sunset Beach Park
8- Terrell Creek Point
9- Alderson Road End Tidelands
10- Broadway Beach Access
11- Jackson Road Beach Access
12- Terrell Creek Access
13- Bay Crest Trail
14- Kickerville Road
15- Bay Horizon Park
16- Birch Bay Conservancy Area
17- Terrell Creek Heron Rookery
18- Point Whitehorn Marine Resere
19- Haynie Road
20- Jansen Family Forest Park
21- South Pass West
22- Ostrom Conservation Site
23- South Pass East
24- E. Whatcom Reg. Resource Center
25- Maple Falls Community Park
26- Maple Creek Park
27- Silver Lake Park
28- Maple Falls-Glacier Trail
29- Glacier Restroom
30- Glacier Cemetary
31- Canyon Lake Comminty Forest
32- Welcome Senior Activity Center
33- Welcome Bridge River Access
34- Deming Homestead Eagle Park
35- Josh VanderYacht Park
36- Franklin Track
37- South Fork Park
38- Nugents Corner River Access
39- Parks Headquarters
40- Lake Whatcom Park
41- Hegg
42- South Lake Whatcom
43- Camp #2 RR ROW
44- Lookout Mtn. Forest Reserve
45- Sunnyside Landing
46- Squires Lake Park
47- Dittrich Park
48- Samish Park
49- Samish Way
50- Plantation Rifle Range
51- Stimpson Family Nat. Reserve
52- Turner-Jaeger
53- Euclid Park
54- Ted Edwards Park
55- Galbraith Mountain Access
56- Chuckanut Mountain
57- Teddy Bear Cove
58- Interurban Trail
59- Boulevard Park
60- Bellingham Senior Act. Center
61- Roeder Home
62- Little Squalicum Park
63- Alderwood
64- Redwood Park
65- Phillips 66 Soccer Park
66- Hovander Homestead Park
67- Ferndale Senior Activity Center
68- Cagey Road
69- Aiston Preserve
70- Lummi Island Beach Access
71- Sunset Beach
72- Maple Beach Tidelands
73- Lily Point Marine Park
74- Lighthouse Marine Park
75- Monument Park

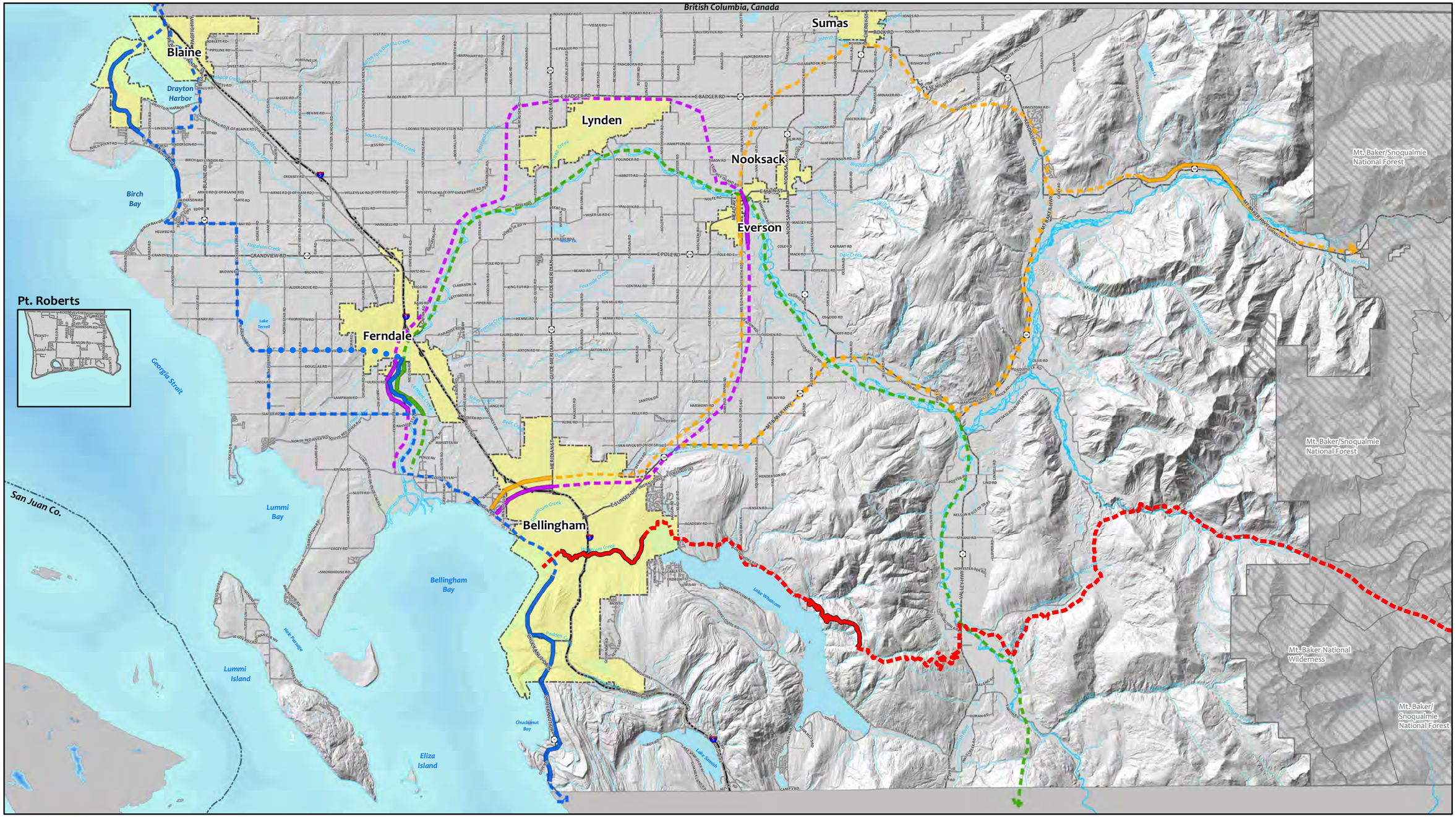
Source:

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0 0.75 1.5 3 4.5 6 Miles

Whatcom County

Map 9-2
Conceptual Trail Corridors



Proposed Trail Corridors*

- Bay to Baker Trail
- Salish Coast Trail
- Nooksack Trail
- Nooksack Loop Trail
- Bellingham-Mt. Baker Trail
- Bay to Baker Alternative Trail
- Salish Coast Alt. Trail

Precise location of proposed trails has not yet been determined

Constructed Trails

- Bay to Baker Trail Constructed
- Salish Coast Trail Constructed
- NooksackTrail Constructed
- Nooksack LoopTrail Constructed
- Bellingham-Mt. Baker Trail

** Proposed trail corridors reflect the County's goal of developing county-wide trail networks which have been identified through a parks and recreation public visioning process that spans decades. Long range parks and recreation goals and policies emphasize a cooperative approach, working with willing land owners to accomplish recreational goals.*

Note: Trails sharing the same corridor are depicted separately to illustrate that they are different trails. More than one trail sharing the same corridor will generally be constructed as a single trail.

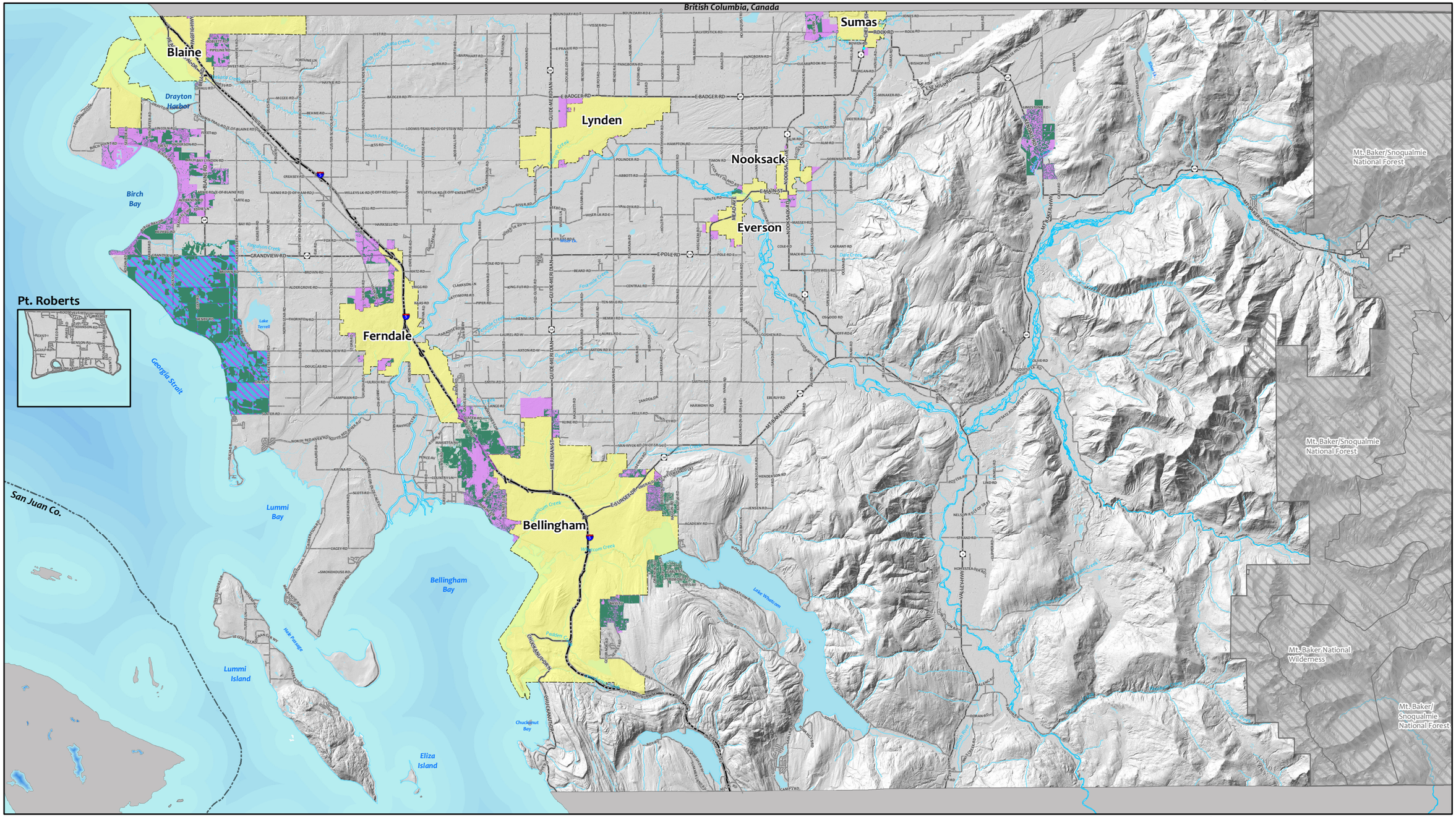
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Whatcom County

Map 9-3
Tree Canopy Coverage - Unincorporated UGA



Tree Canopy

Incorporated City

Urban Growth Area

Major/Port Industrial UGA

Source:
- City of Bellingham Tree Canopy; -Whatcom County 2024 Aerial

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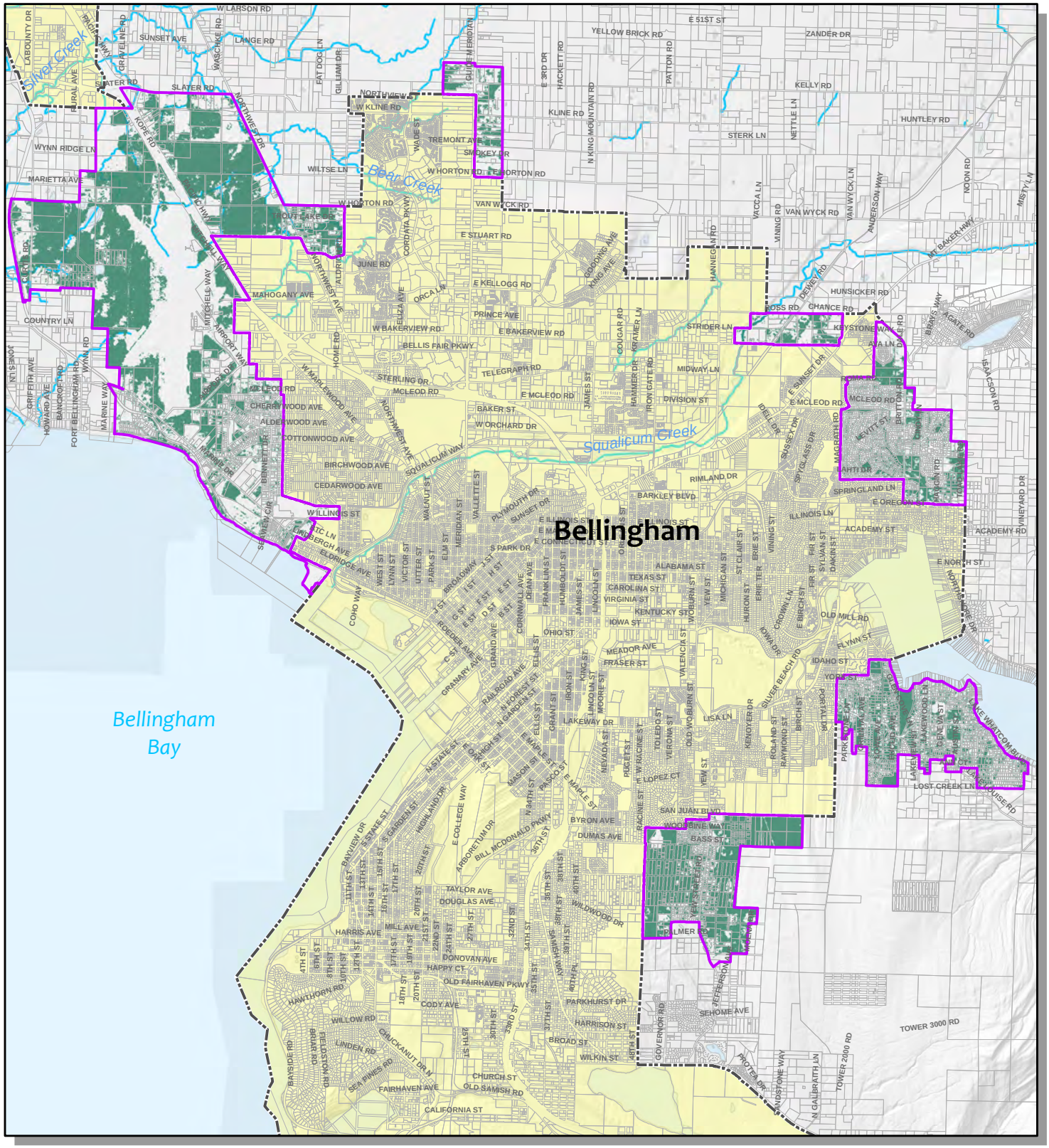
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Map 9-3A
Tree Canopy Coverage



Bellingham

- Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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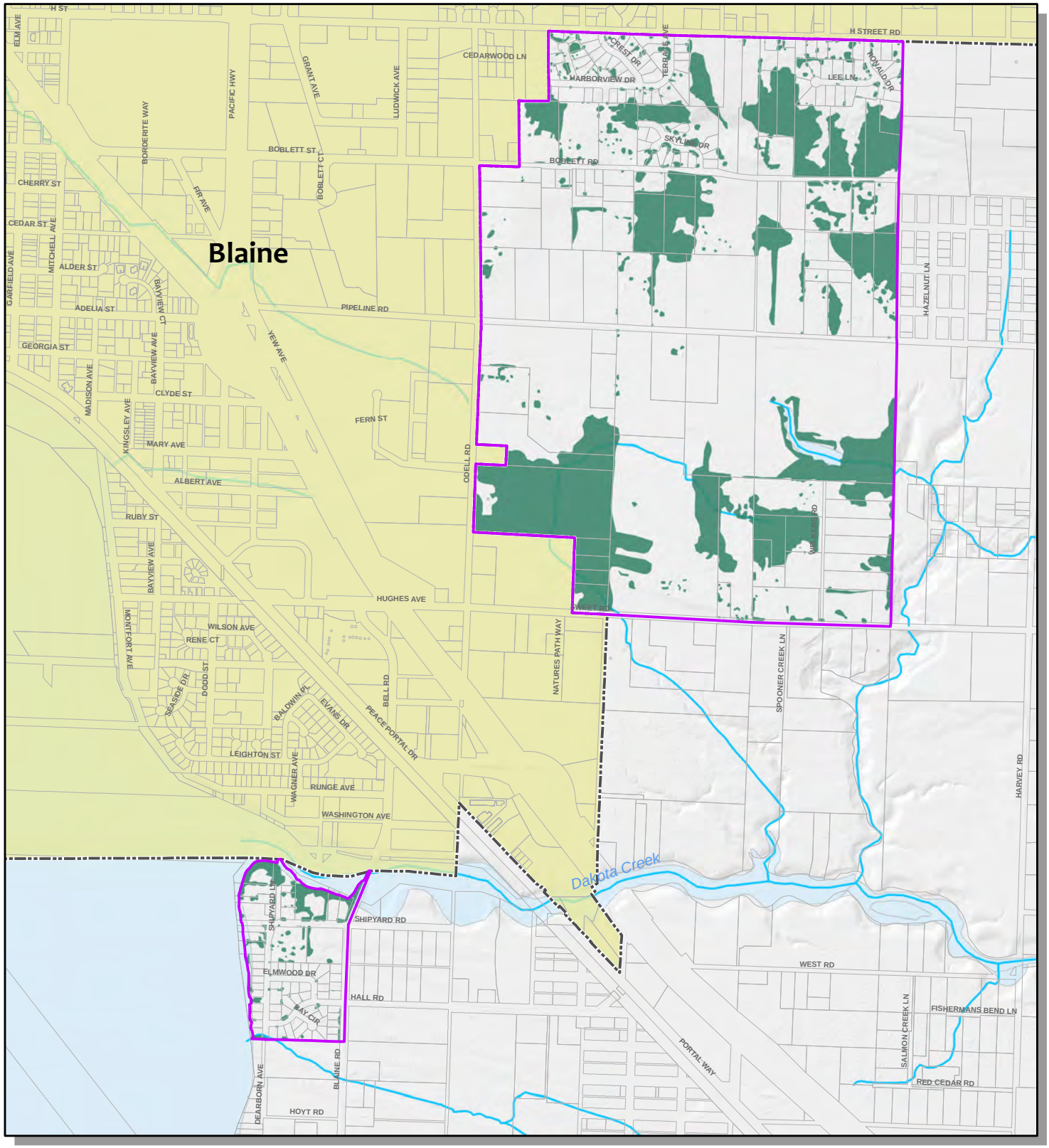
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Map 9-3B
Tree Canopy Coverage



Blaine

- Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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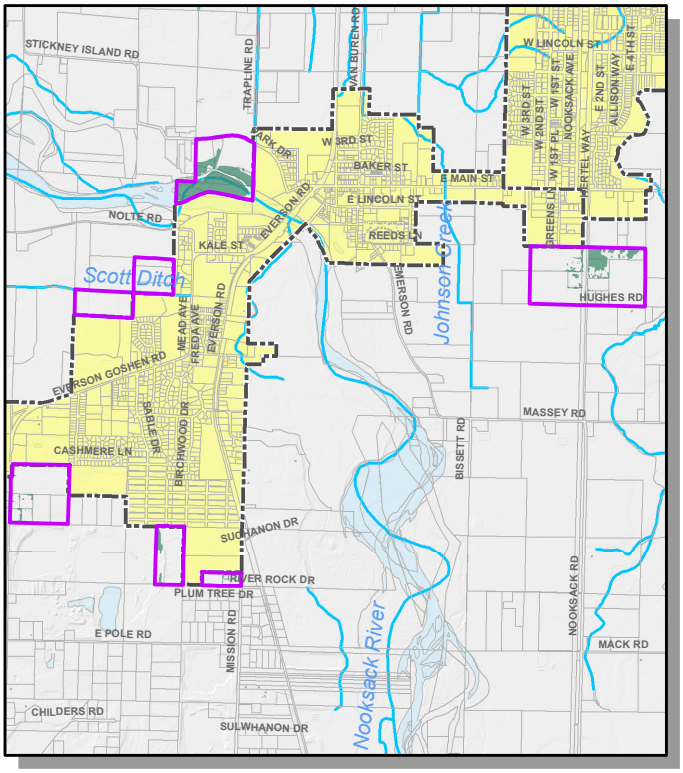
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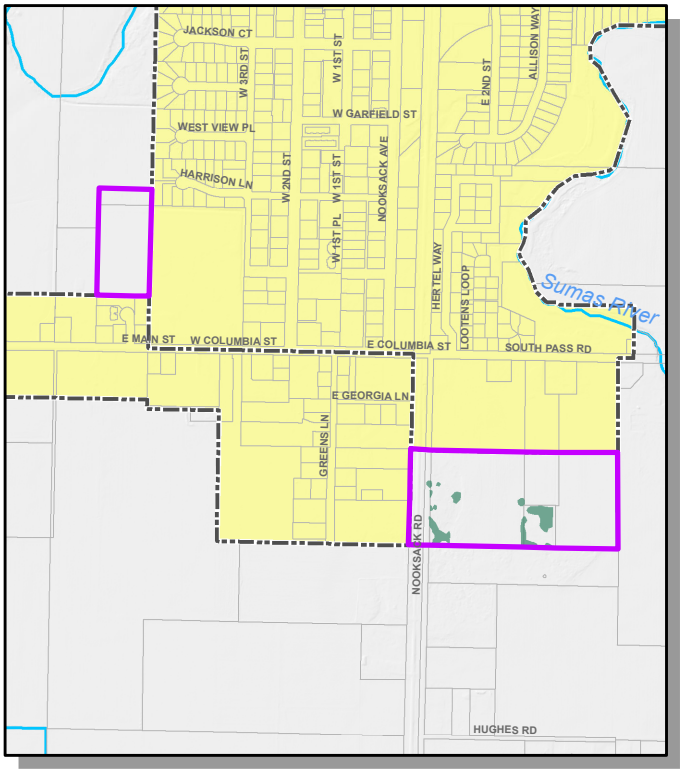
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Map 9-3C
Tree Canopy Coverage

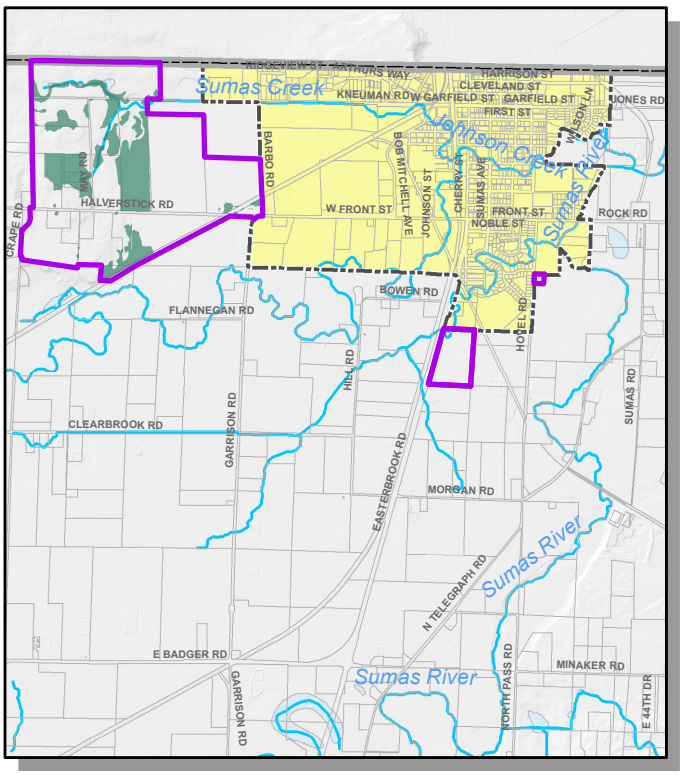
Everson



Nooksack



Sumas



Tree Canopy

Unincorporated UGA

Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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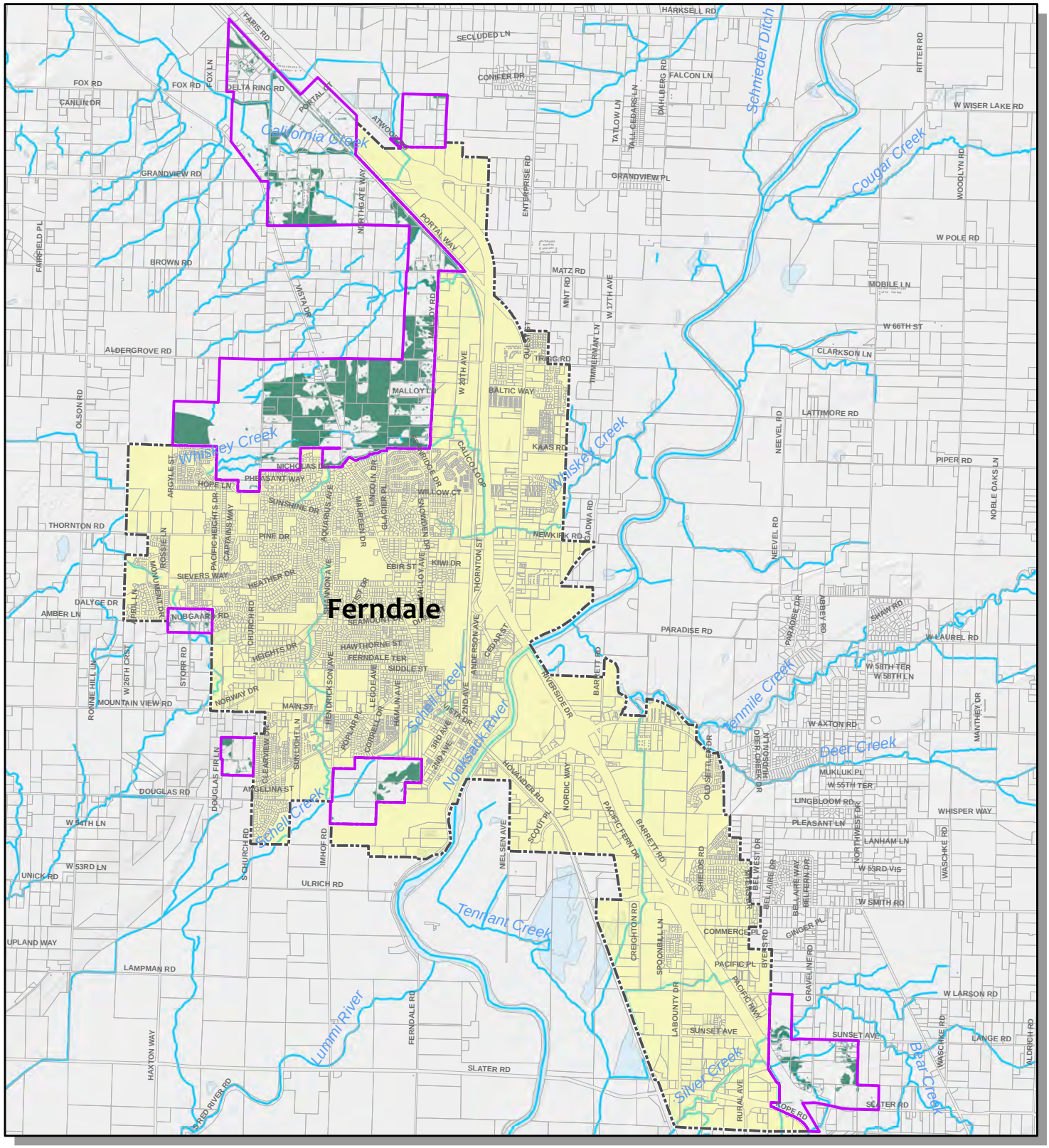
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Map 9-3D
Tree Canopy Coverage



Ferndale

- Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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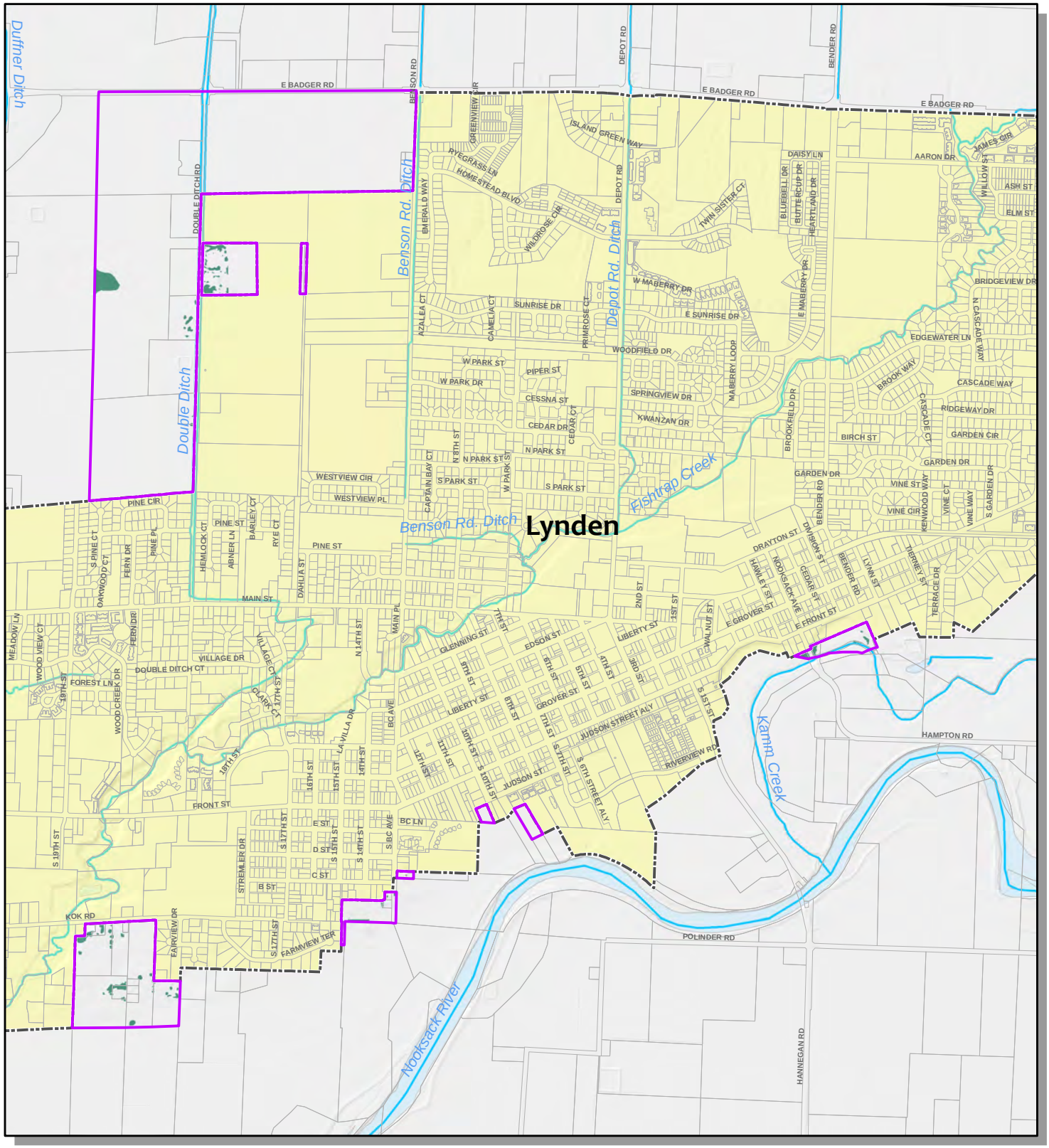
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Map 9-3E
Tree Canopy Coverage



Lynden

- Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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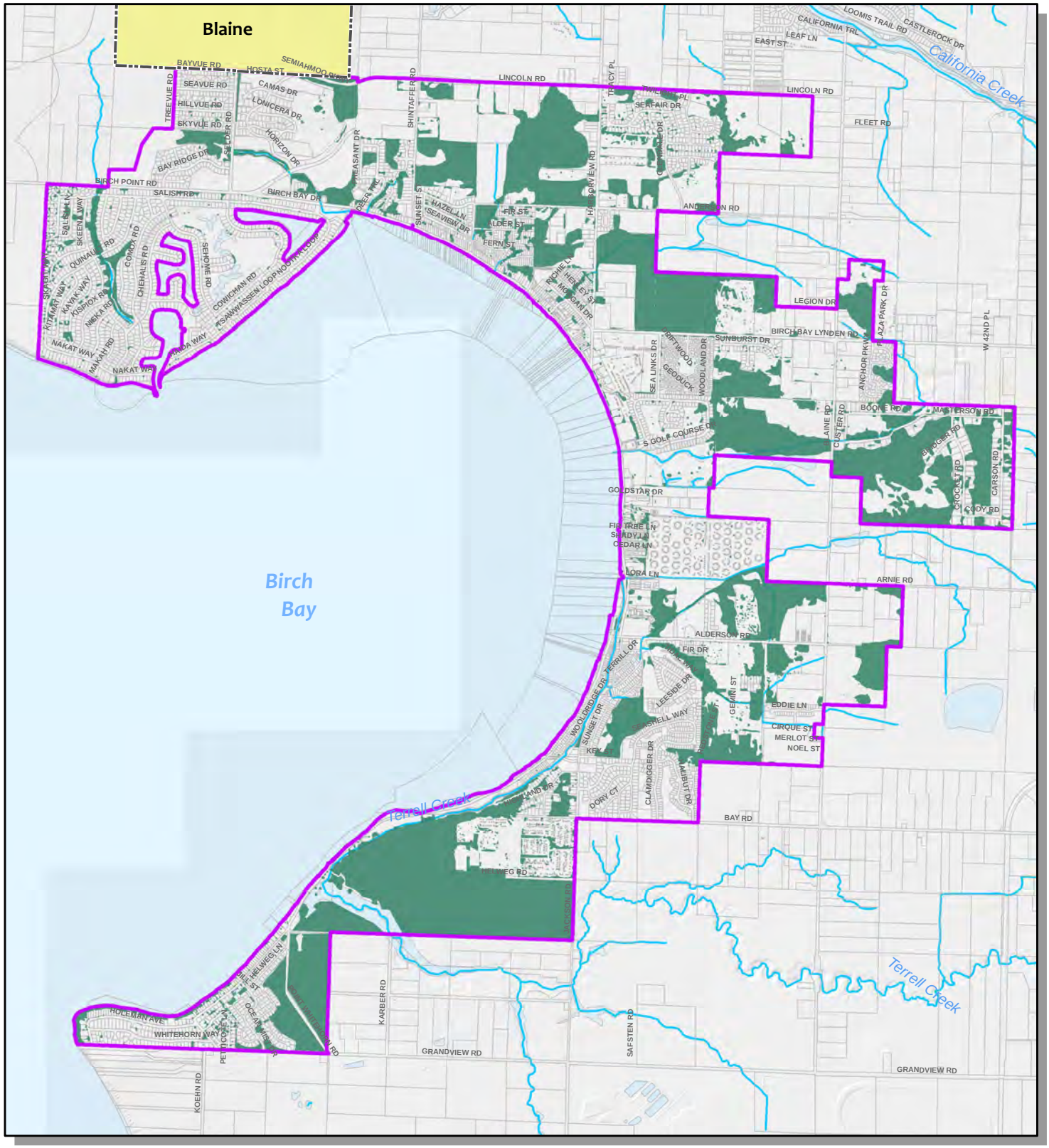
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Map 9-3F
Tree Canopy Coverage



Cherry Point

- Tree Canopy
- Unincorporated UGA
- Incorporated Growth Area

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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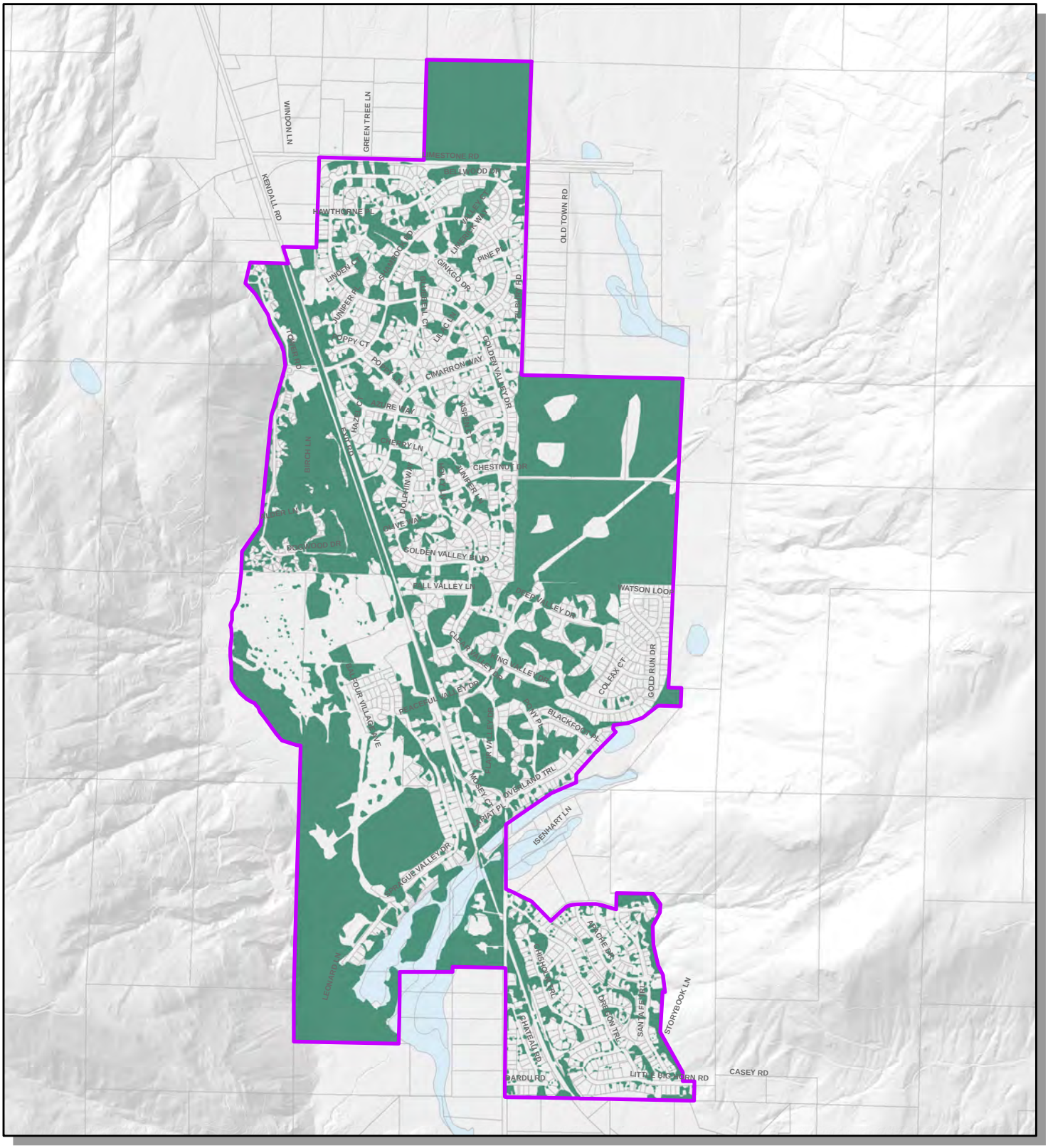
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Map 9-3G
Tree Canopy Coverage



Columbia Valley

- Tree Canopy
- Unincorporated UGA

Source:
- City of Bellingham
- Whatcom County 2024 Aerial Photo

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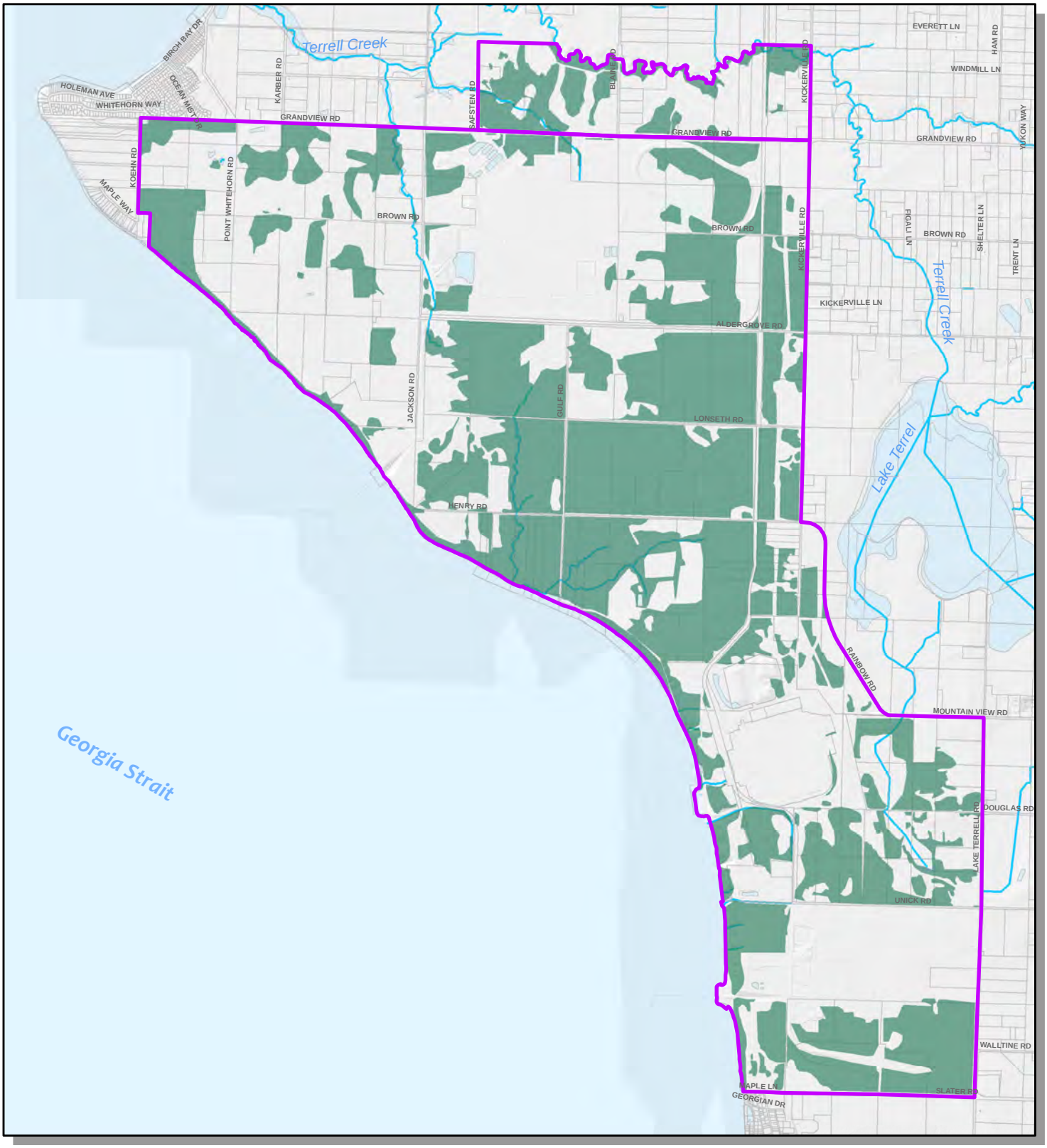
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Map 9-3H
Tree Canopy Coverage



Cherry Point

- Tree Canopy
- Unincorporated UGA

Source:
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- Whatcom County 2024 Aerial Photo

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EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 10: Environment

Chapter Ten
Environment

Introduction

Each person in Whatcom County has a fundamental right to a healthy and safe environment in which to live and grow. In addition, the Nooksack Tribe and Lummi Nation have treaty rights that include taking fish, and hunting and gathering, at usual and accustomed grounds. With these rights comes a responsibility to contribute to the protection, conservation, and enhancement of our natural environment. Consequently, an important goal of the Whatcom County Comprehensive Plan is to protect or enhance the county's environmental quality. This means that, individually and collectively, we have the obligation to protect these resources for future generations. Essential to this is establishing safe development practices and patterns that do not diminish the functions and values of existing critical areas and ecosystems that ensure clean water, natural areas, farmlands, forest lands, and fish and wildlife habitat. Development practices and patterns should also allow for mitigated development and encourage voluntary actions that promote active restoration of ecological function and net ecological gain. It is also important to plan for sea level rise, changing ocean conditions, storm surges, and floods by preparing for impacts to coastal residential communities, marine fisheries, shellfish beds, coastal infrastructure, and recreation areas.

Chapter Organization

This chapter is composed of an introduction and four sections organized by topic heading. The first section, entitled "General Environmental Management," addresses general environmental goals and policies. The remaining three sections deal with Natural Hazards, Water Resources, and Ecosystems. Together, the sections of this chapter provide the direction necessary to ensure and promote long-term sustainability of the natural environment in Whatcom County.

Purpose

Whatcom County's natural environment, with its seasonally abundant supply of water, timber, minerals, fish and wildlife, its beauty, and its other natural resources, has attracted people to our community for millennia. This setting is important to our sense of well-being, to our health, to our economic well-being, and to our future. Sustaining these assets in the face of increasingly intense human activity becomes more difficult each year. As resource-scarce and climate impacted regions within our county, state and nation face growing challenges, we must plan for increased pressures to sustain our natural assets and balance growth and resource use responsibly. The challenge of protecting and restoring the environment while accommodating growth requires maintaining guidelines for development so that growth does not ultimately overrun natural assets. The purpose of this chapter is to create such balance and guidelines.

GMA Goals and Countywide Planning Policies

GMA Planning Goal 10, "Environment" (RCW 36.70A.020(10)), provides the directive for much of this chapter. It requires Whatcom County to "protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water." In addition, some of the goals and policies of this chapter support Planning Goal 9, "Open Space and Recreation" (RCW 36.70A.020(9), which directs the county to "conserve fish and wildlife habitat."

Relative to environmental protection, Whatcom County's Countywide Planning Policies (CWPP) give the most attention to water issues. They state, "Jurisdictions shall cooperate to protect and restore water resources and fish habitat within UGAs and across jurisdictional boundaries to maintain quality of life, economic health, and protect treaty natural resources in Whatcom County." Specific policies address water, promoting inter-jurisdictional cooperation in conserving, protecting, and managing water resources, and in reducing water pollution (CWPP Policies N.1 – 6). The CWPPs also support protecting wildlife habitat and corridors, natural drainage features, and "other environmental, cultural and scenic resources."

GMA Requirements

In designating and protecting critical areas under this chapter, RCW 36.70A.172 requires that counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas. In addition, counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. The GMA has identified Critical Areas to include the following areas and ecosystems:

- Wetlands
- Critical Aquifer Recharge Areas
- Fish and wildlife habitat conservation areas
- Frequently flooded areas
- Geologically hazardous areas

Environmental Setting

Whatcom County can be divided into five geographic geologic provinces. From east to west these provinces are the Methow terrain, the Cascade Crystalline Core, the Northwest Cascades System, the Fraser Lowland, and the San Juan Island system. Tectonic activity over the past 15 million years has created the present North Cascades and Mount Baker, a 10,000-foot high composite volcano.

The mountains of Whatcom County, as well as the streams, lakes, valleys, hills, and shoreline features are the result of millions of years of geologic events. Over 2.5 million years ago, during the Ice Ages, glacial ice invaded the Puget Sound lowlands from the north at least four times, with the last major glacial event, the Fraser Glaciation, ending approximately 12,000 years ago. A minor advance of glacial ice, the Sumas Advance, ended approximately 10,000 years ago. The ice formed from the accumulation of snow in the British Columbia Coast Range and interior of British Columbia. Numerous glaciers are still present within the mountains of Whatcom

County, and some of these glaciers formerly extended far down the mountain valleys of the County. The underlying bedrock was deeply eroded during these glacial events creating very steep mountainsides, and in some areas, particularly in northwestern Whatcom County, a thick sequence of related sediments was deposited. The glacial ice was approximately 6,000 feet thick in the vicinity of Bellingham.

Two main glacial advances are the most important to our area, the Salmon Springs glaciation and the later Vashon glaciation. Each time the massive glacier advanced, it dammed up the Puget lowlands to form a huge lake. As the floating ice melted, sand, gravel, clay and occasional boulders would melt out of the ice and fall to the sea floor. This deposit, the Bellingham Drift, covers the ground surface over a large area of western Whatcom County. Each time the Ice Age glacier advanced, it also compacted underlying sediments with its great weight. It created a concrete-like material called "till" (also known as "hardpan") beneath it. Because the Bellingham Drift consists primarily of clay and silt, it is relatively impermeable; water tends to accumulate on the ground surface. Wetlands are common on the Bellingham Drift.

On the bottom of the lake, "rock flour," the finely ground remains of rocks pulverized by glacial action, settled out. These deposits became the familiar "blue clays" of the Puget lowland. The milky color of the Nooksack River is due to the same kind of rock flour, created by glacial activity on the slopes of Mount Baker.

Additionally, each time the glacier retreated, water from the melting ice deposited thick layers of sand and gravel known as "outwash." The outwash areas are typically where we find our most productive aquifers, since these loose sands and gravel are porous and drain rapidly. While these areas absorb rainwater for our later use from wells, they are also vulnerable to contamination. An example of this phenomenon is found in the outwash sands and gravels resulting from the Sumas Advance. Large meltwater streams and rivers flowed from this glacier depositing the Sumas Outwash sands and gravels. The Sumas Outwash sands and gravels make up the best non-floodplain farmland in the County and some of the highest quality construction gravel deposits. Abandoned outwash channels were formerly used as sources of peat.

Each of these glacial sediments, lake bed deposits, till and outwash is present in various places and varied combinations in Whatcom County. These sediments provide both the formations that hold the groundwater for many of the area's wells, and provide the parent material for most of the different soils.

Out of these long physical processes a complex natural ecology has emerged that supports a diversity of fish and wildlife. All of our lakes, rivers, and streams support fish including, but not limited to, native salmonid (salmon, trout and char) species such as the five pacific salmon (Chinook, coho, sockeye, chum, pink) as well as steelhead, rainbow trout, cutthroat trout (coastal and resident), and native char (bull trout and Dolly Varden). Chinook salmon, steelhead, and bull trout are all listed as “Threatened” under the Federal Endangered Species Act (ESA), are subject to federal protection and recovery planning, and are a critical component of the WRIA 1 Salmonid Recovery Plan and recovery efforts in the Nooksack Basin. Every year each of these salmonid species return from the ocean to spawn in the streams and rivers of Whatcom County with the juveniles of some species remaining in freshwater for one or more years before migrating to marine waters.

Whatcom County is located within the Pacific Migratory Flyway and serves as a stopover and critical habitat area for many migratory birds. Bufflehead and goldeneye ducks winter here. Additionally, numerous bird species including scoters, snow geese, trumpeter swans, canvasbacks, cormorants, grebes, loons, and other migrating waterfowl pass through every spring and fall as they travel between their breeding grounds in Alaska and Canada and their wintering grounds in California and Mexico. Mallards, Canada geese, great blue herons, and numerous songbirds live in the county year-round. Maintaining these unique resources is a high priority for both present and future county residents. Whatcom County is home to a distinct subspecies of the Great Blue Heron, which has the third largest colony in the Puget Sound area. The wetlands, fields, streams, and nearshore habitat in the county support many birds of special concern, such as the bald eagle (protected under the Bald and Golden Eagle Protection Act) and the marbled murrelet (ESA threated list and State endanger list). The National Audubon Society has designated Semiahmoo, Drayton Harbor, and Birch Bay as "Important Bird Areas."

Whatcom County is home to a diversity of ecosystems ranging from coastal mudflats, eelgrass beds and feeder bluffs, through forested lowlands with abundant wetland, stream and lakes to temperate rain forests and high alpine meadows. This ecosystem diversity supports a wide range of diverse plants and animals, many of the wildlife species abundance and survival are currently under threat from a growing list of challenges. Human growth and climate change are driving the factors of landscape change impacting biodiversity in Whatcom County. Direct threats to biodiversity include habitat loss, degradation and isolation, invasive species, wildlife disease, overutilization and phenology disruptions from a changing environment.

Whatcom County CAO (Article 7) define Habitat Conservation Areas as areas that are identified as critical importance to the maintenance of certain fish, wildlife and /or plant species. The purpose of identifying these species and habitats is to; protect, restore and maintain fish and wildlife populations by protecting and conserving fish and wildlife habitat, protecting ecological processes that sustain these resources and biodiversity, and manage development so that isolated populations of species are not created and habitat degradation and fragmentation are minimized, and maintaining the natural geographic distribution, connectivity, quality of fish and wildlife habitat and ensure no net loss to important habitats.

County governments rely on state and federal agencies to provide the identification and categorical listings of rare and threatened species, that require special protections to prevent further declines in abundance, distribution or survival. The state of Washington has many conservation programs that support the goals of the Growth Management Act through the implementation of Critical Area Ordinance aimed at protecting and enhancing fish and wildlife habitats. Federal agencies also have the Endangered Species Act to guide the identification and habitat recovery plans for federally listed threated and endanger species. Whatcom County also has authorities in the CAO to identify species and habitats of local importance (16.16.710 C #14). Whatcom County's two habitats of local importance currently include: the marine nearshore habitat from the extreme low tide to the upper limits of the shoreline jurisdiction, and the Chuckanut Wildlife corridor which extends east from Chuckanut Bay to Mount Baker Snoqualmie National Forest Boundary. In addition, the CAO code allows for adding additional regulated wildlife corridors. In 2023 the

Whatcom County Wildlife Advisory Committee commissioned a study to use novel geospatial connectivity analysis to provide information about the current state of wildlife habitat connectivity in Whatcom County. The information was intended to support Whatcom County's efforts to identify important areas for wildlife habitat connectivity and designate critical connectivity areas for incorporation into the CAO.

Environmental Management

Introduction

General environmental goals and policies are intended to provide guidance for environmental management that will promote environmental protection and good stewardship practices through a balance of public education and involvement; incentives, acquisition, and voluntary programs; land use planning, regulations and enforcement; environmental monitoring; and intergovernmental cooperation. These goals and policies are also intended to guide County government as it assists the public in maintaining a balance between individual property rights, economic development, and environmental protection.

Background Summary

Development in the last 150 years has had a significant impact on the natural environment in Whatcom County. At the turn of the 20th century, some areas surrounding Lynden, Sumas, and Ferndale were already logged, drained, and converted to agricultural land and other types of development. In the intervening years, many of the remaining forests were logged, many streams re-routed and channelized, and much of the native vegetation removed and replaced with a wide variety of introduced vegetative types. Roads now crisscross the county, with homes, farms, businesses, and industries scattered throughout the county.

The overarching goals of the WRIA 1 Salmonid Recovery Plan and WRIA 1 Watershed Management Plan, which have been approved by Whatcom County, and the integration of which are identified in Whatcom County Council Resolution #2022-036 Exhibit A include:

- Recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream processes, careful use of hatcheries, and responsible harvest, and with the active participation and support of local landowners, businesses, and the larger community (WRIA 1 Salmonid Recovery Plan).
- Water of sufficient quantity and quality to meet the needs of current and future human generations, including the restoration of salmon, steelhead, and trout populations to healthy harvestable levels, and the improvement of habitat on which fish and shellfish rely. (WRIA 1 Watershed Management Plan).

Issues, Goals, and Policies

There are designated lands in Whatcom County that can still accommodate development. Whatcom County also has areas that are sensitive to human activity, including wetlands, streams, lakes, and marine shorelines, and lands that can pose

a hazard to the community, including floodplains, unstable slopes, naturally occurring asbestos and alluvial fans. In these areas development must be carefully planned or limited to maintain environmental quality and public safety. This can be done through the creation and implementation of goals and policies that seek to reduce hazards and prevent adverse environmental impacts.

Community and Environmental Protection

Elements of the natural environment such as: water, air, soil, plants, and animals are interconnected and interdependent, functioning as one dynamic ecosystem. Environmental resources within this ecosystem are extensive and, in some cases, irreplaceable. They provide important beneficial uses to the community such as: the supply of clean drinking water; food supply, sustainable resource extraction, management of stormwater run-off and flood hazard management; support for a wide variety of fish and wildlife populations, recreation; and a sense of place in which residents invest, enjoy, and expect.

Some of these same resources result in serious environmental constraints or pose a hazard to development and a danger to the community. The Nooksack River and along the County's marine coastlines frequently floods, impacting much of the valley floor. There are numerous wetlands and hydric soils throughout the lowlands that provide critical wetland functions and are generally unsuitable for development. The steep gradient and geologic structure of the mountain ranges in conjunction with heavy annual precipitation can contribute to slope instability (i.e. landslides), sediment-laden flood events on alluvial fans, and flooding of streams and the floodplains of the Nooksack and Sumas Rivers.

Much of the environmental degradation and destruction to property occurs as a result of a lack of information or understanding rather than willful action. Ecosystems are subtle and complex. Too often both their benefits and hazards are not readily apparent to the community. Additionally, baseline information is not always available to help identify the real costs or hazards of building in Whatcom County. There is a need for further research, education, and disclosure to enhance the public understanding of the natural and climate hazards present and the risks they pose.

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. Ensure sustain funding and staffing resources to support the successful implementation of these strategies.

Policy 10A-3: Continue to identify, designate, protect and enhance Critical Areas and other important environmental features.

Policy 10A-4: Manage designated Critical Areas to minimize or protect against environmental degradation, encourage restoration of ecological functions 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 County 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, community groups, businesses and local, state, federal, and tribal governments and non-governmental agencies in furthering Whatcom County's environmental goals and policies.

Policy 10A-9: Cooperate with state and federal agencies, tribal governments, and neighboring jurisdictions to identify and protect threatened and endangered fish and wildlife species and restore their habitats.

Policy 10A-10: Cooperate with tribal governments, state and federal agencies and neighboring jurisdictions to identify and implement protective measures and programs to support Washington State’s Priority Habitat and Species List, Washington DNR’s Natural Heritage Program for rare plant species, and Whatcom County’s Species & Habitats of Local Importance (WC CAO 16.16.710 C.14.).

Policy 10A-11: Define and adopt criteria for the Conservation Futures Fund and other county programs that will support actively pursuing opportunities for acquisition, conservation easements, open space, and other such programs to protect and provide restoration opportunities to 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, WRIA 1 Salmon Recovery Plan, and other sources.

Policy 10A-12: Use the plans listed in Policy 10A-11 to 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-13: Ensure that information related to development constraints in natural hazard areas and areas vulnerable to climate impacts is regularly updated with best available science and made readily available to the public.

Policy 10A-14: Non-carbon, renewable energy, and geothermal development should avoid where feasible, minimize, and mitigate significant impacts to:

- groundwater resources,
- instream flows,
- geologic stability,
- volcanic hazards,
- fish and wildlife habitat,
- treaty-protected resources,
- cultural and archaeological sites,
- critical areas.

Site-specific studies, monitoring, adaptive management, and reclamation requirements may be required where appropriate.

Administration and Regulation

There are currently a multitude of regulations and administrative processes at the federal, state and local level that, together, have become difficult to understand and implement. Conflicting regulations and complicated administrative processes can create undue hardship on community members and result in reduced levels of environmental protection.

Goal 10B: Maintain 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 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 the public, developers, and property owners.

Policy 10B-7: Establish a regulatory backstop to support and incentivize voluntary stewardship, conservation, and restoration and to ensure compliance in an effort to avoid regulatory consequences. Such a regulatory approach would come into effect if voluntary programs are not achieving environmental and restoration goals.

Policy 10B-8: Ensure regulations and review processes are as simple and easy to understand as possible and maintain effective inspection, compliance, and enforcement measures.

Policy 10B-9: Regulations should be adaptively managed and regularly updated using Best Available Science and effectiveness data collected and maintained by the County.

Policy 10B-10: Avoid delays and uncertainty caused by the imposition of environmental policies, conditions or requirements that are not specifically required by the WCC and state and federal law.

Policy 10B-11: Encourage net ecological gain through public and privately funded incentives and policy options such as regulatory flexibility provided in proportion to the degree the project exceeds the minimum protective or mitigation requirements of the WCC.

Policy 10B-12: Ensure sustain funding and staffing resources to support the successful implementation and enforcement of regulatory policies.

The Environment and Property Rights

Prior to the 1970s, growth in Whatcom County was relatively slow and received little management. As a result, private property owners were left to their own resources as they determined how best to use their land. However, as increasing numbers of people moved to this area and settled, a greater demand was placed on Whatcom County's natural resources.

The problems that arise from this situation have caused many to realize what one person may or may not do with their property may have an impact on the larger environmental system that sustains us as a community and on the rights of other property owners.

Land use decisions can no longer be considered exclusively private matters. Public actions inevitably impact every resident in Whatcom County and private actions may have public consequences as well. To that end, the law must protect the public good from detrimental private actions. Nevertheless, the right of the individual to use their property, within the bounds permitted by law, is a value supported by law and the community and must be recognized when making land use decisions.

Goal 10C: In implementing environmental policies consider possible impact to private property rights, incorporate environmental justice, economic opportunities, and plan appropriately for growth.

Policy 10C-1: Cooperatively engage jurisdictions and stakeholders in actively pursuing 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 a resource, an amenity, and a Treaty protected resource.

Policy 10C-3: Emphasize an approach to environmental protection that encourages 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.

Policy 10C-5: Ensure that permitting and development decisions by the County do not disproportionately impact vulnerable communities and promote equitable application of environmental justice principals and distribution of resources.

Policy 10C-6: Ensure that environmental permitting and development regulations by the County are rigorous enough to minimize and mitigate against impact on natural environments while being applied in a manner that facilitates housing construction consistent with RCW 36.70A.020(4). *"To plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."*

Policy 10C-7: Support the blue-green, marine, and maritime economy, such as fisheries, boat building, and maritime technology industries, while balancing protection of the marine environment and resources such industry depends upon. Support a sustainable working waterfront in collaboration with the Port of Bellingham, Working Waterfront Coalition, and other relevant stakeholders. Address and mitigate against any potential ecological risks associated with industrial activities.

Natural and Climate Hazards[1]

Introduction

The location, climate, and geology of Whatcom County combine to create many natural and climate hazards to people and their property. Earthquakes, volcanoes,

[1] For more in-depth information on these hazards, please refer to Whatcom County's 2021 Natural Hazards Mitigation Plan at https://www.whatcomcounty.us/3914/2021-Natural-Hazards-Mitigation-Plan

landslides, flooding, sea level rise, droughts, and wildfires are some of the major natural and climate hazards found in our region. Additionally, old mines are scattered around the county that could be dangerous to the community. Natural and climate hazards goals and policies are intended to provide guidance to county government as it assists its residents in effectively managing risks from natural and climate hazards in a manner that minimizes the danger to each member of this community, while continuing to provide for economic opportunities.

Background Summary

Natural Hazards include the following (**Map 10-4**):

Landslide Hazards – The geologically recent retreat of glaciers from the Whatcom County landscape and associated isostatic rebound, ongoing geomorphic processes of erosion, sediment transport, deposition, and tectonic uplift, and geologic structures have left many hillsides over-steepened or weakened and susceptible to naturally occurring and human-triggered slope failures and erosion. Several large, well-known deep-seated landslides are presently active in Whatcom County, such as the Swift Creek Landslide on Sumas Mountain. In addition, numerous large-scale, pre-historic slope failure deposits have been mapped and are readily identified in lidar imagery and mapped in a Washington Geological Survey deep-seated landslide inventory. Areas of current instability are present within the boundaries of these older features.

Multiple slope failure processes contribute to the mosaic of landslide hazards present on the landscape and the associated risks they present to public and private infrastructure and natural resources. Examples of landslide types may include rockfall and rock avalanches, shallow landslides that can enter steep stream channels and route downstream as destructive debris flows and debris floods, and deep-seated earthflows, slumps and rotational slides within bedrock. These landslide processes act on large- and small-scales. Smaller landslides may occur more frequently in response to individual rainfall events while deep-seated landslides may respond to seasonal trends in precipitation more than individual storms. Both pose a significant and continual risk to county residents and infrastructure.

Certain geomorphic landforms and geologic formations and features, such as fault zones, commonly create conditions conducive to landslides. These include, but are not limited to, namely the Chuckanut Formation and the Darrington Phyllite, are known for generating multiple landslide types, but landslides are also frequently observed in unconsolidated glacial sediments. Other factors such as the presence of day-lighting groundwater at seams and springs, slopes in excess of 35%, coastal bluffs subject to wave erosion, and areas of fluvial erosion that may over-steepen hillslopes through lateral erosion are all indictors of potential slope instability.

Alluvial Fan Hazards – Alluvial fan hazards areas exist where steep mountain streams flow onto floodplains or into lakes and deposit debris and sediment. Because these streams are steep and flow in confined canyons, they can carry more sediment and debris than a similar-sized stream flowing over flat land. During a large storm or if landslides are initiated in a stream's upper watershed during a storm, catastrophic flooding and debris floods can occur on the streams alluvial fan. Temporary damming of a stream by a landslide can produce flood events that are orders of magnitude larger than events driven solely by rainfall and must be considered outside standard

hydrologic analysis. Alluvial fan hazard and risk assessments, such as those done for Canyon Creek and Jones Creek document recent events, the damage they caused, and describe the risks to private property and infrastructures posed by future alluvial fan flood events. Historic events, such as the 1983 Lake Whatcom landslides and associated alluvial fan flooding demonstrate the risks associated with development on alluvial fans Landslide-driven alluvial fan flood events represent one of the major threats to infrastructure and life-safety in Whatcom County.

Flood Hazards – Heavy winter rains and melting of a transient snowpack combined with the steep and sometimes unstable slopes of Whatcom County's foothills create conditions ideal for flooding and debris floods along many of our rivers and streams. The Nooksack River floodplain alone covers 38,000 acres in Whatcom County. The Nooksack River overtops its banks in some locations almost annually sending water into the floodplain. There have been more than 10 major floods since 1951 that have caused more extensive flooding and damage. A unique feature of the Nooksack is that even moderate floods can overtop its north bank near Everson impacting the communities of Everson, Nooksack and Sumas as the overflow follows a historic Nooksack River flow path to Sumas and into the Abbotsford area in British Columbia where the floodwaters drain to the Fraser River. Recent monitoring efforts demonstrate that sediment accumulation upstream of the Everson Bridge has increased the risk of overtopping of the bank at Everson, which initiates the flooding into the Everson-Sumas overflow corridor. This also has implications downstream in years to come. The historic November 2021 floods resulted in a fatality, caused hundreds of millions of dollars of damage and displaced hundreds of families in Whatcom County and many times that financial and human impact in British Columbia as a result of the overflow combined with floodwater from of streams flowing off Sumas and Vedder Mountains. Flooding in the lower Nooksack river with sea level rise is of particular concern because it will create a backwater effect that will compound riverine flooding. Whatcom County is also undertaking floodplain integrated planning (FLIP) that engages multiple entities in a floodplain planning process.

Coastal areas are also subject to flooding, especially during winter storms and king tide events. It is projected that climate change will increase flood risk due to increased sea level and changes in rainfall patterns. Significant damage may result from such floods. In 1991, Whatcom County formed a countywide Flood Control Zone District to address the major flooding issues in the county and subsequently in 1999 developed a Comprehensive Flood Hazard Management Plan for the Lower Nooksack Basin.

Volcanic Hazards – The presence of Mt. Baker is an asset to our region. Its 10,778-foot peak is one of the dominant features of Whatcom County's landscape. However, Mt. Baker is also considered one of the most active volcanoes in the Cascade Range, and of the six major volcanoes in the range, Mt. Baker is considered by geologists to be very hazardous during and after an eruption. Pyroclastic flows, ash flows, and especially volcanic mudflows, also known as lahars, are believed to be the greatest dangers to human life and development in Whatcom County. Geologic evidence indicates that an eruption on Mt. Baker caused a major lahar about 6,600 years ago that inundated the Middle Fork Nooksack Valley from its headwaters downstream past the confluence with the North Fork at Welcome. The same lahar is now known

to have been over 300 feet deep in the upper reaches of the Middle Fork and extended as far west as Nugent's Corner. A major lahar along the Nooksack would divert the river from its channel and cause massive flooding. Smaller events have also occurred off the southeast side of the mountain sending material into what is now Baker Lake. Given the southeastern crest of the mountain may have more current activity, portions of Whatcom County that drain to the Skagit River, and Skagit County itself, may be at considerable risk.

Fortunately, volcanic eruptions are infrequent with periods of hundreds or thousands of years between events with the ability to forecast a potential eruption being dependent on the ability to continuously monitor the mountain for signs that volcanic activity is increasing. None the less, a major eruption of Mt. Baker would pose a serious threat to human life and property. Even without an eruption, the deeply weathered nature of the rocks forming Mt. Baker may also fail, triggering a mudflow that would travel rapidly down the stream channels ringing the volcano and result in damage similar to that triggered by a volcanic eruption. Mapping over the past decade has documented massive mudflows originating from Mount Rainer and Glacier Peak document the deposits extending from the volcanoes to Puget Sound indicating the potential to impact Whatcom County many miles from the mountain itself.

Earthquake Hazards – Whatcom County lies within the influence of the convergent plate margin between the Plate of Juan de Fuca and North American Plate termed the Cascadia Subduction Zone. Regionally-extensive and damaging earthquakes, termed mega-thrusts, are possible when stress generated between the subducting Pacific Plate and over-riding North American Plate is released. A mega-thrust, full-rip earthquake is capable of generating an earthquake of magnitude 9 or greater, and research has indicated an approximate recurrence interval of 300-500 years.

Associated with the stresses generated at the convergent plate margin are shallow, crustal faults that are mapped throughout Whatcom County. Earthquake activity on these fault systems is much more frequent than that observed at the Cascadia Subduction Zone, and the Deming area is considered one of the most seismically active areas in Washington. Earthquakes on these faults are capable of causing considerable damage.

While all buildings are susceptible to damage from seismic-shaking, structures built on peat soils, large areas of non-structural fill, or liquefiable soils are prone to more severe shaking during an earthquake. If the shaking is strong enough or of sufficient duration, structures may collapse or become damaged due to building fatigue, ground settlement/liquefaction, and/or lateral spreading. In addition to seismic hazards posed by the Cascadia Subduction Zone, a significant mega-thrust earthquake has the potential to generate a large and destructive tsunami that has the potential to affect most low-bank areas of the County.

Mine Hazards – Mine hazard areas are sites of abandoned underground mine shafts, adits, and mine tailings. Coal mining was a major industry in Whatcom County in the early part of the 20th century, and several major mines were developed in various parts of the county. All of the formerly active mines are now no longer worked and are abandoned. For the most part these mine locations are known and mapped, such as the extensive coal mines under the northern part of the City of Bellingham and in the Blue Canyon area of South Lake Whatcom.

Wildland Fire Hazards -Wildland fire is a serious and growing hazard over much of the United States, posing a great threat to life and property, particularly when it moves from forest or rangeland into developed areas. However, wildland fire is also a natural process, and its suppression is now recognized to have created a larger fire hazard, as live and dead vegetation accumulates in areas where fire has been excluded. In addition, the absence of fire has altered or disrupted the cycle of natural plant succession and wildlife habitat in many areas. Consequently, United States land management agencies are committed to finding ways, such as prescribed burning, to reintroduce fire into natural ecosystems, while recognizing that firefighting and suppression are still important. USGS conducts fire-related research to meet the varied needs of the fire management community and to understand the role of fire in the landscape; this research includes fire management support, studies of postfire effects, and a wide range of studies on fire history and ecology. Whatcom County's evolution over the years has resulted in greater numbers of residents either living in or immediately adjacent to wildlands.

Whatcom County's population has grown from 81,293 in 1970 to over 229,000 in 2020. While most of the growth has occurred in Whatcom County's cities, a significant number of homes and businesses have been built in a wildland interface or intermix fashion. Large tracts of forest either abut or surround communities increasing the risk that an uncontrolled wildland fire will result in significant or even catastrophic loss. With few roads for ingress or egress, certain areas could be cutoff rather quickly.

Severe Storms – Severe storm weather comes in many forms, the most common for Whatcom County being heavy rain and wind during the winter months. Several wind storms have occurred in late summer with trees still retaining their full complement of leaves resulting in toppled trees and broken branches interrupting power to tens of thousands. Whatcom County experiences blizzards periodically, though not as commonly as unfrozen or partially frozen precipitation. Two types of winds primarily affect Western Washington: westerlies and easterlies. Westerly wind storms originate from the Pacific Ocean and are caused by pressure differences between deep oceanic storms and adjacent upland areas. This wind pattern is typical for fall and winter. Easterly winds are caused by high pressure systems in eastern Washington, causing strong winds to form west of the Cascade mountain range that occur in late summer and early fall.

Issues, Goals, and Policies

Landslides – Siting human development on or adjacent to known landslide hazard areas can create health and safety risks. The risks can be elevated due to extreme weather events and earthquakes, but landslides may occur with little or no warning. Development activity can destabilize naturally unstable slopes and impact ecosystems. However, predicting the exact timing, location, or extent of a damaging landslide is difficult, and in areas of the county landslide hazards are not possible to completely mitigate or avoid. In some circumstances, the development of upland properties may place downslope neighbors and ecosystems at risk from rockfall or landslide types. A similar relationship holds true for development at the toe of a potentially unstable slope or on alluvial fans where landslide-supplied sediment and debris may deposit. In the case of the Swift Creek Landslide, the release of asbestos-laden sediment poses an additional risk to public health that is a unique hazard.

Development in proximity to landslide hazards must proceed in consideration of potential impacts in order to ensure life safety, preserve and protect public and private infrastructure. Landslides can also pose a hazard to natural systems, including damming streams, which can lead to an outbreak flood.

Naturally Occurring Asbestos (NOA)

Naturally occurring asbestos (NOA) is the common name for a group of fibrous silicate minerals that occur naturally in some rocks. It has been documented in some areas of Whatcom County. The most well-known location is the Sumas Mountain landslide zone in the Swift Creek watershed. Asbestos fibers can cause health problems if inhaled, including lung disease and various cancers; especially at risk are children, the elderly, and tobacco smokers. If rock containing naturally occurring asbestos is left intact and undisturbed, risk of human exposure is low. However, NOA fibers can be released to the environment if the rock that contains it is broken or crushed. When NOA is disturbed, the risk of human exposure to asbestos fibers increases.

Whatcom County is undertaking the Swift Creek Sediment Management Action Plan (SCSMAP) to mitigate for the presence and potential impacts of NOA emissions in the Swift Creek watershed. The plan includes construction of a large sediment repository to store a maximum of 2.5 million cubic yards of Swift Creek sediment over a 20-year period. The repository will be periodically covered to prevent wind and water erosion of the sediment. Upon reaching capacity, the repository would be capped with clean topsoil and revegetated. Periodically, the Washington State Department of Health checks for asbestos-related health issues in people living around Swift Creek and Sumas Mountain. The latest report issued in 2021 found no evidence of increased risk of lung disease among local residents. These findings are consistent with previous studies of this area that have also not found any evidence of asbestos-related health issues.

For individuals living in areas of naturally occurring asbestos, there are several potential pathways for airborne exposure. Exposures to soil dust containing asbestos can occur under a variety of scenarios, including dust raised from unpaved roads and driveways covered with crushed serpentine, rock quarrying activities, grading and construction associated with development of new housing, or other human activities.

Alluvial Fans – Because alluvial fan areas are formed by streams, are generally gently sloping and elevated above the adjacent floodplain, and are located at the base of mountains, they have historically been popular places to develop. However, the processes that formed the alluvial fan making it an attractive place for development, also make it hazardous to that development and human life. Any storm of significance has the potential to cause flooding or debris floods on alluvial fans with the potential to flood homes and developments, endangering lives, and cause damage to property and ecosystems.

Flooding – Floodwaters from the Nooksack River can endanger lives and cause damage to homes, agricultural areas, businesses, and industries in the floodplain; fish and wildlife habitat and other ecosystems; and disrupt transportation and utility corridors. Storm tides can flood homes and roads along low, exposed marine

shorelines in the Birch Bay, Sandy Point, Point Roberts, and Gooseberry Point areas. It is anticipated that sea level rise will magnify coastal flooding in the coming years. Homes along Lake Whatcom, Lake Samish, and Cain/Reed Lakes have also been impacted by flooding during large storm events. Property and public safety are also impacted by rapid channel morphology events.

Volcanos – A volcanic eruption or volcanic mudflow (lahar) at Mount Baker could potentially route large volumes of sediment and water down the Nooksack River or Baker River and cause severe property damage extending from near the volcanoes or many miles downstream along the river corridors. A lahar is an extremely rare and unpredictable occurrence but potentially many times larger and more damaging than any rainfall generated flood event. Evacuation routes should be planned, clearly marked and made public. Development should be regulated according to the Critical Areas regulations.

Earthquakes – A major earthquake may likely and significantly affect Whatcom County. If the shaking is strong enough, buildings may collapse, roads and bridges could be damaged, communications, power, and utilities could be severely disrupted, landslides could occur on unstable slopes, and local shorelines may be raised or lowered as they assume altered post-quake elevations.

Wildland Fire Hazards – Should a large wildland or wildland-urban interface fire occur in Whatcom County, the effects of such an event would not be limited to loss of property, valuable timber, wildlife and habitat, or recreational areas. The loss of large amounts of timber on steep slopes would increase the risk of landslides and mudslides during the winter months and the depositing of large amounts of mud and debris in streams and river channels could threaten valuable fish habitat for many years. In addition, the loss of timber would severely impact the watershed of the Nooksack River and could drastically increase the vulnerability to flooding for many years. A fire in the Lake Whatcom watershed could also threaten the drinking water source for over 120,000 residents in Whatcom County.

Severe Storms – Severe storms can result in costly hazards, due primarily to their frequent occurrence and ability to disrupt lifelines such as arteries of transportation and above-ground electric lines. Because the worst storms typically occur during winter, loss of power/heating can be dangerous, especially for homes with children or elderly residents. Severe weather also poses additional risks resulting from tree fall to both structures and humans.

Mines – Some abandoned mine areas may pose a risk of ground subsidence from the collapse of abandoned mine tunnels and shafts. Air and water pollution may also be hazards associated with abandoned mine tailings and trapped toxic gases. Development on or near mine hazards could be adversely impacted.

Gas wells – Several exploratory oil & gas wells have been drilled around the county over the last 70+years. Some of these present potential environmental hazards due to ongoing leakage of gas due to improper sealing of the well upon abandonment.

Old Landfills – There are known—and possibly some unknown—abandoned landfills in the County. There are also several sites around the County that contain large

numbers of abandoned vehicles and other debris. As with most landfills these locations pose some degree of risk of hazardous substances leaking into local aquifers.

Balanced Management – A central issue common to all development in natural hazard areas is the need to balance the responsibility of local government to protect the public interest and provide for a safe and healthy environment while safeguarding the rights of private property owners.

Economic Impact – Damage to private and public property resulting from the siting of human development in areas of natural hazards is significant to the people of Whatcom County. The 2021 Nooksack River flood caused over $1 billion dollars in cross border damage to roads, bridges, buildings, and farmland. Disaster relief efforts are expensive and dangerous to conduct during an emergency. Public efforts to reduce hazards, such as implementation of the Comprehensive Flood Hazard Management, are also expensive.

Goal 10D: **Minimize potential loss of life, damage to property, the expenditure of public funds, and degradation of ecosystems resulting from development in hazardous areas prone to flooding, sea level rise, landslides, wildfires, seismic hazards, volcanic impacts, as well as 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 10D-1: Avoid or minimize public investments for future infrastructure development on known natural and climate hazard areas. Identify opportunities and further develop capacity to encourage strategies such as relocation of existing development and infrastructure outside of known hazards areas, and restrict future development on current and future natural and climate hazard areas.

Policy 10D-2: Use Best Available Science to research and investigate the nature and extent of known natural and climate hazards in the county and make this information available to the general public and policy makers in an accessible and understandable form.

Policy 10D-3: Broadly inform the people of Whatcom County of the locations of known natural and climate hazards and the potential for adverse impacts of such hazards to the health, safety, and welfare of people and their properties.

Policy 10D-4: 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. Incorporate future climate scenarios using best available science into evaluation of hazard."

Policy 10D-5: 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 10D-6: 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 10D-7: To reduce flood risk, avoid high maintenance costs, and restore storage capacity, the County should prioritize and implement the floodplain property acquisition program to remove homes from flood-prone areas, provide temporary areas to store flood water, and reduce expensive and maintenance-intensive bank protection measures.

Policy 10D-8: Use land use and zoning designations and purchase or transfer of development rights to direct development away from locations at risk of current and future natural and climate hazards such as floods, sea level rise, wildfire, unstable slopes, etc.

Policy 10D-9: Require applicants for development permits located in natural hazard areas to provide development plans that prioritize preventing and avoiding impacts from natural hazards, and where not possible, 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.

Policy 10D-10: Consider conducting a public process with the public, technical experts, and decision-makers to establish acceptable levels of public risk for each of the identified 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 and to determine the associated level of risk;
- Different levels of risk associated with different ownership classes (e.g. public ownership versus private ownership);
- Forecasted impacts due to climate change.
- 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 10D-11: Establish acceptable levels of public risk for use in approving and conditioning development activity in or adjacent to known natural hazard areas. The established level of risk may be expressed as the hazard potential as determined by scientific and historical methods applicable to each specific natural hazard and the consequences should that hazard be realized.

Policy 10D-12: 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 alluvial fans.

Policy 10D-13: To reduce hazards posed by current and future floodplain impacts, and in coordination with the cities, 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 10D-14: Identify known locations of abandoned oil and gas 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.

Policy 10D-15: Work with state and federal agencies to identify locations of Naturally Occurring Asbestos in Whatcom County and assess the associated health hazards. Coordinate with the state to map asbestos deposits and condition development approvals on affected parcels to mitigate those impacts.

Policy 10D-16: Consider adopting National Fire Protection Association wildfire safety construction standards for new construction in forested and wildfire hazard areas to reduce risk to current and future development and loss of life and property.

Policy 10D-17: Support increasing capacity of programs like Firewise to facilitate voluntary retrofitting and hardening of existing homes, businesses, and other infrastructure consistent with best practices for Western Washington conditions.

Water Resources

Introduction

Water resources refer to the numerous surface waters such as lakes, streams, wetlands, groundwater, estuaries, and marine waterbodies within Whatcom County (**Map 10-1**). These water bodies are integrally linked through the complex network referred to as the water cycle. The water cycle describes the series of transformations that occur in the circulation of water from the atmosphere onto the surface and into the subsurface regions of the earth, and then back from the surface to the atmosphere. Water resources of Whatcom County provide natural beauty; recreation; habitat for fish and wildlife; water for drinking, agriculture, aquaculture and industry; and other benefits essential to the quality of life and economic health of the community. The quality of life and economic health of our county's communities depend on the maintenance of a safe and reliable water supply. Decisions affecting any element of the water environment must be based on consideration of the effects on other elements.

Background Summary

Whatcom County has 16 major freshwater lakes, 3,012 miles of rivers and streams, over 37,000 acres of wetlands, 134 miles of marine shoreline, and aquifers containing an undetermined amount of groundwater. These water resources serve multiple uses, including providing drinking water for the people of Whatcom County. Surface water sources such as Lake Whatcom, the Nooksack River, Lake Samish, Dickinson Lake, Razer Hone Creek and Hozomeen Creek provide water to more than half the county residents, with the remainder relying on groundwater and rain catchment systems. These drinking water sources are accessed through individual, catchment systems, wells or from over 300 water systems. Agriculture relies on both ground and surface water for a variety of uses, including irrigation and drinking water for livestock. Businesses and industries may also require water, sometimes in substantial quantities, from non-potable and potable supplies. Water is also essential to meet many of what are referred to as "instream" uses, such as recreation, shellfish growing and harvesting, fish and wildlife habitat, aesthetics, and other uses and benefits.

Groundwater is contained in aquifers, which are subterranean layers of porous rock or soil. Most of the surficial aquifers in Whatcom County are replenished by rainwater. Aquifers are often integrally linked with surface water systems and are essential for meeting instream and out-of-stream water needs such as for drinking water, agriculture, industry, and other uses.

Rainfall that runs into drainage courses such as ditches, streams, wetlands, rivers, lakes, and the Strait of Georgia supports local surface and marine waters. Natural drainage systems have many important functions, including storing excess water flow, purifying surface water, recharging groundwater, conveying water, and

supporting important biological activities. As more areas in Whatcom County are being urbanized, natural water resource systems are being replaced with built systems, leading to permanent changes in hydrology.

Whatcom County government has a major role in helping to maintain these benefits through its many responsibilities and programs, particularly in the areas of health, safety, land use, and development. The intent of the following goals and policies is to provide guidance to Whatcom County government as it assists in effectively managing our water resources in a manner that ensures that the benefits of those resources are maintained far into the future. The water resource section focuses primarily on groundwater and surface water management. Surface water management relates generally to watershed protection and stormwater/ drainage systems. However, some policy direction may indirectly be provided for areas such as wetlands, estuaries, streams, and marine waterbodies within the Water Resource section. Some of these areas are covered in more detail in other sections within the Environment Chapter.

Water Quality and Quantity

Water is essential to every aspect of life and thus is managed carefully. Whatcom County, in the past 25 years, has made tremendous progress towards improvement of water quality and in the protection and recovery of aquatic resources. In 2009, the Lighthouse Point Water Reclamation Facility in Blaine significantly reduced wastewater loading to Drayton Harbor. Agricultural runoff has been significantly reduced by ongoing outreach efforts to assist the agricultural community in implementing best practices to control nutrient runoff and protect riparian habitat. Improvements in stormwater infrastructure and enforcement have also reduced the impacts of nonpoint pollution. Extensive water quality monitoring of freshwater and marine water bodies in the county has shown this improvement, and has highlighted where additional efforts need to be focused. All of these efforts have been expended at great cost. Unfortunately, water quality improvements may be at risk. All the efforts to protect and restore water quality and aquatic resources could be undone by the threats of aging or inadequate sewer and stormwater infrastructure, population growth in environmentally sensitive areas, and the effects of climate change on precipitation, flooding, elevated water temperature, and coastal sea level rise.

Whatcom County Water Resource Programs

Whatcom County has and/or participates in numerous water resource programs aimed at protecting and enhancing water quality and quantity, including:

- WRIA 1 Watershed Management;
- Drinking Water Management
- Lake Whatcom Watershed Management;
- Groundwater Protection & Management;
- Whatcom County Clean Water Program
- Flood Hazard Management; and,
- Stormwater Management.

WRIA 1 Watershed Management Project

Watershed planning was formally initiated in Whatcom County when the Water Resource Inventory Area (WRIA 1) Watershed Management Project was developed under the 1998 Washington State Watershed Management Act. The goal of the project was to address water quantity, water quality, instream flows, and fish habitat to meet human needs, restore fish populations, and improve habitat through the development of a watershed management plan. The WRIA 1 Watershed Management Project brought together community members, local governments, tribes, state and federal agencies, and other stakeholders to address these issues.

The Watershed Management Project was initiated with the signing of a Memorandum of Agreement (MOA) between the *Initiating Governments*: Whatcom County, City of Bellingham, Public Utility District No. 1, Lummi Nation, and Nooksack Tribe (the latter joining slightly later through a Letter of Agreement). The initiating governments went on the form the WRIA 1 Watershed Management Joint Board which in in 2016 was consolidated with the WRIA 1 Salmon Recovery Board to form the WRIA 1 Watershed Management Board. The role of the Initiating Governments was to review a recommended Watershed Management Plan and submit it to their respective legislative bodies for adoption. The WRIA 1 Watershed Management Plan – Phase 1 was approved in 2005.

The overarching goals of the WRIA 1 program plans that are a component of the WRIA 1 Watershed Management Board functions include:

- Recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream processes, careful use of hatcheries, and responsible harvest, and with the active participation and support of local landowners, businesses, and the larger community. (WRIA 1 Salmonid Recovery Plan).
- Water of sufficient quantity and quality to meet the needs of current and future human generations, including the restoration of salmon, steelhead, and trout populations to healthy harvestable levels, and the improvement of habitats on which fish and shellfish rely. (WRIA 1 Watershed Management Plan).
- Integrate traditional resource-based culture, local ecosystem priorities, valued ecosystem goods and services, community vitality, and support regional Puget Sound recovery goals. (Whatcom LIO Ecosystem Recovery Plan).

<u>WRIA 1 Watershed Management Board</u>

In 2016, the 1999 Interlocal Agreement establishing the Watershed Management Project Joint Board and the 2004 Interlocal Agreement establishing the WRIA 1 Salmon Recovery Board were terminated and the duties, functions, and representatives under those agreements combined under the 2016 Interlocal Agreement establishing the WRIA 1 Watershed Management Board. The primary functions of the WRIA 1 Watershed Management Board are to facilitate implementation and adaptive management of the WRIA 1 Watershed Management Plan, coordinate implementation and adaptive management of the WRIA 1 Salmonid

Recovery Plan and serve as the WRIA 1 Lead Entity for salmon recovery, and coordinate planning, implementation, and adaptive management of ecosystem recovery as the WRIA 1 Local Integrating Organization. Five-year work plans are developed to achieve the goals associated with these functions. Information about the functions of the WRIA 1 Watershed Management Board, the collaborative planning process, and the work plans are located on the WRIA 1 Project website (https://WRIA1project.whatcomcounty.org).

Water Rights Adjudication

A water rights adjudication is a legal process that will validate, quantify, and prioritize water rights in WRIA 1, the Nooksack Basin, including the entire Nooksack River watershed and nearby areas. The Washington Department of Ecology initiated this process in May 2024, and it is expected to last at least a decade. All those who directly withdraw water from a well or divert water from a waterbody in WRIA 1 will be included in the adjudication. People that are customers of a water system will not be participants. Evidence collection and submission will follow, culminating in a court-ordered inventory of all legal water rights.

Drinking Water Management

The County's drinking water program aims to minimize risks to human health and promoting access to an adequate quantity and quality of safe water. This is accomplished by activities such as but not limited to well site inspections, complaint and illness investigation, emergency response, permit and water availability review, well decommissioning observations, well drilling observations, and community education and outreach.

Pertinent Documents

Coordinated Water System Plan (CWSP)

A Coordinated Water System Plan (CWSP) is a plan for public water systems within a defined area that identifies the present and future needs of the systems and sets forth means of meeting those needs in the most efficient manner possible. The defined area is noted in County Resolution 1991-075 and is referred to as the Critical Water Supply Service Area (CWSSA). In 1993, the county adopted the first plan and an update is currently progress. The CWSP update is prepared under the direction of the Water Utility Coordinating Committee (WUCC). The CWSP updates are conducted with the primary objective of supporting the public drinking water supply needs of the county and achieving coordination between water services, the Growth Management Act (GMA), and the update of Whatcom County's Comprehensive Plan.

Lake Whatcom Watershed Management

Lake Whatcom is a large multi-purpose reservoir the source of drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several other smaller water districts/associations, and about 250 homes that draw water directly from the lake. The lake provides water to about half the population of Whatcom County. Lake Whatcom is periodically supplemented by the City of Bellingham with water from the

Middle Fork Nooksack River through a pipeline that extends from a diversion structure on the river to the Lake Whatcom watershed.
In addition to providing water for drinking, commercial, and industrial uses, the lake is used for boating, swimming, and fishing. The majority of the watershed is forested, mainly surrounding the large southernmost portion of the lake. Other land uses include residential development (approximately 7,200 homes are located within the watershed as of 2023), limited agriculture and commercial development, parks, and other public facilities. The ongoing management challenge is trying to determine the extent to which these practices can occur while maintaining safe, clean drinking water.

The watershed contains four developed areas: The City of Bellingham, which straddles the upper portion of the northern-most basin of the lake; Geneva, which is immediately south and east of Bellingham's city limits and is part of the city's urban growth area; Hillsdale, which is immediately north and east of Bellingham's city limits and is also part of the city's urban growth areas; and the Sudden Valley Rural Community. In addition, it includes a variety of other zones, including resource, rural, and residential rural zones. Outside the Bellingham City limits, approximately 70% of the watershed is in Forestry zoning and more than 75% of the current land use is forestry.

Water and sewer service is provided throughout much of unincorporated portions of the watershed by the Lake Whatcom Water and Sewer District. The District operates three water systems: the South Shore system serving Geneva and Sudden Valley, and two smaller systems serving the Eagleridge and Agate Heights neighborhoods. The District collects and conveys wastewater generated in the watershed to the City of Bellingham for treatment at the City's Post Point facility. The District's sewage collection and conveyance system has the capacity to serve full build-out of Sudden Valley and Geneva.

Lake Whatcom serves as a reservoir. Lake Whatcom provides drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several smaller water districts and associations, and homes that draw water directly from the lake. The City of Bellingham and Lake Whatcom Water and Sewer District are responsible for ensuring drinking water standards are met for their customers. To date, water supplies have consistently met standards. The ability to continue to economically meet drinking water standards requires maintaining source water that requires minimal treatment. For this reason, the City of Bellingham maintains an ongoing source water-monitoring program. Other agencies including Western Washington University, Washington Department of Natural Resources, Washington Department of Fish and Wildlife, Washington Department of Ecology, Lake Whatcom Water and Sewer District, and Whatcom County, have also conducted monitoring, studies, and/or evaluations of the lake and watershed.

Studies on Lake Whatcom conducted over a number of years indicate water quality in the lake has declined. In 1998, the Washington State Department of Ecology listed Lake Whatcom as an impaired water body and placed Lake Whatcom on the Federal Clean Water Act 303(d) list because of low oxygen levels in the lake and high bacteria levels in streams that flow into the Lake. The 303(d) listing require the establishment of a Total Maximum Daily Loads (TMDLs). The Department of Ecology issued the

"Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads: Volume 1, Water Quality Study Findings" in 2008. This study documented Lake Whatcom is impaired for dissolved oxygen due to phosphorus loading and that streams flowing into Lake Whatcom do not meet fecal coliform bacteria standards. Loading capacities for total phosphorus and bacteria reduction targets were set forth in this document. In 2013 the Department of Ecology published "Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads: Volume 2, Water Quality Improvement Report and Implementation Strategy." This report identifies how much phosphorus can be discharged to the Lake and identifies how the bacteria load should be allocated between the County and City of Bellingham in order to meet water quality standards. The U.S. Environmental Protection Agency adopted the Lake Whatcom TMDL in 2016.

A significant cause of declining oxygen levels has been from residential development, forest management, and recreation in the watershed. Past development has led to increased phosphorus loading into the lake, which stimulates algae growth. Bacteria that consume the dying algae deplete the dissolved oxygen, leading to lower oxygen levels. Past forest practices have also led to significant increases in phosphorus loading to the lake.

Whatcom County has taken a number of actions to reduce phosphorus and otherwise address Lake Whatcom water quality through the Lake Whatcom Management Program. These include rezoning land to allow less development in the watershed, adoption of the Lake Whatcom Comprehensive Stormwater Management Plan, revising stormwater management standards for private development to significantly reduce potential phosphorus runoff, construction of stormwater capital improvement projects and adoption of regulations that restrict the application of commercial fertilizers.

In 2004, the Department of Natural Resources' (DNR) Board of Natural Resources adopted the *Lake Whatcom Landscape Plan*. This plan provides additional protections on remaining state managed lands within the Lake Whatcom watershed. The plan provides additional protections on streams and potentially unstable slopes not normally included in forest practices in Washington State. While still in effect, the Landscape Plan has not been updated since its initial drafting and would benefit from an update using best available science and integration of climate change impacts.

In 2014, approximately 8,800 acres of forest lands around Lake Whatcom were transferred to Whatcom County from the Washington Department of Natural Resources through reconveyance. These lands provide passive recreation opportunities with hiking and biking trails connecting various communities, neighborhoods, and parks throughout the watershed. Whatcom County is developing a forest management plan for these lands that will establish how these forests should be managed to provide recreation while protecting and enhancing water quality.

The Whatcom County Council created the Lake Whatcom Stormwater Utility Service Area in 2017 to fund additional efforts to protect Lake Whatcom's water quality, as existing funding sources were insufficient to meet state and federal environmental regulations.

Lake Whatcom Watershed Management Program

A variety of agencies, organizations, and individuals play a role in managing and protecting Lake Whatcom. In an effort to coordinate efforts of these various players, in 1990, the City of Bellingham, Whatcom County, and Water District 10 (now known as the Lake Whatcom Water and Sewer District) began meeting to develop a joint management strategy for the Lake Whatcom watershed.

The Lake Whatcom Management Program had its beginnings in the 1980s and early 1990s, when the cumulative deterioration of Lake Whatcom's water quality from historic and ongoing land use in the watershed was documented and brought to the attention of agencies and the community. In response, a Joint Resolution was passed by the City of Bellingham, Whatcom County, and the Lake Whatcom Water and Sewer District in 1992 to organize efforts to address the most serious threats to the watershed. This comprehensive approach to managing the lake became the basis of the LWMP, which was established by Interlocal Agreement in 1998.

The work of the Lake Whatcom Management Program is guided by the general goals established in the 1992 joint resolution:

- Recognizing and managing Lake Whatcom and its watershed as the major drinking water reservoir for Whatcom County
- Protecting, preserving, and enhancing water quality and managing water quantity to ensure long-term sustainable supplies for a variety of uses
- Prioritizing protection over treatment in managing Lake Whatcom and its watersheds Managing water quantity to sustain long-term efficient use of the water
- Ensuring there are opportunities for public comment and participation in policy and management program development
- Promoting public awareness and responsible individual actions

Promoting learning, research, and information opportunities which better our understanding of the watershed system, the impacts of activities, and benefits of potential policies implemented.

The Lake Whatcom Management Program develops five year work plans to guide actions to protect Lake Whatcom water quality.

The Lake Whatcom Watershed Management Program website (http://www.lakewhatcom.whatcomcounty.org/resources) contains the most recent work plans, progress reports, water quality monitoring reports, and other documents related to Lake Whatcom management programs.

Sudden Valley

Sudden Valley is a community within the Lake Whatcom Watershed. It was established in the early 1970s as a recreation/resort area but over the last thirty years has developed into a significant residential area.

Since 1985, Sudden Valley has mandated the use of appropriate stormwater best management practices through standards for individual stormwater detention for all new construction. Any new building permits on existing lots must be able to

demonstrate that stormwater detention is included in the plan as a precondition to issuance of a permit. Sudden Valley is also subject to additional regulatory protections that apply to the Lake Whatcom Watershed under the Water Resource Protection Overlay District, Stormwater Special District, and Water Resource Special Management Area requirements. Under the provisions of these special districts, potential impacts from impervious surfaces, stormwater runoff, and clearing activities are required to be addressed either on-site or through a community-wide process.

Groundwater Protection & Management

Groundwater is contained in aquifers, which are subterranean layers of porous rock or soil. Most aquifers are replenished by rainwater, though some may contain water trapped during glacial periods. Aquifers are often integrally linked with surface water systems and are essential for maintaining stream flows that meet instream and out-of-stream water needs, such as maintaining flows for fish, drinking water, agriculture, and industry. Whatcom County residents rely heavily on groundwater for drinking water, agriculture, and commercial and industrial needs.

Many studies have been conducted related to groundwater quality in Whatcom County documenting water quality issues, such as exceedances of standards for nitrate, ethylene dibromide (EDB) and 1,2-dichloropropane (1,2-D), pesticides, iron and other agricultural-related contaminates, particularly in the northern portion of the County. In general, groundwater in Whatcom County is very vulnerable to contamination because much of the County's groundwater lies within a shallow unconfined aquifer. Activities that occur on the surface of the ground directly affect groundwater quality. Shallow wells that draw water from unconfined water table aquifers are at highest risk.

Whatcom County's Critical Areas Regulations protect Critical Aquifer Recharge Areas (CARAs) during the development process, by precluding certain uses in CARAs and/or requiring certain precautions be taken in handling certain chemicals.

To protect groundwater resources, Whatcom County implements multiple management strategies. The County's critical areas regulations protect Critical Aquifer Recharge Areas (CARAs) during development by precluding certain land uses or requiring precautions in handling certain chemicals. Additionally, onsite sewage systems (OSS) play a role in groundwater recharge and protection. The Whatcom County Health & Community Services (WCHCS) Onsite Sewage (OSS) Program is vital to ensuring the waste from these systems is designed to treat sewage adequately and maintained to continue functioning as designed. This ensures the safety and reliability of nearly 30,000 on-site sewage systems in the county. These activities include:

- Permitting new construction, expansion, and repairs of OSS to meet current design standards that protect public health.
- Educating and assisting homeowners in proper OSS operation and maintenance.
- Regulating and overseeing OSS installers, pumping companies, and operations and maintenance professionals.

- Investigating complaints and enforcing code compliance under WCC 24.05.
- Reviewing land use proposals such as subdivisions, boundary line adjustments, and conditional use applications supported by OSS.
- Surveying OSS in sensitive areas and collaborating with pollution identification and control teams, further strengthening the resilience of local groundwater resources.

Flood Hazard Management

A comprehensive approach to flood hazard management planning provides a better understanding of the river and floodplain system. It also ensures flooding and channel dynamics are understood, that risk is not transferred and problems are addressed in a comprehensive, basin-wide manner. This approach directs future flood hazard management expenditures in the most efficient and cost-effective manner.

The Floodplain Integrated Planning (FLIP) Team coordinates with and reports to the Flood Control Zone District Advisory Committee (FCZDAC) to identify and characterize flooding problems and provide recommendations for achieving consistent, long-term flood hazard reduction strategies. Some activities typically involved in developing a Comprehensive Flood Hazard Management Plan (CFHMP) include data collection, hydraulic modeling, alternatives analysis, floodplain mapping, and meander limit identification. In addition to the technical components in comprehensive flood planning, extensive coordination with the public and other agencies is required throughout the planning process.

Other County flood management programs include:

Early Flood Warning – Explore new ways to increase warning time for the cities in Whatcom County. Work with the United States Geological Survey (USGS) to maintain a network of early flood warning stations to help prepare and take appropriate measures to protect lives and property from flood damages.

Flood Hazard Reduction Program – Implement projects to reduce future flood damages and public expenditures to repair damaged areas. Examples include construction of setback levees and overtopping levee sections, and designation of overflow corridors in overbank areas and acquisition of repetitive flood loss properties. Furthermore, two alluvial fan hazard and risk assessment studies have been completed for Jones Creek and Canyon Creek and serve as models for future assessments.

Comprehensive Flood Hazard Management Planning – Identify flooding problems and provide recommendations for achieving long-term flood hazard reduction strategies. The Lower Nooksack River Comprehensive Flood Hazard Management Plan was adopted in 1999. Future CFHMP updates will be incorporated into this plan. Implementation of the plan is ongoing, including the adoption of the Nooksack River System-Wide Improvement Framework (SWIF) adopted in 2017.

Floodplain Integrated Planning – In 2017, Whatcom County initiated a collaborative floodplain integrated planning (FLIP) process to update the CHFMP. This process includes extensive participation by state agencies, cities, Tribes, and the agricultural community.

Preparedness and Response – Plan for and implement a coordinated response during flood events to ensure public safety and minimize flood damages.

National Flood Insurance Program – Participate in the National Flood Insurance Program (NFIP), to make affordable flood insurance available to citizens of communities that adopt approved flood management regulations.

Repair and Maintenance Program – Address problem areas with rivers, streams, and coastlines of Whatcom County, and mitigate future flood damages in a proactive and cost-effective manner.

Technical Assistance – Provide technical assistance regarding drainage and flood issues to private citizens and businesses located along the many waterbodies within Whatcom County.

Organization

Flood Control Zone District (FCZD)

Following the severe floods of 1989 and 1990, Whatcom County created the countywide Flood Control Zone District (FCZD) in 1992 that covers, both incorporated and unincorporated areas of the County. The FCZD is a quasi-municipal corporation that is a separate legal entity from Whatcom County government. Even though this legal separation exists, the Whatcom County Council and the County Executive (Board of Supervisors) and the Public Works Department (staff) perform the governance and administrative support for the district.

The primary purpose of the FCZD is flood hazard management. Revenue is generated in two ways: (1) a countywide uniformly applied tax; and, (2) supplemental revenue generated within localized Diking Districts and Sub-Flood Districts where specific local project activity is planned.

While the primary purpose of the FCZD is flood hazard management, the district is allowed to address a wide variety of water resource issues. Due to this ability, revenue generated by the district is currently used to finance additional water supply and water-quality related improvement projects.

Pertinent Documents

Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP)

In 1999, the Whatcom County Flood Control Zone District adopted the Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP). The CFHMP identifies projects, programs, and other recommendations aimed at reducing future flood damages along the Lower Nooksack River. Since development of the CFHMP, several studies have been completed to advance specific project components recommended in the plan.

Critical Areas Regulations (WCC 16.16)

Whatcom County's Critical Areas Regulations aim to protect people and property in Frequently Flooded Area (FFAs) by requiring development in these areas conform to WCC Title 17, Flood Damage Prevention.

Stormwater Management

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the land surface. The addition of roads, driveways, parking lots, rooftops, and other surfaces that prevent water from soaking into the ground greatly increases the runoff volume created during storms. This runoff is swiftly carried to our local streams, lakes, wetlands and rivers and can cause flooding and erosion. Stormwater runoff also picks up and carries with it many different pollutants that are found on paved surfaces, such as sediment, nitrogen, phosphorus, bacteria, oil and grease, microplastics, tire dust including 6PPD-quinone, trash, pesticides, and metals. Pollutants from road runoff, especially in urban and high traffic areas, such as tire wear particles including 6PPD-q are toxic and lethal to salmon and other aquatic species and should be managed and mitigated appropriately.

County Stormwater Management Programs

National Pollutant Discharge and Elimination System (NPDES) Phase II Permit[2]

Stormwater runoff picks up pollutants as it travels over our developed landscapes and is a major source of water quality problems. In 1987, the Federal Clean Water Act was amended to address stormwater pollution. As a result, the United States Environmental Protection Agency (EPA) created the National Pollutant Discharge Elimination System (NPDES) to address stormwater runoff. States are required to administer permits to local jurisdictions to regulate runoff as part of the NPDES Program. The Permit is referred to as the "NPDES Phase II Permit" or "Phase II Municipal Stormwater Permit".

In February of 2007, the Washington State Department of Ecology issued Whatcom County's Phase II Municipal Stormwater Permit. This permit regulates discharges from Small Municipal Separate Storm Sewers, and is part of the National Pollutant Discharge and Elimination System (NPDES) and State Waste Discharge General Permit. It sets forth requirements of municipalities to address stormwater runoff in areas determined to have population densities reaching urban standards. Whatcom County is required to implement various stormwater management strategies to comply with this State permit that are reported to the Department of Ecology on an annual basis.

The current Permit boundary covers approximately 15,000 acres and generally includes the following areas (Figure 1):

- Bellingham Urban Growth Area
- Sudden Valley
- Portions of the Hillsdale and Emerald Lake area
- Portions along North Shore Drive on Lake Whatcom and Lake Whatcom Boulevard
- Ferndale Urban Growth Area
- Portions along Chuckanut Drive and Chuckanut Bay
- Birch Bay Urban Growth Area

[2] https://www.whatcomcounty.us/981/National-Pollutant-Discharge-Elimination

Additionally, though not within the NPDES permit area, the County has made the entire Lake Whatcom watershed subject to the illicit discharge detection and elimination requirements of the Permit through ordinance and agreement with the Department of Ecology.

The Western Washington Phase II Municipal Stormwater Permit is required by the State of Washington Water Pollution Control Law Chapter 90.48 RCW, and the Federal Water Pollution Control Act Title 33 United States Code (Clean Water Act). The Permit is administered by the Washington State Department of Ecology.

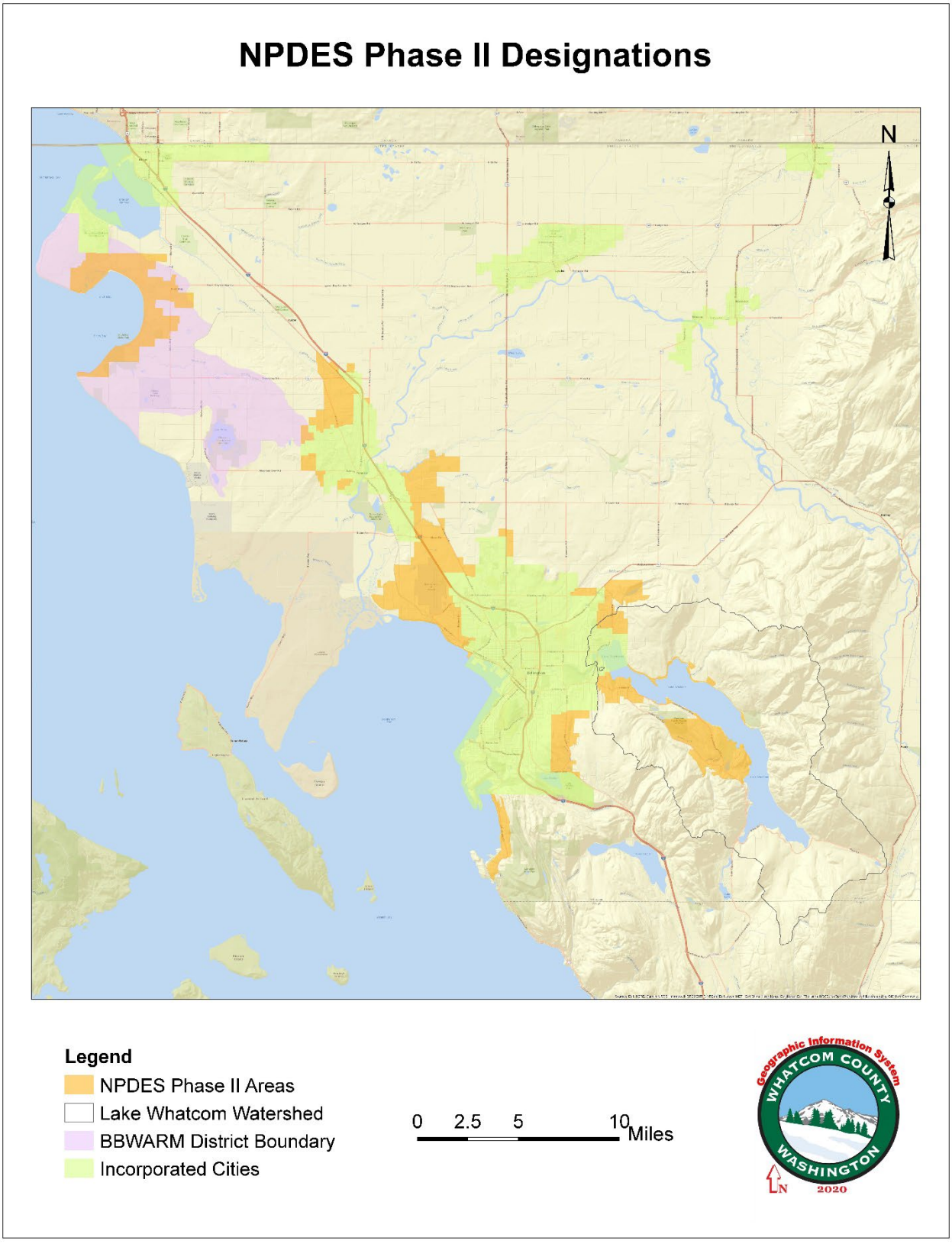


Figure 1. NPDES Phase II Boundaries

Pollution Identification and Correction (PIC) Program[3]

Whatcom County's Pollution Identification and Correction (PIC) Program focuses on finding and eliminating sources of fecal bacteria pollution in waterways draining to shellfish growing areas in cooperation with local, state, tribal, and federal partners in the Whatcom Clean Water Program. Fecal bacteria are found in the intestinal tract of warm-blooded animals. When there is too much fecal bacteria in surface water, it indicates that there are likely disease-causing organisms present that can make people sick. Waterways like ditches, creeks, and rivers connect our land and sources of fecal bacteria to the marine waters. Shellfish beds in the marine waters are closed to harvesting when bacteria levels are too high.

The PIC Program was created to help implement community solutions to clean water and meet Shellfish Protection District objectives of reopening closed shellfish beds. Program components include:

- Water quality monitoring at over 90 sites to identify possible pollution sources. Key potential sources of bacteria are from (1) animal waste from agricultural operations, domestic pets, waterfowl, and wildlife, and (2) human sewage from failing on-site sewage systems (OSS or septic systems), leaking sewers or cross-connections, and open defecation.
- Community outreach and engagement to encourage adoption of pollution prevention behaviors like picking up pet waste, maintaining septic systems, and following farming best management practices.
- Providing technical and financial assistance to reduce barriers to adoption of pollution prevention behaviors.
- Enforcing water quality regulations when voluntary actions are not sufficient to protect water quality.

Issues, Goals, and Policies

Watershed Planning and Management

Goal 10E: **Protect and enhance water quantity and quality to meet the needs of current and future human generations and recovery of salmon, steelhead, and trout populations to self-sustaining harvestable levels, and the improvement and protection of habitats on which fish and shellfish rely.**

Policy 10E-1: Maintain as a high priority the protection of water quality and quantity. Prioritize the protection of water quality and quantity through the development and implementation of a watershed management framework that includes periodic water quality assessments, reduction targets for pollutant loads, and conservation metrics. High-priority actions will focus on

[3] https://www.whatcomcounty.us/1072/Water-Quality

protecting critical recharge areas, controlling sources of contamination, and enhancing water conservation efforts across residential, agricultural, and industrial sectors. Success will be measured by achieving a minimum 10% reduction in pollutant levels within identified priority watersheds every five years, along with documented improvements in water flow stability and water conservation compliance rates across sectors.

Policy 10E-2: Actively participate in and support efforts of the WRIA 1 Watershed Management Board established under a 2016 Interlocal Agreement for collaborative planning 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 10E-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, WRIA 1 Watershed Management Plan, WRIA 1 Salmonid Recovery Plan, integrated floodplain management plan, and WRIA 1 Watershed Management Board multi-year work plan, as well as state water resources and water quality laws.

Policy 10E-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 10E-5: Support and facilitate the management of water resources for multiple instream and out-of-stream beneficial uses by coordinating with state and local agencies, tribal governments, and water management entities. While not serving as a direct water manager, Whatcom County will actively support water management efforts by providing regulatory oversight, facilitating stakeholder collaboration, and contributing technical and financial resources where appropriate. Implementation will include organizing regular coordination meetings, developing frameworks for information-sharing across agencies, and ensuring that county land-use and environmental policies align with regional water conservation and development goals.

Policy 10E-6: When not in conflict with state and federal permits, encourage the use of low-impact sustainable development strategies to ensure water quality and quantity. Strategies may include installing water catchment systems.

Policy 10E-7: 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 10E-8: Pursue the most effective methods for protecting water quantity and quality, through both regulatory (e.g. zoning, enforcement, fines) and non-regulatory (education, incentives, and technical/financial assistance) approaches.

Policy 10E-9: 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 10E-10: 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 10E-11: Promote awareness and participation in management and protection efforts by individual citizens and the community as a whole.

Policy 10E-12: Whatcom County will work through the Planning Unit and WRIA 1 Watershed Management Board and its established processes to address insufficient instream flows.

Policy 10E-13: Subject to adequate funding and staffing resources, establish a program for collecting and compiling data to monitor the effectiveness of Whatcom County water resource protection efforts to support adaptive management of regulatory and non-regulatory approaches.

Policy 10E-14: Engage, as appropriate, the, WRIA 1 Watershed Management Board in review and recommendation of updates to Whatcom County regulations, plans, and programs that have implications for water resources.

Policy 10E-15: Support assessments of water availability including groundwater modeling and cooperative planning, design, implementation, and monitoring of streamflow and other water resource restoration projects, including natural storage projects, through the WRIA 1 Watershed Management Board.

Surface Water and Groundwater

Goal 10F: Protect and enhance Whatcom County's surface water and groundwater quality and quantity for current and future generations.

Policy 10F-1: Manage surface water systems on a watershed basis.

Policy 10F-2: Coordinate efforts to bring all water users in Whatcom County into compliance with state and federal water laws, while advancing solutions that provide adequate water to support treaty rights, agriculture, drinking water, and other water needs.

Policy 10F-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, 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, floodplains of the Nooksack River and Nooksack Forks, Lake Whatcom, Lake Samish and Drayton Harbor).

Policy 10F-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 and understand how water quality has changed over time. Water quantity efforts should include consideration and protection of recharge areas and potential effects on stream flow.

Policy 10F-5: Support the implementation of, the Lake Whatcom Management Program, NPDES Phase II Permitting, and the WRIA 1 Watershed Management plans.

Policy 10F-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, Birch Bay, and Lake Samish watersheds as high priorities in this effort.

Policy 10F-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 10F-8: Monitor, prevent, and reduce the establishment of invasive species in Whatcom County waterbodies. Work across jurisdictions to implement the Aquatic Invasive Species program and enforce and penalize noncompliance.

Policy 10F-9: Maintain a publicly available inventory of wellhead protection areas and Critical Aquifer Recharge Areas and protect them through the Critical Areas regulations.

Stormwater and Drainage

Goal 10G: Protect, enhance, and restore Whatcom County's water resources and natural drainage systems by managing the quality and quantity of stormwater runoff, actively restoring freshwater and marine habitats, and advancing ecosystem functions critical to water quality and salmon recovery

Policy 10G-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 10G-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. Utilize bioengineered stormwater solutions and vegetative buffers, update obsolete infrastructure, and implement overflow stormwater catchments county-wide.

Policy 10G-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 10G-4: Support the use by resource industries—such as agriculture, forestry, and mineral resource extraction—of best management practices that minimize erosion and sedimentation, and significantly reduce pollutants.

Policy 10G-5: Acknowledge 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 10G-6: Maintain 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, Birch Bay, Lake Samish, and Drayton Harbor watersheds 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 10G-7: Establish, as a high priority, a stormwater system maintenance program that ensures that stormwater systems are adequately maintained and function at or near design capacity.

Policy 10G-8: When not in conflict with state and federal permits, encourage the use of low-impact sustainable development strategies to minimize the effects of increased development in order to mitigate the effects of increased impermeable surfaces and increased stormwater runoff. Minimize the amount of impervious surface by using natural engineering design methods such as the use of open, grassed, street swales and rain gardens instead of curbs and gutters and vegetative buffers to reduce harmful stormwater runoff. Where feasible, encourage alternate surfacing options and other techniques associated with Low Impact Development.

Policy 10G-9: Continue to administer stormwater management standards as required by the NPDES Phase II Permit.

Policy 10G-10: Continue to administer the critical areas regulations and incentives to encourage a net gain of ecological function and value of regulated wetlands and fish and wildlife habitats. Restoration

efforts and proactive enhancements will be prioritized to support water quality improvements, habitat connectivity, and resilience against climate impacts.

Policy 10G-11: Place a high priority on integrating impervious surface reduction incentives into policies, regulations, and standards.

Policy 10G-12: Continue to 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. Maintain subdivision, zoning, and other land use regulations and design standards to encourage land use activities that 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 implementing stormwater management programs and ensuring the proper function of public and private stormwater systems. 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 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.

Policy 10G-13: Subject to adequate funding and staffing resources, establish a program for collecting and compiling data to monitor effectiveness of the Critical Areas regulations and incentives to support adaptive management of regulatory and non-regulatory approaches.

Policy 10G-14: Adopt and implement tree canopy goals and policies to support stormwater management in the NPDES area by December 31, 2028 per requirement S5.C1.c.iii of the NPDES Phase II Permit.

Water Conservation

Goal 10H: Support water conservation, reclamation, reuse, natural storage options, and education as essential strategies to ensure sufficient water supplies, improve instream flows, and support the recovery of salmon populations

Policy 10H-1: Support and assist water users in the development of cost-effective means of improving efficiency of water use.

Policy 10H-2: Support efforts to establish and protect sustainable water supplies to meet existing and future demands for water in the county.

Policy 10H-3: Develop and implement plans to comply with the Department of Ecology's instream flow and water management rules and water resources management programs including efforts by Ecology in water resources management and compliance and associated efforts (i.e., data collection, funding, etc.).

Policy 10H-4: Coordinate local water and land management efforts, plans, and data to ensure adequate oversight of water quality and quantity issues.

Policy 10H-5: Encourage quantification of water use to help promote conservation.

Policy 10H-6: Use water use data to encourage conservation and maintain availability of water for agriculture and instream flow.

Policy 10H-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.

Policy 10H-8: Promote natural water storage projects and forest management practices focused on environmental services and ecological functions.

Policy 10H-9: Support efforts to improve irrigation efficiency.

Lake Whatcom Watershed

Goal 10I: **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 10I-1: Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.

Policy 10I-2: Continue to implement the Lake Whatcom Stormwater Utility to support lake water quality protections to meet the requirements set forth in the Lake Whatcom TMDL.

Policy 10I-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 10I-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 10I-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 10I-6: Do not allow density bonuses within the Lake Whatcom Watershed.

Policy 10I-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 10I-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 10I-9: Update County phosphorus neutral development code in the Lake Whatcom watershed, with a goal of meeting or exceeding the standards set by the corresponding City of Bellingham policies to ensure they are protective of lake water quality.

Policy 10I-10: Use BMPs as approved by the Department of Ecology to minimize development impacts within the Lake Whatcom watershed through regular monitoring and inspections of public and private stormwater systems.

Policy 10I-11: Support acquisition and retention of publicly-owned forest lands within the Lake Whatcom watershed, and support managing forestry on these lands consistent with the Lake Whatcom Forest Management Plan and 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 10I-12: 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 10I-13: 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 10I-14: 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 10I-15: 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 10I-16: 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

Ecological systems, or ecosystems, refer to the natural systems that have developed within a geologic and geographic setting. Whatcom County contains a significant number of distinct ecosystem types, with associated soil types, fish, wildlife, and plant species, as well as many other living organisms. This biodiversity has evolved and adapted according to the specific physical and climatic conditions of the county (Map 10-2, Map 10-3). Ecosystem goals and policies are intended to provide guidance to county government as it assists people in managing and protecting these ecosystems. Additionally, they ensure other benefits are maintained far into the future.

Background Summary

Whatcom County encompasses a wide variety of natural habitats that support and shelter a diverse array of fish and wildlife species. The county's wildlife is particularly varied and abundant when compared to many other areas of Washington State. Among the habitats of importance to fish and wildlife are the following:

- Rivers, floodplains, wetlands, lakes, and streams;
- nearshore, intertidal, estuarine habitats, and marine habitats including, but not limited to, kelp and eelgrass beds;
- riparian areas and other travel corridors;
- snags and downed logs;
- forested habitats in a variety of successional stages;
- caves, cliffs, rocky balds, and talus;
- grasslands and cultivated fields; and,
- thickets and fence rows.

Aquatic habitats include intertidal zone through the marine nearshore, and open water of the Salish Sea rivers, streams, wetlands, ponds, lakes, and their riparian borders. Together, these habitats are essential to Whatcom County's fish and wildlife. Twenty-six species of fish—including ten different species of native salmonids (salmon, trout, and char) that are economically and culturally important inhabit the marine nearshore and fresh water habitats of Whatcom County for all or part of their life cycles. Healthy flowing streams and rivers, as well as connected off-channel wetland habitats, are essential to the survival of the majority of these fish.

Most wildlife species regularly use aquatic and riparian habitats for breeding, feeding, shelter, and migratory activities. Of this large grouping, over half are dependent upon wetland habitats at some point in their life cycles, and would decline or disappear in their absence. Wetlands also contain unique vegetative communities that harbor many species of rare and unusual plants.

Fish and Wildlife Populations and Habitat

Optimum habitat for Pacific Northwest salmon and other fish is one that resembles the riparian landscape of pre-settlement times: streams wandering freely through nearly continuous forest; trees overhanging and partly fallen into streams; stream beds with abundant logs, step waterfalls, pools, and cutbanks; and vegetated marine and estuarine communities. Habitat degradation among other factors has led to salmon declines and the listing of early Chinook, bull trout, and steelhead populations on the Endangered Species Act. In most cases, it is not realistic to fully return to that state. However, measures can be taken to achieve properly functioning conditions, salmon recovery goals and habitat targets by implementing the WRIA 1 Salmonid Recovery Plan.

The best habitat for native wildlife includes native plants and clean water, which are more closely matched to local soils, climate, and wildlife. They provide the right kinds of food, shelter, and diversity needed by wildlife. Native plants frequently need less watering, spraying, pruning, fertilizing, or other maintenance than do exotic or imported plants. Loss of native vegetation through conversion to ornamental

vegetation and non-native or invasive species can result in loss of wildlife habitat, increased competition to native wildlife from introduced species, such as starlings, and increased maintenance needs. Loss of native vegetation also can occur through invasions of non-native species, such as the spread of *Spartina*, which can drastically displace important native eelgrass and mudflat communities. Honoring treaty rights includes supporting protection and restoration of treaty resources sufficient to support meaningful harvest and collection, including salmon, shellfish, wildlife, and plant species.

Salmon Recovery Program

The decline of salmonids throughout Washington and the Pacific Northwest over the past century is well established. Since 1991, numerous evolutionarily significant units (ESUs) of Pacific salmonids have been listed as endangered or threatened under the Endangered Species Act (ESA), regionally including those of chinook, coho, chum, sockeye, and steelhead. Decline in wild salmonid populations have been attributed to widespread loss and degradation of habitat and habitat connectivity due to hydropower, residential and urban development, agriculture, forestry, and over fishing.

In the Nooksack basin, several salmonid stocks have diminished substantially from historical levels. The declines in local salmonid stocks, especially Chinook salmon, have had profound economic, cultural, and social impacts on the greater WRIA 1 community. Direct impacts include reduced jobs and income for commercial fisherman, elimination or severe curtailment of tribal and subsistence catch, and loss of recreational fishing opportunity for the community and visitors alike. In addition, ESA listings impose constraints on the activities of local and tribal governments, businesses, the agricultural community, and the public, all of whom must seek to avoid or minimize the take of listed species as well as limiting fishing opportunities as far away as southeast Alaska in order to protect these weak stocks. Nonetheless, salmon remain an integral part of the natural, cultural and social landscape of Whatcom County and the Nooksack River Watershed. Watershed recovery planning and restoration efforts by federal, state, local, and tribal governments, non-profit organizations, businesses, and individuals demonstrate a commitment to salmon recovery in WRIA 1.

The WRIA 1 Salmon Recovery Program is coordinated through the WRIA 1 Watershed Management Board with a WRIA-wide scope to address salmon recovery and protection of ESA and non-ESA listed salmonids.

WRIA 1 Salmon Recovery Program

The ultimate goal for salmon recovery in WRIA 1 is to recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream, river, estuarine, and nearshore marine processes; careful use of hatcheries; and responsible harvest, with the active participation and support of local landowners, businesses, and the larger community. The purpose of the 2005 *WRIA 1 Salmonid Recovery Plan* and its associated implementation strategies is to identify the actions necessary to recover WRIA 1 salmonid populations, especially listed species, and to outline the framework for implementation of recommended actions

that have been agreed to by local, state, tribal, and federal governments and stakeholders in WRIA 1. In the near term, the objectives are to:

1. Focus and prioritize salmon recovery efforts to maximize benefit to the two Nooksack early chinook populations;
2. Address late-timed Chinook through adaptive management, focusing in the near-term on identifying hatchery versus naturally-produced population components;
3. Facilitate recovery of WRIA 1 bull trout and steelhead by implementing actions with mutual benefit to early chinook, bull trout, and steelhead by removing fish passage barriers in presumed bull trout and steelhead spawning and rearing habitats in throughout WRIA 1; and
4. Address other salmonid populations by (a) protecting and restoring WRIA 1 salmonid habitats and habitat-forming processes through regulatory and incentive-based programs; and (b) encouraging and supporting voluntary actions that benefit other WRIA 1 salmonid populations without diverting attention from early chinook recovery.

Focusing efforts on early chinook is consistent with regional salmon recovery; current abundance and productivity for the two populations is very low and recovery of both populations is critical to delisting and recovery of the Puget Sound Evolutionarily Significant Unit (ESU) for Chinook salmon.

WRIA 1Watershed Management Board (WMB)

Development and adoption of the WRIA 1 Salmonid Recovery Plan was guided by the WRIA 1 Watershed Management Board whose membership includes the County Executive, Mayors of the seven cities of Whatcom County, Commissioner of Public Utility District No. 1 of Whatcom County, the regional director of the Washington Department of Fish and Wildlife, and policy representatives from Lummi Nation and Nooksack Indian Tribe. In 2016, the Salmon Recovery Board was incorporated into the WRIA 1 Watershed Management Board to provide coordinated oversight of both salmon recovery and watershed plans implementation.

The WRIA 1 Salmonid Recovery Plan (2005), a chapter of the Puget Sound Salmon Recovery Plan, guides restoration in the Nooksack River and adjacent watersheds. This plan was developed in partnership with Nooksack Tribe, Lummi Nation, Washington Department of Fish and Wildlife, Bellingham, Whatcom County Government, the small cities of Whatcom County, and a community advisory committee. Chinook salmon populations (listed as threatened with extinction under the Federal Endangered Species Act) are prioritized, yet the plan also provides the template for recovery of threatened steelhead and bull trout and the other salmon and trout populations native to Whatcom County. Data collection and updates to plan sections are ongoing since initial plan adoption and guide adaptive management of restoration project identification, implementation and effectiveness monitoring. The 2005 plan is being updated along with an updated 10-year implementation strategy.

Salmon habitat is intricately linked to watershed management; salmon recovery will be most successful when fish habitat objectives are carefully coordinated with

watershed management objectives. Whatcom County's responsibilities in implementing the salmon recovery plan are focused in 3 primary areas: integrated floodplain management (integrate salmon recovery into flood hazard management) through the FLIP planning process, restoring fish passage under County roads consistent with the Whatcom County Culvert MOA, and managing land use through regulations and planning. Monitoring and adaptively managing work in these areas, in coordination with the WRIA 1 Watershed Management Board, is important to ensure effectiveness.

Marine Resources Management

Marine habitats include all saltwater bodies and their shorelines, kelp and macroalgae beds, eelgrass meadows, salt marshes, beaches, and mudflats. These habitats play a vital role in the health of the local environment, as well as of the broader Puget Sound region. They provide spawning, rearing, and feeding grounds for a wide variety of marine life, as well as refuge for juvenile and adult fish, birds, and shellfish. The vegetation on back-shore marshes and within estuaries buffers adjacent upland areas by absorbing wave energy and slowing erosion.

Symptoms of ecosystem stress include: declining stocks of salmon, bottomfish, and forage fish; closures of recreational and commercial shellfish beds; degradation and losses of eelgrass beds, kelp forests, and other marine habitats; and dwindling populations of seabirds and marine mammals.

The Northwest Straits Marine Conservation Initiative was authorized by Congress in 1998. The Initiative established the Northwest Straits Commission and Marine Resources Committees (MRCs) in seven western Washington counties, including Whatcom County. The MRCs' main purpose is to guide local communities, using Best Available Science and scientific expertise, to achieve the important goals of resource conservation and habitat protection within the Northwest Straits. The Whatcom County MRC acts as an advisory committee to the Whatcom County Council.

Shellfish Recovery[4]

Many of the marine waterbodies in Whatcom County support natural and cultured bivalve shellfish, including oysters and many species of clams. The warm, nutrient-rich tide flats in and around Lummi, Portage, and Birch Bays; Drayton Harbor; and Eliza and Lummi Islands represent unique water resources in this regard. Commercial shellfish growers, recreational clam and oyster harvesters, and Native Americans have used this resource for many years. It is an important part of our community's heritage. These shellfish-growing ecosystems not only provide valuable resources but also play a crucial role in maintaining water quality by filtering pollutants, further highlighting the need to steward and support these resources as their role supports additional blue economies.

Our ability to grow and harvest shellfish safe for human consumption is directly linked to surface water quality and the influence it has on marine waters. The primary measure of water quality for shellfish harvesting is fecal bacterial contamination.

[4] For more info see https://www.whatcomcounty.us/1101/Shellfish-Protection-District

There are many potential sources of fecal bacteria, such as human waste, boat waste, farm animals, pets, and wildlife.

Since 1995, valuable shellfish beds in Whatcom County have had harvest areas downgraded (harvest prohibited) due to non-point fecal bacteria pollution. RCW Chapter 90.72 requires that the county legislative authority create a shellfish protection district within 180 days after the Washington State Department of Health closes or downgrades a shellfish growing area due to a degradation of water quality. Whatcom County has three shellfish protection districts established to protect and restore shellfish growing areas in Drayton Harbor, Portage Bay (Nooksack River watershed), and Birch Bay. Birch Bay is important to the Nooksack Tribe for shellfish harvesting.

Each shellfish protection district has a community advisory committee who provides recommendations to County Council on actions and operations relating to the restoration of water quality in their respective watersheds. Shellfish Recovery Plans for each district outline the primary sources of bacteria and recommended actions to improve water quality.

Whatcom County's Pollution Identification and Correction (PIC) Program focuses on finding and eliminating sources of bacteria pollution in these watersheds as an important component of shellfish recovery.

Issues, Goals, and Policies

General – Ecosystems

Development and urbanization of the land base have and may continue to result in the degradation and reduction of ecosystem functions. Wetlands and estuaries continue to be lost incrementally. Streams and their adjacent riparian habitat are affected by land clearing, ditching, erosion, and road building. Lakeshore development degrades the foreshore environment for waterfowl and other species, as well as negatively affecting water quality. It is estimated that Washington has also lost approximately one-third of its historic eelgrass beds from a variety of causes, including dredging, shading, and filling. Large-diameter snags and downed logs, an essential feature for dozens of wildlife species, are lost during clearing or intensive forest management. Forested habitats are lost to a number of development processes including urbanization, agriculture, increased rural/suburban housing density, and timber harvesting. The delicate environment of cliffs and caves may be affected by housing development, mining, and other activities. Conversely, grasslands, thickets, fields, and fence rows are habitats largely provided and enhanced by human activities, and are thus fairly abundant and stable within the developing county. The existence of farms, in particular, has contributed to an abundance of these more open, pastoral habitats.

Many stream systems in Whatcom County have been altered by agriculture, forestry, development, and flood control practices, contributing to low stream flows, fisheries loss, water pollution, sedimentation and other problems. These impacts can directly affect the fish resources by depositing silt and debris into spawning beds by removing

trees that shade and cool the water, loss of native bank cover through bank armoring that in turn interferes with the recruitment and establishment of large woody debris (LWD) instream, obstructing fish passage with culverts, roads and levees, altering natural channels through filling, bank hardening, and channelizing. In addition, the physical processes that create functional habitats for fish life stages are altered by increasing flows through stormwater runoff or consuming water volume for out-of-stream uses.

Finally, a healthy and functioning ecosystem, including forests, floodplains, wetlands, fish, wildlife, and native plants they harbor, is an identified resource. A healthy ecosystem supports diverse and abundant wildlife, fish, and plant populations. The gathering of fish, game, and other natural resources forms a central aspect of many cultures in Whatcom County. Salmon, shellfish, wildlife, and plant species are important in honoring treaty rights. The mere presence of these natural resources constitutes a community amenity that is a substantial part of our local economic base.

Goal 10J: Protect and enhance ecosystems, which provide economic, ecological, aesthetic, and cultural benefit.

Policy 10J-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 10J-2: Develop and adopt programs that protect and restore habitats essential for conservation in areas identified as critical for endangered, threatened, or sensitive species. Prioritize currently undeveloped areas with high ecological value or potential for future development to ensure the preservation of habitat connectivity and resilience. Actions that provide for restoration opportunities and prevent future damage to riparian and stream habitats may include acquisition, conservation easements, and reduced development intensity.

Policy 10J-3: Create incentives and funding mechanisms to support the acquisition and preservation of environmentally fragile areas, critical plant and wildlife habitats, and habitat corridors. Emphasize conservation easements and purchase of development rights in high-risk areas for future development, ensuring the long-term protection of riparian and stream habitats.

Policy 10J-4: Where feasible, incorporate fish and wildlife habitats into public capital improvement projects.

Policy 10J-5: Provide measures to mitigate negative water quality and quantity impacts from both public and private alterations of natural drainage systems. Support and incentivize voluntary measures that go beyond mitigating negative impacts by actively restoring and enhancing water quality and habitat functions in riparian and stream systems affected by both public and private alternations. Restoration efforts should focus on reestablishing natural flow

regimes, increasing native vegetation, and improving aquatic habitat to support biodiversity and ecological resilience.

Policy 10J-6: Prioritize sensitive fish, shellfish, and wildlife species and their habitats when establishing zoning densities and patterns.

Policy 10J-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 10J-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 10J-9: Protect, retain, and enhance the beneficial uses and functions of streams, rivers, and aquifers. Coordinate with the WRIA 1 Watershed Management Board teams that have a role in facilitating implementation of WRIA 1 programs including watershed management and salmon recovery as outlined in the 2016 Interlocal Agreement.

Policy 10J-10: Develop integrated floodplain management actions that incorporate flood risk reduction and salmon habitat restoration.

Policy 10J-11: Support FLIP for identifying floodplain management actions and regulate the operation of river sediment management activities in such a manner so as to provide long-term protection of fish and wildlife habitat and water quality.

Policy 10J-12: Ensure the design and development of land avoids or minimizes disturbance to marine shorelines, rivers, streams, floodplains, and functioning riparian areas as outlined in Chapter 11 - Shorelines.

Policy 10J-13: In making land use decisions that may impact fish habitat, evaluate the full value of the fishery, including its cultural and economic value. Unavoidable impacts to an individual habitat or fishery shall be mitigated.

Policy 10J-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 10J-15: Mitigation to Habitat Conservation Areas should be tracked and monitored to ensure no net loss to natural area or function.

Policy 10J-16: Subject to adequate funding and staff resources, obtain a baseline of current conditions in Habitat Conservation Areas and monitor them so as to ensure no net loss and avoidance of cumulative impacts.

Policy 10J-17: Apply a sequence of "avoid, minimize, mitigate" to public and private alterations of natural drainage systems to reduce or eliminate negative water quality and quantity impacts and minimize the need for mitigation.

Policy 10J-18: Support WRIA 1 Watershed Management Board monitoring of salmon habitat status and trends and implementation status and effectiveness of salmon recovery actions, and monitor County salmon recovery actions (i.e., integrated floodplain management, land use regulations and planning, fish passage restoration).

Fish and Wildlife Populations and Habitat

Goal 10K: Protect and enhance ecosystems that support native fish and wildlife populations and habitat. Provide sufficient funding and support to be successful.

Policy 10K-1: Discourage activities that might degrade a salmon habitat as specified in the salmon recovery plan habitat status and trend indicators, with a focus on protecting freshwater, estuarine, and nearshore habitats for early Chinook and other salmonids.

Policy 10K-2: Support the protection and enhancement of significant fish spawning and rearing habitat, food resources, refugia (shelter), and longitudinal and lateral connectivity of habitats in riverine, estuary nearshore environments, fish migratory corridors along marine shorelines, and eelgrass and kelp beds.

Policy 10K-3: Establish non-regulatory mechanisms and incentives for development that accommodates the habitat needs of fish and wildlife and encourages good stewardship practices.

Policy 10K-4: Support protection and enhancement of fish and wildlife habitat through site design in new development.

Policy 10K-5: Native vegetation and soils on streambanks and shorelines should be disturbed as little as possible. In situations where re-vegetation is necessary to mitigate and restore streambank or shoreline stability and provide shading, site-specific native plants should be used.

Policy 10K-6: Shoreline armoring falls under the Shoreline Management Program (SMP) and is only allowed in very limited circumstances. New hard armoring should be consistent with Chapter 11 and SMP and encourage soft shore techniques or other less impactful solutions for new development and when armor is degraded and in need of replacement. Use resources such as the Shore Friendly Program (shorefriendly.org) that provide guidance on options for protection shoreline properties while promoting healthy shorelines along with requiring setbacks from the shoreline and natural or bio-engineering solutions such as planting native vegetation, engineered log jams/LWD, wing dams, 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 10K-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 10K-8: Maintain and encourage restoration of habitat functions for threatened and endangered fish species and to reduce threats to other species.

Policy 10K-9: Through the WRIA 1 Salmonid Recovery Plan, establish program goals (i.e., salmon habitat goals) and, subject to adequate funding and staffing resources, incorporate Best Available Science into a monitoring and adaptive management program to ensure goals are met and to inform updating and maintaining regulations to mitigate adverse impacts of development adjacent to rivers, streams, and marine shorelines.

Policy 10K-10: Encourage landowners to 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 10K-11: Subject to adequate funding and staffing resources, formulate, implement and maintain 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, develop, and seek funding for the acquisition and restoration of important fish and wildlife habitat areas;
3. Develop and enter into cooperative agreements with cities, State, Federal, and Tribal agencies and neighboring jurisdictions, including jurisdictions in British Columbia, 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 that list, describe, and characterize the appropriate use of native vegetation to enhance ecosystem functions in Whatcom County.

Policy 10K-12: In coordination with FLIP, consider establishing formal channel migration zones for the Nooksack River, precluding additional development within these zones, actively pursue voluntary

acquisitions to promote flood risk reduction and riverine and marine shoreline restoration. Work with property owners on levee setback projects to provide more flood storage and improve natural river processes and meandering, riparian buffers, and salmon habitat.

Policy 10K-13: During and after emergency flood repairs conducted by Whatcom County, ensure that any repair is mitigated to applicable permitting conditions to reduce impacts to salmon habitat.

Policy 10K-14: Diligently work to prevent and/or reduce the establishment and/or spread of invasive species.

Policy 10K-15: As a member of the WRIA 1 Watershed Management Board, the County should adopt salmon recovery plan habitat goals and monitor and adaptively manage county programs to meet those goals.

Policy 10K-16: Participate in protecting and improving biodiversity.

Policy 10K-17: Consider establishing important habitat areas as sending areas after creating a voluntary, workable transfer of development rights (TDR) program.

Policy 10K-18: Subject to adequate funding and staffing resources, mitigation of wetlands and Habitat Conservation Areas should be monitored over time to ensure no net loss of function.

Policy 10K-19: Subject to adequate funding and staffing resources, a baseline inventory of wetland and Habitat Conservation Areas identification and function should be made to track and prevent net loss and avoid cumulative impacts.

Policy 10K-20: Support the Salmon Fishery Co-managers (Lummi Nation, Nooksack Indian Tribe, and the State Department of Fish and Wildlife) hatchery and fisheries harvest goals for the Nooksack Basin.

Policy 10K-21: Subject to adequate funding, maintain and implement a fish barrier removal program to improve fish passage under County roads and other infrastructure in cooperation with the Salmon Fishery Co-Managers.

Policy 10K-22: Support streamlined permitting of salmon habitat restoration projects (including floodplain reconnection) to minimum necessary to uphold federal mandates (e.g., National Flood Insurance Program).

Policy 10K-23: Support the design and implementation of natural water storage projects.

Policy 10K-24: As a member of the WRIA 1 Watershed Management Board, the County will support the salmon recovery and habitat goals adopted in the 2005 Salmonid Recovery Plan and that will be included in the latest update.

Wetlands

Wetlands are crucial environmental features in Whatcom County. Wetlands provide invaluable functions in aquifer recharge, groundwater storage, floodwater detention, pollutant removal and purification of water supplies, as well as provision of fish and wildlife habitat. Loss of wetlands has been due to many factors, including urbanization, agricultural development, and drainage projects.

A plethora of complex and often confusing laws govern the definition, delineation, and protection of wetlands. These laws originate at national, state, and county levels. Land managers and community members often experience difficulty in interpreting, synthesizing, and applying wetland regulations. In general, however, state regulations must comply with federal standards and local regulations must comply with both federal and state standards.

Goal 10L: Conserve and enhance regulated wetlands.

Policy 10L-1: Protect and enhance natural wetlands including swamps, bogs, saltwater marshes, and ponds, recognizing their value in cleaning water, reducing flood damage, providing valuable habitat for plants, fish and wildlife, and as sites for groundwater recharge.

Policy 10L-2: Maintain in the critical areas regulations criteria to identify and evaluate wetland functions that meet the Best Available Science standard and that are consistent with state and federal guidelines.

Policy 10L-3: Biological functions of wetlands are complex and interwoven. In making land use decisions that impact wetlands, evaluate the full range of potential and immediate impacts including fisheries, wildlife, recreation, farmlands, sustainable resources, air and water quality, flood hazard management, real estate, cultural attributes, and other uses.

Policy 10L-4: Minimize wetland impacts. Impacts to regulated wetlands should be conditioned on measures that fully mitigate such impacts, and shall include requirements for 5-year monitoring and adaptive management of mitigation outcomes to assure effectiveness. Strongly discourage alteration of land that results in the degradation of category 1 and 2 wetlands, except as provided in Policy 10L-5.

Policy 10L-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 when mitigated. This may include avoidance, impact minimization, restoration, enhancement, creation, or off-site compensation for loss of wetland functions in accordance with mitigation sequencing.

Policy 10L-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 10L-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.

Policy 10L-8: Create county owned wetland mitigation banks that sells credits to both private and public entities, with enough credit capacity for the 20-year planning period. Support effective mitigation banking to assist in habitat mitigation for wetland, riparian, and nearshore habitats throughout Whatcom County. Ensure mitigation is conservative, effective, and monitored.

Marine Habitat

Goal 10M: Protect and enhance marine ecosystems and resources in Whatcom County. Provide sufficient funding and support to be successful.

Policy 10M-1: Support the Whatcom County Marine Resources Committee in its pursuit of the Northwest Straits Commission benchmarks as follows:

- Broad county participation in Marine Resources Committees;
- 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).
- Protection and restoration of forage fish and their habitats.

Policy 10M-2: Incorporate projects and data collection such as the Marine Resources Committee's kelp and eelgrass monitoring, forage fish monitoring, Olympia oyster restoration, water quality monitoring, harmful algal bloom monitoring, beach cleanups, mussel watch, and European green crab monitoring to inform County planning processes.

Policy 10M-3: Promote naturalized shoreline buffers and restoration of riparian vegetation.

Policy 10M-4: Conserve kelp and eelgrass as critical marine resources, recognizing their importance in providing diverse and productive ecosystems, contribute to carbon and nutrient sequestration, and help protect and stabilize coastal environments. Ensure any potential commercial opportunities are pursued responsibly.

Policy 10M-5: Explore external grant opportunities to fund mapping Whatcom County eelgrass and kelp beds to establish a baseline data set, and add this data to statewide maps used in planning and development.

Policy 10M-6: Protect shoreline access points so that recreational access does not negatively impact marine resources, with special considerations for eelgrass and kelp beds.

Policy 10M-7: Monitor current trends for population growth, aging infrastructure, water quality, and climate change, and how these factors impact the state of marine resources and reduced populations of salmon, forage fish, kelp, and eelgrass. Measure county progress towards restoration.

Goal 10N: Protect and enhance shellfish habitat in commercial and recreational areas to ensure a productive resource base for long-term use.

Policy 10N-1: Identify and designate marine shellfish habitat for commercial and recreational uses.

Policy 10N-2: Restore degraded waters within the drainage basins of shellfish growing areas to a level that allows/supports shellfish harvesting, Work with the Department of Ecology, Tribes, Department of Health, Department of Fish and Wildlife, and affected property owners to improve water quality.

Policy 10N-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 10N-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 10N-5: Promote Low Impact Development standards in shellfish habitat areas and the lands upstream from them.

Policy 10N-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 10N-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 10N-8: Identify and restore functions, selected through best available landscape-based science, of key wetland areas.

Policy 10N-9: Maintain County roadside ditch maintenance procedures to protect water quality.

Policy 10N-10: Continue to partner with jurisdictions in British Columbia to minimize impacts on water quality, including what affects shellfish habitat.

Policy 10N-11: Work within the structure of local programs such as the WRIA 1 Watershed Management Planning process to achieve improvements in land use Best Management Practices and using best available science that will positively affect change in marine water quality.

Policy 10N-12: Continue to develop programs that identify potential pollution sources and ensure timely and science-based approaches are used in preventing adverse water quality impacts before they arise.

Policy 10N-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 10N-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 10N-15: 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 10N-16: Work with the County Shellfish Advisory Committees, Marine Resources Committee, WRIA 1 Watershed Management Board, and other local, state, federal, and tribal agencies to address issues associated with shellfish, shellfish area closures, and shellfish habitat.

Policy 10N-17 Support the Department of Health's Large On-Site Sewage System (LOSS) Program, and WCHCS On-site Sewage System program (OSS) as a means to lower degradation of our waterways.

Policy 10N-18: Promote Best Management Practices, land use, and stormwater policies that result in a minimal release of harmful chemicals,

bacteria, metallic, and other substances into surface water and the marine environment.

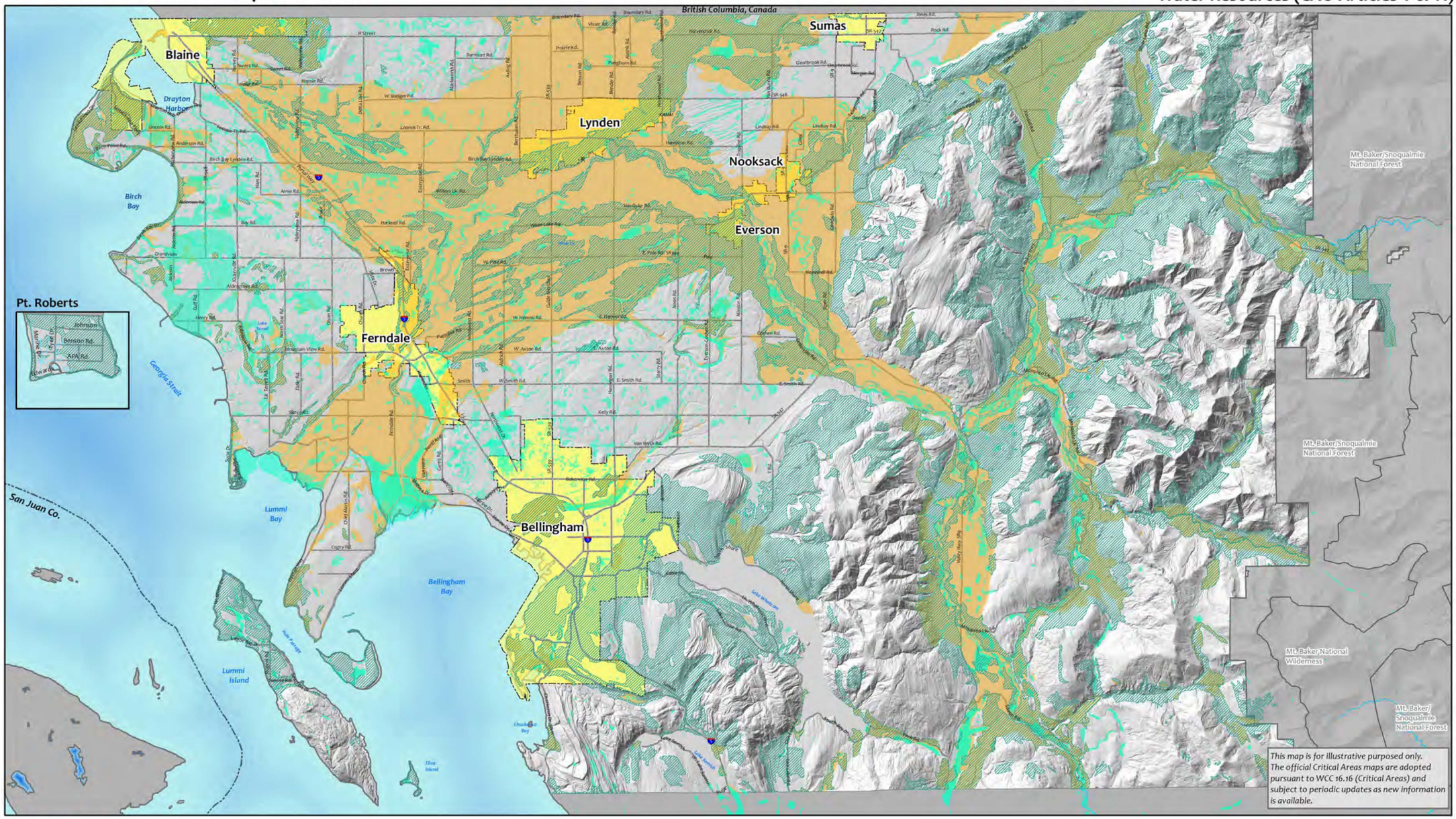
Other Marine and Marine Dependent Organisms and Systems

Our Marine system supports not only local, critical, and global fisheries resources, but also a myriad of important interdependent organisms. The Marine ecosystem is a complex web of life that is increasingly affected by anthropogenic impacts. Toxics, hormones, heavy metals, and other harmful substances flushed into nearshore and marine environments with stormwater have been shown to have deleterious cumulative impacts on a range of aquatic and marine dependent organisms. Whatcom County will not treat its streams and rivers as a storm sewer and the marine system as a water treatment facility.

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Map 10-1
Water Resources (CAO Articles V & VI)



Hydrologic Soils Groups A & B (NRCS)

Wetlands (PHS, NWI, Project)

Surficial Aquifers (USGS, WA Dept. of Ecology)

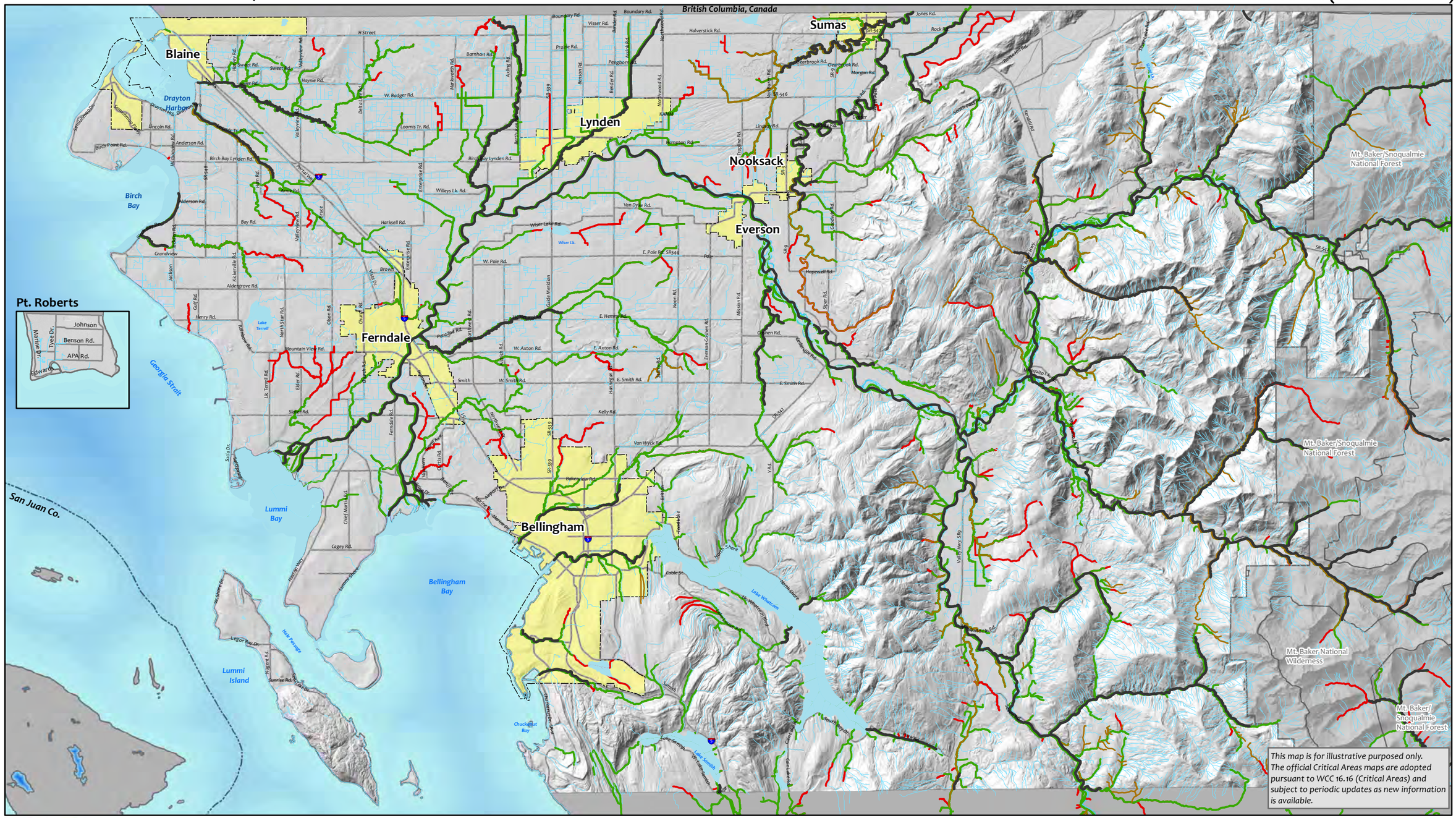
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Map 10-2
Fish Habitat Conservation Areas (CAO Article VII)



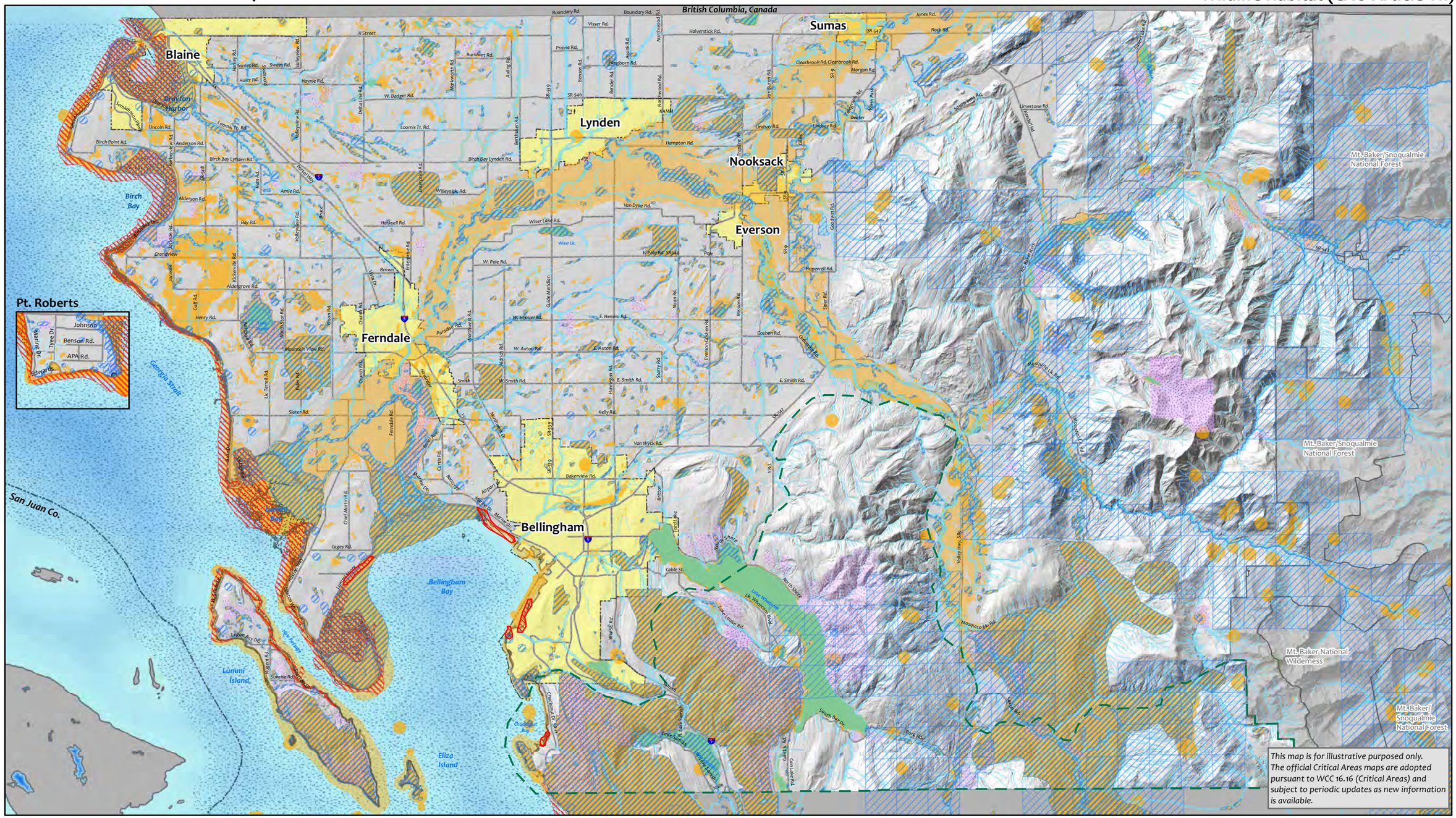
This map is for illustrative purposed only. The official Critical Areas maps are adopted pursuant to WCC 16.16 (Critical Areas) and subject to periodic updates as new information is available.

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Map 10-3
Wildlife Habitat (CAO Article VII)



HCA 1b - Streams

HCA 2 - State & Federal Listed Species

HCA 3 - State Priority Habitats & Species

HCA 4 - Commercial & Recreational Shellfish Areas

HCA 5 - Kelp & Eelgrass Beds

HCA 6 - Pacific Sand Lance & Herring Spawning Areas

HCA 7, 8 - Lakes & Ponds

HCA 9 - Natural Area Preserves

Habitats/Species of Local Importance

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Map 10-4
Natural Hazards (CAO Articles III & IV)



This map is for illustrative purposed only. The official Critical Areas maps are adopted pursuant to WCC 16.16 (Critical Areas) and subject to periodic updates as new information is available.

Landslide Hazards
- 15-35% Slope
- >35% Slope
- Upland Landslide Hazards
- Marine Landslide Hazards

- Alluvial Fan Hazard Area
- Seismic Hazard Areas (Geologic Units)
- Mine Hazards
- Volcanic Hazards

Tsunami Hazards - Inundation
- 0 ft.
- 1-4 ft.
- 4-8 ft.
- 8-12 ft.
- 12-16 ft.

- FEMA 100 yr. Floodplain

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EXHIBIT A

Whatcom County Comprehensive Plan Amendments - Chapter 11: Shorelines

Chapter Eleven
Shorelines

Introduction

The State Legislature passed the Washington State Shoreline Management Act (SMA) in June 1971. The SMA was overwhelmingly passed by public initiative in 1972. Under the SMA, each county and city were required to prepare a shoreline "master program" in accordance with the shoreline guidelines issued by the State Department of Ecology in 1972.

The Whatcom County Shoreline Management Program (SMP) is the set of policies and regulations that implement the goals and policies of the SMA at the local level. It was first adopted in 1976 in accordance with RCW 90.58. The goals and policies of the Whatcom County SMP constitute the shoreline component of the Whatcom County Comprehensive Plan.

The Whatcom County Shoreline Management Program jurisdiction includes:

- More than 130 miles of marine shoreline;
- More than 60 miles of lake shoreline;
- More than 220 miles of stream channels; and,
- All wetlands and floodways associated with the above shorelines, together with all upland areas within 200-feet of the Ordinary High-Water Mark (OHWM).

Whatcom County and the Washington State Department of Ecology (DOE) share joint authority and responsibility for the Whatcom County SMP. Whatcom County Planning and Development Services is the primary agency responsible for its implementation.

Chapter Organization

This chapter is composed of an introduction and five sections organized by topic heading. The first section, entitled "Overall SMP Goals and Objectives," addresses general shoreline goals and objectives. The next provides the purposes, designation criteria, and policies for the County's various shoreline area designations. The third section contains the County's policies for Shorelines of Statewide Significance. The fourth section provides the general policies that apply to all area designations. And the fifth section provides the policies specific to the type of use proposed. Together with the regulations of WCC Title 23, the sections of this chapter provide the direction necessary to ensure and promote long-term sustainability of the shorelines in Whatcom County.

Purpose

This chapter together with WCC Title 23 comprises Whatcom County's Shoreline Management Program. This chapter contains the SMP's goals, objectives, and policies, while its regulations are found in WCC Title 23. All development proposed within jurisdictional shorelines must be consistent with both the policies of this chapter and the regulations of WCC Title 23.

The Shoreline Management Act (SMA) was developed and adopted to protect "the most valuable and fragile of [the state's] natural resources from the "inherent harm in uncoordinated and piecemeal development of the state's shorelines" (quotes from RCW 90.58.020). The SMA in Chapter 90.58 RCW contains three distinct but related priorities:

1. The promotion of shoreline uses that are both water-oriented and appropriate for the broader environmental context. Developments such as single-family residences, recreational areas, and water-dependent businesses such as marinas are considered priority uses provided they are constructed in a manner "consistent with control of pollution and prevention of damage to the environment" (quote from RCW 90.58.020).
2. The SMA requires local governments to take an active role in protecting the shoreline ecology: the water, the land, the vegetation and the wildlife. The state guidelines are explicit: "Local master programs shall include regulations and mitigation standards ensuring that each permitted development will not cause a net loss of ecological functions of the shoreline." (WAC 173-26-186(8)(b)(i).)
3. The SMA also promotes public access to the shoreline by requiring protection of existing public access features and requiring certain types of new development to include public access.

The SMP regulations (WCC Title 23) apply to individual projects, and impacts of shoreline development are evaluated on a project-by-project basis. However, the SMP goals and policies, shoreline designations, regulations, and the restoration plan are comprehensively structured to achieve no net loss of shoreline ecological functions as a whole in Whatcom County.

GMA Goals and Countywide Planning Policies

First adopted in 1990, The Growth Management Act (GMA) is a series of state statutes that requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. It is primarily codified under Chapter 36.70A RCW, although it has been amended and added to in several other parts of the RCW. Under RCW 36.70A.020, the GMA established a series of 13 goals that should act as the basis of all comprehensive plans. In 2003, the legislature added the goals and policies of the Shoreline Management Act as the fourteenth GMA goal (RCW 36.70A.480). The shoreline goals may be found at RCW 90.58.020.

As of this time, there are no Countywide Planning Policies that address development in the shoreline.

SMA Requirements

Under the provisions of the SMA, all development along shorelines of the state is required to comply with the provisions of local shoreline master programs. The Whatcom County SMP works with other chapters of the Whatcom County Code to protect and preserve saltwater and freshwater shorelines throughout the county by managing natural resources and directing development and land use suitable for the shoreline environment.

Governing Principles

The following principles, along with the policy statements of RCW 90.58.020 and the principles of Chapter 173-26 WAC, establish basic concepts that underpin the goals, policies, and regulations of the Shoreline Management Plan (SMP):

A. Any inconsistencies between the SMP and the Shoreline Management Act (SMA) must be resolved in accordance with the SMA.

B. The policies of the SMP may be achieved by diverse means, one of which is regulation. Other means authorized by the SMA include, but are not limited to: acquisition of lands and/or easements by purchase or gift, incentive programs, and implementation of capital facility and/or nonstructural programs.

C. Protecting the shoreline environment is an essential statewide policy goal, consistent with other policy goals. Permitted and/or exempt development, actions taken prior to the SMA's adoption, and/or unregulated activities can impair shoreline ecological processes and functions. The SMP protects shoreline ecology from such impairments in the following ways:

   1. By using a process that identifies, inventories, and ensures meaningful understanding of current and potential ecological functions provided by shorelines.

   2. By including policies and regulations that require mitigation of adverse impacts in a manner that ensures no net loss of shoreline ecological functions. The required mitigation shall include avoidance, minimization, and compensation of impacts in accordance with the policies and regulations for mitigation sequencing in WCC 23and the Whatcom County Critical Areas Ordinance (CAO, Chapter 16.16 WCC). The SMP and any future amendment thereto shall ensure no net loss of shoreline ecological functions and processes on a programmatic basis in accordance with the baseline functions present as of the date of adoption of the comprehensive SMP update, February 27, 2007.

   3. By including policies and regulations to address cumulative impacts, including ensuring that the cumulative effect of exempt development will not cause a net loss of shoreline ecological functions, and by fairly allocating the burden of addressing such impacts among development opportunities.

   4. By including regulations and regulatory incentives designed to protect shoreline ecological functions, and restore impaired ecological functions where such opportunities have been identified, consistent with the Shoreline Management Program Restoration Plan developed by Whatcom County.

D. Regulation of private property to implement SMP goals such as public access and protection of ecological functions and processes must be consistent with all relevant constitutional and other legal limitations. These include, but are not limited to, civil rights guaranteed by the U.S. and state Constitutions, pertinent federal and state case law, and state statutes, such as RCW 34.05.328 and 43.21C.060 and Chapter 82.02 RCW.

E. Regulatory or administrative actions must be implemented consistent with the public trust doctrine and other applicable legal principles as appropriate and must not unconstitutionally infringe on private property rights or result in an unconstitutional taking of private property.

F. The regulatory provisions of the SMP are limited to jurisdictional shorelines, whereas the planning functions of the SMP may extend beyond the designated shoreline boundaries.

G. The policies and regulations established by the SMP must be integrated and coordinated with those policies and rules of the Comprehensive Plan and development regulations adopted under the GMA and RCW 34.05.328.

H. Consistent with the policy and use preferences of RCW 90.58.020, Whatcom County should balance the various policy goals of the SMP giving consideration to other relevant local, state, and federal regulatory and non-regulatory programs.

Overall Shoreline Management Program Goals and Objectives

This section contains overall SMP goals and objectives. They provide the foundation and framework upon which the shoreline area designations, policies, regulations, and administrative procedures are based.

The general policies and regulations (in a later section of this chapter and in Title 23 WCC, respectively) and the specific use policies and regulations (in a later section of this chapter and in WCC Title 23, respectively) are the means by which these goals and objectives are implemented.

Economic Development

The economic development element provides for the location and design of industries, transportation facilities, port facilities, tourist facilities, commerce, and other developments that are particularly dependent upon a shoreline location and/or use of the shorelines of the state.

Goal 11A: **Create and maintain an economic environment that can coexist harmoniously with the natural and human environment.**

Objectives11A-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

The recreation element provides for the preservation and expansion of water-oriented recreational opportunities that facilitate the public's ability to enjoy the physical and aesthetic qualities of the shoreline through parks, public access to tidelands and beaches, bicycle and pedestrian paths, viewpoints, and other recreational amenities.

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

The transportation and essential public facilities element provide for the general location and extent of existing and proposed public thoroughfares, transportation routes, terminals, and other public utilities and 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.**

Objectives:

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

The shoreline use element prioritizes the use and development of shorelines and adjacent land areas for housing, business, industry, transportation, agriculture, forestry, natural resources, recreation, education, public institutions, utilities, and other categories of public and private land use with respect to the type, general distribution, location, and extent of such uses and developments.

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

The shoreline conservation element provides for the protection of natural resources and shoreline ecological functions and processes. Resources to be conserved and protected include, but are not limited to, wetlands; riparian, nearshore, and aquatic habitats; priority fish and wildlife habitats and species; floodplains; feeder bluffs and other geological features; cultural and historic resources; as well as scenic vistas and aesthetics.

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.

Objectives: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

The cultural resource element provides for protection, preservation and/or restoration of buildings, sites, and areas having archaeological, historical, cultural, or scientific value or significance. "Cultural resource" refers to any archaeological, historic, cemetery, or other cultural sites or artifacts; as well as those traditional food, medicine, fibers, and objects that sustain the religious, ceremonial, and social activities of affected Native American tribes that may be regulated under state or

federal laws administered by the Washington State Department of Archaeologic and Historic Preservation (DAHP).

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.**

Objectives: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

This element provides for preservation and/or protection of scenic vistas, views of the water, and other aesthetic qualities of shorelines for public enjoyment.

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

This element provides for the timely restoration and enhancement of ecologically impaired areas in a manner that achieves a net gain in shoreline ecological functions and processes above baseline conditions set as of the date of adoption of the comprehensive SMP update, February 27, 2007.

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.**

Objectives: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

A set of 10 shoreline area designations has been developed as a part of the SMP. The purpose of the shoreline area designations is to provide a systematic, rational, and equitable basis upon which to guide and regulate development within specific shoreline reaches.

Shoreline area designations have been determined after consideration of:

1. The ecological functions and processes that characterize the shoreline, together with the degree of human alteration;
2. Existing development patterns together with WCC Title 20 Zoning designations, the Comprehensive Plan designations, and other officially adopted plans;
3. Federal and tribal ownership status;
4. The goals of Whatcom County citizens for their shorelines;

5. Pursuant to RCW 90.58.100(4), in designating state-owned shorelines, consideration has been given to public demand for wilderness beaches, ecological study areas, and other recreational activities; and,
6. Other state policies in the SMA and the SMP Guidelines (RCW 90.58.020 and Chapter 173-26 WAC, respectively).

Urban Shoreline Area

Purpose

The purpose of the urban shoreline area is to provide for intensive development of water-oriented commercial, transportation, and industrial uses and accommodate mixed use developments such as those consisting of urban density residential, commercial, and industrial uses, while protecting existing shoreline ecological functions and processes and restoring shoreline ecological functions and/or processes in areas that have been previously degraded.

Designation Criteria

The urban shoreline area is applied to shoreline areas zoned commercial, industrial, and urban density residential within urban growth areas and industrial or commercial areas in Limited Areas of More Intense Rural Development (LAMIRDs), if they:

A. Are currently characterized by high intensity development and/or uses; are designated by the Comprehensive Plan for high intensity uses or intensive uses related to commerce, transportation or navigation; or are suitable and planned for high intensity mixed use; and
B. Do not contain limitations to urban use such as geologic hazards, and have adequate utilities and access; and
C. Do not provide important ecological functions that would be significantly compromised by high intensity residential, commercial, or industrial use.

Policies

Development within urban shoreline areas shall be consistent with the following policies:

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.

Urban Resort Shoreline Area

Purpose

The purpose of the urban resort shoreline area is to provide for intensive residential and commercial uses geared to the needs of tourists and day visitors while protecting existing shoreline ecological functions and processes. Emphasis is on hotels, motels, shops, restaurants, commercial rental campgrounds, rental cabins, and shoreline-related recreation facilities.

Designation Criteria

The urban resort shoreline area is applied to shoreline areas identified in the Comprehensive Plan as suitable for resort commercial development with substantial features that might reasonably attract resort development compatible with other development in the area, and which have existing and/or planned infrastructure sufficient to support such development.

Policies

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

Purpose

The purpose of the urban conservancy shoreline area is to protect shoreline ecological functions and processes in urban growth areas and Limited Areas of More Intense Rural Development (LAMIRDs) that are not designated for high intensity residential use and are not generally suitable for water-dependent uses. The primary management goal is to preserve shoreline ecological functions and processes by avoiding forms of development that would be incompatible with existing functions and processes, as well as identify and focus restoration efforts in areas where benefits to overall functions and processes can be realized. This policy should be furthered by maintaining most of the area's natural character.

Designation Criteria

The urban conservancy shoreline area is applied to shoreline areas inside urban growth areas where any of the following characteristics apply:

A. They support or retain important shoreline ecological functions and/or processes, even though partially developed.

B. They have the potential for development at an intensity and character that is compatible with preserving and restoring ecological functions. They are generally not designated for high intensity residential use, commercial use, or industrial use.

C. They are characterized by critical areas or the presence of other valuable or sensitive ecological resources.

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

Purpose

The shoreline residential shoreline area accommodates residential development and accessory structures that are consistent with this chapter.

Designation Criteria

The shoreline residential shoreline area is applied to shorelines if they have been predominantly developed with single-family or multifamily residential uses or are planned and platted for residential development. The designation is generally applied to residential densities of greater than one unit per acre.

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

Purpose

The purpose of the rural shoreline area is to protect shoreline ecological functions in areas having a rural character characterized by open space and low-density development including, but not limited to: residences, agriculture, forestry, and outdoor recreation. Uses should be compatible with the physical capabilities and limitations, natural resources, and shoreline ecological functions and processes of the area.

Designation Criteria

The rural shoreline area is applied to shoreline areas outside urban growth areas, particularly areas designated as Rural in the Comprehensive Plan, and includes areas:

A. Where the shoreline currently accommodates residential uses outside urban growth areas and is characterized by low density development, pasture, agriculture, woodlots, home occupations, and cottage industries. The distribution of rural land use is adjacent to agricultural, forestry, and urban land uses and often provides a transition between urban areas and commercial agriculture and forestry uses. Natural vegetative cover and topography have been altered in many rural areas, but substantial ecological functions, and/or the potential for restoration of ecological functions, are present.

B. That are now used or potentially usable for a mix of agriculture, forestry, and residential use.

C. Where residential development is or should be of low density, because of limitations by physical features, infrastructure, the presence of critical areas, and/or lack of utilities or access.

D. That have high recreational value or unique historic or cultural resources.

E. Where low intensity outdoor recreation use or development would be appropriate and compatible with other uses and the physical environment.

F. Where the shoreline has been developed with low intensity water-dependent uses.

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

The purpose of the resource shoreline area is to protect shoreline ecological functions and processes in areas designated in the Comprehensive Plan as agriculture, forestry, and mineral resource lands and to protect the economic base of those lands and limit incompatible uses.

Designation Criteria

The resource shoreline area is applied to shoreline areas designated as agriculture, rural forestry, commercial forestry, and mineral resource lands in the Comprehensive

Plan and includes areas where the shoreline currently accommodates ongoing resource management, where natural vegetation cover has been altered but substantial ecological functions, or the potential for restoring ecological functions, are present.

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

Purpose

The purpose of the conservancy shoreline area is to retain shoreline ecological functions in areas outside of urban growth areas and LAMIRDs where important ecological processes have not been substantially degraded by human activities. The primary management goal is to preserve shoreline ecological functions and processes by avoiding forms of development that would be incompatible with existing functions and processes, as well as identify and focus restoration efforts in areas where benefits to overall functions and processes can be realized. This policy should be furthered by keeping overall intensity of development or use low, and by maintaining most of the area's natural character.

Designation Criteria

The conservancy shoreline area is applied to shoreline areas outside urban growth areas and LAMIRDs that include areas:

A. Where development activities and uses are buffered from and do not substantially degrade ecological processes and functions.

B. Where ecological functions are more intact than in areas designated rural or resource.

C. Of outstanding scenic quality or other aesthetic qualities of high value to the region, which would likely be diminished unless development is strictly controlled.

D. Containing critical areas or other sensitive natural or cultural features that require more than normal restrictions on development and use.

E. Having the potential to influence ecological processes in a manner that will produce ecosystem-wide benefits upon restoration.

F. That contain valuable or sensitive natural or cultural features that preclude more than a low overall density of residents, recreation use, structures, or livestock, as well as extensive alterations to topography or other features.

G. Have recreational value to the region that would likely be diminished unless development is strictly controlled.

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

Purpose

The purpose of the natural shoreline area is to ensure long-term preservation of ecologically intact shorelines inside or outside urban growth areas.

Designation Criteria

The natural shoreline area is applied to shoreline areas where any of the following characteristics apply:

A. The majority of natural ecological shoreline functions and/or processes are retained, often evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, they include ecologically intact shorelines that are free of structural shoreline modifications, structures, and intensive human uses.

B. Forested areas that generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies.

C. Valuable functions are provided for the larger aquatic and terrestrial environments, which could be lost or significantly reduced by human development.

D. Ecosystems or geologic types that are of particular scientific and educational interest are represented.

E. Largely undisturbed areas of wetlands, estuaries, unstable bluffs, coastal dunes, and spits are present.

F. New development, extractive uses, or physical modifications cannot be supported without significant adverse impacts to ecological functions and/or processes or risk to human safety.

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

Purpose

The purpose of the aquatic shoreline area is to protect, restore, and manage the characteristics and resources of the areas waterward of the ordinary high-water mark.

Designation Criteria

The aquatic shoreline area is defined as the area waterward of the ordinary high-water mark of all streams, rivers, lakes, and marine waterbodies, constituting shorelines of the state together with their underlying lands and their water column.

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

Purpose

Washington State natural resource agencies and Whatcom County have identified certain portions of the Cherry Point management area as providing herring spawning habitat and other key habitat characteristics that warrant special consideration due to their importance to regional fisheries and other elements of the aquatic environment. The purpose of the Cherry Point management area is to provide a regulatory framework that recognizes and balances the special port, industrial, and natural resource needs associated with the development of this marine resource.

Designation Criteria

The Cherry Point Management Area is a geographic area lying between the eastern property boundary of Tax Lots 2.27 and 2.28 within the SE 1/4 of Section 11, Township 39 North, Range 1 West, as it existed on June 18, 1987, and the southern boundary of Section 32, Township 39 North, Range 1 East, extending waterward a distance of 5,000 feet and extending landward for 200 feet as measured on a horizontal plane from the OHWM. This area shall have the Cherry Point Management Area shoreline environment designation.

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

In accordance with RCW 90.58.020, the following management and administrative policies are adopted for all shorelines of statewide significance in unincorporated Whatcom County, as defined in RCW 90.58.030(2)(e) and identified in WCC 23.2.060. Consistent with the policy contained in RCW 90.58.020, preference shall be given to the uses that are consistent with the statewide interest in such shorelines. In the following order or preference, these are uses that:

A. Recognize and protect the statewide interest over local interest.

B. Preserve the natural character of the shoreline.

C. Result in long-term over short-term benefit.

D. Protect the resources and ecology of the shoreline.

E. Increase public access to publicly owned areas of the shoreline.

F. Increase recreational opportunities for the public in the shoreline.

G. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

Uses that are not consistent with these policies should not be permitted on shorelines of statewide significance.

The statewide interest should be recognized and protected over the local interest in shorelines of statewide significance. To ensure that statewide interests are protected

over local interests, the County shall review all development proposals within shorelines of statewide significance for consistency with RCW 90.58.030 and the following policies:

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

The following policies apply to cultural resources that are (a) listed on the national, state, or local registers of historic places; (b) recorded by the Washington State Department of Archaeology and Historic Preservation (DAHP), a Native American tribe, and/or a local jurisdiction; or (c) undiscovered, inadvertently uncovered, or yet unrecorded.

Archaeological sites located in (as well as outside of) shoreline jurisdiction are subject to RCW Chapter 27.44 (Indian graves and records) and RCW Chapter 27.53 (Archaeological sites and records). Shoreline uses or development that may impact such sites shall comply with WAC Chapter 25-48 as well as the provisions of this Shoreline Master Program.

Pursuant to RCW 27.53.070, information and documents pertaining to the location of archaeological sites or resources are confidential and not considered public records that require disclosure.

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 decide 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

Marina and launch ramp development are subject to the following policies. Moorage structures serving four or fewer users are only subject to the policies in Moorage Structures.

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 11II-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 11II-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 11II-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 11OO-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 11OO-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 11OO-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 11OO-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 11OO-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 polices of this chapter.

Policy 11OO-6: New residential development should be planned and built to minimize the need for shoreline stabilization and flood hazard reduction measures.

Policy 11OO-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 11OO-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 11OO-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 11OO-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 11OO-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.

EXHIBIT A

Whatcom County Comprehensive Plan Amendments – Chapter 12: Climate

(New Chapter)

Chapter Twelve
Climate

Purpose

The Climate Element is required under RCW 36.70A.020 (2023), which requires cities and counties to use their comprehensive plan to build resilience and reduce greenhouse gas emissions that contribute to climate change. This update to the Growth Management Act (GMA) passed in HB 1181 (2023) integrates climate planning into the comprehensive planning process and requires the adoption of a greenhouse gas (GHG) emissions reduction sub-element with actions to reduce overall emissions and per capita vehicle miles traveled (VMT) and a resilience sub-element to avoid the adverse impacts of climate change. Washington's new planning law also directs jurisdictions to make changes to the Capital Facilities, Environment, Land Use, Recreation, Transportation, and Utilities chapters to incorporate climate goals and policies.

Chapter Organization

The Climate Element includes a set of broad goals for various aspects of climate action the county derived from the Washington Department of Commerce intermediate guidance. The Element is organized into two sub-elements, the greenhouse gas reduction and resilience sub-elements. These sub-elements include a discussion of each sector, how climate change is projected to influence the sector, and a comprehensive set of policies to help achieve the goals. The Climate Element is also supplemented by a series of appendices that provide additional information that was used to develop this Element.

Goals and policies included in the element were evaluated for compliance with Growth Management Act requirements under HB 1181 (2023), 2023 WA State Department of Commerce Climate Element Intermediate Planning Guidance, compatibility with existing local policies, and compatibility with the Whatcom County Climate Action and Natural Hazard Mitigation Plans. Goals and policies were included in the greenhouse gas reduction sub-element if the goal or policy had a direct link to a greenhouse gas reduction mechanism. Goals and policies were included in the resilience sub-element if the goal or policy had a direct link to a hazard exacerbated by climate change. Other elements include climate goals and policies, which can be found in dedicated sections in those elements.

Conformity with State Laws and Regulations

The Climate Element conforms with the 2023 WA State Department of Commerce Climate Element Intermediate Planning Guidance for local governments planning under the Growth Management Act.

Consistency with Whatcom County Comprehensive Plan

To ensure that the goals and policies included in the Climate Element are internally consistent with other elements of the County's Comprehensive Plan, a policy audit was conducted to identify any similar or overlapping goals and policies from other elements of the County's adopted Comprehensive Plan, and other plans the County has adopted that support implementation of the Comprehensive Plan. Based on this assessment, the County finds that the Climate Element is consistent with the other elements of the Comprehensive Plan and externally consistent with the countywide planning policies, regional transportation plan, and other adjacent city comprehensive plans.

Consistency with the Whatcom County Natural Hazard Mitigation Plan

The Natural Hazard Mitigation Plan was submitted to the WA State Military Department and Federal Emergency Management Agency (FEMA) for approval in 2021. By reviewing and updating the Hazard Mitigation Plan every five years, the County maintains eligibility for certain hazard mitigation funding from FEMA. The goals and policies of the Climate Element are complementary to and consistent with the recommended mitigation strategies of the 2021 Hazard Mitigation Plan and its identified hazards. To ensure that the goals and policies of the 2026 Hazard Mitigation Plan are consistent with 2023 FEMA climate administrative guidance, a policy audit was conducted in advance of the update.

Consistency with the Whatcom County Climate Action Plan

In 2021, the County adopted the Whatcom County Climate Action Plan (CAP) through Resolution 2021-049. The CAP established a goal to reduce countywide emissions by 45% from 1990 levels by 2030 and achieve net zero emissions by 2050. The Climate Action Plan also established an emissions reduction goal of 85% from 2000 levels by 2030 for County government operations. The total emissions countywide in Whatcom County in 2017 were 11,095,275 MTCO2e and 8,377,187[1] MTCO2e in 2022, a 24.5% reduction predominantly associated with a 66% reduction in industrial processing emissions. The CAP adopts sector-specific emissions goals and provides foundational actions to establish a trajectory towards achieving those goals. Much discussion has occurred, how to reduce emissions, but Whatcom County’s ability to achieve this is uncertain. The Climate Element has been reviewed for consistency with both the Climate Action Plan and other local climate planning documents adopted by other partners, including the City of Bellingham, Port of Bellingham, Nooksack Tribe, Lummi Nation, Whatcom Transit Authority, and Whatcom Council of Governments.

[1] The Whatcom County 2022 Greenhouse Gas Inventory produced by Washington Department of Commerce does not include some data sources, including wood burning, ferry operations, solid waste processing, and closed landfills, which accounts for the difference in 162,062 MTCO2e between the state inventory and planning inventory.

Greenhouse Gas Emissions Reduction Sub-Element

Introduction

This sub-element provides an overview of greenhouse gas emissions sources in Whatcom County and includes a comprehensive set of goals and policies for exploration to reduce emissions associated with those sectors.

HB 1181 (2023) requires that a county's greenhouse gas reduction sub-element and its related development regulations result in reductions in overall greenhouse gas emissions generated by transportation and land use within the jurisdiction, reduce per capita vehicle miles traveled, and prioritize reductions that benefit overburdened communities. This greenhouse gas sub-element includes prioritized policies that have a demonstrated ability to reduce greenhouse gas emissions.

Background Summary

The 2022 Whatcom County Greenhouse Gas Emissions Inventory quantified emissions produced by activities across Whatcom County, including emissions from the built environment, industrial processes, transportation, solid waste and wastewater treatment, refrigerant usage, and land use. In 2022, Whatcom County produced an estimated 8,377,187 metric tons of carbon dioxide equivalent (MTCO2e), which equates to approximately 35.1 MTCO2e per capita. Globally, in 2022, the estimated emissions total was 57.4 gigatons of CO2e. For a more detailed discussion of greenhouse gas emissions and emissions trends and projections, see the 2022 Whatcom County Greenhouse Gas Inventory and 2025 Whatcom County Greenhouse Gas Emissions Trends and Projections Reports.

Per WAC 365-196-443 (2026) Whatcom County is required to provide the WA State Department of Commerce an implementation progress report detailing the progress Whatcom County has achieved in implementing the comprehensive plan five years after the latest required periodic review and revision of the comprehensive plan has been completed. The WA Department of Commerce is also required to adopt guidelines for indicators, measures, milestones, and criteria for counties to utilize in their five-year implementation progress reports that must cover, in part, "*[p]rogress toward implementing any actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements provided for in any element of the comprehensive plan under RCW 36.70A.070 (2024).*"

Until such time as Commerce adopts such guidelines for periodic reporting and Climate Element Implementation Progress Reports, Whatcom County will quantify countywide progress on greenhouse gas emissions and vehicle miles traveled reductions per capita for the Five-Year Climate Element implementation progress report required in RCW 36.70A.130(9) (2025) based on the following interim performance indicators.

Consistent with the 2050 statewide net zero greenhouse gas emissions target set by the Washington State Legislature in RCW 70A.45.020 and adopted in Whatcom County Countywide Planning Policy T3:

- All electric utilities serving retail customers in Whatcom County meet interim targets for greenhouse gas neutrality under WAC 194-40-040 (2026).

- Natural gas utilities serving retail customers in Whatcom County meet each two-year therm conservation target, consistent with RCW 80.28.380 (2024).

- Battery electric vehicles (BEVs) and plug-in hybrid electric passenger vehicles (PHEVs) registered in Whatcom County increase by at least 20% towards the target of 13,810 electric vehicles, in partnership with the private sector and developers, and subject to consumer demand and economic conditions.

- Reduce annual vehicle miles traveled (VMT) per capita across incorporated and unincorporated Whatcom County by at least 3%, as measured by annual certified mileage reporting by the Washington State Department of Transportation.

Relationship to Federal, State and Regional Regulations

Greenhouse gas emissions generated within Whatcom County's geographic boundary are also the subject of federal, state and regional regulations. For the purposes of the climate element review and evaluation program and implementation progress reporting requirements under RCW 36.70A.130 (2025), any legislatively approved incremental greenhouse gas emissions target adopted by Whatcom County, five-year required progress reporting for the climate element, and identified regulations, zoning, land use changes, or other legislative or administrative action to implement the climate element will consider express or implied preemption, where consistent with state and federal regulations.

This principle is consistent with RCW 70A.65.080(8) (2025), the Washington State Climate Commitment Act which designates that Washington State Department of Ecology cannot require that multiple covered entities, including refineries, fuel suppliers, facilities using natural gas, and natural gas utilities, have compliance obligations for the same greenhouse gas emissions. The state operating budget, ESSB 5092 (2021), which funded the WA State Department of Commerce's initial development of the climate intermediate planning guidance also stipulated that the set of actions cities and counties may take, as recommended by Washington State Department of Commerce, must be within a jurisdiction's existing statutory authority and implemented through updates to comprehensive plans and development regulations.

Issues, Goals, and Policies

The greenhouse gas reduction sub-element addresses all eleven sectors recommended in the 2023 Department of Commerce Climate Element Intermediate Planning Guidance in the greenhouse gas emissions reduction goals and policies listed below.

Agriculture & Food Systems

Agricultural producers can reduce emissions associated with production and distribution through adoption of renewables and reductions in fuel use, including decreasing distances travelled for distribution through local processing. Land based strategies to reduce emissions also include the implementation of practices that increase carbon stored in soil or vegetation. Other changes in production practices that result in reduced emissions of methane and nitrous oxide include improved manure management and reduced pesticide use.

Goal 12A: **Reduce greenhouse gas emissions from agriculture and food system activities that contribute to climate change.**

Policy 12A-1: Support incentives for renewable energy projects, including agrivoltaic systems, that integrate renewable energy production with ongoing agricultural activities.

Policy 12A-2: Encourage agricultural producers to reduce the uses of fuels, agricultural supplies, synthetic fertilizers, and pesticides derived from fossil fuels.

Policy 12A-3: Increase accessibility of locally produced agricultural products by supporting retail, institutional, and community market opportunities for local producers and food businesses.

Policy 12A-4: Facilitate the development of local distribution networks and processing infrastructure to reduce distances traveled to

transport agricultural goods and inputs.

Policy 12A-5: Provide financial incentives and technical support for the replacement of conventional refrigeration systems with appliances that use alternative refrigerants, reducing pollutants from leaking cooling systems.

Policy 12A-6: Partner with livestock producers to implement best practices for manure management, including anaerobic digesters and manure application to reduce greenhouse gas emissions and improve soil health.

Policy 12A-7: Promote the adoption of efficient irrigation technologies and practices that minimize water use, increase soil water holding capacity, and reduce energy consumption associated with water treatment and distribution.

Buildings & Energy

Building energy use, primarily for heating and cooling residential, commercial, and industrial buildings, is a significant source of greenhouse gas emissions in Whatcom County. Retrofits to existing building space through better insulation, envelope and duct airsealing, improved heating and cooling equipment, and increased building efficiency drive emissions reduction. Other solutions, such as increasing adoption of renewable energy sources, distributed renewables, and green building construction standards identified in the policies below, can also reduce emissions in this sector.

Goal 12B: **Reduce emissions from building and energy use by promoting the transition to renewable energy sources, implementing green building standards, and retrofitting existing buildings to be more energy efficient.**

Policy 12B-1: Continue to implement the Washington State Building Code's requirements for residential and commercial construction, including space and water heating guidelines for eligible new commercial construction and energy efficiency targets for residential construction.

Policy 12B-2: Expand access to utility, state, and federal resources, technical assistance and incentives for the retrofitting of existing buildings to improve building operational efficiency.

Policy 12B-3: Encourage the development of single and networked microgrids and distributed energy storage with battery back-up to support energy security, resilience, and affordability.

Policy 12B-4: Promote the development of wind, hydroelectric, biomass, nuclear, tidal, wave, solar, and geothermal energy projects, including small-scale and community-owned renewable energy installations.

Policy 12B-5: Advocate for utility investments in renewable energy development, energy efficiency incentives, and low-income energy assistance in Whatcom County to meet the Clean Energy Transformation Act compliance targets.

Policy 12B-6: Encourage the design of highly energy-efficient new buildings that utilize on-site or off-site renewable energy, and include the use of low-carbon, recycled, or reused materials in building projects.

Policy 12B-7: Update the Whatcom County code and development standards to incorporate best practices for renewable energy project permitting and siting, consistent with WA Healthy Environment for All (HEAL) Act guidance.

Policy 12B-8: Improve construction resource efficiency by encouraging the use of locally or regionally derived building materials, such as wood and mass timber products that sequester and store embodied carbon.

Policy 12B-9: Review bidding and procurement policies to prioritize lower-carbon building processes, sustainable and/or reclaimed building materials, energy efficiency, renewable energy, and alternative and active transportation infrastructure (such as electric vehicle charging and bicycle storage) in County funded capital projects.

Cultural Resources

Siting of utility and infrastructure projects, such as energy, water, or transportation systems, that reduce greenhouse gas emissions can have a negative impact on cultural resources. As required by RCW 70A.65.305 (2024), Whatcom County should consult with the Department of Archaeology and Historic Preservation, Department of Fish and Wildlife and all interested federally recognized Tribes on Climate Commitment Act funded programs or projects that may impact Tribal resources. Tribal resources, as recognized by RCW 70A.65.305 (2024) include, "Tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order."

Goal 12C: **Protect, avoid, minimize, or mitigate impacts to cultural resources from Climate Commitment Act funded programs or projects through meaningful consultation, as defined by HB 1753 (2022) and RCW 70A.65.305 (2024), with the appropriate local, state, and federal authorities, including affected Indian Tribes.**

Policy 12C-1: At the earliest possible date prior to submittal of an application to receive funds from Climate Commitment Act accounts, Whatcom County will consult with the Department of Archaeology and Historic Preservation, Department of Fish and Wildlife and all interested federally recognized Tribes with treaty rights or interests in the project area, in accordance with RCW 70A.65.305 (2024).

Policy 12C-2: Consultation will be early, meaningful, and individual with any affected federally recognized Tribe, with the goal of identifying Tribal and cultural resources potentially affected by the funding decisions and funding programs, assess their effects, and seek ways to avoid, minimize, or mitigate any adverse effects on cultural resources.

Policy 12C-3: Whatcom County will accept any documents summarizing Tribal issues, questions, concerns, or other statements regarding the project. The summary document submitted by Tribes during consultation will become part of the official application on file and do not limit what issues affected Tribes raise in the consultation process.

Policy 12C-4: Whatcom County will adhere to all state and federal regulations that protect the location of certain cultural resources from

disclosure. Any information that is exempt from disclosure pursuant to RCW 42.56.300 (2014) or federal law, including section 304 of the National Historic Preservation Act of 1966, shall not become part of the official application file.

Policy 12C-5: Consultation will be independent of, and in addition to, any public participation process required by federal or state law, or by a federal or state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources.

Policy 12C-6: Whatcom County will work with the state and Tribes to identify and determine the potential impacts, including cumulative impacts, on affected cultural resources during the review of large-scale renewable energy permitting applications.

Policy 12C-7: Whatcom County will work with the state and Tribes to identify and evaluate the potential impacts, including cumulative impacts, of proposed low-carbon transportation projects, energy transmission, and water utility infrastructure expansion on cultural resources.

Policy 12C-8: Development on sites adjacent to or containing cultural resources should be planned and carried out so as to be compatible with continued protection of that resource.

Economic Development

Whatcom County's primary economic development sectors include manufacturing, food and beverage, technology, recreation, health, maritime, and agriculture industries. Opportunities for emissions reduction within these sectors include reducing emissions associated with business operations, evaluating supply chains, and adopting low carbon fuels.

Goal 12D: Support the development of a local economic system that fosters business operations and opportunities associated with climate action.

Policy 12D-1: Assist property owners regulated under the Clean Buildings Performance Standard in accessing incentives to reduce building energy use and meet early compliance deadlines for Tier 1 and 2 buildings.

Policy 12D-2: Consistent with the Climate Commitment Act, support covered industries' participation in the Washington State cap-and-invest market.

Policy 12D-3: Encourage the development of local carbon offset projects to reduce greenhouse gas emissions and generate industry investment in local carbon sequestration projects.

Policy 12D-4: Support emissions reductions within the manufacturing sector by partnering to increase access to state and federal incentives for the adoption of less carbon-intensive equipment.

Policy 12D-5: Encourage participation of qualified commercial, industrial, and multifamily properties in Whatcom County's C-PACER (Commercial Property Assessed Clean Energy and Resilience Program) to finance energy efficiency, renewable energy, water conservation, and resilience projects.

Policy 12D-6: Determine eligible uses of economic development incentives, such as consumption tax exemptions, property tax abatements, and tax increment financing, to support climate action projects.

Policy 12D-7: Promote purchasing from local businesses to support economic development and reduce emissions associated with the production and distribution of goods.

Policy 12D-8: Partner with Western Washington University, Whatcom Community College, Bellingham Technical College, Northwest Indian College, K-12 schools and skill centers, Northwest Workforce Council, the Port of Bellingham, the Whatcom Working Waterfront Coalition, cities, unions and apprenticeship programs, and local businesses to address workforce skill gaps in emerging sectors that support climate action.

Ecosystems

Ecosystems play a vital role in mitigating climate change by capturing and storing carbon. Protecting, enhancing, and restoring forests, wetlands, aquatic ecosystems, and green space contributes to a reduction in greenhouse gas emissions through carbon sequestration. These nature-based solutions to greenhouse gas reduction can also build resilience by mitigating against natural hazards and climate impacts, protecting biodiversity and fish and wildlife habitat, and improving water and air quality.

Goal 12E: Protect, expand, retain, and restore open space, green space and tree canopy to promote aquatic and terrestrial carbon sequestration.

Policy 12E-1: Identify, protect, and restore tidal wetlands and submerged aquatic vegetation, including seagrass, eelgrass, and kelp to enhance blue carbon sequestration.

Policy 12E-2: Designate high-value greenspace and greenways for acquisition, conservation easements, or other preservation programs to enhance carbon sequestration and provide community benefits.

Policy 12E-3: Increase, retain, and protect the tree canopy in UGAs, prioritizing underserved areas with low canopy cover and areas that may otherwise be vulnerable to urban heat island effects.

Policy 12E-4: Develop and implement forest management plans for County-owned property, including individual parcels, parks, greenspace, and forestland to address climate stressors and guide adaptive management practices.

Policy 12E-5: Discourage the conversion of forests, agricultural land, grasslands, wetlands, critical areas, riparian areas, estuaries, and other high-carbon storage areas for uses that are incompatible with habitat preservation and carbon sequestration goals.

Policy 12E-6: Identify, protect, and restore riparian areas on public and private properties to protect water quality, salmon and wildlife habitat, and to store carbon in riparian vegetation, wetlands, and soils.

Health

Addressing climate change represents a significant opportunity to improve public health and advance health equity. Greenhouse gas emissions reduction strategies that also improve health outcomes include increasing access to clean energy, low carbon transportation, parks and greenspace, and locally produced food. These strategies can improve the well-being of individuals and communities while reducing health disparities, particularly among groups most vulnerable to the impacts of climate change.

Goal 12F: Improve public health outcomes and advance health equity by increasing access to sustainable transportation, renewable energy, and locally produced food.

Policy 12F-1: Protect, maintain, and invest in transportation infrastructure that promotes access to sustainable transportation options, such as walking, cycling, transit services, and electric vehicles.

Policy 12F-2: Prioritize investments to reduce vehicle emissions and miles travelled in neighborhoods disproportionately affected by air and water pollution.

Policy 12F-3: Ensure equitable access to clean drinking water, wastewater, and energy services by identifying and addressing utility infrastructure gaps, particularly in rural and underserved communities.

Policy 12F-4: Coordinate with existing utility-run or state administered programs that provide financial assistance or subsidies for low-income households and landlords to improve energy efficiency, reduce utility costs, and access renewable energy.

Policy 12F-5: Strengthen support for community-based programs that promote access to locally produced, healthy, and culturally appropriate food, particularly for individuals experiencing food insecurity.

Policy 12F-6: Improve recreational access to public lands to promote equitable access to open space, greenspace, and parks and improved public health outcomes.

Transportation

Greenhouse gas emission reduction strategies for the transportation sector include electrification, switching to lower carbon fuels, reducing travel demand, and promoting alternative multimodal transportation and infrastructure. To lower transportation emissions, Whatcom County is evaluating land use planning practices to lower per capita VMT, promote taking fewer trips and assessing regional investments in public transit and multimodal transportation. Improving active transportation options and multimodal connectivity for all residents reduces emissions, improves public health, and advances equity.

Goal 12G: **Support reductions in per capita Vehicles Miles Traveled (VMT) and in greenhouse gas emissions per VMT by adopting new transportation planning approaches and technologies, expanding infrastructure, improving connectivity, and increasing access to low-carbon transportation options.**

Policy 12G-1: Support efforts to reduce per capita vehicle miles traveled (VMT) and single occupant vehicle trips, including compliance with the Commute Trip Reduction Act and other initiatives to increase carpooling, ridesharing, telecommuting, bicycling, rail, and transit use.

Policy 12G-2: Work with Whatcom Council of Governments and cities to establish and track local and regionally coordinated per capita VMT reduction goals and policies consistent with the statewide reduction targets in RCW 47.01.440 (2023).

Policy 12G-3: Coordinate with WSDOT, Whatcom Council of Governments, Tribes, and cities to update the regional transportation plan to estimate and track transportation related greenhouse gas emissions by jurisdiction in Whatcom County.

Policy 12G-4: Support initiatives that drive the adoption of fuel-efficient and low-emission freight technologies, including electric trucks and cleaner heavy-duty cargo-handling equipment.

Policy 12G-5: Promote the adoption of electric vehicles (EVs) by increasing awareness of state and federal incentives for EV purchases and leases.

Policy 12G-6: Collaborate with regional partners to facilitate and invest in the development and installation of a countywide electric vehicle (EV) charging network, including prioritizing underserved and disadvantaged communities to ensure equitable access.

Policy 12G-7: Implement the countywide active transportation network and further expand an interconnected, regional multimodal network of pedestrian, bicycle, and transit facilities that enables more trips via walking, biking, and transit.

Policy 12G-8: Encourage the adoption of battery-electric and low-carbon technology alternatives for off-road equipment used in construction, agriculture, and industrial activities.

Policy 12G-9: Collaborate with Whatcom Transportation Authority (WTA) to ensure the operation and promote the use of a reliable, efficient, and equitable transit network that reduces emissions by promoting transit use over internal combustion engine vehicles.

Policy 12G-10: Support Whatcom Transportation Authority's goal to transition to a zero-emission fleet by 2040.

Policy 12G-11: Support regional and industrial efforts to reduce emissions in the aviation sector through advancements in sustainable aviation fuel and aircraft technologies.

Policy 12G-12: Support the Port of Bellingham's initiatives to electrify shipping terminals and promote the transition to cleaner marine engines and equipment.

Policy 12G-13: Support state and federal incentives to increase efficiency and replace diesel-powered passenger and freight trains with lower carbon alternatives.

Policy 12G-14: Review bidding and procurement policies to prioritize lower-carbon materials and processes in County funded transportation and infrastructure projects.

Waste Management

Waste diversion strategies can reduce the amount of waste generated in Whatcom County that is currently being transferred to landfills outside Whatcom County. Decreasing waste production lowers greenhouse gas emissions emitted due to waste transport, processing, and disposal. Updating existing wastewater treatment infrastructure and maintaining septic tanks and water systems further reduces methane emissions.

Goal 12H: Reduce emissions associated with waste management, sewage disposal, and wastewater treatment across Whatcom County.

Policy 12H-1: Support reductions in waste hauler emissions by promoting efficiency in collection routes, reducing idle times, and transitioning fleets from diesel to low- or zero-carbon fuels.

Policy 12H-2: Advocate for waste processors to adhere strictly to the Environmental Protection Agency (EPA) and manufacturer guidelines for proper refrigerant decommissioning to reduce emissions during disposal.

Policy 12H-3: Encourage the alignment of private waste haulers with the Whatcom County Comprehensive Solid and Hazardous Waste

Management Plan to minimize waste generation and disposal emissions.

Policy 12H-4: Support the expansion of organic material collection services to increase the diversion of waste from landfills, as required by RCW 70A.205.545 (2025) and consistent with RCW 70A.205.715 (2020).

Policy 12H-5: Consider revising Whatcom County's Flow Control Ordinance (No. 91-041) to include the recycling of construction and demolition debris, promoting the reuse and recovery of building materials to reduce waste and associated emissions.

Policy 12H-6: Support the adoption of technologies that reduce methane emissions in public wastewater treatment systems.

Policy 12H-7: Expand the septic tank replacement rebate programs and septic inspections to incentivize the installation and maintenance of systems.

Policy 12H-8: Compliant with RCW 70A.205.040 (2022), Whatcom County will amend zoning code to allow for the siting of organic materials management facilities in the areas identified in RCW 70A.205.040(3)(a)(i), to the extent necessary to provide for the establishment of the organic materials management volumetric capacity identified under RCW 70A.205.040(3)(a)(ii).

Water Resources

Increasing water demand in industrial, commercial, and residential buildings and for irrigation results in more greenhouse gas emissions associated with water treatment and transport. Reducing demand for water through water conservation and improvements in wastewater treatment efficiency reduces the energy use necessary to produce and transport treated water.

Goal 12I: Work with water utilities to reduce emissions associated with water treatment through the adoption of new technologies and implementation of water conservation and efficiency practices.

Policy 12I-1: Support efforts to improve energy efficiency in wastewater treatment through investment in advanced monitoring and control technologies that optimize energy use.

Policy 12I-2: Support incentive programs to promote water conservation practices that reduce overall water demand and the energy required for water treatment.

Policy 12I-3: Encourage the use of smart irrigation systems, stormwater management strategies, and preventative maintenance by water users to improve water efficiency.

Policy 12I-4: Promote wastewater reuse and water conservation by water users to lower energy and water treatment emissions.

Zoning & Development

Facilitating land use patterns to promote dense, mixed-use, and transit-oriented development in Urban Growth Areas (UGAs) and preservation of rural lands, limits increases in greenhouse gas emissions. Continued efforts to incentivize infill, adapt development regulations, and preserve wetlands, forests, and open space can reduce emissions associated with land use.

Goal 12J: Implement dense, mixed-use, and transit-oriented development in UGAs, where appropriate, and land preservation policies in rural areas to reduce greenhouse emissions.

Policy 12J-1: Adopt incentive programs, such as density bonuses and tax deferrals in Urban Growth Areas (UGAs) to promote compact, transit-oriented, and infill development, reducing vehicle miles traveled and associated transportation emissions.

Policy 12J-2: Strengthen the Density Credit Program, Conservation Easement Program, and Transfer of Development Rights Program to promote higher-density developments and preservation of open spaces and rural lands for carbon sequestration.

Policy 12J-3: Review Whatcom County code for opportunities to discourage conversion of forestland for non-forestry uses and agriculture land for non-agriculture uses.

Policy 12J-4: Consistent with the Critical Areas Ordinance, strongly discourage development that would degrade wetlands to support carbon sequestration goals.

Policy 12J-5: Evaluate mitigation monitoring to determine the effectiveness of critical areas protections and riparian management initiatives.

Policy 12J-6: Support the creation of Whatcom County wetland mitigation banks that can be used by public and private development.

Resilience Sub-Element

Introduction

This sub-element provides an overview of climate hazards in Whatcom County and includes a comprehensive set of goals and policies to increase resilience to climate change.

HB 1181 (2023) requires that a county's resilience sub-element and its related development regulations address natural hazards created or aggravated by climate change, protect, and enhance natural areas to foster climate resilience, and protect and enhance community resilience to climate change. The resilience sub-element includes prioritized measures that reduce the severity of the projected climate impacts from changing temperature and precipitation patterns, sea level rise, landslides, flooding, drought, heat, smoke, wildfire and ocean acidification.

Background Summary

The 2025 Whatcom County Climate Hazard & Impact Assessment Report analyzes countywide vulnerability to climate change. The analysis evaluates exposure to climate impacts and identifies priority hazards exacerbated by climate change. The analysis also identified disproportionately burdened populations countywide due to climate impacts. The report identified variables that address a wide range of socioeconomic, occupational, and geographic factors that define people who are disproportionately burdened by climate impacts. For a more detailed discussion of current and projected climate hazards and environmental health disparities, see the 2025 Whatcom County Climate Hazard & Impact Assessment Report.

Issues, Goals, and Policies

The resilience sub-element addresses all eleven sectors recommended in the 2023 WA State Department of Commerce Climate Element Intermediate Planning Guidance in the resilience goals and policies listed below.

Agriculture and Food Systems

Higher air temperatures, more days with extreme heat, flooding, and drought are expected to disrupt water availability and intensify stress on crops and livestock, undermining sustainability and reducing yields. More extreme precipitation and shifts in snowpack and stream flows will alter seasonal water availability for irrigation and drive changes to agricultural practices. As suitable seasonal windows for planting and cultivation shift, producers may need to adopt climate-adaptive agricultural practices, including regenerative agriculture, modified crop and livestock selection, soil carbon enhancement, and water conservation.

Goal 12K: **Adapt agricultural production systems and practices to a changing climate and fortify the food system against climate disruptions.**

Policy 12K-1: Support agricultural producers in diversifying crops resilient to climate change, promoting variety and climate-resilient crop types to improve food security, and reducing risks associated with climate variability.

Policy 12K-2: Promote the adoption of climate-friendly agricultural practices that increase carbon sequestration and improve soil health through innovative methods, including regenerative agriculture, agroforestry, and silvopasture to increase carbon sequestration and improve soil health.

Policy 12K-3: Evaluate the risks posed by climate hazards (e.g. drought, flooding, heat waves) to agricultural production, and develop strategies to mitigate these risks.

Policy 12K-4: Encourage agricultural producers to diversify their product offerings, where feasible, to increase the resilience of the local food system to climate-related disruptions.

Policy 12K-5: Develop and implement strategies to conserve water resources for agricultural use, including incentives for water-efficient irrigation systems and practices that enhance water catchment and retention.

Policy 12K-6: Develop a monitoring and response strategy for saltwater intrusion into aquifers and drainage systems.

Policy 12K-7: Continue supporting local, regional, and state partners to implement real-time drought monitoring systems and forecasting capabilities that support emergency water access plans for water users.

Policy 12K-8: Explore opportunities to expand water storage capacity and improve streamflow management for agricultural purposes, particularly in areas vulnerable to seasonal water shortages.

Policy 12K-9: Increase agricultural resilience to climate impacts such as sea level rise, shoreline erosion, and riverine flooding by adapting drainage management systems and restoring estuary, riparian, floodplain, and wetland habitats.

Policy 12K-10: Promote best practices in soil conservation to minimize erosion, particularly in areas at high-risk of riverine flooding or sea level rise.

Buildings & Energy

More extreme climate conditions and weather events will likely increase energy demand for heating and cooling buildings, particularly those that are not adequately

weatherized. While warmer air temperatures due to climate change may lower energy demand for heating buildings, increased demand during extreme cold weather events could offset any demand decrease during cold-weather months. Hotter and longer summer punctuated by extreme heat waves will increase cooling demand in the warm-weather months, particularly in areas with inadequate tree cover and development patterns that create more heat islands. Climate hazards, like sea level rise and flooding, may also cause displacement, in addition to damaging or destroying existing structures. The increased prevalence and intensity of wildfire is also expected to heighten displacement risk, increase exposure of vulnerable populations, especially the most vulnerable, to heat and smoke. These disruptive forces will reduce insurability, and raise building retrofit costs for buildings that that improve weatherization, indoor air quality safety, heating, and cooling.

Goal 12L: Design and update building and energy infrastructure for increased survivability, reliability, recovery, and efficiency during extreme weather events, floods, wildfires, and other hazards exacerbated by climate change.

Policy 12L-1: Encourage utility providers to upgrade and improve energy infrastructure to reduce vulnerability to climate-related hazards and to safeguard public health and improve service capacity for remote, underpowered communities.

Policy 12L-2: Promote participation in utility energy efficiency and demand response programs to reduce energy consumption during peak periods, especially during extreme weather events, and to extend available system capacity during emergency conditions.

Policy 12L-3: Develop building design standards that reflect climate forecasts for the region and provide for passive survivability to ensure safe indoor conditions in the event of an extended energy outage.

Policy 12L-4: Evaluate the installation of distributed generation systems, such as solar with energy storage and microgrids or thermal energy networks, in new County-owned critical facilities to ensure energy availability during power outages.

Policy 12L-5: Update flood code to reflect climate exacerbated flooding and evaluate development regulations that restrict and regulate the design and location of buildings and infrastructure in flood-prone areas, and to the extent they are allowed, require new buildings and encourage and incentivize existing buildings are adapted to withstand flooding, through standards related to elevation, floodproofing, improved drainage systems, and the protection of life and property.

Policy 12L-6: Prioritize relocation or retrofitting of critical infrastructure and at-risk buildings in areas subject to frequent flooding to reduce long-term risks and recovery costs, and adopt land use regulations that restrict further development in areas forecasted to experience additional flood impacts due to climate change.

Policy 12L-7: Implement development regulations to mitigate wildfire risks and partner with agencies to create defensible spaces around structures in the wildland-urban interface and to safeguard densely populated areas.

Policy 12L-8: Prioritize relocation or retrofitting of essential infrastructure, including undergrounding utilities such as electrical lines, communication cables, water pipelines, and gas pipelines, in high-risk wildfire zones to enhance safety and recovery capabilities.

Policy 12L-9: Maintain land-use policies and update the Critical Areas Ordinance to reduce exposure to landslide risks by completing additional geotechnical assessments in highest-risk areas.

Policy 12L-10: Promote relocation or reinforcement of infrastructure and homes in areas vulnerable to landslides to mitigate the threat to public health and safety posed by this hazard.

Policy 12L-11: Prepare for sea level rise by developing and implementing land use regulations that address risks to development and encourage relocation of essential infrastructure and residential structures in vulnerable coastal areas at risk of inundation and repeated flooding.

Policy 12L-12: Support adaptation measures, such as habitat restoration, soft shoreline stabilization techniques, elevating structures and infrastructure, and managed retreat to protect coastal communities from rising sea levels.

Policy 12L-13: Partner with organizations to ensure the availability of adequate short-term emergency sheltering and emergency relief facilities for vulnerable populations during extreme weather events.

Policy 12L-14: Increase public access to community-serving facilities to provide relief during extreme heat events and periods of poor air quality due to wildfire smoke.

Policy 12L-15: Retrofit public buildings and other critical facilities to incorporate efficient air filtration systems and cooling technologies to protect vulnerable populations from heat stress and smoke-related health impacts.

Policy 12L-16: Coordinate with utility providers and franchisees to identify safe, feasible adaptation measures (e.g. elevated piping, reinforced casing, floodproofing) in floodplains, consistent with state pipeline safety standards.

Cultural Resources

Cultural resources are at increased risk to climate change due to warmer air temperatures, more extreme heat days, drought, wildfires, and flooding. Climate change can result in increased stress and loss of habitat for culturally significant

species, increased storms and flooding, shifting habitat distribution, damage to historic and cultural sites, and limited access to gathering sites in coastal areas.

Goal 12M: **Ensure that cultural resources and practices, including historic sites and culturally important traditional foods and natural resources, are resilient to the impacts of extreme weather and other natural hazards worsened by climate change.**

Policy 12M-1: Consult with Tribes and Department of Archaeology and Historic Preservation (DAHP) to identify cultural resources and practices, including historic sites and culturally important traditional foods and natural resources that are threatened by climate change.

Policy 12M-2: Protect archaeological sites and artifacts from damage, deterioration, or loss of integrity caused by climate-related hazards.

Policy 12M-3: Through consultation with Tribes and DAHP, identify culturally significant buildings and structures at risk of destabilization, submersion, or collapse due to flooding and consider relocation or elevation, if appropriate.

Policy 12M-4: Evaluate the vulnerability and sensitivity of culturally significant roads, trails, and landscape features prone to damage or alteration from climate change.

Policy 12M-5: Through consultation with Tribes and DAHP, protect culturally significant species and habitats that are threatened by climate change.

Policy 12M-6: Strengthen partnerships with federal recognized Tribes to advance the adaptation and preservation of cultural resources at risk due to climate change, as identified in tribal cultural resource codes.

Economic Development

Due to climate change, the regional economy risks employment disruption, supply chain challenges, and decreased productivity in key sectors such as the manufacturing, construction, transportation, energy, maritime, tourism, agriculture, and forestry sectors, and reduced recreation opportunities. Whatcom County is expected to experience increasing costs related to relocation and damage to property and infrastructure due to coastal and riverine flooding, in addition to production losses due to extreme heat, drought, wildfire, and ocean acidification. There is expected to be increasing price volatility for business inputs, loss of operational continuity, shifts in resource availability, transportation disruptions, and increased unavailability of insurance in some areas.

Goal 12N: **Foster and enhance the resilience of key economic sectors against the risks of extreme heat, changes in temperature**

and precipitation, drought, wildfires, flooding, coastal flooding, and ocean acidification.

Policy 12N-1: Promote financial and technical assistance programs to help agricultural producers introduce diversified intercropping, crop and livestock selection, and climate-adaptive agricultural practices in response to climate change.

Policy 12N-2: Partner with the Port of Bellingham to adapt port-owned facilities and infrastructure to coastal flooding, sea level rise, and other climate impacts.

Policy 12N-3: Monitor the impacts of warming ocean temperatures and ocean acidification on the seafood industry and promote diversification to reduce vulnerability to climate-related disruption.

Policy 12N-4: Promote climate-adaptive forest management practices, such as increasing age distribution, rotation period, and stand structure to improve forest resilience to climate impacts.

Policy 12N-5: Identify commercial and industrial facilities in shoreline and floodplain areas at risk of flooding and coastal inundation.

Policy 12N-6: Encourage energy infrastructure modernization, such as underground transmission lines, microgrids, and smart grid technologies to improve safety and reduce vulnerability to wildfire and other climate impacts.

Policy 12N-7: Develop economic innovation strategies to minimize workforce displacement and supply chain disruptions caused by climate-related impacts on key industries.

Ecosystems

Climate change brings great risks to ecosystems. Rising temperatures, extremes of flood and drought, reduction in snowpack, increased wildfires, sea level rise, and ocean acidification are projected to bring landscape change, habitat loss, reduced species diversity, disrupt species distribution and cause an overall decline in ecosystem health.

Goal 12O: **Protect and restore priority critical areas and natural habitats that are at high-risk for flooding, sea level rise, landslides, wildfires, drought, or other events exacerbated by climate change.**

Policy 12O-1: Protect and restore coastal ecosystems, including coastal bluffs, estuaries, and marine habitats that are vulnerable to sea level rise, coastal flooding, and erosion.

Policy 12O-2: Promote climate-resilient forest management practices that increase canopy cover where appropriate, improve forest health, increase biodiversity, and mitigate wildfire risks.

Policy 12O-3: Encourage climate-resilient forest management practices, such as selective thinning and controlled burns, and invasive species management to improve forest health and reduce wildfire risks.

Policy 12O-4: Protect and restore watersheds, riparian buffers, and wetlands to increase carbon sequestration, improve water retention and reduce flood risk.

Policy 12O-5: Strengthen partnerships with state agencies, tribal nations, and conservation organizations to implement watershed-scale restoration initiatives to increase resilience to climate impacts.

Policy 12O-6: Work with federal partners to prioritize alpine habitats for active management, restoration, and protection across jurisdictional boundaries.

Policy 12O-7: Coordinate countywide ecosystem planning efforts to address climate impacts on priority habitats, in conjunction with County capital infrastructure planning.

Policy 12O-8: Promote ecosystem restoration and protection projects that prioritize the recovery of habitats for critical endangered, threatened, and priority fish and wildlife species.

Policy 12O-9: Work with the State, Tribes, and other stakeholders to evaluate a voluntary, incentive driven framework and strategy for achieving restoration and enhancement of salmon and other aquatic species habitat for public and private projects.

Emergency Management

Climate hazards such as drought, extreme weather events, wildfire, and flooding are expected to increase costs and demands for emergency preparedness, response, and recovery services, and could strain or overwhelm local emergency response capacity. These climate risks include increased demand for shelter, damaged buildings and infrastructure, additional pressure on energy grids and communication systems, and disruption to emergency management facilities, medical services, and critical equipment and supplies due to impossible or unsafe travel conditions and the potential magnitude of emergency events.

Goal 12P: Factor climate risks and impacts into critical infrastructure siting, emergency operations planning, and the coordination of preparedness, response, and recovery activities.

Policy 12P-1: Incorporate climate risk assessments into hazard mitigation plans, including hazards such as extreme heat, drought, wildfire and wildfire smoke, riverine flooding, and coastal flooding.

Policy 12P-2: Update emergency management plans to improve Whatcom County's capacity to respond to and recover from climate impacts and natural hazards, ensuring that plans are regularly reviewed to

address the latest climate projections and emerging hazards, such as wildfire threats to densely populated areas.

Policy 12P-3: Strengthen partnerships with federal, state, tribal, and local agencies to coordinate emergency preparedness and response efforts across jurisdictional boundaries.

Policy 12P-4: Prioritize overburdened communities in emergency management planning, including residents in floodplains, coastal zones, islands, wildfire-prone areas, and other areas at high risk of climate hazards.

Policy 12P-5: Develop and implement climate-resilient evacuation plans, with a focus on areas most vulnerable to wildfires and flooding.

Policy 12P-6: Ensure that evacuation routes are regularly assessed, maintained, publicized, and accessible to all residents, including those with limited access to transportation.

Policy 12P-7: Increase community awareness and preparedness for climate-related emergencies by conducting regular tests of evacuation and other emergency alerts and providing accessible public information, including in multiple languages.

Policy 12P-8: Support the modernization of utility, transportation, and communication infrastructure to ensure continued operations during extreme weather events and other climate-related disruptions.

Policy 12P-9: Collaborate with local organizations and community groups to expand the capacity of and facilitate access to extreme weather shelters for vulnerable populations, including low-income, medically fragile, elderly, and homeless individuals.

Policy 12P-10: Factor climate risks, such as flooding, sea-level rise, wildfire, and landslides, into the siting of new critical infrastructure, including roads, schools, hospitals, utilities, and emergency services facilities.

Policy 12P-11: When relocating or retrofitting existing critical infrastructure, give priority to those installations that are highly vulnerable to climate hazards, ensuring continued functionality during extreme events.

Policy 12P-12: Encourage utility providers to enhance the resilience of energy infrastructure by preparing for disruptions in energy supply, electricity transmission, and power distribution.

Policy 12P-13: Coordinate with Whatcom Transportation Authority to assess potential transit service disruptions and create plans to maintain transit reliability during extreme weather events.

Policy 12P-14: Coordinate with Fire Departments, Fire Districts, Search and Rescue, Law Enforcement, and other first responders to ensure timely and unified emergency response, minimize disruption of

services, and support workplace safety and volunteer and professional workforce protection.

Health

Climate change is adversely impacting public health by increasing cases of infectious and vector-borne diseases and reducing food security and water quality. Floods, droughts, wildfire and wildfire smoke, extreme temperatures, and storms are expected to contribute to increased acute health emergencies, chronic disease and hospitalization. Overburdened communities, particularly those with preexisting health conditions, socioeconomic vulnerabilities, residence in an area at risk to climate impacts, or occupational risk are more likely to experience health impacts due to climate change.

Goal 12Q: Prioritize equitable access to resources and services for overburdened communities experiencing adverse health impacts due to climate change.

Policy 12Q-1: Integrate climate-related health risks into public health planning, giving priority to address the needs of overburdened communities disproportionately affected by climate hazards.

Policy 12Q-2: Develop community-based health programs that focus on preventing and mitigating the adverse health impacts of climate change, such as heat stress, wildfire smoke exposure, respiratory illnesses, waterborne diseases, invasive-species borne, and other novel infectious disease.

Policy 12Q-3: Prioritize investments in healthcare providers, community organizations, and tribal governments to ensure that healthcare services are accessible and responsive to the needs of vulnerable populations.

Policy 12Q-4: Prioritize investments in health infrastructure and services in communities most affected by climate-related health impacts, including low-income neighborhoods, rural areas, and other overburdened communities.

Policy 12Q-5: Strengthen public health monitoring systems to assess the long-term impacts of climate change on vulnerable populations, with a focus on emerging health threats.

Policy 12Q-6: Establish contingency plans and train to execute them with community partners for maintaining critical health services, including mobile health units, telemedicine, and Fire/EMS response and transport, during extreme weather events and infrastructure failures.

Policy 12Q-7: Ensure that with emergency management responders are trained and equipped to rapidly restore essential services in the wake of climate-related disasters, particularly in overburdened communities.

Policy 12Q-8: Increase public health outreach to increase compliance with the Washington Outdoor Heat Exposure Rules to reduce exposure and prevent heat-related illness for outdoor workers, including agricultural workers.

Transportation

Climate change is expected to adversely impact transportation infrastructure, including increased road surface damage from higher temperatures, and additional maintenance requirements for roadside vegetation and infrastructure damage from rain, freeze, and thaw cycles. Increasing temperatures and flooding may cause road closures, delays in ferry, transit, and air travel, and risks to routes, roads, bridges, sidewalks, trails, rail, and airport infrastructure.

Goal 12R: Ensure the resilience of the transportation system by considering climate risks in siting and planning, incorporating redundancies, preparing for disasters and other impacts, and conducting coordinated planning for system recovery.

Policy 12R-1: Conduct climate risk assessments during transportation planning processes to ensure that transportation networks remain operational amid flooding, wildfire, sea-level rise, extreme heat, and landslides, using available data to prioritize upgrades for vulnerable routes.

Policy 12R-2: Collaborate with regional, state, and local partners to develop and implement comprehensive transportation plans that incorporate climate adaptation strategies and prioritize the protection of vulnerable populations and critical access and evacuation routes.

Policy 12R-3: Improve access to climate-resilient transportation options, such as public transit, cycling, and pedestrian infrastructure to increase system flexibility during disruptions for rural and overburdened communities.

Policy 12R-4: Invest in resilient transportation infrastructure that prioritizes greenspaces, stormwater management, natural buffers, and wetland restoration to mitigate climate-related risks of flooding, landslides, and coastal erosion.

Policy 12R-5: Identify, map, and regularly review the viability of critical transportation corridors that serve as lifelines for emergency response and recovery, ensuring that these routes remain operational during disasters.

Policy 12R-6: Develop and regularly update contingency plans to minimize transportation service disruptions caused by extreme weather events, emphasizing the rapid restoration of public transit, emergency evacuation routes, and freight corridors.

Policy 12R-7: Implement and maintain real-time monitoring and communication systems to provide timely updates to the public on transportation service disruptions, accessible to low-income, rural, underserved, and other vulnerable populations.

Policy 12R-8: Prioritize equitable access to alternative transportation options for communities disproportionately impacted by service disruptions, including low-income and rural populations.

Policy 12R-9: Factor climate risks, such as sea level rise, flooding, extreme heat, and landslides, into the siting and design of new transportation infrastructure to minimize future vulnerabilities.

Policy 12R-10: Support the strategic closure, rerouting, or elevation of critical transportation infrastructure that is at high risk of climate impacts, such as roads in areas at risk of wildfire and flooding.

Policy 12R-11: Ensure that transportation design guidelines incorporate climate adaptation and resilience standards, particularly for infrastructure located in floodplains, coastal areas, and wildfire-prone regions.

Policy 12R-12: Incorporate hydrologic climate impacts into the design of water-crossing structures (i.e. climate smart culverts and bridges) for fish and wildlife passage and habitat quality.

Waste Management

More extreme precipitation, storms, sea level rise, and flooding increases strain on wastewater systems and increases the risk of flooding to waste management facilities and landfills. Flooding and wildfires can have an adverse impact on waste pickup and delivery operations and increase service needs for disposal following storms and wildfires due to the generation and accumulation creating public safety risks.

Goal 12S: **Encourage solid waste collection servicers to plan for the impact of climate hazards on waste facility siting and operations.**

Policy 12S-1: Evaluate the siting of new waste management facilities against climate risk assessments to minimize long-term vulnerabilities.

Policy 12S-2: Update the Debris Management Plan to incorporate climate hazards and plan for continued operations during and after climate-related disruptions, such as extreme storms, floods, wildfires, or heatwaves.

Policy 12S-3: Encourage upgrades of waste facility infrastructure, such as stormwater management systems, to mitigate infrastructure risks from flooding and erosion, sea level rise, and contamination risks.

Policy 12S-4: Establish protocols for safe and efficient waste collection and disposal of debris during and after emergencies, ensuring that waste services respond to extreme weather events.

Water Resources

Projected climate change will adversely affect water availability, quality, and stormwater management. The retreat of the North Cascades glaciers and decreased winter snowpack will result in lower summer streamflow. As the glaciers retreat the summer base flows will appear to normalize or remain higher than historical flows, masking the threat of long-term glacial retreat. Warmer and drier summers and increased growth and development will increase demands on water resources, causing further reductions in instream flows and groundwater recharge and increasing the risk of seawater intrusion, especially when combined with rising sea levels. In addition, increased winter precipitation will result in more frequent and intense flooding requiring innovative stormwater management solutions. With the anticipated disruption of the county's hydrological patterns due to climate change, it is important to prioritize proactive measures to ensure water security and enhance community resilience against its long-term impacts.

Goal 12T: **Strengthen the resilience of Whatcom County's water sources and systems to climate impacts by enhancing watershed protection, stabilizing water supplies, conserving habitats, and improving water infrastructure.**

Policy 12T-1: Consider climate change in the floodplain management planning process, including incorporating best available science modelling changes in groundwater, sea level rise, and flooding frequency and magnitude.

Policy 12T-2: Collaborate with local, regional, and tribal partners to ensure that water resource planning through the WRIA 1 Watershed Management Project integrates climate projections and surface and groundwater modelling and monitoring, with a focus on evaluating the impacts of climate change on water availability, quality, and infrastructure.

Policy 12T-3: Prioritize the restoration of wetland and riparian management zones to mitigate temperature increases in streams and restore natural streamflow, improve habitat connectivity to lost or degraded habitats, protecting aquatic species that are vulnerable to warmer water conditions and providing connected habitat for aquatic and terrestrial species.

Policy 12T-4: Invest in green infrastructure solutions, such as bioswales and permeable pavements, to manage increased stormwater runoff caused by increased precipitation and mitigate the adverse effects of construction and development.

Policy 12T-5: Update stormwater management practices and treatment systems to incorporate climate projections, including updating fish barrier culverts, to handle larger volumes of runoff, reducing the risk of flooding and water contamination during storms.

Policy 12T-6: Strengthen regulatory requirements for stormwater management in new developments to ensure that climate impacts are incorporated in design and construction, consistent with updated stormwater management guidance.

Policy 12T-7: Expand efforts to protect and restore critical watersheds, particularly those that provide essential water supplies and habitat for priority species vulnerable to climate change.

Policy 12T-8: Incorporate wetland riparian area, groundwater recharge areas, and headwater restoration and protection as a key component of climate adaptation strategies, recognizing the complimentary benefits of mitigating storm impacts and supporting biodiversity.

Policy 12T-9: Promote investments in infrastructure upgrades that enhance the capacity and conveyance of surface water to handle shifting water demands and supply variability.

Policy 12T-10: Implement natural water storage solutions, such as floodplain reconnection, beaver management, wetland enhancement, and headwater and critical aquifer recharge area restoration.

Policy 12T-11: Implement water conservation and water use efficiency programs to reduce overall demand, especially during periods of drought or limited water availability.

Policy 12T-12: Encourage investments in water treatment infrastructure that improve the capacity to provide clean drinking water in the face of increased contamination risks due to climate change.

Policy 12T-13: Assess and implement resilience strategies to reduce the vulnerability of aquifers, wastewater systems, and septic systems to seawater intrusion, flooding from rising sea levels, and changing groundwater tables.

Policy 12T-14: Work with the PUD-1 and public water systems to coordinate voluntary and mandatory water use restrictions during declared droughts.

Policy 12T-15: Identify potential interties between public water systems to mitigate drought impacts.

Policy 12T-16: Evaluate the vulnerability of the Lake Whatcom watershed to climate change, based on best available projections of changes in temperature and precipitation.

Zoning & Development

Zoning and development changes can build resilience to climate impacts by limiting new development in areas at risk of flooding, wildfire, sea level rise, and other climate-related hazards. Development regulations and zoning also affect the availability and permitted uses of developable land in hazard zones, reduce risk to shoreline properties, and reduce infrastructure damage and displacement. Coastal and riverine

infrastructure is particularly at risk to sea level rise and flooding, which can be mitigated through natural and built infrastructure solutions. Infrastructure in the wildland-urban interface and even in areas of dense development area increasingly at risk from wildfire as fire seasons become hotter and drier. These risks can be mitigated with development regulations and zoning.

Goal 12U: Update zoning and development regulations that incorporate best practices for reducing the risk of extreme heat, sea level rise, reduced water availability, flooding, wildfire, and other climate hazards.

Policy 12U-1: Evaluate expanding protection for critical areas and shorelines that are vulnerable to sea level rise and flooding, ensuring that development is restricted and/or adequately mitigated for in high-risk zones.

Policy 12U-2: Promote the use of conservation easements and other land preservation tools to advance carbon sequestration.

Policy 12U-3: Prioritize the transfer of development rights from high-risk areas, including shorelines and flood-prone and fire-prone zones to areas less susceptible to climate impacts.

Policy 12U-4: Incorporate climate migration considerations into zoning and land use policies to encourage new development in areas that are at lower risk to climate impacts, such as sea level rise, decreased water availability, flooding, and wildfires.

Policy 12U-5: Work with neighboring jurisdictions and regional planners to address the impacts of climate migration and ensure that zoning policies support sustainable growth in lower-risk areas.

Policy 12U-6: Use best available science to periodically update countywide climate vulnerability assessments to inform land use planning and define areas vulnerable to sea level rise, flooding, wildfire, and other climate impacts.

Policy 12U-7: Refer to countywide climate vulnerability assessments when reviewing land use and development proposals that propose to increase density in rural and resource lands.

Policy 12U-8: Discourage new development in areas at high-risk to wildfires, landslides, flooding, and sea level rise without adequate mitigation measures in accordance with best practices to mitigate potential public safety risks and property losses.

Policy 12U-9: Evaluate the rezoning of low climate hazard risk areas for higher-density development in UGAs, focusing on multimodal and transit-oriented communities to reduce greenhouse gas emissions.

Policy 12U-10: Update shoreline management program, critical areas ordinance, and flood code for consistency with Chapter 173-26 WAC rulemaking to address the impact of sea level rise and increased storm severity on people, property, and the environment.

RESILIENCE SUB-ELEMENT MAPS

The following maps and associated analysis are included to meet intermediate guidance requirements to use climate modeling to identify and prepare for natural hazards exacerbated by climate change. Given geospatial data limitations, analysis includes mapping of some climate impacts, as illustrated below. Hazard areas shown are not intended to provide site-specific analysis, but rather an approximation of potential future risk to public assets.

COUNTYWIDE FORECASTED NEAR-TERM CLIMATE IMPACTS

Consistent with the requirement that a resilience sub-element utilize the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, the following maps summarize countywide forecasted risks to buildings, critical infrastructure, and roads across Whatcom County due to flooding, erosion, groundwater, and sea level rise impacts.

The following maps illustrate projected exposure by 2040 due to 0.8 feet of sea level rise and 20-year coastal storm and a 20 percent increase in peak river flows (1.2x the current 100-year flood event). Initial analysis forecasts 6,652 buildings, 63 critical facilities, and 150 miles of road at risk across Whatcom County due to riverine and sea level rise impacts. Areas at highest risk are those that may be subject to deep or fast-flowing water, daily tidal flooding, or served by exposed critical infrastructure. NOAA provides tidal surge data and relative sea level trend from a gauge at Cherry Point.

Figure 1. **Whatcom County Near-Term Forecasted Coastal Hazard Exposure**- Map illustrates forecasted critical facility, road, and building exposure forecasted at risk due to coastal erosion, coastal flooding (0.8 feet sea level rise), and groundwater flooding by 2040.

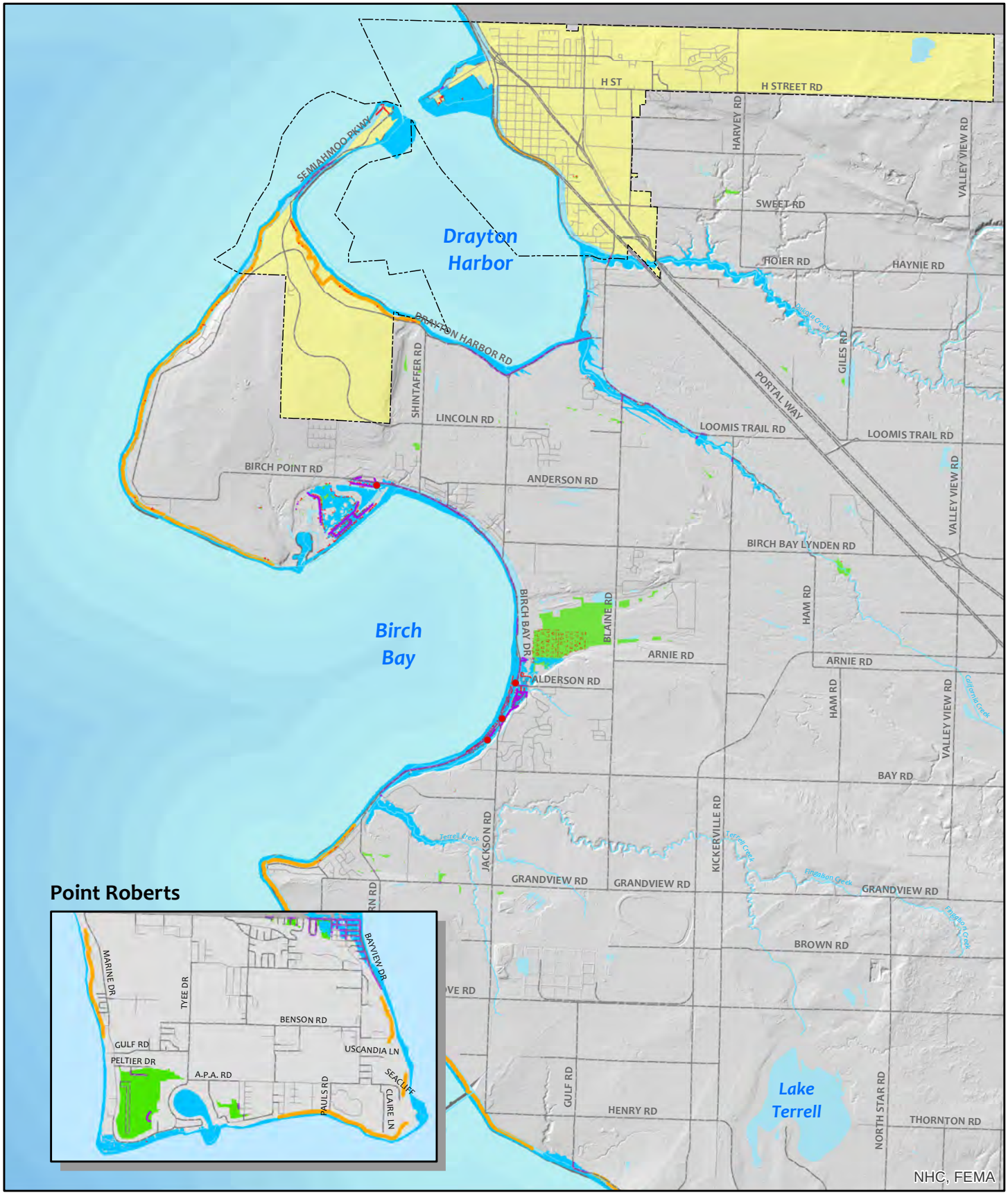
Figure 2. Whatcom County Near-Term Forecasted Riverine Hazard Exposure- Map illustrates forecasted critical facility, road, and buildings forecasted at risk due to riverine erosion, riverine flooding (1.2x 100-year flood), and groundwater flooding by 2040.

Figure 3. Whatcom County Roads Forecasted Impacts- Map illustrates forecasted road exposure forecasted at risk due to coastal and riverine hazards by 2040 and 2080.

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Map 12-1a

Near Term Forecasted Coastal Hazard Exposure



Whatcom County - Blaine, Birch Bay, Point Roberts

- Critical Facilities
- Building - Near-term Exposure
- Roads - Near-term Exposure
- Coastal Erosion (.8ft SLR)
- Coastal Flooding (.8ft SLR)
- Groundwater Flooding

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Geographic Information Systems WHATCOM COUNTY WASHINGTON 2025

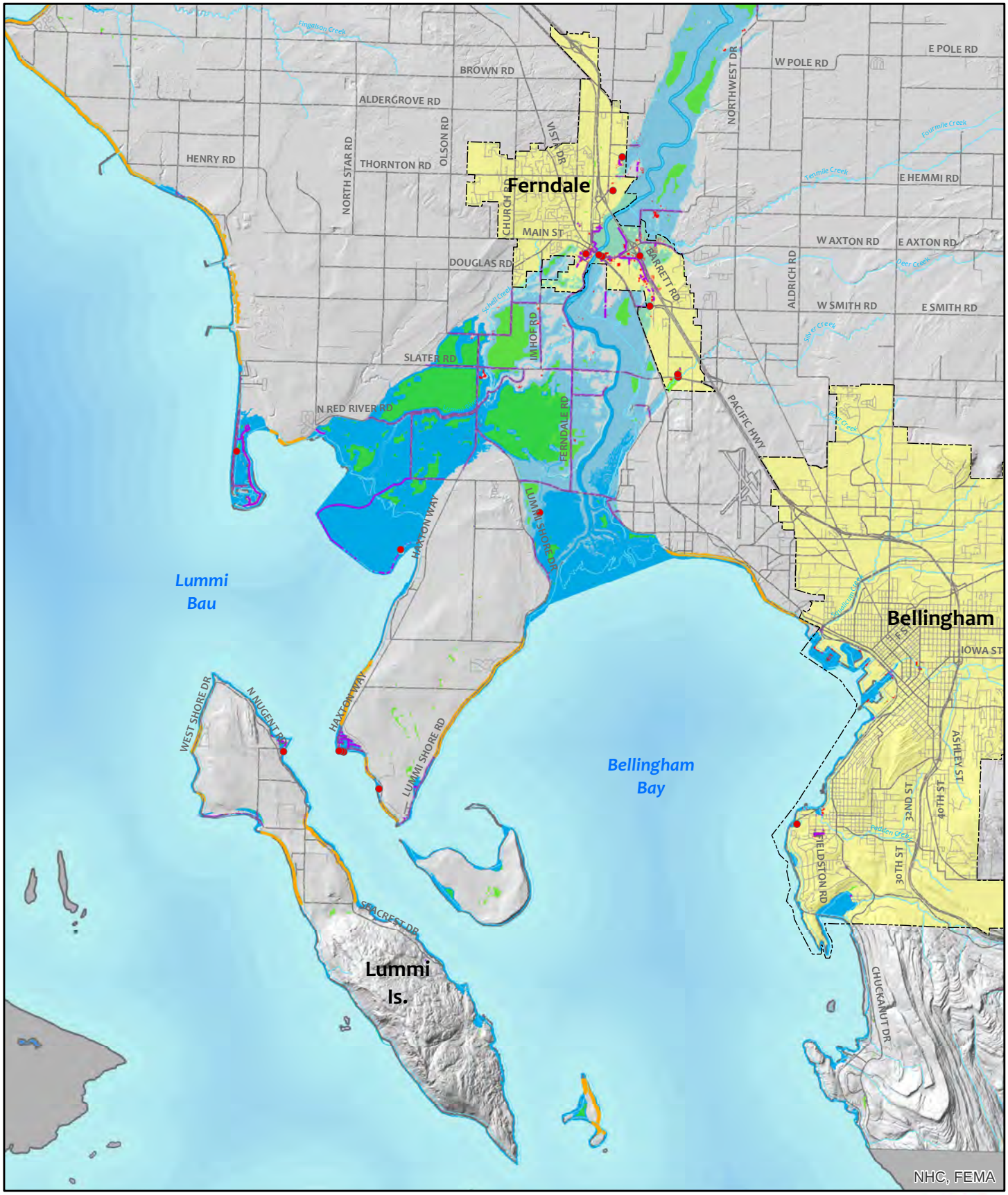
0 0.25 0.5 1 1.5 2 Miles

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Map 12-1b

Near Term Forecasted Coastal Hazard Exposure



Whatcom County - Cherry Point, Bellingham, Lummi Island

- Critical Facilities
- Building - Near-term Exposure
- Roads - Near-term Exposure
- Coastal Erosion (.8ft SLR)
- Coastal Flooding (.8ft SLR)
- Nooksack 1.2x 100 Yr. Floodplain
- Groundwater Flooding

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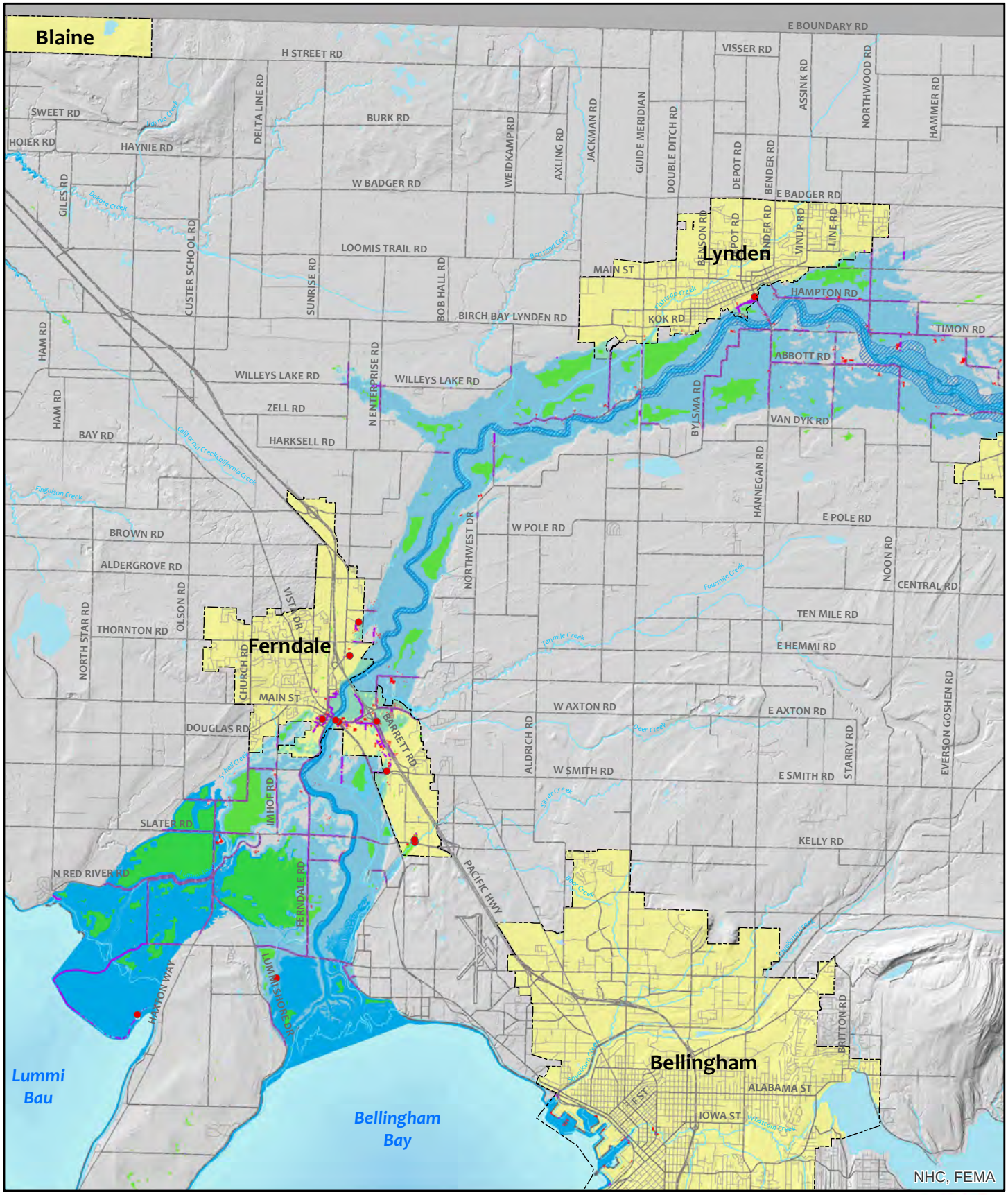
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Map 12-2a

Near Term Forecasted Riverine Hazard Exposure



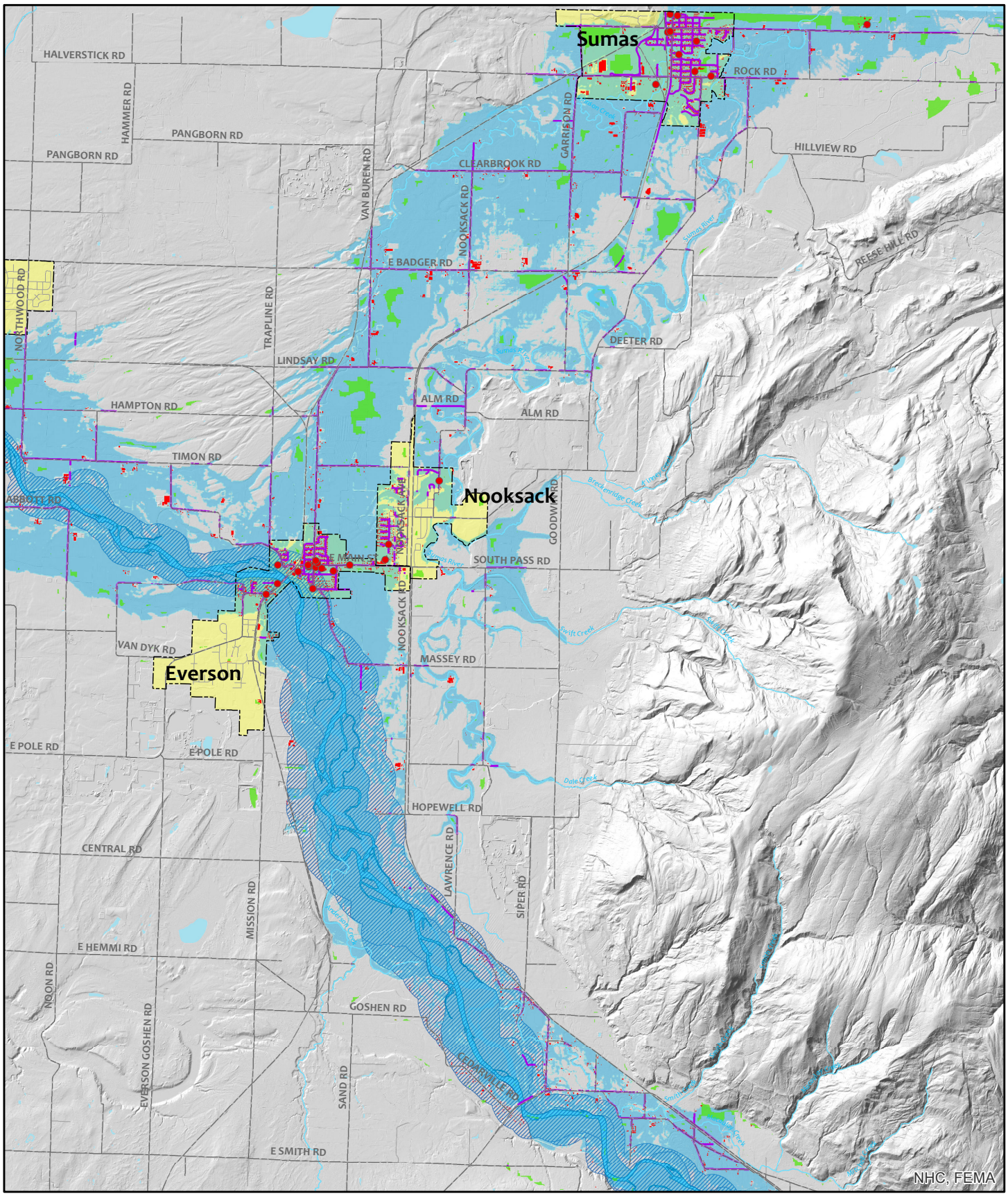
Whatcom County - Ferndale, Lynden

- Critical Facilities
- Building - Near-term Exposure
- Roads - Near-term Exposure
- Nooksack 1.2x 100 Yr. Floodplain
- Coastal Flooding (.8ft SLR)
- Groundwater Flooding
- Riverine Erosion

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0 0.25 0.5 1 1.5 2 Miles

Map 12-2b
Near Term Forecasted Riverine Hazard Exposure



Whatcom County - Everson, Nooksack, Sumas

- Critical Facilities
- Building - Near-term Exposure
- Roads - Near-term Exposure
- Nooksack 1.2x 100 Yr. Floodplain
- Riverine Erosion
- Groundwater Flooding

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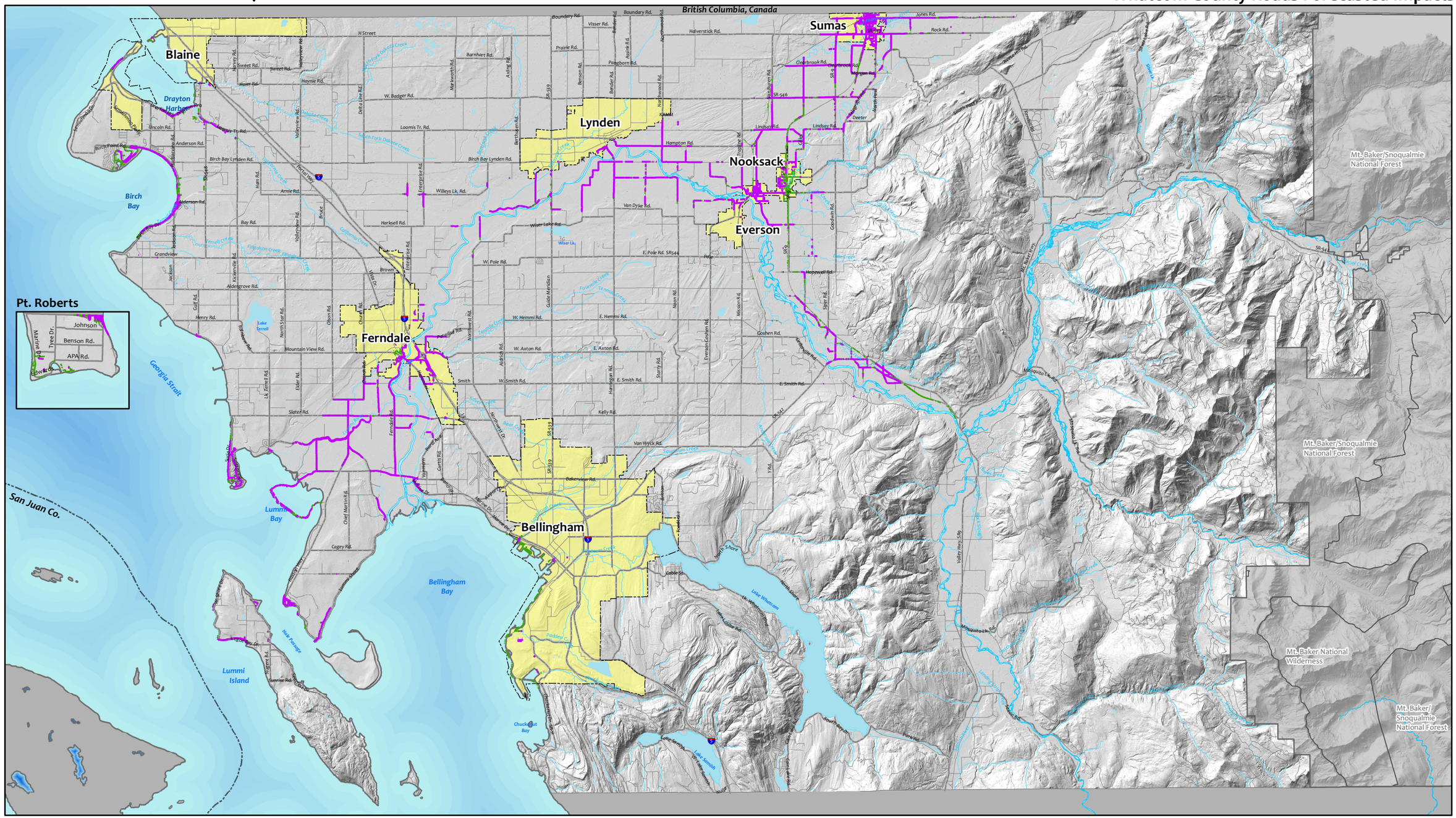
Geographic Information System
WHATCOM COUNTY WASHINGTON
2025

0 0.150.3 0.6 0.9 1.2 Miles

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Map 12-3
Whatcom County Roads Forecasted Impacts



Forecasted Road Exposure - Coastal and Riverine Hazards Near Term (2040)

Forecasted Road Exposure - Coastal and Riverine Hazards Mid Term (2080)

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0 0.75 1.5 3 4.5 6 Miles