

WHATCOM COUNTY

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



Mark Personius, AICP
Director

MEMORANDUM

TO: Whatcom County Council

THROUGH: Steve Roberge, Assistant Director, PDS

FROM: Amy Keenan, AICP, Special Projects Manager

Date: June 28, 2024

Subject: Whatcom County Hearing Examiner's Recommendation Regarding the City of Bellingham Umbrella Mitigation Bank Major Project Permit

On June 13, 2024, the Whatcom County Hearing Examiner issued a recommendation of approval with findings of fact and conclusions of law for the City of Bellingham (COB) Umbrella Mitigation Bank Major Project Permit.

This major project permit request is the conclusion of the Whatcom County permit process for a mitigation bank. The Whatcom County Council previously reviewed the City of Bellingham's Umbrella Mitigation Bank Prospectus and granted the COB notice to proceed on August 9, 2022. The COB subsequently applied for the major project permit on February 28, 2024.

The proposal, with the COB as the mitigation bank sponsor, is to create two wetland mitigation bank sites in Whatcom County on land owned by the COB. The Bear Creek Corridor site consists of approximately 96 acres and is located in the Silver Creek Watershed. The McCormick Creek Headwater site includes approximately 158 acres and is located in the Squalicum Creek Watershed.

After approval of the major project permit, the COB will continue with approval of the final mitigation bank instrument with the Army Corps of Engineers, the Washington State Department of Ecology, Whatcom County and other agencies and tribes. When completed, the mitigation bank will allow the COB to offer credits within the bank service area to offset permitted wetland and aquatic resources, and buffer impacts, in lieu of conducting mitigation onsite.

Pursuant to WCC 22.05.120, the Whatcom County Council is authorized to approve major project permits. The written decision shall be based solely upon consideration of the record established by the hearing examiner and the criteria set forth in County Code. Please note that deliberation on this quasi-judicial action shall be in accordance with WCC 22.05.090(4) and Chapter 42.36 RCW.