

Whatcom County Council Planning and Development Committee

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



Committee Minutes - Final

Tuesday, April 25, 2023

2:35 PM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 3:15 P.M., MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Tyler Byrd
Ben Elenbaas
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Ben Elenbaas called the meeting to order at 2:59 p.m. in a hybrid meeting.

Roll Call

Present: 3 - Tyler Byrd, Ben Elenbaas, and Kaylee Galloway

Also Present: Barry Buchanan, Todd Donovan, Carol Frazey, and Kathy Kershner

Announcements

Committee Discussion

1. [AB2023-303](#) Discussion of SB5353 concerning the voluntary stewardship program- DBD check date before finalizing the schedule

Elenbaas stated it looks like this bill is going to pass so he would like to talk about it and get on the same page as the Planning and Development Services Department and hopefully let them know that this is a direction the Council does want to travel in, then see what we can do to make sure we have staffing and funding to implement it.

Cliff Strong, Planning and Development Services Department, stated it sounds like we can go forward with something and could either fund it ourselves or wait for State funding. He talked to the Voluntary Stewardship Program (VSP) coordinator from the Conservation Commission and he has offered to come do a presentation on how it might work. They are working on some draft guidance for counties that might want to join so it might be a good idea to schedule a presentation.

Tyler Schroeder, Director of Administrative Services, answered whether there is State funding or whether it would have to be funded and staffed from within. He stated the summary of the Senate bill report indicates that the county that elects to join a VSP is eligible for a share of any new funding made available to implement the program subject to the funding availability from the State. So, he thinks we would have to find a corresponding operating budget allocation to fund the VSP in the State budget. The Administration will take a look at that and follow up.

Elenbaas stated the purpose of having this in committee is to ask what Planning will need from the Council in order for them to know that this is the direction we want to travel, and to find out what we need to have in the way of a Resolution or an Ordinance.

Mark Personius, Planning and Development Services Department Director, stated this is new to everybody and suggested we invite the Conservation Commission to come to present and maybe Skagit County because he thinks they are in the program. He answered whether it would take a County Ordinance to join the VSP program and stated he thinks the bill requires at least a Resolution, but he would like to gather more information for Council and get a briefing from the Conservation Commission and another county that has gone through the program before the Council even makes that decision just to know how the program and funding work. He would like to know whether it will be funded by the State.

Elenbaas stated we will see if the Clerk of the Council can schedule the presentation at a future Planning and Development meeting.

Donovan stated there is no way he can give any sense of what his intent is here if we are talking about changing how we are dealing with wetlands, critical areas, and fish and wildlife conservation. He does not understand how this is going to work so he needs a lot more information about what it is changing.

Galloway stated it does appear that the operating budget includes \$8.5 million in the Public Works Assistance account provided solely for the implementation of the VSP. She stated the bill talks about the process the Council would need to take to participate and read from the bill. She also referenced AB2022-080 (on file) which is a related Resolution approved by the Council. She stated she is definitely interested in this and has heard really good feedback from the counties that participate in the VSP.

Kershner stated she was on the Council in 2012 when this program first became available to counties and there was a lot of uncertainty about it and what it would entail and how much control we would have or not have. But, looking back, she wishes that the Council had opted in to it because she thinks it actually gives more control to the local communities to do their planning. She stated Councilmember Donovan is right that it would change the way we do things but potentially it would make it better. She is in support of getting more information about it.

Elenbaas stated when the Council was going over their settlement for the Critical Areas update challenge, the VSP was looked at as a resolution to the issues that were raised in that hearings board challenge. He stated I think you get a better outcome in the end because you have buy-in from the

regulatory side and the producer side.

Karen Frakes, Prosecuting Attorney's Office, stated it was part of our settlement agreement that you consider the adoption of an Ordinance so I don't think we have a choice whether you go forward to at least consider the adoption of an Ordinance.

Satpal Sidhu, County Executive, stated it will take multiple years for the changing of all these things and the workload from the Administration perspective will be much higher, and I think we will not be doing a good job if I load it up on the Planning and Development Services Department right now. He stated he admires that the Council wants to start the discussion and see the pros and cons but he wants to caution that the workload is going to be enormous. He answered whether they could assume that the money is there to hire either staff or consultants for the implementation.

Galloway moved to recommend that they invite the State Conservation Commission to present to the Council at a future meeting.

The motion carried by the following vote:

Aye: 3 - Elenbaas, Galloway, and Byrd

Nay: 0

Dana Brown-Davis, Clerk of the Council answered questions about when a motion is required.

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 3:19 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Ben Elenbaas-via email 4/29/2023

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription

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