

Whatcom County Council Special Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, March 31, 2026

1 PM

Hybrid Meeting - Council Chambers

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

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 1:01 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

Announcements

Public Comment

1. [AB2026-252](#) Public comments on the draft Whatcom County Comprehensive Plan Chapter 8 (Resource Lands) and Chapter 9 (Parks and Recreation)

The following people spoke:

- Ryan Bowman
- Josh Lake

Hearing no one else, Galloway closed the public comment session.

This agenda item was RECEIVED.

Committee Discussion

1. [AB2026-250](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 8, Resource Lands

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 8 are listed in the Chart of Proposed Council Changes for 3.31.2026 (on file).

Galloway introduced discussion of Comprehensive Plan Chapter 8 Resource Lands.

Councilmembers identified the following items for individual discussion: 4, 5, 6, 7, 15, 30, 34, 42, 46, 48, 50, 58, 59, 60, 61, 63, 65, 68.

Lucas Clark, Planning and Development Services (PDS), stated that PDS would like to discuss item 7.

Rienstra moved to begin review of Chapter 8 using the Preliminary Council Draft dated 3.31.2026, which is the current version of the chapter with Planning Commission recommendations from January 2026 and additional edits proposed by councilmembers as listed in the Chart of Proposed

Council Changes for 3.31.2026.

Scanlon seconded the motion.

The motion carried by the following vote:

Aye: 6 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, and Stremler

Nay: 1 - Elenbaas

Galloway turned discussion to Item 4.

Councilmembers discussed the proposed addition of the word “sustainable” in Items 4-6 and its application to mineral extraction.

Boyle moved to include Items 4 through 6 (from the Chart of Proposed Council Changes).

Rienstra seconded the motion.

Stremler asked if the Surface Mining Advisory Committee had discussed Item 4.

Clark stated that the committee has not reviewed the proposed amendments, but there has been some discussion about Whatcom County's mineral extraction rate recently.

Elenbaas asked if the wording of the proposed amendment would cause concern to the Surface Mining Advisory Committee.

Clark stated that he would be happy to take the issue to the committee. He said that, in his opinion, the majority of the group would probably disagree with the sustainability of the mineral extraction industry in Whatcom County. He stated that the Surface Mining Advisory Committee has been in the process of writing a memo to Council to ask for funding for a new assessment of mineral resources.

Scanlon stated that adding a definition of "sustainable" would be helpful.

Galloway stated that she would work on a definition of sustainability for the next meeting.

Councilmembers continued to discuss sustainability.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway turned discussion to Item 7.

Elenbaas stated that drainage is critical to maintaining productive farmland, but over the last decade there has been an aversion to draining farmland because of wetlands, critical areas, habitat, etc. He said the conversation about allowing drainage is important.

Clark stated that the definitions for the various categories of farmland come from the National Soil Survey Handbook. He stated that PDS recommends using those definitions since the data comes from the Natural Resources Conservation Service, which produces the Handbook.

Galloway stated that she would withdraw the proposed amendment since PDS does not recommend its inclusion.

Councilmembers discussed the compatibility of flooding with prime farmland.

Galloway moved to not include Item 7 (from the Chart of Proposed Council Changes).

Boyle seconded the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Scanlon asked about the use of a citation from 2022 in Item 10.

Elenbaas stated that he believes 2022 is the most recent version of the publication.

Galloway turned discussion to Item 12.

Elenbaas stated that he feels the statements in Item 12 about how the amount of land and number of farms have remained relatively stable and how the diversity of farm types has increased paint a picture that agriculture is doing fine. He said that farmers are struggling, and citing the number of

farms misses the full picture.

Councilmembers discussed Item 12 and agriculture in Whatcom County.

Scanlon suggested adding information about average farm size.

Elenbaas stated he would work on that language.

Scanlon stated that the chapter should also mention market forces that impact farmers. He said he would work with Councilmember Elenbaas on these proposed amendments.

Councilmembers continued to discuss Item 12.

Galloway turned discussion to Item 15.

Scanlon asked about the addition of 8A-3(4)(d) which states that "the area has demonstrated sufficient water to support irrigation." He suggested holding the item because of its potential relation to adjudication.

Elenbaas stated that the language in 8A-3(3)(a) should revert back to the original text as it references Natural Resource Conservation Service (NRCS) terms.

Clark stated that is correct.

Galloway stated she was lowercasing the terms in 8A-3(3)(a) to match with Washington Administrative Code (WAC).

Scanlon moved to hold Item 15 (from the Chart of Proposed Council Changes) until April 7, 2026.

Elenbaas seconded the motion.

Councilmembers discussed the motion.

Clark stated that it may be hard to demonstrate or analyze when an area has sufficient water, so staff are cautious about the inclusion of Item 15 new section 8A-3(4)(d).

Councilmembers continued to discuss the proposed amendment.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway turned discussion to Item 30.

Stremler asked about the change of "encourage" to "require."

Councilmembers discussed the proposed amendment.

Stremler moved to retain "encourage" in Policy 8E-3 (Item 30 in the Chart of Proposed Council Changes).

Scanlon seconded the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Elenbaas turned discussion to Item 31.

Rienstra moved to retain the (original) language of Policy 8E-4 (Item 31 in the Chart of Proposed Council Changes) so that the policy reads as follows:

Encourage the maintenance and operation of existing drainage systems to avoid water quality and quantity impacts and retain viable agricultural land use.

Boyle seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway turned discussion to Item 34.

Boyle moved to hold Items 34 and 35 (in the Chart of Proposed Council Changes) until April 7, 2026.

Elenbaas seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremmler

Nay: 0

Scanlon turned discussion to Item 33.

Scanlon moved to revert to the Planning Commission version of Policy 8E-7 (Item 33) so that the policy reads as follows:

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.

Elenbaas seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremmler

Nay: 0

Galloway turned discussion to Item 42.

Scanlon asked about the idea behind proposed new policy 8G-6.

Alexander Harris, PDS, stated that the Forest Advisory Committee (FAC) proposed the language, and it was adopted by the Planning Commission.

Councilmembers discussed the proposed amendment.

Scanlon moved to include Item 42 (from the Chart of Proposed Council Changes).

Boyle seconded the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway turned discussion to Item 46.

Elenbaas moved to include Item 46 (from the Chart of Proposed Council Changes).

Boyle seconded the motion.

Elenbaas asked why Planning Commission did not include the proposed amendment.

Dan Dunne, Planning Commission, stated that he does not recall the proposed language coming to Planning Commission.

Galloway stated that the language came from comments by the FAC in the original Planning Commission-recommended version of Chapter 8, but she added "pre-commercially thin."

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway turned discussion to Item 48.

Scanlon asked about the hiring of staff referenced in the proposed amendment.

Galloway stated that Parks and Recreation just hired someone to do some land management, and there have been related conversations around Lake Whatcom Park, the Forest Management Plan, etc.

Councilmembers discussed the proposed amendment.

Bennett Knox, Parks and Recreation, stated that he supports planning for staff and contractors to effectively manage the listed resources. He stated that Parks is in discussion with the Department of Natural Resources (DNR) regarding the Lake Whatcom area and responsibilities they may have.

Councilmembers continued to discuss the proposed amendment.

Elenbaas moved to include Item 48 (from the Chart of Proposed Council Changes).

Scanlon seconded the motion.

Elenbaas suggested removing the references to specific lands.

Scanlon stated that he prefers keeping the specific references in the policy, particularly Canyon Lake.

Galloway suggested adding "but not limited to" before the list of items so that the policy reads as follows:

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."

Elenbaas accepted the suggestion as a friendly amendment.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremmer

Nay: 0

Galloway turned discussion to Item 50.

Scanlon stated that he believed DNR and the FAC opposed the proposed amendment, and he would like to talk about the implications of that opposition.

Harris read from the FAC's statement on the amendment. He stated that the FAC does not support moving forward with the rezone at this time, but they support broader conversation about whether rezoning could be used to support working forest lands, and docketing a study could be in line with their recommendation.

Councilmembers continued to discuss the proposed amendment.

Scanlon moved to approve Item 50 as presented.

Boyle seconded the motion.

The motion carried by the following vote:

Aye: 6 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, and Stremler

Nay: 1 - Elenbaas

Galloway turned discussion to Items 58-60 regarding off-grid development.

Elenbaas asked if proposed new policy 8I-6 could be made less specific to say "explore opportunities to encourage or enhance the ability for rural dwellers to live off-grid." He asked if there is anything in the current code that would disallow living off-grid.

Josh Lake stated that off-grid living is not technically disallowed, but it is incredibly difficult to successfully go through the process.

Elenbaas stated that the comprehensive plan is likely not the problem, and amending the code would be more beneficial.

Lake provided background on the proposed policy and its intent.

Councilmembers discussed the proposed amendment.

Scanlon stated that the topic deserves broader public consideration and asked if the Planning Commission could take it up at a future meeting.

Galloway asked about upcoming meeting dates.

Cathy Halka, Clerk of the Council, stated that Planning Commission meets on April 9 and April 23. She stated that Council is planning to consider Chapter 2 and UGAs on April 28 and any remaining items to resolve on May 12.

Mark Personius, PDS, stated that Planning Commission agendas are booked with housing regulation code amendments, rezoning map amendments, and other items Council is required to adopt concurrently with the comprehensive plan. He said that staff could simplify the policy language by April 7, and Planning Commission could revisit the topic more fully after May.

Halka stated that introduction of the comprehensive plan ordinance is planned for May 26 and the final public hearing is planned for June 9.

Galloway asked when the zoning ordinances will come to Council.

Personius stated that Planning Commission will discuss housing code amendments on April 9 and zoning map and text amendments on April 23. He said it will be the first meeting in May before the off-grid policy items could be added to a Planning Commission agenda.

Elenbaas stated that he would prefer approving a basic comprehensive plan amendment encouraging off-grid living when feasible rather than sending the issue to Planning Commission. He proposed revising Policy 8I-6 to state: "Further explore opportunities for off-grid living and its benefits associated with the Rural Forestry interface."

Scanlon moved to approve the text as stated by Councilmember Elenbaas and presented on screen for 8I-6, so that it reads as follows: "Further explore opportunities for off-grid living and its benefits associated with the Rural Forestry interface," and not move forward with Items 8I-7 and 8I-8 at this time.

Boyle seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremmer

Nay: 0

Galloway turned discussion to Item 61.

Councilmembers discussed the proposed amendment.

Scanlon moved to revert back to the Planning Commission language in Item 61 so that it reads as follows:

Use of forestlands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.

Elenbaas seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler

Nay: 0

Galloway turned discussion to Item 63.

Scanlon asked for more information about proposed new Policy 8J-4.

Galloway stated that it is from the Lake Whatcom Policy Group.

Elenbaas moved to include Item 63 (from the Chart of Proposed Council Changes).

Scanlon seconded the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler

Nay: 0

Galloway turned discussion to Item 65.

Stremler moved to change "only if necessary" to "which is necessary" in Item 65.

Elenbaas stated that strategic sediment removal could be necessary for things other than flood control.

Elenbaas moved to amend Goal 8Q as follows:

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.

Scanlon seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler

Nay: 0

Galloway turned discussion to Item 68.

Stremler asked for clarification about whether the policy refers to designating new or existing mineral resource lands (MRLs).

Clark stated that it would apply to existing or new lands. He said PDS would like to recommend the following alternative language: "Consider impacts to health and habitat from harmful minerals such as Naturally Occurring Asbestos (NOA), Radon, Mercury, etc. when designating MRLs."

Councilmembers discussed Item 68.

Galloway moved to strike Item 68 and replace it with PDS' recommended language so that it reads as follows:

Consider impacts to health and habitat from harmful minerals such as Naturally Occurring Asbestos (NOA), Radon, Mercury, etc. when designating MRLs.

Elenbaas seconded the motion.

Scanlon stated he would like to hear from Public Works regarding impact to Swift Creek.

Personius stated that the Swift Creek sites are not MRLs, so the criteria does not apply.

Scanlon moved to hold 8-45(7) (Item 68) until April 7, 2026 to give PDS time to reach out to Public Works.

Boyle seconded the motion.

Personius stated that PDS would reach out to Public Works staff.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, Elenbaas, and Stremler
Nay: 0

Galloway stated that follow-up amendments for Chapter 8 are due at noon on Friday, April 3.

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

MOTION 1:

Motion approved to begin review of Chapter 8 using the Preliminary Council Draft dated 3.31.2026, which is the current version of the chapter with Planning Commission recommendations from January 2026 and additional edits proposed by councilmembers as listed in the Chart of Proposed Council Changes for 3.31.2026.

MOTION 2:

Motion approved to include Items 4 through 6 (from the Chart of Proposed Council Changes).

MOTION 3:

Motion approved to not include Item 7 (from the Chart of Proposed Council Changes).

MOTION 4:

Motion approved to hold Item 15 (from the Chart of Proposed Council Changes) until April 7, 2026.

MOTION 5:

Motion approved to retain "encourage" in Policy 8E-3 (Item 30 in the Chart of Proposed Council Changes).

MOTION 6:

Motion approved to retain the (original) language of Policy 8E-4 (Item 31) so that the policy reads as follows: "Encourage the maintenance and operation of existing drainage systems to avoid water quality and quantity impacts and retain viable agricultural land use."

MOTION 7:

Motion approved to hold Items 34 and 35 until April 7, 2026.

MOTION 8:

Motion approved to revert to the Planning Commission version of Policy 8E-7 (Item 33) so that the policy reads as follows: "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."

MOTION 9:

Motion approved to include Item 42 (from the Chart of Proposed Council Changes).

MOTION 10:

Motion approved to include Item 46 (from the Chart of Proposed Council Changes).

MOTION 11:

Motion approved to include Item 48 (from the Chart of Proposed Council Changes) and add “but not limited to” so that the policy reads as follows: “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.”

MOTION 12:

Motion approved to approve Item 50 (from the Chart of Proposed Council Changes) as presented.

MOTION 13:

Motion approved to approve the text as stated by Councilmember Elenbaas and presented on screen for 8I-6, so that the policy states, “Further explore opportunities for off-grid living and its benefits associated with the Rural Forestry interface,” and not move forward with Items 8I-7 and 8I-8 at this time.

MOTION 14:

Motion approved to revert back to the Planning Commission language in Item 61 (from the Chart of Proposed Council Changes) so that it reads: “Use of forestlands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.”

MOTION 15:

Motion approved to include Item 63 (from the Chart of Proposed Council Changes).

MOTION 16:

Motion approved to amend Goal 8Q as follows: “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.”

MOTION 17:

Motion approved to hold 8-45(7) (Item 68) until April 7 to give Planning and Development Services time to reach out to Public Works.

2. [AB2026-251](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 9, Parks and Recreation

Galloway stated that Council ran out of time in the meeting to discuss Chapter 9 in depth.

Scanlon stated that he has proposed some new amendments to the Chapter 9, which he will share prior to the next discussion.

Elenbaas stated he has heard concerns regarding Chapter 9 from landowners who are worried future trails will go through their properties. He said he is working on language to address those concerns.

Rienstra thanked Councilmember Galloway for her work on Chapter 8.

This agenda item was DISCUSSED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

Galloway encouraged councilmembers to review the updated schedule of meetings on the comprehensive plan, which no longer includes a meeting on April 21.

Adjournment

The meeting adjourned at 4:25 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Jenna Gernand