

**Whatcom County  
Council Natural Resources Committee**

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



**Committee Minutes - Final**

VIRTUAL MEETING - ENDS NO LATER THAN 10:50 A.M. (TO  
PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010)  
**Tuesday, June 29, 2021**

**9 AM**

**Virtual Meeting**

**COUNCILMEMBERS**

Barry Buchanan  
Todd Donovan  
Ben Elenbaas

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Committee Chair Todd Donovan called the meeting to order at 9:04 a.m. in a virtual meeting.

## Roll Call

**Present:** 3 - Todd Donovan, Ben Elenbaas, and Barry Buchanan

**Absent:** None

Also Present: Rud Browne, Tyler Byrd, Carol Frazey, and Kathy Kershner

## Announcements

### Special Presentation

1. [AB2021-373](#) Presentation on potential property acquisition for Squires Lake Park  
Mike McFarlane, Parks and Recreation Department Director, presented and answered questions about the area between the target property and the park, the amount of parks acreage in the county, whether there is more information about the acquisition for the Council to review, the zoning of the parcel, whether some of the parcel could be used for housing, the usage of the park and how it is tracked, and whether the contract for purchase will come back to the Council through the Finance and Administrative Services Committee.

**This agenda item was PRESENTED AND DISCUSSED.**

### Committee Discussion

1. [AB2021-367](#) Discussion of proposed ordinance amending the Whatcom County Code and Comprehensive Plan, requiring a site-specific geotechnical analysis when mineral extraction is proposed within 500 feet of a gas or petroleum transmission pipeline  
Josh Fleischmann, Planning and Development Services Department, briefed the Councilmembers and answered whether geologists would do the proposed site-specific geotechnical analysis of potential impacts to the pipeline, whether Committee action is needed, and what size of excavation triggers the requirements for mining.

**This agenda item was DISCUSSED.**

### Committee Discussion and Recommendation to Council

1. [AB2021-364](#) Discussion and Motion to recognize the intent of PLN2019-00011 - Surface Mining of Dry Meander Zones has been achieved  
Josh Fleischmann, Planning and Development Services Department, briefed

the Councilmembers and answered what State and Federal programs are stopping this mining, whether private companies would like to do it, what the Council can do to make it easier for companies to mine the dry portion of the river, whether the Army Corp has jurisdiction on the shore in these areas, whether work along the river by Public Works could incorporate an analysis of whether gravel could be pulled out, whether this went through the Surface Mining Committee, what is stopping people from doing gravel mining in a dry meander zone a thousand feet or more from the high water mark, and whether land with Tribal ownership would be subject to the State and Federal rules.

**Buchanan moved that the Request for Motion be FORWARDED TO COUNCIL WITH A RECOMMENDED MOTION TO HOLD IN COMMITTEE FOR TWO WEEKS. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Elenbaas, and Buchanan

**Nay:** 0

**Absent:** 0

2. [AB2021-366](#) Discussion and Motion for PLN2017-00004 Countywide Review of Designated Mineral Resource Lands

Josh Fleischmann, Planning and Development Services Department, briefed the Councilmembers and answered questions about who came up with the designations, adding a provision to allow surface mining if it enhances the ability to farm the land, whether the potential resource area by Lake Whatcom (as represented on the map with the Surface Mining Advisory Committee [SMAC] recommendation) is outside the watershed, the vote of the Planning Commission on their recommended motion, what is functionally allowable with each proposal, whether the Planning Commission had the Agricultural Advisory Committee and Forestry Advisory Committee's recommendations before making theirs, and what kind of work the Planning and Development Services Department would do to move it forward if the Planning Commission's motion is approved by Council.

**Donovan moved** to recommend to the full Council approval of the Planning Commission's recommended motion that the Council request Planning and Development Services to continue processing PLN2017-00004, limiting the scope of review to the Surface Mining Advisory Committee recommendation within 1/2 mile of existing Designated MRLs. Further, the Planning Commission recommends considering allowing for landowners to opt out of MRL Designation process proposed through PLN2017-00004.

The motion carried by the following vote:  
**Aye:** 3 - Buchanan, Elenbaas, and Donovan  
**Nay:** 0

**This agenda item was FORWARDED TO COUNCIL WITH RECOMMENDED MOTION(S).**

**Items Added by Revision**

There were no agenda items added by revision.

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 10:30 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Todd Donovan-via email 6/30/2021**

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Dana Brown-Davis, Council Clerk

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Todd Donovan, Committee Chair

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Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE