

Whatcom County Council Special Committee of the Whole

COUNTY COURTHOUSE
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Committee Minutes - Final

**Tuesday, March 17, 2026
9:30 AM
Hybrid Meeting - Council Chambers**

HYBRID MEETING - MAY BEGIN EARLY/LATE - RECESS FOR LUNCH FROM 12:00 P.M. TO 1:00 P.M. - 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 Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 9:34 a.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. [AB2026-219](#) Public comments on the draft Whatcom County Comprehensive Plan Chapter 2 (Land Use), Chapter 4 (Capital Facilities), Chapter 5 (Utilities), Chapter 6 (Transportation), and Chapter 7 (Economic Development)

The following people spoke:

- Pamela Brady
- Tamera Lienhart
- Lisa Adam
- Amy de Vera
- Peter Cordyles
- Dan Kostozewski
- David Parsons
- Brian Heinrich
- Chris Comeau
- Bill Guyer
- Dwayne Engelsman
- Coleman Hoyt
- Kathryn Mitchell
- Barbara Chase
- Darcy Jones
- Ryan Bowman

Hearing no one else, Galloway closed public comment.

This agenda item was RECEIVED.

Committee Discussion

1. [AB2026-218](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 6, Transportation

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 6 are listed in the Chart of Proposed Council Changes (on file).

Mark Personius, Planning and Development Services (PDS), stated that Chris Comeau of Transpo Group, the county's transportation consultant, is available to answer questions. Doug Ranney and Ryan Morrison from Public Works are also available if needed.

Boyle moved to begin review of Chapter 6 using the Preliminary Council Draft dated 3.17.2026, 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.

Scanlon seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Stremmler asked whether Public Works has thoughts or concerns about proposed amendments 3 or 4.

Chris Comeau, Transpo Group, stated that there is no objection.

Scanlon stated he has a new proposal he would like to add to the chapter regarding level of traffic stress.

Comeau stated that everything Scanlon spoke about could be accomplished through funding an update to the Pedestrian Bicycle Plan.

Elenbaas turned discussion to Policy 6A-7.

Stremmler asked why "subject to available funding" was removed from Policy 6A-7.

Galloway suggested adding "subject to funding availability" at the end of the proposed amendment.

Galloway moved to preliminarily approve Policy 6A-7 and Policy 6A-8 as amended so that they read:

Incorporate these standards into long-range capital planning and Six-Year TIP programming to achieve network completion over time subject to funding availability...

Boyle seconded 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 23 (new proposed Policy 6L-7).

Scanlon proposed amending the proposed amendment by replacing text that says "a minimum percentage" with "at least 5%."

Scanlon moved to preliminarily approve amendment Item 23 (new proposed Policy 6L-7) as amended so that it reads:

Establish a goal that at least 5% of funding in the County's Six-Year Transportation Improvement Program (TIP)...

Rienstra seconded the motion.

Stremmler asked whether Public Works has any concerns about the language.

Comeau stated they do not have concerns.

Councilmembers discussed proposed new Policy 6L-7.

Stremmler asked about potential changes to vehicle level of service.

Comeau stated that the amount of money devoted toward maintaining vehicle level of service capacity isn't going to be affected by 5% of the overall TIP investment.

Boyle asked what is currently being spent.

Doug Ranney, Public Works, provided an overview of upcoming spending plans.

Scanlon amended his motion to make new proposed Policy 6L-7 read as follows:

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)...

Councilmembers continued to discuss the motion.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremmler

Councilmembers began a discussion about Chapter 6 maps.

Scanlon asked a question about the Bay to Baker Trail in Map 6-7.

Personius stated that the Parks and Recreation Department was concerned about accurately representing parts of the trail that were constructed and have adequate public access. He said the map may need to be amended for consistency depending on Council's decisions on Chapter 9, the Parks and Recreation Chapter.

Elenbaas asked a question about proposed changes to Policy 6D-6 (Item 9) and whether they would have impacts on rural lands.

Personius stated that the policy only applies to urban growth areas (UGAs).

Elenbaas stated that the policy does not read as if it only applies to UGAs. He said that, without context, the language could discourage development in areas that are not UGAs.

Comeau stated that the policy's original language was focused on transportation, which is relevant to the transportation chapter. He said the amended language appears more focused on housing.

Dan Dunne, Planning Commission, stated that Planning Commission generally tries to use language to encourage rather than mandate. He said he would interpret the proposed amendment to mean that the new policy is to only locate new housing in UGAs.

Elenbaas moved to preliminarily accept Policy 6D-6 as amended so that it retains the language recommended by Planning Commission and reads:

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.

Scanlon seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Scanlon proposed a new policy 6A-10: Evaluate using Level of Traffic Stress (LTS) as the multimodal level of service (MMLOS) standard for pedestrian and bicycle facilities on the countywide Active Transportation Network, including studying the appropriate LTS for Rural County roads such as Hannegan Road and other roads that form connections between population and employment centers located in UGAs and cities. He stated he would like to let councilmembers consider the proposal and potentially vote on the amendment at the next meeting.

Councilmembers discussed the proposal.

Stremler asked for more information about level of traffic stress and what it would look like for Hannegan Road.

Comeau stated that he provided a presentation in August 2025 that covered the active transportation network and included a variety of different levels of traffic stress facilities and their costs. He said that LTS is a metric for looking at the comfort and safety of a user, which is directly influenced by things like traffic speed, traffic volume, and separation from traffic. He stated that the proposed language about LTS would be more relevant if consolidated with Policy 6F-5.

Scanlon turned discussion to Policy 6E-2.

Scanlon moved to amend Policy 6E-2 as presented on screen so that it reads: "An example would be a separated facility accessible to all ages and abilities."

Boyle seconded the motion.

Councilmembers discussed the motion.

Scanlon asked how Goal 6E interacts with the active transportation network and whether it is applicable to all county roads.

Comeau stated that the policy applies to all county roads. It says that when planning county roads, you should balance the needs of all users.

Stremmer asked a question about whether roadway preservation requirements might mean chip sealing in Policy 6E-2.

Comeau stated that there are preservation and maintenance projects that have to comply with Americans with Disabilities Act (ADA) requirements.

Ranney stated that chip seal could be interpreted as a maintenance project.

Scanlon withdrew his motion.

Scanlon turned discussion to Policy 6F-3 where he proposed removing the Nooksack Loop Trail and replacing it with Bay to Baker Trail or the proposed Coast Millennium Trail, because it is his understanding that the Nooksack Loop Trail has been deprioritized. He stated he will check with Parks and Recreation Department staff to confirm.

Galloway stated that additional amendments to Chapter 6 are due to staff by Friday, March 20 for inclusion on the March 24 agenda for the second round of discussion.

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

MOTION 1:

Motion approved to begin review of Chapter 6 using the Preliminary Council Draft dated 3.17.2026, 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.

MOTION 2:

Motion approved to preliminarily approve Policy 6A-7 and Policy 6A-8 as amended so that they read: Incorporate these standards into long-range capital planning and Six-Year TIP programming to achieve network completion over time subject to funding availability...

MOTION 3:

Motion approved to preliminarily approve number 23 (new proposed Policy 6L-7) as amended so that it reads: Allocate at least 5% of funding in the County's Six-Year Transportation Improvement Program (TIP)...

MOTION 4:

Motion approved to preliminarily accept Policy 6D-6 as amended so that it retains the language recommended by Planning Commission and reads: "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."

2. [AB2026-216](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 4, Capital Facilities

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 4 are listed in the Chart of Proposed Council Changes (on file).

Galloway introduced discussion of Chapter 4, Facilities.

Rienstra moved to begin review of Chapter 4 using the Preliminary Council Draft dated 3.17.2026, 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.

Scanlon seconded the motion.

The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Galloway suggested merging proposed amendments outlined in Items 4 and 5 in the Chart of Proposed Council Changes.

Galloway moved to amend Goal 4D as presented so that it reads:

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.

Boyle seconded the motion.

Councilmembers discussed the motion.

Stremler moved to amend the motion to substitute the word "prioritizes" with "includes."

Elenbaas seconded the motion.

Councilmembers discussed the motion to amend.

The motion to amend failed by the following vote:

Aye: 2 - Elenbaas and Stremler

Nay: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

The original motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremler

Galloway moved to amend Policy 4D-2 as presented so that it reads:

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...

Scanlon seconded the motion.

Boyle suggested that "inmates" be changed to "incarcerated individuals."

Galloway accepted the suggestion as a friendly amendment.

Scanlon pointed out that "State" does not need to be capitalized.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Rienstra, Scanlon, and Elenbaas

Nay: 1 - Stremler

Out of Meeting: 1 - Galloway

Councilmembers began discussion of Policy 4J-2.

Boyle moved to preliminarily approve the proposed amendment to Policy 4J-2 (Item 12).

Scanlon seconded the motion.

Councilmembers discussed the motion.

Elenbaas moved to amend the motion to remove the word "habitat" so that the second sentence of Policy 4J-2 reads: "Where feasible, develop a strategy to mitigate harmful impacts and aim to achieve net ecological gain of salmon and other aquatic species..."

Stremmler seconded the motion.

Councilmembers discussed the motion to amend.

Scanlon asked for additional information from staff regarding habitat.

Matt Aamot, Planning and Development Services, suggested engaging with Public Works staff to find out more.

Following the lunch recess, discussion returned to Policy 4J-2.

Galloway provided an overview of the discussion prior to the lunch break regarding inclusion of the word "habitat." She asked staff to provide information about net ecological gain in terms of salmon recovery.

John Thompson, Public Works, stated that Public Works considers how a proposed project is going to impact habitat function, water quality, etc. He said the concept of net ecological gain is to not only not do harm but actually make things better, so typically work is focused on the habitat impact.

Elenbaas stated that habitat is not currently the limiting factor for salmon. He suggested focusing on the desired outcome, which is more salmon.

Thompson stated that, in salmon recovery planning, they look not just at the threatened or endangered species but all of them. He said that, for certain species, there are different habitat needs for various stages of salmon, so it's important to look at what habitat needs are being met and which are not being met. There may be adequate habitat for current populations, but it may not be sufficient for the populations that are needed. He stated that adjustments are required over time.

The motion to amend failed by the following vote:

Aye: 2 - Elenbaas and Stremler

Nay: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Councilmembers discussed the main motion.

The main motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremler

Galloway turned discussion to Item 13, which would add a new policy 4J-4.

Boyle moved to preliminarily approve adding Policy 4J-4.

Rienstra seconded the motion.

Councilmembers discussed the motion.

Galloway asked staff to correct a Scrivener's error in the proposed new policy to change the word "memo" to "memorandum."

Stremler stated that the policy could potentially result in a massive lift due to the number of culverts throughout the county.

Elenbaas asked staff if there is already a culvert inventory.

Thompson stated that a culvert inventory was completed by Public Works 20 years ago of much of unincorporated Whatcom County, excluding the small cities, Department of Natural Resources (DNR) lands, etc., which was folded into the Washington Department of Fish and Wildlife (DFW) Fish Passage map. He stated that Public Works examines county-owned culverts in terms of potential benefit to fish, and the county works collaboratively with others including DFW, Nooksack Indian Tribe, Lummi Nation, the conservation district, etc. Funding for this work comes from the road fund, flood fund, federal grant sources, etc. He stated that the Kenney Creek project was recently completed, which replaced a five-foot culvert with a 115-foot bridge.

Elenbaas asked how much the Kenney Creek project cost.

Thompson stated it was around \$4.5 million, and fish were spawning in the stream as soon as it opened.

Scanlon stated that the language of the proposed new policy is present in the memorandum of agreement with the tribes, which he suggested including in the Comprehensive Plan's appendix.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremler

Galloway turned discussion to Item 15, which would add additional bullet points to Policy 4M-5.

Scanlon asked that sea level rise be included in the list.

Scanlon moved to preliminarily approve Policy 4M-5 as presented so that it reads:

Consider vulnerability of existing and new County facilities to climate hazards. 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.

Boyle seconded the motion.

Councilmembers discussed the motion.

Galloway proposed adding "but not limited to" to the amendment.

Scanlon accepted the suggestion as a friendly amendment.

Scanlon amended his motion to add "and natural hazards" to the first sentence of the policy so that it reads:

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.

The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Scanlon asked a question about the level of service standards for parks and trails in Policy 4F-1.

Aamot stated that the language in question has been in the comprehensive plan since 1997. He said the Parks and Recreation Department is planning to update the Comprehensive Parks, Recreation, and Open Space (CPROS) Plan for 2026-2027.

Scanlon asked about fire protection standards in Policy 4G-4.

Aamot stated that the county fire marshal developed a generalized level of service for fire response for urban and rural areas in 2011 in coordination with the fire districts. He stated he is not aware of any initiative to revisit the standards.

Boyle moved to change "inmate" to "incarcerated individual" throughout the document.

Scanlon seconded the motion.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremmler

Elenbaas asked whether the comprehensive plan or county code defines "developed park."

Christ Thomsen, Parks and Recreation, stated that he does not believe the term is defined in the comprehensive plan. He said it is discussed in CPROS. A developed park has parking, trailhead, other facilities, open space, playgrounds, etc.

Elenbaas asked if there is a level of service established for undeveloped parks.

Aamot said no. He stated that there is no definition of developed parks in the comprehensive plan.

Galloway reminded councilmembers that additional amendments to Chapter 4 are due to staff on March 20 for inclusion on the March 24 agenda.

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

MOTION 1:

Motion approved to begin review of Chapter 4 using the Preliminary Council Draft dated 3.17.2026, 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.

MOTION 2:

Motion approved to amend Goal 4D as presented so that it reads: "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."

MOTION 3:

Motion approved to amend Policy 4D-2 as presented so that it reads:

"Maintain Sheriff's Office adult corrections facilities and headquarters to provide a safe environment for the community, staff, and inmates. 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, preventions, treatment, behavioral health, diversion programs, early release programs, re-entry support, the need to separate violent incarcerated individuals, the need to separate inmates by gender, the need to separate inmates by other classification considerations."

MOTION 4:

Motion approved to preliminarily approve the proposed amendment to Policy 4J-2 (Item 12 in the Chart of Proposed Council Changes for 3.17.2026) so that it reads: ...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.

MOTION 5:

Motion approved to preliminarily approve adding Policy 4J-4.

MOTION 6:

Motion approved to preliminarily approve Policy 4M-5 as presented so that it reads: 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.

MOTION 7:

Motion approved to change "inmate" to "incarcerated individual" throughout the document.

3. [AB2026-217](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 5, Utilities

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 5 are listed in the Chart of Proposed Council Changes (on file).

Galloway introduced discussion of Comprehensive Plan Chapter 5, Utilities.

Rienstra moved to begin review of Chapter 5 using the Preliminary Council Draft dated 3.17.2026, 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.

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 Policy 5A-1.

Boyle asked why “conditional use” and “major project” permit were removed from the policy.

Brian Heinrich, Puget Sound Energy (PSE), stated that the change clarifies that there are two pathways: local control and the Energy Facility Site Evaluation Council (EFSEC) process.

Galloway moved to preliminarily approve Policy 5A-1 as presented so that it reads:

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.

Boyle seconded the motion.

Scanlon stated he would like to hear from Planning and Development Services (PDS) about how this would impact projects.

Lucas Clark, PDS, stated that the conditional use and major project permits were taken out because it is inclusive of all permitting types. There's no need to call out two specific pathways.

Mark Personius, PDS, stated that there are two options depending on the

particular project or utility. If a project would meet or exceed certain thresholds in state law, it would be an EFSEC project. If a project is below those thresholds, local codes would apply, though applicants may petition EFSEC to take on the permitting role.

The motion carried by the following vote:

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

Nay: 0

Galloway turned discussion to Item 13, which would add a new Policy 5F-2. She asked whether the item is still necessary now that it has been docketed.

Heinrich stated that when local code and state law are out of step with one another, it's an impediment to progress. He said the proposed policy still has relevance as a goal in the comprehensive plan.

Galloway moved to preliminarily approve Policy 5F-2 as presented so that it reads: "Review and update Whatcom County Code to align with current state law."

Scanlon seconded 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 Policy 5H-2 (Item 15).

Elenbaas moved to preliminarily approve Policy 5H-2.

Boyle seconded the motion.

Elenbaas asked if the policy is an attempt to allow nuclear energy, which is not currently allowed in Whatcom County.

Galloway said she was thinking fusion was different than nuclear.

Elenbaas stated that he is not advocating for rezoning all of the county for nuclear energy, but he thinks the county could be left behind if it does not consider it at all. He asked about the use of the word "fusion."

Lauren Clemens, Public Works, stated that the content highlighted on screen is a Planning Commission amendment. She stated that Lummi Nation provided comments regarding some of the energy sources.

Galloway clarified that Planning Commission added battery energy storage systems, geothermal, and green hydrogen, and her proposed amendment would add fusion, wave, and tidal to the policy.

Elenbaas moved to amend the motion to replace "fusion" with "nuclear."

Rienstra seconded the motion.

Councilmembers discussed the motion to amend.

Rienstra stated she would like to add language regarding legality, safety and sustainability, but she still needs to come up with the exact terminology.

Scanlon stated he would like a review of the current language in code that restricts nuclear. He suggested pausing to allow further review.

Personius stated that there was an initiative in the 1980s declaring Whatcom County a nuclear free zone.

Rienstra moved to hold Policy 5H-2 and associated amendments until the next meeting.

Elenbaas seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Scanlon turned discussion to page 5-15 and the reference to the CWSP, which he said was adopted last year.

Scanlon moved to edit the last line of the first paragraph on page 5-15 (of the Preliminary Council Draft for March 17) as presented so that it reads: "The CWSP was updated and adopted in 2025."

Rienstra 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 25, Policy 5W-1. He asked whether the policy refers to the county government's share of food waste or the entire county's share of food waste.

Clemens stated that the 50% reduction is the statewide target in the Use Food Well Washington Plan. The proposed amendment does not impose a specific regulatory diversion rate.

Elenbaas moved to amend Policy 5W-1 as follows:

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.

Stremler seconded the motion.

The motion carried by the following vote:

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

Galloway reminded councilmembers that additional amendments to Chapter 5 are due to staff on March 20 for inclusion on the March 24 agenda.

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

MOTION 1:

Motion approved to begin review of Chapter 5 using the Preliminary Council Draft dated 3.17.2026, 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.

MOTION 2:

Motion approved to preliminarily approve Policy 5A-1 as presented so that it reads: 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.

MOTION 3:

Motion approved to preliminarily approve Policy 5F-2 as presented so that it reads: Review and update Whatcom County Code to align with current state law.

MOTION 4:

Motion approved to hold Policy 5H-2 and associated amendments until the next Council meeting.

MOTION 5:

Motion approved to edit the last line of the first paragraph on page 5-15 (of the Preliminary Council Draft for March 17) as presented so that it reads: "The CWSP was updated and adopted in 2025."

4. [AB2026-231](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 7, Economic Development

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 7 are listed in the Chart of Proposed Council Changes (on file).

Galloway introduced discussion of Comprehensive Plan Chapter 7, Economic Development.

Rienstra moved to begin review of Chapter 7 using the Preliminary Council Draft dated 3.17.2026, 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.

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 8, Policy 7A-3.

Councilmembers discussed the proposed amendment.

Scanlon asked a question about the phrasing of the proposed amendment.

Galloway recited the original Planning Commission language and stated that the "defined" portion of the amendment should follow "living wage jobs."

Stremler stated that benefits packages should be a decision between the employer and employee.

Galloway moved to preliminarily approve Policy 7A-3 as presented so that it reads:

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, 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.

Rienstra seconded the motion.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremler

Galloway turned discussion to Items 12 and 13 related to Policy 7A-11.

Galloway moved to amend Policy 7A-11 to be consistent with Councilmember Boyle's language in Item 13.

Boyle seconded the motion.

Scanlon asked about the need for the term "competitiveness review."

Boyle stated that they could add "competitiveness review" back in.

Galloway accepted the friendly amendment to incorporate "competitiveness review" so that Policy 7A-11 reads:

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.

The motion carried by the following vote:

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

Stremler

Nay: 0

Galloway turned discussion to Items 15-18, which deal with water adjudication.

Elenbaas stated that the phrase "alternative to a protracted adjudication" in proposed new Policy 7A-16 is not what he intended. He said a negotiated or mediated settlement process should instead "run parallel and in coordination with adjudication."

Elenbaas moved Items 15-20 as amended for preliminary approval.

Boyle seconded the motion.

Elenbaas stated that he believes adjudication will take 50 years, and a mediated settlement could improve the process.

Scanlon stated he would like to hear from the Executive and the Prosecuting Attorney's Office regarding the proposed amendments. He said that Whatcom County may not be seen as a trusted facilitator since they are a party in the lawsuit.

Elenbaas stated he does not see Whatcom County elected officials as facilitators; rather, he sees the county providing policy direction to create a framework for the process.

Kimberly Thulin, Prosecuting Attorney's Office, stated she would look into options for mediation and facilitation and report back.

Councilmembers continued to discuss the proposed amendments.

Galloway moved to hold Items 15-20 (in the Chart of Proposed Council Changes for 3.17.2026) until April 7.

Elenbaas seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Galloway stated that councilmembers will revisit Items 24, 26, 35, 25, and

29 at the next meeting.

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

MOTION 1:

Motion approved to begin review of Chapter 7 using the Preliminary Council Draft dated 3.17.2026, 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.

MOTION 2:

Motion approved to preliminarily approve Policy 7A-3 as presented so that it reads: 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, 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.

MOTION 3:

Motion approved to amend Policy 7A-11 consistent with Councilmember Boyle's language in Item 13 with the inclusion of “establish a competitiveness review” so that the policy reads: 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.

MOTION 4:

Motion approved to hold Items 15-20 (in the Chart of Proposed Council Changes for 3.17.2026) until April 7.

5. [AB2026-186](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Chapter 2, Land Use

Clerk's Note: Proposed councilmember edits to Comprehensive Plan Chapter 2 are listed in the Chart of Proposed Council Changes (on file).

Galloway introduced discussion of Comprehensive Plan Chapter 2, Land Use, stating that councilmembers would work off of the March 17, 2026 version of the chapter and consider each remaining proposed amendment sequentially.

Kimberly Thulin, Prosecuting Attorney's Office, asked for Council to approve a motion to begin discussion of the chapter.

Galloway moved to continue the discussion and review of Chapter 2 (using the Preliminary Council Draft dated 3.17.2026, 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).

Rienstra seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Galloway moved to strike the language of Policy 2A-9 and 2A-10 and retain the language in Policy 2A-11.

Boyle seconded the motion.

Councilmembers discussed the motion with Mark Personius, Planning and Development Services (PDS).

The motion carried by the following vote:

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

Nay: 0

Galloway turned discussion to Item 119, which would add new Policies 2N-8 to 2N-11. She stated her preference would be to not adopt the amendment.

Personius stated that there was concern about the language in proposed Policies 2N-8 through 2N-11 being too prescriptive.

Thulin stated that there were also concerns about internal consistency regarding this proposed amendment.

Stremler moved to strike Policies 2N-8 through 2N-11 as presented.

Scanlon seconded the motion.

Councilmembers discussed the motion.

Scanlon suggested creating a small workgroup in collaboration with City of Bellingham councilmembers to focus on zoning issues in conversation with community.

The motion carried by the following vote:

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

Stremmer

Nay: 0

Galloway turned discussion to Item 120, which would add new Policies 2U-10 to 2U13. She stated that PDS is comfortable with 2U-10, but not the other policies.

Personius stated that the City of Bellingham's preference would be to address the zoning issues as part of updates to their annexation plan.

Galloway moved to approve new Policy 2U-10 with "retention" in place of "reaffirmation" and strike Policies 2U-11 through 2U-13.

Boyle seconded 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 Items 121, 122, and 123 regarding the Everson, Nooksack, and Sumas urban growth areas (UGAs).

Lauren Clemens, Public Works, asked if the intention of amendment 2W-3 is to change the current flood code or if the intention was non-regulatory.

Personius stated that he would defer to Public Works regarding Title 17's administration and the appropriate language for the proposed amendment.

Galloway asked if there is value in expanding the regulatory framework for safety preservation.

Clemens stated that there needs to be clarity regarding the flood maps and whether or not the intent is to amend the flood code.

Elenbaas asked if the amendments are necessary to accomplish the stated goals, as many of the mitigation and management strategies are already in place.

Clemens suggested including "continue to require" in the amendment to address Councilmember Elenbaas' concern. She stated that Council could also make it clear that they are not asking for a specific amendment to code but rather keeping options on the table.

Galloway moved to preliminarily include Items 121, 122, and 123 with Policy 2W-2 through 2W-4 (Everson), 2Z-2 through 2Z-4 (Nooksack), and 2AA-3 through 2AA-5 (Sumas) as presented with the addition of "Continue to" at the start of Policy 2W-3, 2Z-3, and 2AA-6.

Boyle seconded the motion.

The motion carried by the following vote:

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

Nay: 0

Rollin Harper, speaking on behalf of the cities of Everson, Nooksack, and Sumas, stated that there is a limitation on loss of flood storage in the Nooksack River watershed where endangered species are covered. However, that is not the case in the Sumas River watershed where there is no prohibition on fill under the National Flood Insurance Program. Individual jurisdictions establish their own regulations.

Thulin stated that consistency with the cities is needed, so Council will have to revisit and reconsider the addition of "continue to" to each UGA, as it is not applicable in all cases.

Galloway stated that they would hold Chapter 2 open and revisit the "no net loss of flood storage" language at the next meeting, along with Item 129, the future floodplain, and the UGAs. She stated they may need to add additional time to the schedule.

Thulin stated that Council could hold the discussion on Chapter 2 open until a later date to be identified and properly noticed.

Galloway moved to hold discussion of Chapter 2 open until next week when a schedule can be established.

Rienstra seconded the motion.

Councilmembers discussed the motion.

Galloway amended her motion to hold discussion of Chapter 2 open to revisit again at a later date, potentially April 21, or another date as agreed upon by Council and properly noticed.

The motion carried by the following vote:

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

Nay: 0

Galloway stated that Comprehensive Plan Chapters 8 and 9 will be
considered on March 31.

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

MOTION 1:

Motion approved to continue the discussion and review of Chapter 2 (using the Preliminary Council Draft dated 3.17.2026, 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).

MOTION 2:

Motion approved to strike the language of Policy 2A-9 and 2A-10 and retain the language in Policy 2A-11.

MOTION 3:

Motion approved to strike Policies 2N-8 through 2N-11 as presented.

MOTION 4:

Motion approved to approve new Policy 2U-10 with "retention" in place of "reaffirmation" and strike Policies 2U-11 through 2U-13.

MOTION 5:

Motion approved to preliminarily include Items 121, 122, and 123 (in the Chart of Proposed Council Changes for 3.17.2026) with Policy 2W-2 through 2W-4 (Everson), 2Z-2 through 2Z-4 (Nooksack), and 2AA-3 through 2AA-5 (Sumas) as presented with the addition of "Continue to" at the start of Policy 2W-3, 2Z-3, and 2AA-6.

MOTION 6:

Motion approved to hold discussion of Chapter 2 open to revisit again at a later date, potentially April 21, or another date as agreed upon by Council and properly noticed.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:40 p.m.

The County Council approved these minutes on April 14, 2026.

ATTEST:



Cathy Halka, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Jenna Gernand