

**Whatcom County
Council Climate Action and Natural Resources Committee**

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



Committee Minutes - Final

**Tuesday, June 7, 2022
9:30 AM
Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 11 A.M. (PARTICIPATE IN-PERSON OR
SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil
OR CALL 360.778.5010)**

COUNCILMEMBERS

Todd Donovan
Ben Elenbaas
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Kaylee Galloway called the meeting to order at 9:01 a.m. in a hybrid meeting.

Roll Call

Present: 3 - Todd Donovan, Ben Elenbaas, and Kaylee Galloway

Absent: None

Also Present: Barry Buchanan, Tyler Byrd, Carol Frazey, and Kathy Kershner

Announcements

Committee Discussion

1. [AB2022-314](#) Update on November 2021 Flood Mitigation Project

The following staff presented and answered questions:

- Gary Stoyka, Public Works Department
- Deb Johnson, Public Works Department

They answered how the proposed elevation and buy-out program for homes in flood-affected areas can be implemented in the incorporated cities since the County does not have jurisdiction there, what prioritizing agricultural properties (as referenced in the presentation as “Potential Criteria for Prioritizing Properties”) would involve, whether the term "floodway" is the same as the areas where the flood impacted all the homes, whether State law would still allow someone to build in the floodplain which is not in a floodway, how many people they think will be interested in this program assuming there will be funding for all of it, whether there are more letters that will be going out to people who have not been contacted yet, how the value of the buy-back that the homeowner will receive will compare with the market value of their home, and whether they are thinking ahead about the volume of displacement from housing that will occur and where we are going to grow to accommodate for that.

This agenda item was DISCUSSED.

2. [AB2022-315](#) Overview of Everson Flow Split Design Charrette in April

The following staff presented and answered questions:

- Deb Johnson, Public Works Department, presented
- Gary Stoyka, Public Works Department

They answered what it means to maintain the flow split at Everson (as recommended in 1999 in the Comprehensive Flood Hazard Management Plan [CFHMP]), whether it was a conscious decision to do so, and concerns that not everyone (including the community and Councilmembers) was invited to be part of the charrette.

This agenda item was DISCUSSED.

3. [AB2022-330](#) Discussion of a draft resolution supporting a transition to zero-emissions transportation

Galloway stated she would like to push this item to the next meeting and encouraged Councilmembers to email Council staff with their feedback so she can get it incorporated into a substitute version for the June 21 meeting.

Councilmembers and the Council Clerk discussed whether that process would be a quorum issue.

This agenda item was HELD IN COMMITTEE.

Committee Discussion and Recommendation to Council

1. [AB2022-335](#) Request approval to send a letter to the State Building Code Council on residential energy code

Galloway briefed the Councilmembers and stated there is some urgency because there is a public hearing at the State Building Code Council on June 17th. She stated a substitute letter was sent to Councilmembers this morning.

Donovan read from the letter that “our reading of state law is that cities and counties are preempted from implementing energy codes for residential construction” but asked if they *could* say as a body that they would support no new natural gas in commercial businesses.

Brian Emanuels, Climate Solutions, answered how the City of Bellingham passed an ordinance that applied to residential, whether the Legislature (when they passed the Climate Commitment Act) were assuming the State Building Code Council would then do an administrative procedure to implement the law and whether that is what this letter is going to apply to, whether regulations will be attached to any funding for the equity issues it might create for increased costs of heat systems, and how they would deal with homeowners in more remote areas that may not have a connection to electricity in an outage.

Galloway stated she tried to address the concern about rural areas in her substitute version (on file) with added language in the third to last paragraph and stated she would be open to feedback on how to articulate that.

Elenbaas spoke about his opposition to Building and Codes making laws and that it is reminiscent of other laws or ideas that are out there with good intentions but that cause negative outcomes. If it is true that it will be less expensive and reduce costs overall, there is no need for regulations to implement it. It will just happen. The market should dictate and the people should decide when a transition to electric is feasible. He will not support the letter.

Byrd suggested that the letter be more specific by reading, “We recognize that communities within our county are dependent on gas and alternative sources” and spoke about finding alternative solutions for emergency situations.

Galloway stated she and Byrd could work during lunch to get some specific language in the letter.

Donovan moved that the Substitute letter be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 2 - Donovan, and Galloway

Nay: 1 - Elenbaas

Absent: 0

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kaylee Galloway-via email 6/13/2022

Dana Brown-Davis, Council Clerk

Kaylee Galloway, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE