



**MEMORANDUM**

**TO:** County Council

**THROUGH:** Satpal Sidhu, County Executive

**FROM:** Jed Holmes, Public Affairs Manager

**CC:** Aly Pennucci, Deputy Executive; Elizabeth Kosa, Public Works Director; Bennett Knox, Parks and Recreation Director; Chris Elder, Senior Watershed Management Planner, Public Works

**RE:** Stewart Mountain Community Forest

**DATE:** July 30, 2025

---

Whatcom County is at an important juncture in our decision-making process related to the ownership structure of Stewart Mountain Community Forest. The Executive's Office is recommending an ownership model that we believe best aligns with the County's long-term goals, institutional capacity and risk management objectives. The Nooksack Indian Tribe and Whatcom Land Trust are supportive of this recommendation (see attached letters).

We are requesting the Council's concurrence with this approach and approval of a Department of Ecology grant to fund land acquisition for Phase II (AB2025-561).

**Background**

As you are aware, for the past several years, County staff has been actively engaged with community partners and the Nooksack Indian Tribe to explore pathways to build and sustainably manage Stewart Mountain Community Forest (SMCF). These efforts resulted in a consensus framework that articulates the benefits of such a community asset. The process has been informed by extensive local engagement to identify the values, vision and priorities of the forest.

The first major milestone came in 2022, when the Executive proposed and the Council authorized the use of Conservation Futures funds to support the acquisition of Phase 1 of SMCF (550 acres) by the Whatcom Land Trust with an easement in place to preserve County involvement.

This was followed by the Whatcom Land Trust's successful RCO grant application (with support from the County) for \$3 million, which was authorized by the Council in August 2024 (see AB2024-497). Separately, Whatcom County was awarded \$5.517 million through the Washington State Department of Ecology Streamflow Restoration Grant program, which is up for Council consideration on August 6 (see AB2025-561). These two grants are intended to support acquisition of Phase II of SMCF, expanding the community forest by another 1,616 acres.

As affirmed by previous Council decisions in support of SMCF, the acquisition of these lands aligns with the County's long-term goals for watershed and ecosystem enhancements, improving climate resilience, preservation of resource lands, and enhancement of recreational opportunities.

## **Ownership Structure**

In discussions with community partners and the Nooksack Indian Tribe, three ownership options were considered: County ownership; co-ownership by the Nooksack Indian Tribe and County; and ownership by a nonprofit, with tribal, County and partner participation through a governance board.

The ownership of forest land intended for recreation, ecosystem enhancement, tribal cultural access, and timber harvest comes with a number of risks, management responsibilities and resource needs. When evaluating the risks and benefits of County ownership or co-ownership, a number of concerns were raised.

- Limited County staffing and funding capacity could hinder full participation.
- Landslide-prone areas (notably Jones Creek) require risk mitigation.
- Legal obligations vary significantly depending on ownership model.
- Public access, recreation, and wildfire risk will require long-term planning and investment.

More information on the considerations given to the ownership model are provided in the background memo accompanying this agenda item.

After internal discussions with staff as well as consultations with the Nooksack Indian Tribe and Whatcom Land Trust, and following the advice of Public Works and Parks and Recreation leadership, the County Executive has concluded that the best ownership option for the community forest is a dedicated non-profit with Whatcom County participating on the entity's governance board.

This approach limits the liability exposure and the resource burden that would come with County ownership, while preserving an opportunity for the County to provide input into the management of the community forest.

Whatcom Land Trust is pursuing the creation of a subsidiary non-profit to own and manage the community forest, and the Nooksack Indian Tribe has indicated its support for this approach (see attached letters). The structure of the governance board has not yet been finalized, but broad consensus has been reached among key partners.

## **Requested Actions**

- Motion confirming the County's agreement to an ownership model where a nonprofit entity with County participation in the governance board will hold title to the acquired lands
- Approval of the acceptance of the DOE Streamflow Restoration Grant (AB2025-561)

## **Attachments**

Letter from Nooksack Indian Tribe dated July 10, 2025

Letter from Whatcom Land Trust dated July 9, 2025