

# **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, December 2, 2025**

**9 AM**

**Hybrid Meeting - Council Chambers**

**HYBRID MEETING - ADJOURNS BY 9:55 A.M. (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360-778-5010)**

#### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
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 9:02 a.m. in a hybrid meeting.

## **Roll Call**

**Present:** 6 - Barry Buchanan, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

**Absent:** 1 - Tyler Byrd

## **Announcements**

### **Committee Discussion**

1. [AB2025-843](#) Discussion of preliminary Planning Commission recommendations on Whatcom County Comprehensive Plan Chapter 8, Resource Lands, associated with the 2025 Comprehensive Plan Update

Lucas Clark, Planning and Development Services (PDS), presented Comprehensive Plan Chapter 8 Resource Lands, which is divided into agricultural lands, forest resource lands, marine resource lands, and mineral resource lands. Clark explained that the chapter contains goals and policies to identify and protect natural resource lands for long-term farming, forestry, and mineral extraction. He provided a brief overview of changes to the chapter and stated that various county advisory groups and stakeholders have provided their feedback and recommendations on the chapter.

Donovan asked about changes to designations of ag lands in the chapter.

Mark Personius, PDS Director, said a new policy would require mitigation for the conversion of ag land to UGA. Three cities-Everson, Nooksack, and Sumas-are affected by this policy and have been involved in the planning for the process. Mitigation would be required on an acre-by-acre basis. A covenant on the land would be required with a fee-in-lieu to be paid at the time of annexation to the Conservation Futures Fund.

Donovan asked for clarification about whether cities can legally expand their UGAs into ag land.

Personius said that a designation process is required when expanding a UGA into ag land. He stated that all ag lands are important, but some are more significant than others, and Council has to balance that when considering potential expansions. Some of the cities in North County are surrounded by ag land, so they would have to move into ag land if they were to grow and

expand.

He added that policy 8A-16 is significant from Planning's perspective. There is a 100,000-acre goal for agricultural lands. Policy 8A-16 could allow the pursuit of small-lot agriculture zones.

Scanlon asked whether the draft maps are available in the county's GIS data.

Personius said that the maps in Chapter 8 are available in the county's GIS data.

Scanlon asked about map 8-1, which has different shading for prime farmland and prime farmland if irrigated and protected from flooding. He asked if the county is prioritizing prime farmland over land that requires more investment.

Personius said that yes, the county is generally prioritizing the prime farmland and there is more discussion of that topic in the Agricultural Lands Assessment.

Galloway said that the Marine Resource Committee made recommendations on Chapter 8, but she didn't see them referenced in the memo or incorporated into edits. She asked whether their edits should be incorporated by the Council revision process.

Personius said that Council can certainly consider those recommendations.

Elenbaas said there used to be language in the Comprehensive Plan about prime soils if drained. He said he would like to see language about drainage in the Plan.

Personius said they are aware of that issue.

Elenbaas said the wording "prime if drained and protected from flooding" is concerning. Most farmers who farm near the river understand the risks. However, what gets their hackles up is not managing the flooding. He also spoke about issues with the definition of "ongoing agriculture." He said it forces farmers to farm fence line to fence line and ditch to ditch, which does not leave any ability to do any voluntary conservation. He asked where adjudication is discussed in the Comprehensive Plan.

Personius said it is discussed in Chapter 8 and in more depth in Chapter 10. He said he appreciates the concern, and there is a good opportunity to

revisit topics like ongoing ag when they update the critical areas ordinance in 2026.

Elenbaas said he has additional amendments that he will propose at the next meeting. He said that the county does a good job of preserving land, but they need to do a better job of preserving the ability to farm.

Donovan said he has questions about Planning Commission edits made in early November. He said one edit seems to commit Council funding to a forest collaborative, and the other deletes a section about a requirement to designate mineral resource lands.

Dan Dunne, a member of the Planning Commission, said policy 8G-18, which references a forest collaborative, was written in response to a request from the Forest Advisory Committee. He said there was duplicative language regarding mineral resource lands, so that deletion was simply to remove unnecessary language.

Scanlon asked if Elenbaas had a plan to address the situation he raised earlier.

Elenbaas stated that he did.

Stremler stated he has a question about the Planning Commission meeting minutes from November 6 regarding Policy 8Q. He asked if there is ever a time when Whatcom County can supersede federal or state regulations regarding flood control.

Personius said that the county can't supersede or usurp state or federal regulations. He said section 8Q has been in the Comprehensive Plan for some time. The language proposed by the Planning Commission acknowledges that the activities described in 8Q would likely be carried out by a government agency rather than a private individual.

Elenbaas said he does not think a government agency would take on gravel extraction except in rare circumstances. He said people who have done gravel extraction have told him that there are many permits required, which make it functionally disallowed. Elenbaas directed attention to the fish and wildlife section of the chapter and explained challenges created by some of its policies regarding drainage systems.

Galloway said there is a lot more work to be done on the chapter, and they will bring it back at a later date.

**This agenda item was DISCUSSED.**

2. [AB2025-513](#) Presentation by the Whatcom County Planning and Development Services Director and discussion relating to preliminary preferred alternatives for the Final Environmental Impact Statement (EIS) associated with the 2025 Comprehensive Plan Update

*Clerk's Note:* AB2025-513 and AB2025-701 were discussed together.

**This agenda item was DISCUSSED.**

3. [AB2025-701](#) Discussion of proposed amendments to the 2025 Comprehensive Plan Update

Galloway asked how the councilmembers want to proceed with the discussion.

Donovan said the proposals from small cities that expand into agricultural or floodplain lands seem problematic. He said he is not sure changing the language about de-designating those lands is a good solution. He said this is a concern Council should focus on as they move into the next year.

Galloway asked about changes made in the last two or three weeks that address Donovan's concerns about development in ag and floodplain areas.

Personius, Planning and Development Services (PDS) Director, said the Agricultural Land Assessment (ALA) provides the criteria for designation. 8A-15 and 8A-16 are being proposed to address concerns about the removal of ag lands. Sumas has the largest proposed expansion into both ag and floodplain land, but they have indicated they are willing to extinguish development rights or participate in a fee-in-lieu process. Nooksack is no longer proposing expansion into floodplain. Everson is only proposing a small expansion.

Galloway said she feels they are seeing movement in the direction that the Council has discussed.

Rollin Harper, planner for Everson, Nooksack, and Sumas, acknowledged the Planning Commission's good work.

Elenbaas stated that he appreciates Councilmember Donovan's concern about not expanding into agricultural zones. However, he said the loss of the farmland in the cities' UGA proposals is less concerning to him as an advocate for agriculture than some of the county's policy statements.

Personius said the final two UGA proposals will have hearings on December 4 at a Planning Commission meeting. He said he hopes that the recommendations from Planning Commission will be delivered to Council

in January.

Donovan asked what they are supposed to call the maps.

Personius said PDS is calling them draft or preliminary FEMA maps. The current regulatory maps, which are older, are called effective maps.

Stremler asked for further clarification regarding floodplain maps.

Personius said those maps are part of a study on sea level rise and flood rise and they are not part of a regulatory proposal.

Scanlon asked if that is the Future Shorelines Project.

Personius said that it is.

Galloway thanked everyone for the discussion.

**This agenda item was DISCUSSED.**

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

There was no other business.

### **Adjournment**

The meeting adjourned at 9:56 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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Kaylee Galloway, Council Chair

Meeting Minutes prepared by Jenna Gernand

