

MEMORANDUM

TO: Whatcom County Council
FROM: Matthew McDermott, Chair, Agricultural Advisory Committee Chair
DATE: December 16, 2020
SUBJECT: Countywide Review of Designated Mineral Resource Lands

The Whatcom County Agricultural Advisory Committee (AAC) would like to take this opportunity to provide feedback on the countywide review of Designated Mineral Resource Lands (MRL) that the Whatcom County Surface Mining Advisory Committee (SMAC) has been working on, specifically with regards to potential impacts to agricultural lands which may occur as a result.

First, we would like to recognize the enormity of the task the SMAC has undertaken, and to acknowledge the need for sand, gravel, and bedrock resources. In addition to general societal uses of these resources, they are also of value for their ability to contribute to a healthy agricultural economy.

That said, it is the understanding of the AAC that the SMAC recommendation may result in nearly 50,000 acres (~37,000 Designated Agricultural Lands and ~12,000+ acres of Rural Study Areas) of lands that have been identified as important toward supporting an economically viable agricultural industry, being re-designated to MRL. This change would allow for mining to be permitted by Whatcom County on prime agricultural lands through a Conditional Use Permit (CUP), and require reclamation subject to the Washington State Surface Mining Act (SMA), as administered by the Washington State Department of Natural Resources (DNR). Members of this committee are unaware of examples where the types of highly impactful mining operations, as may be permitted within Designated MRL, have been successfully reclaimed to agricultural lands approaching the quality/productivity of the pre-disturbed site. With a lack of examples, we remain skeptical that it can be done.

Therefore, we view these types of activities as conversions of agricultural lands and would request that agricultural mitigation strategies, including but not limited to Purchase of Development Rights (PDR), perpetual agricultural conservation easements over undeveloped parcels, fee in-lieu program, or other protective measures, be included as a requirement for approval through the CUP process.

Under current Whatcom County Code, small-scale (up to 500 cubic yards/year) non-commercial mineral extraction for farm enhancement purposes (e.g. levelling knolls/ridges) is allowed outside of MRLs (and without being subject to the SMA). Successful reclamation to agriculture from these activities may occur, but significant challenges remain, as evidenced by the findings of a gravel mine reclamation field trip to Abbotsford, British Columbia (BC) in July 2000. This field trip, hosted by the BC Ministry of Agriculture and attended by staff from Whatcom County Planning and Development Services (PDS) and the Natural Resource Conservation Service, among others, toured multiple reclaimed sites where subsequent agricultural activities were noticeably less productive and versatile, seemingly due to impacts to soils and drainage from the mining activity.

Meanwhile, levelling of knolls and ridges is relatively minor in comparison to the types of mining activities subject to the SMA. Mining subject to the SMA has the ability to substantially alter landscapes,

similar to operations within existing MRLs, to a point where reclamation to productive agriculture may not be feasible.

By nature, sand and gravel extraction must disturb one of the single most important factors of productive agriculture, the soil. Great care must be taken when disturbing, moving, storing, and replacing topsoil for successful reclamation. However, potentially detrimental impacts to successful reclamation are not limited to soil.

As surface mines are reclaimed, offsite materials would need to be brought in to replace the extracted sands and gravels prior to replacing the topsoil. Where sand and gravel seemingly provide important drainage capacity, the reclamation materials may not. If sands and gravels are replaced with finer silts and clays, limited drainage may result.

Finally, members of the committee are concerned with the potential impacts to agriculture that may occur from resource extraction below the water table. Best Management Practices (BMP) identified by DNR for reclamation to agriculture discourage, but do not outright prohibit, mineral extraction below the water table. If mineral extraction occurs below the water table, the committee would be concerned with impacts to drainage, as discussed above, as well as potential impacts to water resources in general.

Access to water resources (both quantity and quality) has been at the center of long-standing discussions between multiple stakeholders for greater than 20 years. This committee is concerned with how access to water for irrigation purposes may be impacted if surface mining within shallow aquifers were to occur, and how the ongoing water resource discussions may be impacted.

If you have any questions, please do not hesitate to contact Joshua Fleischmann, the AAC's Planning and Development Services staff contact, at 360-778-5952

Respectfully submitted:



Matthew McDermott, Chair
Agricultural Advisory Committee

Signed on behalf of the other Agricultural Advisory Committee Members:

Jeff Rainey	Dave Buys	Jagjiwan Brar	Steven Groen	Melodie Kirk
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