



**DISCLAIMER: This document contains the Whatcom County Council or Committee minutes, as approved. However, unless an attested signature page is attached, they are not the final approved minutes.**

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1 The property is a conservancy and adjoins the Birch Bay State Park. Across  
2 the street is a subdivision design. There is a large green space that the Coast  
3 Millennium Trail will run through, as part of the development. Access to the  
4 tidelands provides the public interest in having this property. If the County holds  
5 the property long-term, it would probably let the Birch Bay State Park provide  
6 oversight and management. There are no plans for the property. There is  
7 marketable timber on the property.

8  
9 Caskey-Schreiber stated she is in favor of the donation because there is no  
10 downside to it.

11  
12 Roy stated Mr. Hertz came to the Birch Bay community and implied that his  
13 intention was to use this property for leverage for other projects. She is in favor of  
14 the donation. The issue of incorporation may come forward again. She asked if the  
15 property remains the County's property if Birch Bay should incorporate. McFarlane  
16 stated it could remain the County's property. They've been looking for additional  
17 property for restrooms off the beach area.

18  
19 Nelson asked if this property is used as mitigation for other development.  
20 McFarlane stated it is not that they are aware of.

21  
22 Nelson asked what other properties, other than the State park, surround this  
23 property. McFarlane stated the property is wedged between the State park and the  
24 potential development across the street. The property is near the heronry.

25  
26 Caskey-Schreiber stated any wildlife habitat value is enough reason to accept  
27 the donation and leave the property alone. Put the property in conservancy and  
28 save it for that community.

29  
30 Crawford asked if anyone has looked at the merchantable timber in terms of  
31 forestry management. McFarlane stated the owner looked at it in terms of what  
32 they could do with it. The owner doesn't have any plans to harvest the timber.  
33 The State and Land Trust looked at this property also. The State parks didn't have  
34 anything to use to enhance the State park. It would have been more difficult for  
35 the Land Trust to leverage the property.

36  
37 Crawford asked if the property has been analyzed for habitat enhancement.  
38 Selective logging could create a better habitat. McFarlane stated it hasn't been  
39 analyzed that he knows of.

40  
41 Caskey-Schreiber stated the best habitat is left alone.

42  
43 Roy stated Terrell Creek runs through the property, which is the restoration  
44 project of the Nooksack Salmon Enhancement Association. Those people may be  
45 very interested in working on the property.

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1 Caskey-Schreiber stated she is opposed to any logging of the property.  
2 There is an enormous difference in the salmon return rates between streams  
3 they've cleared out and streams that had natural vegetation.  
4

5 **McShane moved** to accept the donation.  
6

7 **Motion carried unanimously.**  
8  
9

10 **OTHER BUSINESS**

11 There was no other business.  
12  
13  
14

15 **ADJOURN**

16 The meeting adjourned at approximately 7:00 p.m.  
17  
18  
19

20 \_\_\_\_\_  
21 Jill Nixon, Minutes Transcription  
22

23 The Council approved these minutes on January 11, 2005.  
24

25 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

26  
27  
28  
29  
30 \_\_\_\_\_  
31 Dana Brown-Davis, Council Clerk

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Dan McShane, Council Chair