

Chapter 5. Comments and Responses

This chapter of the Final Environmental Impact Statement (EIS) contains public comments provided during the comment period on the Draft EIS for the Whatcom County 10-Year Urban Growth Area (UGA) Review and responses to those comments. The State Environmental Policy Act (SEPA) requires a 30-day comment period; however, Whatcom County (County) provided a 45-day comment period to allow more time for review the document. The comment period extended from May 8, 2009, to June 22, 2009 at 4:30 p.m.

A list of letters received after the comment deadline appears in Section 5.3. While these letters received after the deadline are not included in this Final EIS, they are part of the 10-Year UGA Review process and record and have been provided to decision makers.

Section 5.1 provides a list of public comments. Section 5.2 provides responses to comments. Comment letters are available on a compact disc made available along With this Final EIS. Section 5.3 lists late letters received after the comment deadline.

5.1. Public Comments

A total of 21 comment letters were received during the public comment period from government agencies, interest groups, and citizens. Table 5-1 contains a list of the public comments received.

Table 5-1. Public Comments Received

Letter Number	Date of Comment	Author	Comment Abbreviation
1	6/22/2009	Washington State Department of Ecology, Bellingham Field Office	Ecology
2	6/19/2009	Tim Stewart – City of Bellingham	Bellingham
3	6/22/2009	Larry Moore and RobRoy Graham – Whatcom County Fire Protection District No. 14	FPD14
4	6/22/2009	T.M. Fields – Whatcom County Fire Protection District No. 21	FPD21
5	6/22/2009	T.M. Fields – Whatcom County Fire Chief's Association	FCA
6	6/22/2009	Jonathan Sitkin – Public Utility District No. 1 of Whatcom County	PUD
7	6/22/2009	Lisa Guthrie – Birch Bay Chamber of Commerce	BBCC
8	6/22/2009	Building Industry Association of Whatcom County	BIAWC
9	6/15/2009	Cathy Lehman – Futurewise Whatcom	FW
10	6/22/2009	Jean Waight – Geneva Neighborhood Association	GNA
11	6/22/2009	Perry Eskridge – Whatcom County Association of Realtors	WCAR
12	6/22/2009	Wendy Harris	Harris
13	6/22/2009	Eric Hirst	Hirst
14	6/22/2009	Simi Jain – Zender Thurston, P.S.	Jain
15	6/18/2009	Darcy Jones – Jones Engineers, Inc.	Jones
16	5/17/2009	Harold and Donna Macomber	Macomber
17	6/21/2009	Amy Mower	Mower
18	6/22/2009	Jack and Clayton Petree – Public Policy Perspectives	Petree
19	6/22/2009	Jeff Tate – Polymer Land Consultants	Tate
20	6/22/2009	Robert Tull and Dominique Zervas – Langabeer & Tull, P.S.	Tull
21	5/11/2009	Heather Wolf – Brownlie Evans Wolf & Lee, LLP	Wolf

5.2. Responses to Comments

This section provides responses to the comments received. Comment letters are provided on a compact disc made available with this Final EIS. Table 5-2 contains responses to comments; the numbering of the comments corresponds to the numbering added to the actual comment letters.

Comments that state an opinion or preference are acknowledged with a response that indicates that the comment is noted and forwarded to the appropriate decision makers. Comments that ask questions, request clarifications or corrections, or are related to the Draft EIS are provided a response that explains the approach, offers corrections, or provides other appropriate information.

Table 5-2. Responses to Comments

Comment Number	Response
Letter 1: Washington State Department of Ecology (Ecology), Bellingham Field Office	
Ecology-1	Preference for Action Alternative X Due to Water Availability and Infill Approach: The comment is noted and forwarded to County decision makers.
Ecology-2	Draft EIS Section 4-3, page 5, Padden Misspelling; Reference Needed to Tenmile Creek: See Final EIS Chapter 4 regarding the Padden Creek spelling correction. Tenmile Creek has also been added to Table 4.3-1. Mapped Streams within or adjacent to Cities/UGAs in Whatcom County.
Ecology-3	Clarify Water Source and Population, Section 4-3, page 5: The Whatcom County Critical Areas Ordinance Best Available Science Review and Recommendations for Code Update report prepared by Parametrix in 2005 indicates that approximately 65,000 County people (approximately 50%) obtain their drinking water from the surface waters of Lake Whatcom or the Nooksack River (page 4-2, first paragraph). The Draft EIS figure of 65,000 and 39% is based on the current population of the County. Based on Ecology's comment, the text is clarified to indicate that the majority of the County's population receives water from Lake Whatcom or the Nooksack River. See Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> .
Ecology-4	Spelling Correction, Section 4-3, page 6: See Final EIS Chapter 4 regarding the shallow bay spelling correction.
Ecology-5	Section 4-3, page 21, Sewers leading to Reduction in Fecal Coliform not Supported by Data: Final EIS Chapter 4 deletes the last sentence under the heading "Lakes", on page 4.3-24. This sentence states that "it is possible that a reduction in fecal contamination of lakes and streams in urbanizing areas may be an indirect result under any alternative, if areas with failing septic systems are repaired and brought into compliance or are serviced by

Comment Number	Response
	conventional sewage treatment facilities instead and pet waste is managed properly." The statement was included in the Draft EIS to indicate that repair of failing OSS or becoming serviced by conventional sewage treatment facilities instead could reduce fecal coliform bacteria.
Ecology-6	Section 4-3, page 30, Change from Agriculture to Residential and Loss of Wetlands: Page 4.3-30, last sentence of first paragraphs states that "Additionally, changes in land use, from agricultural to residential could impact areas that have hydric soils and would be considered wetlands if those lands weren't drained to accommodate agriculture, thus causing a loss of potential wetlands." Final EIS Chapter 4 deletes this sentence as it was based on professional judgment and supporting documentation is not available.
Ecology-7	Section 4-3, page 32, Tributaries Should be Spelled as Tributaries: The definition of a distributary is a "division of stream channels, as on a delta or alluvial fan, that flow away from the main channel, usually into a larger stream, lake or other receiving water body. Distributary streams for where deposition exceeds erosion." We believe that the Lummi River is a distributary of the mainstem Nooksack River, as the Lummi River flows away from the Nooksack River and into Lummi Bay. However, the use of distributaries is changed on page 4.3-35; see Final EIS Chapter 4.
Ecology-8	Section 4-3, page 38, Status of NPDES Program and Stormwater Regulations: The status of the Ecology manual adoption is clarified in Final EIS Chapter 4. The County has not yet adopted the Washington Department of Ecology Stormwater Manual for western Washington. The County may soon adopt the manual or an equivalent, as it is a requirement of National Pollution Discharge Elimination System (NPDES) Phase II.
Ecology-9	Lynden Population Growth in Water Service Area: Although the existing City of Lynden water service area experiences its greatest population growth under Action Alternative X, a portion of the City of Lynden's UGA is currently served by Delta Water Association. When counting the population growth of both the City and the Delta Water Association, Action Alternative Y provides the greatest population growth.
Ecology-10	Section 4.10 Water Rights Data Corrections: Draft EIS Table 4.10-29 has been updated to reflect the latest water rights that Ecology has on file; see Final EIS Chapter 4. In addition, there is language contained in the EIS that notes the disagreement on water rights between the City of Lynden and Ecology and the Memorandum of Understanding (MOU) that the two entities have in place during the time in which they are working to resolve this dispute.
Letter 2: Tim Stewart – City of Bellingham	
Bellingham-1	Use June 11, 2009 Version of the Land Capacity Analysis: The Draft EIS is based on a March 2009 version of the land capacity analysis for all alternatives and all UGAs, with some corrections to

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	<p>employment incorporated in April 2009. The Draft EIS noted in Chapter 2 that "... the draft land capacity method may evolve over time since the method allows for city and County modifications to certain factors based on local information (e.g., city or other local wetlands data, and employment rates). Modifications may alter the balance between land demand and supply."</p> <p>After the publication of the Draft EIS, the cities developed UGA proposals including modifications to land capacity analysis assumptions, and the County has considered the proposals. The June 11, 2009, results presented in the comment letter are based on both modified assumptions and corrections for the City of Bellingham.</p> <p>The Executive Recommendations modify the March 2009 land capacity analysis and for the most part incorporate revisions requested by the City. See Final EIS Chapter 2, <i>Alternatives</i>, which shows the Executive Recommendations land capacity analysis results using the revised method.</p>
Bellingham-2	<p>Lake Whatcom Watershed/UGA Comments – Retain Hillsdale and Geneva Portions of UGA; City Employs Draft EIS Mitigation Measures: The comment is noted and forwarded to County decision makers.</p> <p>The Draft EIS alternatives retain the identified UGA boundaries while the Final EIS Executive Recommendations remove areas designated for urban growth in the Lake Whatcom and Lake Padden watersheds.</p>
Bellingham-3	<p>Importance of Emergency Medical Services and Creative Solutions such as Medic One: Draft EIS Page 4.10-13 notes the statistic that 75% of emergency calls are for medical service. That same page also references the countywide 911 dispatch system operated by the City’s Fire and Police departments and administered by the “What-Comm Administrative Board.” Page 4.10-23 of the Draft EIS includes mitigation measures, and these address the potential for lower cost “Medic/Aid” stations as well as the need for expanded dispatch services provided concurrent with development.</p>
Bellingham-4	<p>Add Text on Fire Service Impacts Regarding Character of UGA Development: The recommended sentences will be added to the third paragraph of “Impacts Common to All Alternatives” on pages 4.10-16 and 17. The added sentences read: "The character of UGA development is equally important in determining the efficiency of fire protection. Infilling in peripheral city areas may require new or relocated fire stations to quickly serve these areas. The nature of the infill development (adult versus family housing) can also have a major impact." Please see Final EIS Chapter 4.</p>
Bellingham-5	<p>Fire Districts 2 and 10 are now part of South Whatcom Fire Authority: Section 4.10.2 of the Draft EIS does not reference Fire Districts 2 and 10 and references the new South Whatcom Fire Authority.</p>
Bellingham-6	<p>Need for Countywide Fire/EMS Level of Service (LOS): The</p>

Comment Number	Response
	<p>comment is noted. Draft EIS mitigation measures on page 4.10-23 identify the need for a coordinated LOS.</p> <p>Executive Recommendations studied in this Final EIS include a proposed Comprehensive Plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011.”</p>
Bellingham-7	<p>City Transportation LOS Standards: The comment is noted. The Draft and Final EIS use County-adopted LOS standards and the Whatcom Council of Government (WCOG) transportation model. Draft EIS Chapter 4.9, Section 4.9.3, <i>Mitigation Measures</i> indicates:</p> <p>“The WCOG is presently in the midst of a Whatcom Transportation Plan Update scheduled for completion by June 30, 2012. The plan update will include development of a new countywide travel demand forecasting model, which is scheduled for completion in early 2010. In addition, it is possible that as part of the update process, a coordinated functional classification and LOS measurement system will be developed between the County and cities.”</p>
Bellingham-8	<p>Future LOS Results: The comment is noted. Future LOS projections were based on the traffic projections of the WCOG countywide travel demand forecasting model, using land use projections developed for each Draft EIS alternative. The analysis is planning-level, based on average capacity estimates and V/C thresholds adopted by the County, and is intended to be conservative for the purpose of capital facilities planning. For roads that are currently operating at acceptable levels, but for which future deficiencies are projected, the County will monitor conditions and will not initiate improvement projects until such time that the roads are at or approaching deficient conditions. At that time, more detailed preliminary design would be conducted, and would be tailored to address the specific traffic patterns that trigger the deficiency. See also the response to Comment Bellingham-7.</p>
Bellingham-9	<p>Lakeway Drive/Terrace Avenue N/Cable Street Improvements: The comment is noted. The level improvement identified in the Draft EIS was the lowest level identified to address the projected future deficiency at this location, based on the output of the WCOG countywide model. The recommendation is based on planning-level analysis, and does not preclude a more detailed analysis that would need to be completed prior to design. This road is currently operating at acceptable levels, and the County will not initiate any improvement project along this roadway until such a time that monitoring indicates that operations are at or approaching deficient conditions. At that time, more detailed preliminary design would be conducted and would be tailored to address the specific traffic patterns that trigger the deficiency, as well as more specific design constraints. Preliminary design could also take into account investments in transit or other demand-oriented strategies intended to reduce overall vehicle demand.</p>
Bellingham-10	<p>Agree with Mitigation on Various Other Roads: The comment is noted and forwarded to County decision makers. Please also see</p>

Comment Number	Response
	responses to Comments Bellingham-8 and 9.
Bellingham-11	LOS Standards – Implication for Limiting Infill if Too High: The comment is noted. See response to Comment Bellingham-7.
Bellingham-12	LOS Standards – Do not Use V/C Ratio: The comment is noted. See response to Comment Bellingham-7.
Bellingham-13	County Transportation Impact Fee: The comment is noted and forwarded to County decision makers. Draft EIS Table 4.9-11 and Draft EIS Section 4.6-1 describe the County's impact fee initiative. The County is currently considering amendments to its comprehensive plan and zoning code that would amend its interim transportation concurrency program and add a transportation impact fee system. The Whatcom County Planning Commission has considered these amendments at a public hearing and has recommended approval. The Whatcom County Council is now considering the amendments.
Bellingham-14	Intensifying UGAs and Urban Centers: The comment is noted. See response to Comment Bellingham-7.
Bellingham-15	Add City's Historic Registry to Draft EIS: Most of the buildings on the city's local historic registry are included in the national or state registers as listed in Draft EIS Table 4.8-2. Nevertheless, the city's registry is added as Table 4.8-2b. Please see Final EIS Chapter 4.
Bellingham-16	Central Business District Multiple Property Listing: The comment is noted and forwarded to County decision makers.
Bellingham-17	City Center Design Review District: The comment is noted and forwarded to County decision makers.
Bellingham-18	City SEPA Policy Requiring Archaeological Analysis: The comment is noted. Other Potential Mitigation Measures in Draft EIS Section 4.8.3 identify a similar analysis.
Bellingham-19	Redevelopment in Bellingham Less Likely to Disturb Archaeological Resources: The Draft EIS indicates "Bellingham is the largest urban area in the County and has the highest number of NRHP structures. Bellingham also has a large number of prehistoric archaeological sites, some of which have previously produced human remains. The likelihood of development impacting previously recorded cultural resources is higher in Bellingham than in other UGAs. Bellingham and its UGA have not undergone a comprehensive cultural resources inventory and undiscovered cultural resources may exist that have not been identified in this UGA Study Area." The Draft EIS also notes that "Consistent application of federal, state, and local laws should reduce the potential for impacts on cultural resources." The city has identified in its comment letters several policies and regulations that are intended to reduce potential impacts on cultural resources that are similar to mitigation measures suggested in the Draft EIS.
Bellingham-20	Note Bellingham's Historic Preservation Ordinance: The

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	comment is noted. Text regarding the City's Historic Preservation Ordinance is added to Draft EIS Section 4.8.1, under the heading <i>Preservation Framework and Existing Programs</i> . Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> .
Bellingham-21	County Consider Adoption of Historic Preservation Regulations: The comment is noted. The Draft EIS quotes Policy 10E-5 that indicates the County's intent to enact a historic preservation ordinance.
Bellingham-22	County Consider Building Code and Educational Mitigation Measures: The comment is noted. The suggested mitigation measures are added to Draft EIS Section 4.8.3, <i>Other Potential Mitigation Measures</i> . Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> .
Letter 3: Larry Moore and RobRoy Graham – Whatcom County Fire Protection District No. 14	
FPD14-1	Fire Protection District 14 Does not Provide Urban Level Service to Columbia Valley UGA: Comment noted and forwarded to County decision makers. The Executive Recommendations include proposed land use policy 2AA-6 and proposed capital facility policy 4H-3 that would require fire protection capital facility plans in place by December 1, 2011. If such plans are not in place, the UGA status would be removed for the Columbia Valley UGA.
FPD14-2	District Facts in Draft EIS and Revenue Limitations: Draft EIS Table 4.10-10 detailing fire facilities has been updated with the correct apparatus number noted in the comment letter. The remainder of the information provided about the district in the Draft EIS is accurate. Please see Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS. Additional information regarding the district facilities is noted and has been forwarded to County decision makers. Regarding revenues, the EIS is not required to address fiscal and funding matters per WAC 197-11-448. The Whatcom County Council may consider funding and fiscal matters in the planning process as another source of information apart from the EIS.
FPD14-3	Level of Service: LOS standards are measures of the amount (and/or quality) of the public facility which must be provided to meet a community's basic needs and expectations. In the absence of adopted countywide fire service LOS standards that tie provision of fire service to capital facility need, the EIS analyzes a combination of a square-foot-per-incident method that was used in a draft North Whatcom Fire and Rescue Capital Facility Plan (undated) that was

Comment Number	Response
	<p>provided in response to the County's request for information on non-County-provided capital facility plans¹, as well as a qualitative analysis of fire district response time in order to help achieve the geographic dispersion of fire stations, apparatus, and personnel across a varying geography described in this comment. The Draft EIS analysis provides an order of magnitude review of potential impacts commensurate with the programmatic nature of the regional growth alternatives. The Draft EIS alternatives were found to impact all fire protection districts serving urban areas; mitigation measures included the need to develop a countywide coordinated LOS, expanded fire and emergency services concurrent with development, and other measures.</p> <p>The Executive Recommendations studied in this Final EIS include a proposed comprehensive plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011. The proposed policy also indicates that if the LOS standard adopted by the County cannot be provided over the 20-year planning period, then redesignation of UGAs to rural designations should be considered.</p> <p>Comments on the inability of the district to meet urban or suburban National Fire Protection Association (NFPA) 1720 standards in the Columbia Valley have been forwarded to decision makers.</p>
FPD14-4	<p>District Capital Facility Plan: The district's 2009 Fire and Emergency Medical Services (EMS) Capital Facilities Plan is being addressed in the proposed County Capital Facilities Plan, as appropriate.</p>
Letter 4: T.M. Fields – Whatcom County Fire Protection District No. 21	
FPD21-1	<p>Fire Protection District 21 Provides Variable Levels of Services to Birch Bay UGA: District comments on its ability to provide varying NFPA 1720 standards of service to the Birch Bay UGA under the Draft EIS alternatives analyzed have been forwarded to decision makers.</p> <p>Executive Recommendations studied in this Final EIS include a proposed comprehensive plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011. The proposed policy also indicates that if the LOS standard adopted by the County cannot be provided over the 20-year planning period, then redesignation of UGAs to rural designations should be considered.</p>
FPD21-2	<p>Population: Draft EIS Table 4.10-10. Fire Facilities Inventory is updated with the district's new population estimate. Please note that the district's own population estimate of 2008 population (28,246) is</p>

¹ The County invited cities, special districts, and service providers to two coordination meetings regarding developing a comprehensive Capital Facilities Plan focusing on the regional growth alternatives. The first meeting was held on February 18, 2009, and the second meeting was held on March 18, 2009. Drafts of documents were provided to service providers for their review. Districts were asked to provide input on LOS relating to capital facilities.

Comment Number	Response
	higher and was developed based on 2000 U.S. Census calculation of district population plus the City of Blaine, which annexed to the district in 2004 (District Plan, p. 3). Population estimates prepared for the County's capital facility analysis indicate a lower population including Blaine of 23,570 as described in footnotes to Tables 4.10-10 and 4.10-11. The County's 2008 estimate was developed using the State of Washington Office of Financial Management (OFM) estimates for incorporated cities and countywide building permit data between 2000 and 2008 for unincorporated areas and applying occupancy rates and household sizes based on U.S. Census or American Community Survey information (Berk & Associates 2009). Both population figures were addressed in the Draft EIS.
FPD21-3	District Facts: District comments have been incorporated into Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> and have been incorporated into the update to the County's Capital Facilities Plan.
FPD21-4	Capital Facility Plan: The information found in the district's Capital Facility Plan has been used in updating the Draft EIS (see Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>) and has been used in updating the County's Capital Facilities Plan.
FPD21-5	Revenue Limitations: The EIS is not required to address fiscal and funding matters per WAC 197-11-448. The Whatcom County Council may consider funding and fiscal matters in the planning process as another source of information apart from the EIS.
FPD21-6	Level of Service: See response FPD14-3.
FPD21-7	Copy of Capital Facilities Plan: Information provided in the district's Capital Facilities Plan has been used to update the Public Services section of the Draft EIS (see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>) and has been used in the County's update of its Capital Facilities Plan. North Whatcom Fire and Rescue's Capital Facilities Plan does not use a square-foot-per-incident analysis. The district's updated methodology relies on response time and fire station geographic coverage to arrive at a number of stations and apparatus needed to maintain recent ratios to existing development. Most fire districts in the County do not currently have the ability to derive this information. For this reason, and to ensure consistency of analysis, the North Whatcom Fire and Rescue Square Feet Per Incident in Table 4.10-11 have been changed to use the information obtained from the Whatcom County Fire Marshal's Office.
FPD21-8	Plans and Policies Mitigation Measures: Mitigation measures on page 1-19 of the Draft EIS are intended to address impacts of the Draft EIS alternatives on Growth Management Act (GMA) goals, GMA UGA sizing requirements, GMA resource lands requirements, and the County Comprehensive Plan vision statement. Revenue issues can be considered in the planning process but are not a requirement to be addressed in the EIS per Washington Administrative Code (WAC)

Comment Number	Response
	<p>197-11-448.</p> <p>Mitigation measures regarding fire and emergency services are addressed in summary on page 1-29 and in Draft EIS Section 4.10.2, <i>Fire and Emergency Medical Services</i> and do suggest a concurrency process as one mitigation measure among others.</p>
<p>FPD21-9</p>	<p>Impacts Common to All Alternatives – Need to Ensure Urban Level of Service for Fire Protection: The County is including fire services in its update to its Capital Facilities Plan (Executive Recommendations Comprehensive Plan Amendments Appendix E). The Draft EIS identifies fire district deficiencies in 2031 under all alternatives and identifies mitigation applicable to fire and emergency medical service provision. See page 1-29 for a summary of mitigation measures.</p> <p>The Executive Recommendations studied in this Final EIS reduce UGA boundaries where UGAs are oversized including most of the Blaine UGA and a significant portion of the Birch Bay UGA that are part of the Fire Protection District. Additionally, the Executive Recommendations include a proposed comprehensive plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011. The proposed policy also indicates that If the LOS standard adopted by the County cannot be provided over the 20-year planning period, then redesignation of UGAs to rural designations should be considered.</p> <p>As noted in Draft EIS Chapter 2, Section 2.5.4, the County is using phased SEPA review; future nonproject and project-level actions will be subject to additional environmental review as appropriate.</p> <p>Future SEPA review will occur on a project-level basis. As noted in Draft EIS mitigation measures, specific impacts of future development proposals should be assessed and appropriate mitigation measures imposed through the County’s SEPA authority. These may include building access and lighting, right-of-way access, and other measures to support rapid emergency response.</p> <p>District plans are the basis for determining County Capital Facility Plan projects, financing, and other elements, and will also be used for potential SEPA mitigation discussions between the County, district, and development applicants.</p>
<p>FPD21-10</p>	<p>Countywide LOS: The comment is noted. The Executive Recommendations studied in this Final EIS include a proposed comprehensive plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011.</p>
<p>FPD21-11</p>	<p>Concurrency: The comment is noted. A concurrency process may be considered in conjunction with the establishment of a countywide LOS. See response to Comment FPD21-10.</p>
<p>FPD21-12</p>	<p>Medic/Aid Station Mitigation Measure Requires More Review: The EIS provides potential mitigation measures applicable to fire and EMS provision in the County. It is at the County and service provider’s</p>

Comment Number	Response
	<p>discretion as to which mitigation measures to use. Since fire and EMS are provided by multiple entities, some mitigation measures may be feasible for some entities but not feasible for others. The City of Bellingham Fire Department identified the bullet 4 potential mitigation measure as an option and stated that Medic One currently provides this model of service for emergency medical services provision in portions of the County (Boyd pers. comm.). Since some medic/aid stations have been developed already and some fire protection and emergency service providers may implement such stations as noted by the City of Bellingham, they are part of the range of mitigation options.</p>
<p>Letter 5: T.M. Fields – Whatcom County Fire Chief’s Association</p>	
<p>FCA-1</p>	<p>Recommended Use of NFPA 1720 Standards as LOS: The comments have been forwarded to decision makers for their consideration.</p>
<p>FCA-2</p>	<p>Reassess Land Use if Capital Facilities Not Available: The County is in the process of updating its Comprehensive Plan Capital Facilities Element consistent with GMA requirements concurrent with the development and review of the EIS. The analysis contained in the EIS is assisting the County in its Capital Facilities Element update. One of the factors being used to assess UGA location and size is the ability for service providers to provide adequate facilities and services.</p> <p>Executive Recommendations studied in this Final EIS reduce UGA boundaries where UGAs are oversized. Additionally, Executive Recommendations studied in this Final EIS include a proposed comprehensive plan policy 4H-3 to develop a countywide fire protection LOS policy by December 1, 2011. The proposed policy also indicates that if the LOS standard adopted by the County cannot be provided over the 20-year planning period, then redesignation of UGAs to rural designations should be considered.</p>
<p>Letter 6: Jonathan Sitkin – Public Utility District No. 1 of Whatcom County</p>	
<p>PUD-1</p>	<p>Summary of Supreme Court Cases and PUD Policy Options. The comment is noted and forwarded to County decision makers. See responses to Comment PUD-2 through PUD-6 for Draft EIS clarifications where appropriate.</p>
<p>PUD-2</p>	<p>Draft EIS page 4.10-17: The second full paragraph at the end of the third line, is amended by inserting "providing fire flows" as a qualifier to "water systems." Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>.</p>
<p>PUD-3</p>	<p>Draft EIS page 4.10-61: In the last paragraph of Impacts Common to All Alternatives, the first sentence is revised to read: "A number of the water systems in the County have a range of deficiencies that may compromise the ability of a developer to meet the requirements of the County Fire Code." Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>.</p>

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PUD-4	<p>Draft EIS Pages 4.10-61 to 64: For the No Action Current Comprehensive Plan and Trends Alternatives, the first sentence of the last paragraph under each specific alternative is clarified to say: “Water distribution and fire flow requirements must also be met by water providers <u>contractually or otherwise legally obligated to provide them</u> under the No Action Current Comprehensive Plan Alternative.” Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>.</p> <p>The same sentence does not appear with Action Alternative X and Action Alternative Y and thus changes are not made with these alternatives.</p>
PUD-5	<p>Applicable Regulations and Commitments: On page 4.10-65, the first sentence of the second bullet under Applicable Regulations and Commitments is revised to read: “Water supply facilities, <u>to the extent they are contractually or otherwise obligated to provide fire flows</u> for new development and public water system expansions must be designed to meet, at a minimum, the fire flow levels specified in WAC 246-293-640, the International Fire Code, and WCC Title 15. Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>.</p>
PUD-6	<p>Other Potential Mitigation Measures: The first sentence of the first bullet on page 4.10-65 under Other Potential Mitigation Measures is revised to read: Water systems <u>providing fire flows</u> should increase the size of piping, install additional looping to increase water pressure for fire flow, and/or increase frequency of hydrant placement to meet fire flow requirements. Please see Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i>.</p>
Letter 7: Lisa Guthrie – Birch Bay Chamber of Commerce	
BBCC-1	<p>Maintain Birch Bay UGA: The comment is noted and forwarded to County decision makers. The Draft EIS alternatives maintain UGA boundaries; however, the Executive Recommendations reduce the UGA to better match land supply and demand. Much of the reduced land area would be placed in an UGA Reserve for such future time that it may be needed due to increased growth.</p>
BBCC-2	<p>Believe UGA is in Deficit Rather than Oversupply: The comment is noted and forwarded to County decision makers. Updates to the land capacity analysis have been made with the Executive Recommendations; however, without UGA reductions the Birch Bay UGA appears oversized.</p>
BBCC-3	<p>Land Capacity Does not Differentiate between Full-Time and Part-Time Population: The land capacity methodology accounts for local occupancy rates as identified in Draft EIS Table 4.7-5. The Executive Recommendations modify the land capacity analysis but continue to use variable occupancy rates in the different UGAs.</p>
BBCC-4	<p>Critical Areas Underestimated: Generally, the land capacity analysis uses the best available data for deduction of critical areas.</p>

Comment Number	Response
	Some updates to the information were made in the Birch Bay UGA in working with local citizens. The Executive Recommendations include a monitoring program, which will allow the County to collect updated information over time and where possible.
BBCC-5	Plan for Economic Growth in Birch Bay: The Draft EIS alternatives tested a range of employment projections. The Executive Recommendations plan for additional employment in the range of the Draft EIS alternatives.
BBCC-6	Continue to Implement Birch Bay UGA Plans: The comment is noted and forwarded to County decision makers.
Letter 8: Building Industry Association of Whatcom County	
BIAWC-1	<p>Concern about Draft EIS per Scoping Letter and Public Process: The comment is noted and forwarded to County decision makers.</p> <p>The scoping comments were summarized in Draft EIS Appendix A including the Whatcom County Council's approach in defining the range of alternatives. The public participation efforts have been numerous and varied. See Draft EIS and Final EIS Section 2.5.1</p>
BIAWC-2	<p>10-Year UGA Review Required – Current Effort Beyond 10-Year UGA Review Requirements: The County efforts with the 10-Year UGA Review are consistent with the Western Washington Growth Management Hearings Board order. The 10-Year UGA Review objectives are addressed in Draft and Final EIS Section 2.2, <i>Purpose of the 10-Year UGA Review</i>.</p> <ul style="list-style-type: none"> ▪ Revise the plan to extend the planning horizon from the year 2022 to the range 2029 to 2031. ▪ Adopt population growth projections within the range of forecasts from the OFM as required by GMA. ▪ Assure continued compliance with Countywide Planning Policies (CWPPs). ▪ Revise UGA boundaries that direct where urban land uses and urban public services may occur to accommodate adopted growth projections. ▪ Amend the plan's land use map designations that direct zoning regulations to accommodate population and employment forecasts and to meet other community objectives for management of growth. ▪ Incorporate changes to the plan to accommodate population and employment growth and ensure consistency among elements, including, but not limited to land use, transportation, and capital facilities. ▪ Include additional or updated information and address changes in the County.
BIAWC-3	EIS Alternatives – Consequences of Choosing a Less than Likely Population Number: The Draft EIS alternatives address a population range of 234,917 to 258,448 by the years 2029 to 2031.

Comment Number	Response
	<p>The low range is consistent with the current Comprehensive Plan and the upper range is consistent with the OFM Most Likely population level for 2029.</p> <p>Alternatives with a lower population and with a higher population were not carried forward as described in Draft and Final EIS Section 2.7.</p>
<p>BIAWC-4</p>	<p>Action Alternative X and Action Alternative Y Vague and Difficult to Combine: The EIS alternatives are programmatic consistent with SEPA Rules at WAC 197-11-442, Contents of EIS on nonproject proposals: “The lead agency shall have more flexibility in preparing EISs on nonproject proposals, because there is normally less detailed information available on their environmental impacts and on any subsequent project proposals.”</p> <p>However, the differences in Action Alternative X and Action Alternative Y are stated in Draft and Final EIS Chapter 2, <i>Alternatives</i> and test different amounts of growth between Bellingham and the other smaller urban areas and different amounts of rural growth.</p> <p>Action Alternative X has the following elements as summarized in Table 2-1:</p> <ul style="list-style-type: none"> ▪ Growth is shifted out of rural areas and into UGAs ▪ Tools may include larger rural lot sizes, rural lot consolidation, transfer of development rights or rezone of rural study areas to agricultural lands ▪ Bellingham continues to be the primary job and population center in the County ▪ Infill emphasis ▪ Assumes planned urban densities ▪ Tests compact growth <p>Action Alternative Y has the following features also as summarized in Table 2-1:</p> <ul style="list-style-type: none"> ▪ Bellingham allocation stays at or below historic trends ▪ Growth is shifted away from Bellingham to other small urban communities ▪ Higher rural growth share than Action Alternative X and adopted comprehensive plan ▪ Assumes densities achieved in last few years continue ▪ Tests growth in a larger geography—urban and rural <p>Key assumptions were listed for each alternative, such as planned and achieved urban densities (Tables 2-9 and 2-11), and potential rural density tools (Table 2-10).</p>
<p>BIAWC-5</p>	<p>Growth Tiering Policies: The results of the Growth Management Coordinating Council (GMCC) regional policy discussions are included in “Whatcom 2031 Urban Growth Area Review: Whatcom County Growth Management Coordinating Council Recommendations, July 2009” available at</p>

Comment Number	Response
	<p>http://www.co.whatcom.wa.us/pds/2031/projects/gmcc/index.jsp. Growth tiering is not mentioned.</p> <p>The EIS alternatives are based on concepts discussed with the GMCC, the Whatcom County Planning Commission, and the Whatcom County Council, EIS scoping, as well as citizen workshops. (See Draft and Final EIS Sections 2.5.1 and 2.6.2 and Draft EIS Appendix A.) The Whatcom County Council set the range of the Draft EIS alternatives in February 2009. The Final EIS is based on the Executive Recommendations including proposed comprehensive plan policy amendments prepared in coordination with proposed growth allocations and UGA sizing.</p>
<p>BIAWC-6</p>	<p>Changing Land Capacity Analysis: The Draft EIS stated in Section 2.5.5 that the County has elected to follow an integrated SEPA/GMA process to ensure that environmental analysis under SEPA occurs concurrently with, and as an integral part of, the planning and decision-making process under GMA. The 10-Year UGA Review Draft EIS was issued using draft land capacity methods and was open to the 45-day public comment period. It is expected that the planning process may incorporate changes as a result of the Draft EIS analysis. The EIS should disclose but not limit the planning process. The planning process regarding land capacity is described below.</p> <p>The Draft EIS is based on a draft land capacity analysis prepared in March 2009, with some corrections to employment incorporated in April 2009. The Draft EIS also tested some other options such as achieved versus planned densities in some alternatives and also the possibility of alternative assumptions for floodplains.</p> <p>The Draft EIS noted in Chapter 2 that "... the draft land capacity method may evolve over time since the method allows for city and County modifications to certain factors based on local information (e.g., city or other local wetlands data, and employment rates). Modifications may alter the balance between land demand and supply."</p> <p>After the publication of the Draft EIS, the cities developed UGA proposals including modifications to land capacity analysis assumptions, and the County has considered the proposals.</p> <p>The Executive Recommendations modify the March 2009 land capacity analysis and incorporate revisions based on a review of city proposals. Key changes include adjustments in the land capacity analysis method regarding floodplain deductions and assumed densities, topics considered in the Draft EIS.</p> <p>See response to Comment Bellingham-1.</p>
<p>BIAWC-7</p>	<p>Focus Should Be Review and Revision of UGAs: Counties must designate UGAs—areas already characterized by urban development or adjacent to areas characterized by urban development—in consultation with cities. UGAs are to be revised, if necessary, to accommodate the urban growth projected to occur in the County for the succeeding 20-year period. Designated UGAs should</p>

Comment Number	Response
	<p>accommodate future urban growth; services and facilities and their areas should be available or planned to support future urban growth. (See RCW 36.70A.110.)</p> <p>Each EIS alternative tests a different pattern of growth, and the EIS reports potential land supply and demand for each alternative as well as impacts to the natural and built environment including public services.</p> <p>In addition to conducting an analysis addressing municipal and unincorporated UGAs, the County coordinated with the cities in the following ways:</p> <ul style="list-style-type: none"> ▪ GMCC with elected representatives from each jurisdiction – with monthly meetings generally from June 2008 to July 2009 ▪ Technical Advisory Group (TAG) with planning directors from each jurisdiction – with monthly meetings generally from June 2008 to June 2009 ▪ Service provider meetings in February and March 2009 where the County invited cities, special districts, and service providers to two coordination meetings regarding developing a comprehensive Capital Facilities Plan focusing on the regional growth alternatives ▪ A joint Whatcom County Planning Commission/Whatcom County Council Workshop was held on June 16, 2009, where each city could present its UGA proposal. The County also presented its proposals for unincorporated UGAs. Each local government developed its UGA proposal with local public participation. UGA proposals were made available at the joint Whatcom County Planning Commission/Whatcom County Council Workshop, and were posted on the web. A Whatcom County Council public hearing was held on June 23, 2009, to consider the UGA proposals. ▪ Land Capacity Analysis – a common methodology was developed with the GMCC and TAG; it was revised as part of the Executive Recommendations following consideration of city proposals. <p>See also response to Comment BIAWC-2.</p>
<p>BIAWC-8</p>	<p>Policies on Completing Capital Facility Planning and Development Regulations Should be Discussed: Draft EIS Section 4.10, <i>Public Services and Utilities</i> addressed capital facilities and services. Draft EIS Section 4.6, <i>Plans and Policies</i> addressed consistency with GMA and County plans and policies and potential amendments. Analysis and mitigation measures in these sections identify potential approaches to capital facility planning and growth regulations to reduce environmental impacts and accommodate growth.</p> <p>The Executive Recommendations include a proposed Capital Facility Plan as Comprehensive Plan Appendix E. Much of the information is similar to that found in Draft EIS Section 4.10, <i>Public Services and Utilities</i> but the proposed plan also includes revenue information and proposed capital projects.</p>

Comment Number	Response
BIAWC-9	<p>Pre-determined Outcome: As noted in this comment, the Draft EIS was used as a tool in an integrated planning process and presented a menu of options in the four growth alternatives. The 10-Year UGA Review process was conducted in coordination with the cities as described in response to Comment BIAWC-7. It is a challenge to prepare a land capacity analysis that is both uniform and tailored and the method reviewed at two public hearings (December 2008 and February 2009) includes both uniform and tailored methods. While the land capacity analysis has a common framework, it allows for local input of assumptions as noted in response to Comment BIAW-6. The results of the analysis even accounting for several revisions requested by the cities shows that most UGAs were oversized.</p> <p>In 2008 when the County first reviewed UGA sizing in accordance with individual city plans rather than a coordinated approach, the results were similar that most UGAs were oversized (see Whatcom County Resolution 2008-007).</p> <p>Initial public workshops on the Rural Element update had been held in Fall 2008; Limited Areas of More Intensive Rural Development (LAMIRD) study areas were known at that time. The analysis of rural lots included in Draft EIS Section 4.7 is based on information made available to the public in advance of a February 17, 2009, public hearing before the Whatcom County Council.</p>
BIAWC-10	<p>Public Process: A public participation plan for Phase I of the 10-Year UGA Review process was prepared following consultation with the GMCC in September 2008 to address activities between August and December 2008. A revised public participation plan was prepared in December 2008 to address Phase 2 efforts to achieve the 10-Year UGA Review. A Phase 2 public participation plan was prepared in December 2008. The public participation plans were posted on the County's web site. Additionally, public participation activities through summer 2009 were summarized in Attachment D to the Executive Recommendations. See "Public Participation Activities Summary" August 14, 2009, available at: http://www.co.whatcom.wa.us/pds/2031/pdf/Appendix-D-public-participation.pdf.</p> <p>Major public participation activities have included workshops, surveys and questionnaires, and hearings, as described in Final EIS Section 2.5.1, <i>Public Review Opportunities</i>. The Growth Management Hearings Board extended the 10-Year UGA Review timeline by 5 months, allowing the cities and County more opportunities to collect citizen comments.</p> <p>The public participation process has included a variety of opportunities for citizen and agency input. This input has influenced alternatives and recommendations. Some examples follow:</p> <ul style="list-style-type: none"> ▪ Citizen input on the County vision led to the formulation of Draft EIS alternatives – such as the concept of focusing growth in Bellingham versus smaller cities.

Comment Number	Response
	<ul style="list-style-type: none"> ▪ City input on the land capacity methodology is reflected in several Executive Recommendations. ▪ City requests for greater employment are reflected in Executive Recommendations. <p>City coordination has involved several activities as described in response to Comment BIAWC-7. A key coordination effort has been the GMCC. The GMCC held monthly meetings between June 2008 and July 2009. Packets were posted to the Whatcom 2031 web site prior to the meetings, and meeting summaries were posted following the meetings. Written public comments were posted to the Whatcom 2031 web site and shared with GMCC members. Meetings were open to the public, and citizens could hear the discussions; the GMCC directed public comment to the Whatcom County Planning Commission and city councils.</p> <p>The Whatcom County Council and Whatcom County Planning Commission held hearings to collect public input about various topics including:</p> <ul style="list-style-type: none"> ▪ Land Capacity Methodology (12/9/2008 – Whatcom County Council) ▪ EIS Scoping (2/17/2009 – Joint Whatcom County Planning Commission and Whatcom County Council) ▪ City UGA Proposals (6/23/2009 – Whatcom County Council with an invitation extended to Whatcom County Planning Commission members) ▪ Executive Recommendations (9/17/2009 – Joint Whatcom County Planning Commission and Whatcom County Council)
BIAWC-11	<p>Availability of Documents: See response to Comment BIAWC-10 regarding GMCC information. GMCC packets and meeting summaries are posted at: http://www.co.whatcom.wa.us/pds/2031/projects/gmcc/index.jsp.</p> <p>The TAG consisted of County and City planning directors; it is a working staff body, not an appointed or elected body. While TAG meetings were not required to be open to the public, the representatives allowed their meetings to be observed by interested citizens. TAG staff recommendations were included in GMCC packets.</p>
BIAAWC-12	<p>Date of Web Postings: All public hearing notices were made available in advance as required by state and local laws. The County posted hearing materials in advance of scheduled hearings. Multiple hearings have been held on elements of the 10-Year UGA Review including the land capacity analysis.</p>
BIAWC-13	<p>Draft EIS Length and Cost and Presentation: As described in Draft EIS Section 2.5.5, <i>SEPA/GMA Integrated Process</i> the County has elected to follow an integrated SEPA/GMA process. The 10-Year UGA Review Draft EIS was issued prior to preparation of formal proposals for UGAs and associated plan and regulatory amendments</p>

Comment Number	Response
	<p>for an extended 45-day comment period. This is greater than the 30-day minimum comment period allowing additional time for the public to review the thorough document. The Draft EIS assisted the County in developing the Executive Recommendations including supporting plan and regulatory amendments that are the subject of this Final EIS. The information in the document is also intended to be a resource to the County and cities that will be preparing Comprehensive Plan Element amendments in the later 7-Year Comprehensive Plan Update due in 2011.</p> <p>As described in the Draft EIS Fact Sheet, the document was made available in several formats and locations.</p> <p>The Draft EIS was made available on the County's web site at http://www.whatcomcounty.us/pds/2031/ and at several local libraries. These options allowed citizens to review the document at no charge.</p> <p>A compact disc copy of the document was available for purchase for \$10.00. Paper copies of the Draft EIS could be purchased for approximately \$65 to \$105 (plus tax) depending on how many color pages were printed and whether the appendices were printed.</p>
BIAWC-14	<p>Coordinated Planning with Cities; Consider Neighborhood Character: See responses to Comments BIAWC-7 and 10.</p>
BIAWC-15	<p>State is Leader in Public Participation and Open Government: The comment is noted and forwarded to County decision makers. See responses to Comments BIAWC-7 and 10 through 13.</p>
BIAWC-16	<p>De-Facto Changes to Comprehensive Plan and Zoning: The EIS is an information disclosure document per Draft EIS Section 2.4.1, <i>Purpose of the Draft Environmental Impact Statement</i>. The EIS is not the proposal itself, but describes alternatives for consideration. The potential consequences of changing growth allocations and patterns require the County to consider what amendments may be needed to its comprehensive plan. In Draft EIS Section 2.2, <i>Purpose of the 10-Year UGA Review</i> the purpose of the project included amending the comprehensive plan that direct zoning. Draft EIS Table 4.6 4. In Section 4.6, <i>Plans and Policies</i> identified potential Whatcom County Comprehensive Plan amendments. The Executive Recommendations include comprehensive plan amendments as a result of UGA growth and sizing proposals, and limited zoning changes that implement the amendments.</p> <p>Section 2.5.4, <i>Phased Review</i> of the Draft and Final EIS also describes the use of phased SEPA review for future nonproject actions.</p>
BIAWC-17	<p>Consistency with CWPPs: Consistency with CWPPs is addressed in Draft EIS Section 4.6, Table 4.6-3, Countywide Planning Policy Summary of Urban Growth Area Policy Concepts. Please also refer to response to Comment BIAWC-10 regarding public participation.</p>
BIAWC-18	<p>Goal of 10-Year UGA Review and EIS: See responses to Comment</p>

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	BIAWC-2 and 16.
BIAWC-19	Public Process Concerns: See responses to Comments BIAWC-7 and 10 through 13.
Letter 9: Cathy Lehman—Futurewise	
Futurewise-1	Appreciated Draft EIS Review Regarding a Number of Topics: The comment is noted and forwarded to County decision makers.
Futurewise-2	<p>Create an Alternative addressing Greenhouse Gas (GHG) Reductions: As described in Section 4.2.1, <i>State Guidance</i>, Ecology has already prepared aggressive goals for statewide reduction of GHG emissions and statewide reductions in vehicle miles traveled (VMT), but it has not developed guidance for how those statewide reductions should be apportioned to individual counties. Ecology's Climate Action Team is currently formulating statewide guidance for how local governments should evaluate and mitigate GHG emissions from internal government operations and from the community. Draft versions of Ecology's guidance are expected to be released for review in 2009, and final guidelines will not be released until well after that. At this time there is no firm understanding of how Ecology's GHG reduction requirements for local governments will be structured, and there is no indication of what level of GHG reduction would be required for an agency such as the County.</p> <p>For all alternatives except the No Action Current Comprehensive Plan Alternative, the Draft EIS recommended that the County should consider updating its climate plan to address the additional growth and additional mitigation measures.</p> <p>Thus, following the selection of a growth alternative, and once state guidance is finalized, the County would prepare a revised climate plan. It is anticipated that this will be accomplished with the 7-Year Comprehensive Plan Review due by December 1, 2011.</p>
Futurewise-3	<p>Support Urban Separators: The comment is noted and forwarded to County decision makers.</p> <p>The Executive Recommendations include UGA reductions between Blaine and Birch Bay that would allow for a separation between urban areas. The Executive Recommendations also propose an update to Land Use Element Map 10, Open Space Corridors.</p>
Futurewise-4	Support Suitability Analysis Options for Birch Bay; Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include UGA reductions for Birch Bay and a UGA Reserve, to address UGA sizing concerns.
Futurewise-5	Support Suitability Analysis Options for Blaine; Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include extensive UGA reductions for Blaine.

Comment Number	Response
Futurewise-6	<p>Support Suitability Analysis Options for Cherry Point; Support Reduced UGA: The comment is noted and forwarded to County decision makers.</p> <p>The suitability analysis identified two options for critical areas protection:</p> <ul style="list-style-type: none"> ▪ Except for sensitive areas used for mitigation for major development, consider removal from UGA of lands with a high concentration of critical areas. In particular, consider removal in areas along the northwest UGA boundary and along the east central portion of the boundary. ▪ For areas of high concentrations within the UGA, protect through the critical areas ordinance, lot clustering, low impact development standards or designation as an open space corridor. <p>The Executive Recommendations maintain the Cherry Point Industrial UGA; critical areas regulations and other measures would be applied to protect critical areas.</p> <p>Reduction of the Cherry Point Industrial UGA is not considered practical even though there appears to be excess capacity beyond the 20 years. The boundaries are drawn along major roadways that serve as a transition or buffer to adjacent rural areas. Moving the boundary could increase the conflicts between rural and heavy industrial uses. In addition, the area serves as a unique location with large parcels designed to accommodate large format heavy industrial uses.</p>
Futurewise-7	<p>Support Suitability Analysis Options for Columbia Valley; Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include UGA reductions for Columbia Valley.</p>
Futurewise-8	<p>Support Suitability Analysis Options for Everson along Nooksack River; Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include UGA boundary changes for Everson in some locations.</p>
Futurewise-9	<p>Support Suitability Analysis Options for Ferndale; Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include UGA reductions for Ferndale.</p>
Futurewise-10	<p>Limit Lynden UGA and avoid impacts to Agricultural Lands: The comment is noted and forwarded to County decision makers.</p> <p>The Lynden UGA was considered undersized based on the Draft EIS alternatives analysis. Draft EIS Section 4.6, <i>Plans and Policies</i> includes an analysis of resource lands impacts associated with the Lynden UGA. The analysis indicated If UGA expansion were to occur to the northwest or south in the Suitability Analysis Study Area abutting Lynden, and extend into resource lands, there would be a loss of approximately 202.6 acres of agricultural lands of long-term</p>

Comment Number	Response
	<p>commercial significance.² Conversion would have to be weighed against other GMA and County goals. Mitigation measures included conducting an analysis of designated agricultural lands to determine long-term significance and consider inclusion in UGA only for those that are not of long-term significance.</p> <p>The Executive Recommendations include a lesser population increase than the Draft EIS alternatives but also include a UGA expansion for Lynden. At the same time, the UGA reductions near Ferndale, Everson, and Nooksack would return land to agricultural designation. The UGA reductions and boundary modifications result in a net increase of 10 acres to agricultural resource land designations.</p> <p>However, 156 acres of current agricultural resource land are to be reclassified as UGA Reserve west of Double Ditch Road. The UGA Reserve proposal is <u>not</u> within the County's designated Target Areas for Purchase of Development Rights for lands north of Badger Road and west of the Guide Meridian. Additionally, placing the land into UGA Reserve allows the city and County to work on strategies and agreements to ensure that the County maintains the agricultural land base (100,000 acres) necessary to support this industry.</p>
Futurewise-11	<p>Support Suitability Analysis Options for Sumas Support Reduced UGA: The comment is noted and forwarded to County decision makers. The Executive Recommendations include UGA reductions for Sumas with an UGA Reserve should growth rates change.</p>
Futurewise-12	<p>Impervious Surfaces: The comment is noted. The sentence is added in Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS.</p>
Futurewise-13	<p>Status of changes to FEMA Flood Insurance Program: The comment is noted. Final EIS Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> adds text to the Draft EIS indicating the timing of implementation of the reasonable and prudent alternatives (RPAs) outlined in the Biological Opinion is uncertain at this time, based on ongoing legal action.</p>
Futurewise-14	<p>Increase Urban Densities and Reduce Stormwater Impacts: The comment is noted. The sentence is added in Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS.</p>
Futurewise-15	<p>Study Exempt Wells: The EIS intended to be an order of magnitude analysis of programmatic alternatives, and is not intended for a detailed study of exempt wells. Exempt well regulations are</p>

² The analysis further indicated that the Action Alternative Y net acre deficit in UGA capacity was estimated at 351 acres. Because of this capacity/study area acre difference, and because the city may propose UGA boundaries assuming gross acres, this agricultural acre loss may be underestimated. Whether the area converted is at 203 acres or greater to account for gross land needs, the potential impact and need for mitigation would be the same as analyzed in Section 4.6.

Comment Number	Response
	promulgated by Ecology, and are not controlled by the County. The County could work with Ecology in the future on such regulations as noted in programmatic features of Action Alternative X in Table 2-10 of the Draft EIS.
Futurewise-16	Rural Densities: The comment is noted. The clarification of rural densities on page 4.5-2 is made in Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS.
Futurewise-17	Rural Governmental Services: The comment is noted. The clarification of rural governmental services on page 4.5-4 is made in Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS.
Futurewise-18	Chapter 4.6, Plans and Policies – Suburban Enclaves and Transportation Corridors: The EIS addresses the County's 10-Year UGA Review process. Separately, the County is amending its Rural Element as noted on page 4.6-11 of the Draft EIS, including its approach to Transportation Corridors.
Futurewise-19	Reduce Rural Densities: The EIS addresses the County's 10-Year UGA Review process and focuses on refocusing growth in urban areas and reducing rural growth. Action Alternative X includes some programmatic measures regarding reducing rural growth levels. However, the overall topic of rural densities is being addressed separately in the Rural Element Update as noted on Draft EIS page 4.6-11.
Futurewise-20	Potential Drawbacks of Clustering in Agricultural Lands: The comment is noted. The clarification of clustering efforts on page 4.7-20 is made in Chapter 4, <i>Clarifications or Corrections to Draft EIS Information</i> of this Final EIS.
Futurewise-21	Deduction of Floodplain Lands: The Draft EIS mitigation measure in Chapter 4.7 on page 4.7-40 and the Executive Recommendations propose removing lands in floodplains from the land capacity. Cities and County staff agreed to remove land from the developable inventory, which was located in a floodplain of the unincorporated portions of the UGA. This change ensures that additional pressure to develop floodplains does not occur due to this UGA designation. As shown in the Draft EIS, the floodplain acre reductions would reduce land capacity surpluses or increase land capacity deficits but does not appear to substantively change the overall results.
Letter 10: Jean Waight – Geneva Neighborhood Association	
GNA-1	Extend Comment Period: The 10-Year UGA Review Draft EIS was issued for an extended 45-day comment period. This is greater than the 30-day minimum comment period allowing additional time for public review. While comments after June 22, 2009, are not part of the EIS record, they will be made part of the 10-Year UGA Review planning process record. After June 22, 2009, meetings and hearings before the Whatcom County Planning Commission and Whatcom County Council provide an avenue for citizen comments; see the

Comment Number	Response
	<p>County web site for more information at http://www.co.whatcom.wa.us/pds/2031/index.jsp .</p>
<p>Letter 11: Perry Eskridge – Whatcom County Association of Realtors</p>	
<p>WCAR-1</p>	<p>Land Capacity Analysis: The Draft EIS is based on a March 2009 version of the land capacity analysis for all alternatives and all UGAs, with some corrections to employment incorporated in April 2009. The Draft EIS noted in Chapter 2 that "... the draft land capacity method may evolve over time since the method allows for city and County modifications to certain factors based on local information (e.g., city or other local wetlands data, and employment rates). Modifications may alter the balance between land demand and supply."</p> <p>The land capacity analysis method has been considered at two public hearings before the Whatcom County Council in December 2008 and February 2009. It was also the subject of numerous GMCC meetings in 2008 and 2009. The Draft EIS presented draft land capacity information and was open to public comment for 45 days.</p> <p>The Executive Recommendations as described in Final EIS Chapter 2, <i>Alternatives</i> include a modified land capacity analysis based on city and citizen input, as well as ideas included in the Draft EIS such as achieved versus planned densities and a deduction for floodplain acres. It was the subject of an additional hearing in September 2009, before both the Planning Commission and County Council.</p> <p>Please also see response to Comment BIAWC-6.</p>
<p>WCAR-2</p>	<p>Limited Areas of More Intensive Rural Development (LAMIRD): The EIS addresses the County's 10-Year UGA Review process and focuses on redirecting growth in urban areas and reducing rural growth. Action Alternative X includes some programmatic measures regarding reducing rural growth levels. However, the overall topic of rural densities is being addressed separately in the Rural Element Update as noted on Draft EIS page 4.6-11.</p> <p>Through GMCC discussions, the County considered identifying a subset of the rural growth allocation for LAMIRDs; however, neither the EIS alternatives nor the Executive Recommendations propose this.</p>
<p>WCAR-3</p>	<p>Population: The EIS alternatives are based on different population and employment assumptions that have their roots in work prepared by Berk & Associates, made available for public hearing on February 17, 2009.</p> <p>Only one alternative uses ECONorthwest employment data from 2002. Chapter 2 of the Draft EIS describes the employment patterns as follows: "The No Action Current Comprehensive Plan Alternative assumes employment growth estimated as part of a prior County study (ECONorthwest 2002) would be achieved at just over 26,000 new jobs, while the No Action Trends Alternative assumes current shares of growth continue and would add over 37,000 new jobs. Both</p>

Comment Number	Response
	<p>Action Alternative X and Action Alternative Y would allow for growth of over 37,000 jobs, but the distributions differ in terms of the amount of growth allocated to Bellingham, other UGAs and rural/resource lands."</p> <p>The No Action Trends Alternative assumes current employment patterns continue in the future. Action Alternative X assumes a modification of current employment patterns by reducing rural employment and reallocating it based on each UGAs current share of employment with Bellingham continuing to be a focus. Action Alternative Y is a modification of a regional/local employment model that does represent greater employment for other urban centers outside of Bellingham including Ferndale.</p>
WCAR-4	<p>Capital Facilities: Draft EIS Section 4.10 describes over 10 different capital facilities and services and identifies the key providers of each service in each UGA and vicinity, including those that are County-provided and provided by other public agencies and special districts.</p> <p>The County is in the process of updating its Comprehensive Plan Capital Facilities Element consistent with GMA requirements concurrent with the development and review of the EIS. The analysis contained in the EIS is assisting the County in its Capital Facilities Element update. One of the factors being used to assess UGA location and size is the ability for service providers to provide adequate facilities and services.</p> <p>The Executive Recommendations include a proposed Capital Facilities Plan as Comprehensive Plan Appendix E. Much of the information is similar to that found in Draft EIS Section 4.10, <i>Public Services and Utilities</i>; in addition the proposed capital facility plan includes revenue information and proposed capital projects.</p>
WCAR-5	<p>Process Justifies Contraction of UGAs: The 10-Year UGA Review process was conducted in coordination with the cities as described in response to Comment BIAWC-7. The preparation of a uniform land capacity analysis was a large part of the effort with the cities. While the land capacity analysis has a common framework, it allows for local input of assumptions as noted in response to Comment BIAW-6. The results of the analysis even accounting for several revisions requested by the cities shows that most UGAs were oversized.</p> <p>In 2008 when the County first reviewed UGA sizing in accordance with individual city plans rather than a coordinated approach, the results were similar that most UGAs were oversized (see Whatcom County Resolution 2008-007).</p> <p>Please also see response to BIAWC-9.</p>
WCAR-6	<p>Lack of Specificity in EIS: As described in Draft and Final EIS Section 2.5.3, this EIS provides qualitative and quantitative analysis of environmental impacts as appropriate for the 10-Year UGA Review. The adoption of comprehensive plans or other long-range planning activities is classified by SEPA as a nonproject (i.e., programmatic)</p>

Comment Number	Response
	<p>action. A nonproject action is defined as an action that is broader than a single site-specific project and involves decisions on policies, plans, or programs. An EIS for a nonproject proposal does not require site-specific analyses; instead, the EIS discusses impacts and alternatives appropriate to the scope of the nonproject proposal and to the level of planning for the proposal (WAC 197-11-442).</p> <p>SEPA Rules at WAC 197-11-442, Contents of EIS on nonproject proposals, state that “[t]he lead agency shall have more flexibility in preparing EISs on nonproject proposals, because there is normally less detailed information available on their environmental impacts and on any subsequent project proposals.”</p>
WCAR-7	Provide Public Comment Opportunities: Please see responses to Comments BIAWC-7 and 10.
WCAR-8	Advocate for Quality of Life and Reasoned Planning Process: The comments are noted and forwarded to County decision makers. Please see responses to Comments WCAR-1 to 4 regarding land capacity, population and employment, and capital facilities.
Letter 12: Wendy Harris	
Harris-1	Urge Adoption of the No Action Current Comprehensive Plan Alternative; or Action Alternative X if Compelled to Accommodate more Population: The comments are noted and forwarded to County decision makers.
Harris-2	<p>Remove Existing and Proposed UGAs within Sensitive Watersheds Such as Lake Whatcom, Lake Padden, and Drayton Harbor: The comments are noted and forwarded to County decision makers.</p> <p>The Draft EIS addressed conditions, impacts, and mitigation of water resources in Section 4.3. The Draft EIS provided options for UGAs in sensitive watersheds in Chapter 3, <i>Suitability Analysis</i>.</p> <p>Executive Recommendations propose several UGA reductions including areas in Lake Whatcom and Drayton Harbor watersheds. Areas along Lake Padden are removed from the UGA and placed in a UGA Reserve pending additional study.</p>
Harris-3	Lake Whatcom Watershed: The comments are noted and forwarded to County decision makers. See also response to Comment Harris-2.
Harris-4	Drayton Harbor Watershed: The comments are noted and forwarded to County decision makers. See also response to Comment Harris-2.
Harris-5	<p>Birch Bay, Semiahmoo Bay, Lake Padden, Bellingham Bay, Lake Samish and the Nooksack River Require Special Protection: The comments are noted and forwarded to County decision makers.</p> <p>See the description of Executive Recommendations that propose reductions for eight UGAs that affect several of the mentioned</p>

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	watersheds or waterbodies.
Harris-6	County Needs More Stringent Regulations to Protect Water Resources: The comments are noted and forwarded to County decision makers.
Letter 13: Eric Hirst	
Hirst-1	Prefer No Action Comprehensive Plan: The comments are noted and forwarded to County decision makers. See Draft EIS Section 4.10 for an evaluation of impacts on public infrastructure.
Hirst-2	Population Allocation – Focus Away from Rural Areas and into Cities and No Increase in UGAs: The comments are noted and forwarded to County decision makers. EIS alternatives studied varying regional growth patterns and methods to address UGA sizing.
Hirst-3	<p>Government Finances: Consistent with the programmatic nature of the alternatives, Draft EIS Appendix B included a high level fiscal assessment. Financial information is not required for inclusion in an EIS (per WAC 197-11-448).</p> <p>Impacts of alternatives on public facilities and services were included in Draft EIS Section 4.10.</p> <p>The County is in the process of updating its Comprehensive Plan Capital Facilities Element consistent with GMA requirements concurrent with the development and review of the EIS. The analysis contained in the EIS is assisting the County in its Capital Facilities Element update. One of the factors being used to assess UGA location and size is the ability for service providers to provide adequate facilities and services.</p> <p>Executive Recommendations include a proposed Capital Facility Plan as Comprehensive Plan Appendix E. Much of the information is similar to that found in Draft EIS Section 4.10; in addition the proposed Capital Facilities Plan includes revenue information and proposed capital projects.</p>
Hirst-4	<p>Action Alternative Y – Should Disentangle Small Cities Growing Rapidly from Rapid Rural Growth: The comments are noted and forwarded to County decision makers.</p> <p>The EIS alternatives test different features and are meant to provide a range of options. Rural growth in Action Alternative Y is an average of No Action Current Comprehensive Plan and No Action Trends. Since rural growth allocations were exceeded in the No Action Current Comprehensive Plan well before the 20-year period, it appeared appropriate to consider a rural growth pattern that is reduced in rate but that may be more achievable.</p>
Hirst-5	No Action Trends has Worst Environmental Effects: The comments are noted and forwarded to County decision makers.
Hirst-6	No Action Comprehensive Plan Alternative is the Best One for Whatcom County: The comments are noted and forwarded to

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	County decision makers.
Hirst-7	The More Population Grows, the Worse Conditions are for Current Residents: The comments are noted and forwarded to County decision makers.
Hirst-8	Focus Growth in City Limits and Shrink UGAs: The comments are noted and forwarded to County decision makers. See the description of Executive Recommendations that propose reductions for eight UGAs.
Hirst-9	Focus Lynden Growth in City Limits and Protect Agricultural Land: The comments are noted and forwarded to County decision makers. See response to Comment Futurewise-10.
Hirst-10	Focus Growth Away from Rural Areas: The comments are noted and forwarded to County decision makers. The EIS addresses the County's 10-Year UGA Review process and focuses on re-focusing growth in urban areas and reducing rural growth. Action Alternative X includes some programmatic measures regarding reducing rural growth levels. However, the overall topic of rural densities is being addressed separately in the Rural Element Update as noted on Draft EIS page 4.6-11.
Letter 14: Simi Jain – Zender Thurston, P.S.	
Jain-1	Include Matichuck Property, South Geneva, in UGA: The comments are noted and forwarded to County decision makers. The property is included in the Suitability Analysis Study Area as shown in Chapter 3 of the Draft EIS. Executive Recommendations propose to remove the Geneva area from the UGA to help protect the Lake Whatcom watershed.
Jain-2	More Specificity about Property in Suitability Analysis Area: The subject property is shown on Figures 2-9 and 3-1 as a proposed docket item that was before the Whatcom County Council to determine if it should be processed under County docket rules. The County declined a specific docket review for the site; however it is included as part of a cumulative analysis of the 10-Year UGA Review process and is included in the Suitability Analysis Study Area as shown in Chapter 3 of the Draft EIS. SEPA does not require site-specific review when considering broad nonproject proposals. See response to Comment WCAR-6.
Letter 15: Darcy Jones – Jones Engineers, Inc.	
Jones-1	Land Capacity Analysis Needs More Modification, Specifically Bellingham UGA: The comments are noted and forwarded to County decision makers. See response to Comment Bellingham-1.
Jones-2	Methods Not Reflected in Calcs; Aggregate Data Approach: The draft land capacity analysis data was first compiled by the County then sent to the city for review and correction. A considerable amount of correction occurred during this County-city process and as a result

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	<p>of receiving additional public comments. The example regarding Iowa Street was sent to the city for review, and some adjustments were made.</p> <p>However, the commenter is incorrect as to the land use designations in some areas when stating that Iowa Street is mixed use in most of the area. The County used the city's land use designations and agreed upon protocol for mixed development.</p> <p>It should also be recognized that the data reflected a point in time so that development that occurred after that point would not be counted. The auto dealership is a case in point.</p> <p>Regarding the aggregate data approach, the land capacity analysis results consider residential parcels greater than three times the underlying planned density as partially developed and subject to inclusion in the analysis. For example, if a parcel is 30,000 square feet in area and the minimum lot size is 7,200 square feet, this parcel would be considered partially utilized. The minimum lot size is deducted from the parcel and 22,800 square feet of land is placed into the gross developable land inventory. Critics of the methodology incorrectly believe that this would then result in a potential three additional lots.</p> <p>Deductions would also apply to these areas placed in the gross land inventory, including deductions for critical areas (over 10%), other public uses (5%), infrastructure (23% in Bellingham), and market factor (25% for partially used residential). Thus, in this example, only one additional parcel would result, which would be a realistic estimate of creating two dwelling units on a 30,000 square foot parcel in a city with urban density zoning. In addition to this example, the land capacity methodology does not account for many other infill strategies, such as accessory dwelling units, residential housing on upper floors in commercial centers, and infill on lots less than three times the minimum lot size of the underlying zone. So, while there are certainly instances where the methodology would overestimate capacity in one location based on lot aggregation, there are equally instances where the methodology underestimates capacity. This balance allows for the overall proper sizing of UGAs.</p>
<p>Jones-3</p>	<p>Cross-Check Calculations, Use Accounting Method: The calculations are compiled through GIS, Microsoft Access databases and Microsoft Excel spreadsheets. All of this data was provided to the cities and corrections were made. The purpose of this is, in the words of the WWGMHB, to make "educated guesses" or assumptions as to the size of the UGA, and not to perform an audit or accounting level review on a parcel by parcel basis. The proposed land monitoring methodology allows for the County and cities to monitor development and make adjustments as necessary.</p>
<p>Jones-4</p>	<p>Vacant Parking Lots and Stormwater Facilities: The issue of parking lots and stormwater facilities was discussed with cities, and the methodology was revised to account for these facilities that exist on separate parcels. Cities were asked to identify these facilities and</p>

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	<p>they would be coded as developed. Only when a parcel also includes additional land that can be developed would the parcel be coded as underutilized. For example, a one-acre parcel that has a stormwater facility on 1/4 acre of that parcel would be classified as underutilized, but the 1/4 acre of development would be subtracted from the inventory.</p>
Jones-5	<p>Deduct Critical Areas and Sensitive Environmental Areas: The land capacity analysis uses the best available data for deduction of critical areas. The Executive Recommendations include a monitoring program which can help improve the information over time.</p> <p>Critical area buffers were included in the gross developable land inventory for residential areas due to the ability to transfer densities to other parts of the parcel. For example, a minimum lot size requirement of 7,200 square feet can include a portion of the buffer within the minimum lot size, provided that there is still sufficient area for buildings and driveways. Cluster housing or planned developments can similarly transfer these densities to more suitable parts of a parcel.</p> <p>Buffers were deducted from the inventory for commercial and industrial zones.</p>
Jones-6	<p>Future Infrastructure Deductions: The land capacity methodology uses data from the past five years to calculate how much land should be reduced for infrastructure (roads, stormwater, etc.).</p> <p>Although some requirements may increase, particularly for stormwater, there are other possible reductions, such as reduction of local road widths in subdivisions to make them friendlier to non-motorized transportation. Land monitoring proposed with the Executive Recommendations will allow the County and cities to track trends in infrastructure deductions.</p>
Jones-7	<p>Local Jurisdiction Review: See response to Comment Bellingham-1.</p>
Jones-8	<p>Market Factor Reduction in Master Plans: See response to Comment Bellingham-1. A market factor is applied to master plan areas in the proposed land capacity analysis associated with the Executive Recommendations.</p>
Jones-9	<p>Density Assumptions and Development Trends: Changes to densities assigned to various land use zones have been incorporated. First, maximum densities that can only be achieved through bonuses were not used as benchmarks in this analysis, instead relying only on the standard range of densities allowed. Second, where cities proposed achieved densities, these were considered, with the Executive Recommendations selecting a density that represented a mid-range between planned and achieved densities.</p> <p>In the case of Bellingham, the County's proposed land capacity method uses city proposed densities except for land use zones less</p>

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	than 4 units per acre outside watersheds.
Jones-10	Most Intense Density Assumed: See response to Comment Jones-9.
Jones 11	Critical Area Reductions and Shoreline Setbacks: See response to Comment Jones-5.
Jones 12	Land Capacity Exaggerated: See response to Comment Bellingham-1.
Jones-13	Retain Yew Street UGA: The comments are noted and forwarded to County decision makers. In Executive Recommendations, areas along Lake Padden are removed from the UGA and placed in a UGA Reserve pending additional study.
Jones-14	Suitability of Yew Street UGA: The comments are noted and forwarded to County decision makers. In Executive Recommendations, areas along Lake Padden are removed from the UGA and placed in a UGA Reserve pending additional study.
Letter 16: Harold and Donna Macomber	
Macomber-1	Action Alternative Y is the Best Choice for Whatcom County; Smaller Cities can Bring in More Industrial and Commercial; No Need to Add to Bellingham UGA: The comments are noted and forwarded to County decision makers.
Letter 17: Amy Mower	
Mower-1	Initial UGA Proposal Failure to Reduce UGA: In the Executive Recommendations, the Columbia Valley UGA is reduced. The commenter's statement of a "110 acre discrepancy" appears to reference a June 2009 interim proposal for the Columbia Valley UGA that was not studied in the Draft EIS, nor carried forward into the Executive Recommendations in this Final EIS.
Mower-2	Discrepancy between Employment Projections: The figure 545 includes 90 existing employees whereas the figure 455 is the additional job growth allocation.
Mower -3	EIS Focuses Countywide Rather than by UGA: The EIS presents both a cumulative as well as a UGA-by-UGA review of environmental effects. The suitability analysis in Chapter 3 is a UGA-by-UGA review. Chapter 4 presents both cumulative and UGA-level analysis. For example, population and employment and public services and utilities in Chapter 4.7 and 4.10 provide cumulative and UGA by UGA information. See also response to Comment WCAR-6, which describes the broad and programmatic nature of the EIS, consistent with SEPA Rules. Please also note that recent EISs specific to a UGA have been incorporated by reference at Draft and Final EIS Section 2.5.2.
Mower-4	Columbia No Action Trends Incorrect: The No Action Trends Alternative is based on a proposed population of 7,608, not 5,000.

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	<p>See Draft and Final EIS Table 2-2. It is the No Action Current Comprehensive Plan Alternative that provides a population allocation of 5,000. Land capacity analysis results are shown in Tables 2-7 and 2-8 of the Draft and Final EIS.</p> <p>The Initial UGA Proposal was prepared in June 2009 and is not the same as the No Action Trends Alternative. The June 2009 proposal was made by the Foothills Subarea Plan Advisory Committee. Please see response to Comment Mower-1.</p>
Mower-5	<p>Summary Page 1-18 – List Columbia Valley as Needing Attention for Water – Need Groundwater Model: Water districts currently serving the Columbia Valley UGA will, with planned conservation measures and planned system improvements, be able to serve the anticipated population growth. See Draft EIS Chapter 3 and Section 4.10.5.</p> <p>The scope of the water analysis (Section 4.3) was identified in the Scoping Document (see Draft EIS Appendix A): “The Water Resources Analysis will summarize existing conditions regarding water quantity and water quality based on available County and State inventories and analyses of critical areas. The analysis will address impacts of alternatives at a programmatic level using order of magnitude analysis (e.g., broad estimates of impervious surfaces based on acres by class and typical impervious surfaces associated with the use category), and identify current and recommended mitigation measures as appropriate.”</p> <p>See also response to Comment WCAR-6 regarding the broad level of detail in nonproject EISs.</p>
Mower-6	<p>Air Chapter: Air quality is addressed countywide and cumulatively. See also response to Comment WCAR-6, which describes the broad and programmatic nature of the EIS, consistent with SEPA Rules. Please also note that recent EISs, including the Foothills Subarea Plan, have been incorporated by reference at Draft and Final EIS Section 2.5.2.</p>
Mower-7	<p>Address Transportation Mitigation for Columbia Valley and Foothills: A countywide analysis is provided in Draft EIS Section 4.9 and addressed the Columbia Valley and Foothills areas.</p> <p>The model analysis conservatively assumed only two future improvements: “For the future analysis reflected in this Draft EIS, improvement to four lanes was assumed on the following state highways:</p> <ul style="list-style-type: none"> ▪ State Route (SR) 539 (Guide Meridian) from Horton Road to Bay Lyn Drive ▪ SR 542 (Sunset Drive) from Woburn Street to McLeod Road”
Mower-8	<p>Independent Traffic Analysis and County Roads: A countywide analysis is provided in Draft EIS Section 4.9 and addressed both state and County roads.</p>

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Mower-9	Address State Roads: A countywide analysis is provided in Draft EIS Section 4.9 and addressed both state and County roads.
Mower-10	Goundwater, Aquifers, Kendall Hatchery: Please note that recent EISs, including the Foothills Subarea Plan, have been incorporated by reference at Draft and Final EIS Section 2.5.2. Please also see response to Comment Mower-5 regarding the nonproject and cumulative nature of the 10-Year UGA Review EIS, which addresses regional growth patterns.
Mower-11	Landfill: Please see response to Comment Mower-10 regarding the incorporation of the Foothills Subarea Plan EIS and the programmatic nature of the 10-Year UGA Review EIS.
Mower-12	Status of Foothills Subarea Plan: The status of the subarea plan as still being in process in Draft EIS Section 4.6 is still accurate.

Letter 18: Jack and Clayton Petree – Public Policy Perspectives

Petree-1	<p>No Action Current Comprehensive Plan Alternative is Flawed: SEPA Rules do not define the “No Action” alternative. SEPA Rules also give much flexibility to EISs on nonproject actions in WAC 197-11-442, as excerpted below.</p> <p>WAC 197-11-442 Contents of EIS on nonproject proposals.</p> <p>(1) The lead agency shall have more flexibility in preparing EISs on nonproject proposals....</p> <p>(2) ... Alternatives should be emphasized. In particular, agencies are encouraged to describe the proposal in terms of alternative means of accomplishing a stated objective (see WAC 197-11-060(3)). Alternatives including the proposed action should be analyzed at a roughly comparable level of detail....</p> <p>(3) ...site specific analyses are not required....</p> <p>(4) The EIS's discussion of alternatives for a comprehensive plan, community plan, or other areawide zoning or for shoreline or land use plans shall be limited to a general discussion of the impacts of alternate proposals for policies contained in such plans, for land use or shoreline designations, and for implementation measures. The lead agency is not required under SEPA to examine all conceivable policies, designations, or implementation measures but should cover a range of such topics. The EIS content may be limited to a discussion of alternatives which have been formally proposed or which are, while not formally proposed, reasonably related to the proposed action.</p> <p>As stated in the Ecology's SEPA Handbook, in response to a question regarding Comprehensive Plan EIS Alternatives: “A range of alternatives should be evaluated, exploring the different land use</p>
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	<p>options, including different UGA boundaries, characteristics and densities of development, etc. The no-action alternative for a comprehensive plan is generally defined as no change in existing regulation—zoning, development regulations, critical area ordinances, etc. (or the lack thereof) would be unchanged. The environmental impacts of predicted growth under this “no-action” scenario are then compared to that of the other alternatives.”</p> <p>The No Action Current Comprehensive Plan Alternative is defined clearly in Draft EIS Chapter 2, pages 2-24 and 2-25: Goals, policies, land use designations, zoning, and UGA boundaries would remain as they are established in the adopted comprehensive plan.</p> <p>Since the No Action Current Comprehensive Plan Alternative’s population level is in the range of OFM’s 20-year growth projections, it is reasonable to assume its population level in 20 years or roughly 2029 to 2031.</p>
<p>Petree-2</p>	<p>No Action Current Comprehensive Plan Population Numbers Do Not Match Comprehensive Plan: The total growth assumed for the No Action Current Comprehensive Plan Alternative is consistent with the comprehensive plan. The difference is that rural growth has been adjusted to reflect the actual experience between 2000 and 2008. As described in Footnote 1 in Draft EIS Chapter 2, “the original rural growth allocation for the year 2000 to 2022 based on a share of 6.3% has been exceeded as of 2008 by about 687 persons (4,299 were expected between 2000 and 2022; about 4,986 persons are estimated to have moved into rural areas between 2000 and 2008). Thus for the purposes of this Draft EIS, in order to test an additional amount of rural growth between the present and the horizon year, the No Action Current Comprehensive Plan Alternative reflects a reallocation of the remaining growth of 43,917 based on comprehensive plan shares of growth with no individual study area exceeding its original allocation except rural.”</p>
<p>Petree-3</p>	<p>No Action Trends Alternative Does Not Use Actual Population Trends: The No Action Trends Alternative focuses on the historic trend of urban and rural distribution rather than the rate of growth. It is acknowledged that the upper population number of 258,448 is based on the OFM Most Likely population level for 2029.</p> <p>As described on Draft EIS page 2-25, “[t]he No Action Trends Alternative assumes future growth to 2031 that matches the historic pattern of urban and rural growth. Consistent with Action Alternative X and Action Alternative Y, the No Action Trends Alternative assumes a 2031 population of 258,448. However, in contrast to Action Alternative X and Action Alternative Y, the No Action Trends Alternative assumes that this growth is distributed according to historic growth patterns.”</p> <p>The Whatcom County Council considered through the scoping process comments regarding the population range as described in Draft EIS Chapter 2 Section 2.7 and Appendix A: “Regarding the option of testing a number above the OFM Most Likely forecast, the</p>

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	<p>Whatcom County Council considered that Action Alternative X and Action Alternative Y test at the OFM Most Likely population level for 2029 (258,448), and lie above the GMCC's preferred alternative projection of 251,490³. Also the 10-Year UGA Review process includes the development of a land monitoring program. Such a program can address land supply over time, without requiring a review above the OFM Most Likely population forecast. Thus the Whatcom County Council did not direct that the Draft EIS study an alternative above Action Alternative X and Action Alternative Y population figures of 258,448."</p> <p>See response to Comment Petree-1 regarding the flexibility of alternatives review for nonproject actions.</p>
Petree-4	<p>Action Alternative X and Action Alternative Y Difficult to Compare: See response to Comment BIAWC-4 and response to Comment Petree-1.</p>
Petree-5	<p>Need for a Detailed Achieved Density Analysis: Achieved densities reported in the Draft EIS were based on residential developments in the last 5 years; a weighted average was used as noted in Table 2-11 of the Draft EIS.</p>
Petree-6	<p>Assumed Density Based on Little or No Data: Except for Action Alternative Y, the Draft EIS alternatives assumed densities based on underlying land use plans. (See Draft EIS Table 2-9.)</p> <p>Cities were allowed to propose achieved densities based on the land capacity methodology; only a small handful of cities proposed achieved densities.</p> <p>The Growth Management Hearings Board made clear that the County can look "prospectively to the future potential for land within the UGA if the city were to include additional sprawl reducing measures such as minimum densities in residential neighborhoods, provisions to allow for accessory dwelling units..." Using planned densities is an accepted method of reducing future sprawl.</p> <p>The Executive Recommendations consider city input in the methodology. Where cities proposed achieved densities, the County considered those proposals and selected a density that represented a mid-range between planned and achieved.</p>
Petree-7	<p>Definition of Accommodate Projected Urban Growth: See response to Petree-6. The County and cities studied growth projections and a land capacity method based on analysis prepared by Berk & Associates. The analysis was originally prepared in September 2008 and finalized in a memo dated February 9, 2009, in advance of a public hearing on February 17, 2009. The land capacity method includes estimates of land demand that include assumptions</p>

³ Final GMCC Recommendations in July 2009 were 253,951 persons, still below the range of three alternatives in the Draft EIS.

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	about household size, employees per square foot etc.
Petree-8	<p>EIS Should Study a Range of Population Alternatives and Current Growth Forecast: See responses to Comments Petree-2 and 3.</p>
Petree-9	<p>Rural Area Should be Studied in More Detail: The focus of the 10-Year UGA Review is on urban areas per the Western Washington Growth Management Hearings Board order. The Rural Element Update is being prepared concurrently based on a different case. However, the 10-Year UGA Review does address regional growth alternatives at a programmatic level.</p> <p>See responses to Comments WCAR-6 and Petree-1 regarding the broad level of review appropriate in nonproject EISs. Site specific review of particular rural areas is not required.</p> <p>The nonproject EIS studies regional growth patterns and addresses urban and rural areas—UGAs and rural area growth allocations are presented for each alternative in Draft and Final EIS Tables 2-2, 2-3 and 2-5. Given that the 10-Year UGA Review required by GMA is focused on the ability to accommodate growth in urban areas in the 20-year period, most attention is paid to UGAs.</p> <p>Nevertheless, rural growth was assumed outside of UGAs and was tested in natural environment (impervious surface estimates), transportation, public service/utility, and other topics. Tables 4.3-3 and 4.3-4 estimate both urban and rural impervious surfaces. Draft EIS Appendix D indicates the assumed distribution of both urban and rural growth among all the special districts in the County Planning Area.</p> <p>The estimate of impervious surface was based on the location of developable lots in watersheds as confirmed by County staff.</p> <p>Critical areas and infrastructure needs were also considered in identifying developable capacity on rural lots. The method to distribute rural population for purposes of transportation and capital facility review was to randomly assign rural growth to properties identified as candidates for development; a random method was used since the capacity far exceeds allocation. Employment was distributed using a pro rata share of capacity to developable parcels. The parcel level growth was aggregated at the transportation analysis zone and special district level. See response to Comment WCAR-2 regarding LAMIRDS.</p>
Petree-10	<p>Timing of EIS and Testimony about UGAs: The Draft EIS was issued on May 8, 2009, in advance of the hearing at which cities presented their UGA proposals on June 23, 2009.</p> <p>Further public hearings are planned before the Planning Commission and Whatcom County Council. See the County web site for further information: http://www.co.whatcom.wa.us/pds/2031/index.jsp.</p>
Petree-11	<p>Changes to Land Capacity: Please see response to Comment</p>

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	BIAWC-6. Executive Recommendations issued in August 2009 form the basis for the Planning Commission hearing on September 17, 2009.
Petree-12	<p>Phased SEPA Review: Section 2.5.4 identifies the reasons for a phased review:</p> <ul style="list-style-type: none"> ▪ Phased review is appropriate where the sequence of a proposal is from a programmatic document, such as an EIS addressing a comprehensive plan, to other documents that are narrower in scope, such as those prepared for site-specific, project-level analysis. ▪ Additional environmental review will occur as other project or nonproject actions are proposed to the County. This approach will result in an additional incremental level of review when subsequent implementing actions require a more detailed evaluation and as additional information becomes available. In this case, subsequent phases of environmental review may consider proposals that implement the plan, such as land use regulations, specific development proposals, or other similar actions. <p>The County may adopt the current EIS where appropriate or may issue new SEPA documents. The County is using the present EIS to support its review of UGA designations through the year 2029 and expects that this analysis will be equally useful when, in the next 2 years, the County undertakes its GMA required 7-Year Comprehensive Plan Review due in December 2011 and considers the year 2031.</p>
Petree-13	<p>Plan Consistency and Concurrent Adoption: The 10-Year UGA Review objectives are addressed in Draft and Final EIS Section 2.2 and include amending the comprehensive plan and zoning regulations. See response to Comment BIAWC-1.</p> <p>Draft EIS Section 4.6 addressed consistency with GMA and County plans and policies and potential amendments. Executive Recommendations include proposed comprehensive plan and zoning amendments to implement choices on growth allocations and UGA boundaries.</p>
Petree-14	Early and Continuous Public Participation: See responses to Comments BIAWC-7 and 10 and Petree-10.
Petree-15	Existing Land Use: Draft EIS Table 4.5-2 represents existing land use (on the ground) based on County Assessor information. Table 2-6 of the Draft EIS represents the developable acres or "land demand" required to meet the growth allocations of the alternatives. The land demand is based on the land capacity methodology and planned urban densities by the County and cities.
Petree-16	Page 4.6-13, Variety of Housing: All UGAs have some land capacity for additional housing based on their plans and zoning, both single family and multifamily dwellings (see land capacity detail

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	<p>sheets). Each EIS alternative assumes additional growth in the 20-year period. The ability of each alternative to accommodate additional population based on the capacity of the land to accommodate housing is the subject of Draft EIS Chapter 2 and Section 4.7. The land capacity analysis includes market factors and other deductions that provide for flexibility in the market. Affordability is also addressed in the County's Housing Element of the Comprehensive Plan.</p>
Petree-17	<p>Land Capacity Analysis Will Change: Please see responses to Comment BIAWC-6.</p>
Petree-18	<p>EIS Justifies Decisions: See response to Comment BIAWC-6. The Draft EIS reports analysis based on draft methods and draft alternatives. It was prepared and issued in May 2009 and subject to comment for 45 days. Legislative action is not expected until approximately late November 2009.</p>
Petree-19	<p>Need for Capital Facility Plan: Please see response to Comment BIAWC-8 and WCAR-4.</p>
Petree-20	<p>10-Year Review Period: The 10-year UGA Review is to look at how and where growth has occurred. GMA does not require that every assumption about <u>future</u> growth is going to match the past. RCW 36.70A.130(3) requires that "Each county that designates urban growth areas under RCW 36.70A.110 shall review, at least every ten years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas."</p> <p>The focus of the 10-Year UGA Review is to consider the past and future:</p> <ul style="list-style-type: none"> ▪ Past: what are the current UGA boundaries, what densities are permitted, and what has been the extent of growth inside and outside of UGAs; and ▪ Future: determine whether UGAs can accommodate the growth projected for the succeeding 20-year period and if UGAs need revision. <p>It is acknowledged that the EIS incorporates best available data from a variety of sources. Past growth and trends was the subject of the documents prepared in February 9, 2009, in advance of a public hearing before the Whatcom County Council on February 17, 2009. The documents included:</p> <ul style="list-style-type: none"> ▪ Whatcom County Growth Forecasts: Population and Employment Projections ▪ Phase I Growth Allocations ▪ Land Capacity Analysis February 10, 2009

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	<ul style="list-style-type: none"> ▪ Growth Review and Potential in Rural Areas <p>Historic information is presented in several cases for the 1990 to 2008 period encapsulating more than 10 years, and is sometimes broken down into two subperiods: 1990 to 1999 and 2000 to 2008. Many charts show annual results. The data time periods were based on available U.S. Census data and County permit tracking data which is not reliable before 2001 for this purpose. County staff checked with the Office of Financial Management Chief Demographer, Theresa Lowe, to see if a longer time period could be analyzed with their records. Her response was as follows (Lowe pers. comm.):</p> <p>“Our system works from the census count forward. It will not enter data from prior years and there is a reason. All of the data from prior years-- 1990 through 2000--will not add to the 2000 census counts for Bellingham. For any of the components!!! Be they completions reported by the city or houses counted in annexations. The census is just going to count different numbers--all ours are "estimates." Even census counts are shades of gray! So I cannot just back-up the report. Our system will not do it. What I can do (possibly) is give you several reports that might allow you to construct the data. But you will have to start with 2000 and back up. The only way anything would match for 2000. Plus, all of these data are directly as they came in at that point in time. None on the housing data has been reconstructed. All errors are still there. I have no idea right now how far each of the city housing counts were compared to the 2000 counts. This would be a tedious process--for us to pull it out and for you to put it together for all the cities. And it is pretty much going to be a fabrication. It will not match any of our intercensal housing series in the web. Let me know what you decide to do because you will need a big footnote. We in no way want to be responsible for what you are doing.”</p> <p>The EIS summarizes some of the historic information cited above, but focuses on the potential environmental impacts of future growth and the ability to accommodate growth during the future 20-year period (2009 to the years 2029 through 2031). The method to estimate environmental impacts within that timeframe depend on the environmental topic and available information. It presents a countywide analysis with similar information available for all UGAs and not just the Bellingham UGA.</p>
<p>Petree-21</p>	<p>Single Data Point – Student Household Ratios: Each school district was consulted regarding its information about future student growth and capital plans. The school districts have limited information about student to household ratios; thus the EIS compared the 2008 Office of Superintendent of Public Instruction enrollment numbers to 2008 estimates of households by school district over the planning period, and used that as a measure to project students.</p> <p>See response to Comment Petree-1 regarding the nature of nonproject EISs and the broad nature of the analysis. The EIS is programmatic and order of magnitude in nature and the relative impacts of the alternatives are compared.</p>

Comment Number	Response
Petree-22	No Action Alternatives and Future Growth: See responses to Comments Petree-2 and 3.
Petree-23	<p>Household Size Numbers: Household size information is based on available U.S. Census and American Community Survey information for the years 2000 and 2007. See Final EIS Table 4.7 7. Average Household Size by Community.</p> <p>The U.S. Census information in the Year 2000 provides a new more complete baseline; whereas, 1997 information would represent estimates from an older baseline of 1990</p>

Letter 19: Jeff Tate – Polymer Land Consultants

Tate-1	<p>Draft EIS Should Include Specific UGA Boundary Proposals: At the time the Draft EIS was being prepared, cities in the County requested the opportunity to review preliminary data from this Draft EIS and to hear from citizens in their communities prior to developing a proposal for their respective UGAs. Following the city proposals, the County intended to make its proposals. These proposals were introduced in mid-June 2009, over 1 month after the Draft EIS issuance in early May. Therefore, the Draft EIS did not describe UGA boundaries for Action Alternative X and Action Alternative Y. Instead, it identified a study area for each UGA and, as part of the environmental analysis, considered the suitability of land within each study area for urban growth, based on specific criteria. The Suitability Analysis Study Areas are shown in Draft EIS Figure 2-9.</p> <p>However, in response to the Draft EIS and city proposals, Executive Recommendations that are the subject of the Final EIS, do address particular UGA boundaries. See Final EIS Chapter 2.</p>
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Tate-2	<p>Ensure Wetlands Maps are Accurate – Appear inaccurate for Certain Parcels in Blaine UGA: Maps use available GIS data regarding critical areas such as wetlands. It is acknowledged that the mapping may not perfectly match existing wetland areas and boundaries at a site specific level. However, for purposes of the programmatic cumulative review provided in this Draft EIS, the data provides a good representation of the extent and magnitude of wetland areas and was used for this purpose. In addition, Executive Recommendations include a monitoring program which can help improve the information over time.</p>
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Tate-3	<p>Protect Sensitive Watersheds through other Means than Downsizing UGAs: The comments are noted and forwarded to County decision makers.</p> <p>Consistent with the nature of the programmatic alternatives, the comments and options described in the suitability analysis in Draft EIS Chapter 3 were based on the extent and sensitivity of the territory cumulatively. The land in the south-central portion of the UGA contains concentrations of critical areas and has medium to high conservation value. Land along Drayton Harbor and major streams are identified on the County open space corridor map. Nearly all the</p>
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Comment Number	Response
	<p>study area is in Drayton Harbor watershed, with some lands on the west in the Birch Bay watershed.</p> <p>Under all alternatives for Blaine there is a significant surplus of capacity for population and a deficit of capacity for employment.</p> <p>These issues – critical areas, sensitive watershed, and the significant surplus of capacity – have been factored into the Executive Recommendations which reduce the Blaine UGA.</p>
Tate-4	Habitat is not Unique – Manage through Accepted Development Techniques: Please see response to Comment Tate-3.
Tate-5	Action Alternative Y is the Most Appropriate Alternative: The comments are noted and forwarded to County decision makers.
Tate-6	Wetland in Land Capacity: Please see response to Comment Tate-2.
Tate-7	Infrastructure Deduction in Blaine UGA: The land capacity methodology uses data from the past 5 years to calculate how much land should be reduced for infrastructure (roads, stormwater, etc.). The method also reduces known public land from the developable land database.
Tate-8	Land Capacity Method for Each UGA: Land capacity worksheets have been prepared for each UGA and are available at: http://www.co.whatcom.wa.us/pds/2031/index.jsp . Executive Recommendations in particular include a table summarizing assumptions for each UGA.
Tate-9	Recalculate Blaine Land Capacity: Please see response to Comment BIAWC-6.
Tate-10	Reduce Birch Bay Population and UGA; City of Blaine Should Have Precedence. The comments are noted and forwarded to County decision makers. Draft EIS Action Alternative X assumed more growth in Blaine than in Birch Bay. Executive Recommendations reduce both Blaine and Birch Bay UGAs.
Tate-11	Accept Some but not All City of Blaine Recommendations in City Resolution 1520-09: The comments are noted and forwarded to County decision makers.
Tate-12	Keep Kilkelly/Wilson properties in UGA: The comments are noted and forwarded to County decision makers. Please also see responses to Comments Tate-1 to Tate-6.
Tate-13	Blaine is Preferred UGA Location: The comments are noted and forwarded to County decision makers. Please also see response to Comments Tate-10.
Tate-14	Draft EIS Should include Preferred Alternative: A preferred alternative is not necessary in an EIS. In this case the lack of a preferred alternative in the Draft EIS reflects the integrated process used by the County to allow information from the Draft EIS process to

Comment Number	Response
	<p>help define a preferred alternative.</p> <p>Per Draft EIS Section 2.8, a final preferred alternative was to be developed within range of the Draft EIS alternatives and evaluated as a part of the Final EIS. Executive Recommendations are included in this Final EIS consistent with Draft EIS Section 2.8.</p>
<p>Letter 20: Robert Tull and Dominique Zervas – Langabeer & Tull, P.S.</p>	
<p>Tull-1</p>	<p>Timing of EIS and Conclusions: Generally, the cities were unwilling to provide specific proposals in time for them to be incorporated and evaluated in the Draft EIS, and still meet the December 1, 2009 deadline. For example, the City of Ferndale did not submit a formal proposal until August 17, 2009. The Draft EIS was issued on May 8, 2009, more than 1 month in advance of the hearing at which cities presented their UGA proposals on June 23, 2009. In addition city staff members were provided the opportunity to comment to the County on a preliminary Draft EIS before publication of the public review draft.</p> <p>The Draft EIS is based on a draft land capacity analysis prepared in March 2009, with some corrections to employment incorporated in April 2009. The Draft EIS noted in Chapter 2 that "... the draft land capacity method may evolve over time since the method allows for city and County modifications to certain factors based on local information (e.g., city or other local wetlands data, and employment rates). Modifications may alter the balance between land demand and supply."</p> <p>After the publication of the Draft EIS, the cities developed UGA proposals including modifications to land capacity analysis assumptions, and the County has considered the proposals.</p> <p>The Executive Recommendations modify the March 2009 land capacity analysis and incorporate revisions based on a review of city proposals. Key changes include adjustments in the land capacity analysis method regarding floodplain deductions and assumed densities, topics considered in the Draft EIS.</p> <p>The 10-Year UGA Review process was conducted in coordination with the cities as described in response to Comment BIAWC-7. The preparation of a uniform land capacity analysis was a large part of the effort with the cities. While the land capacity analysis has a common framework, it allows for local input of assumptions. The results of the analysis even accounting for several revisions requested by the cities shows that most UGAs are currently oversized.</p> <p>In 2008 when the County first reviewed UGA sizing in accordance with individual city plans rather than a coordinated approach, the results were similar that most UGAs were oversized (see Whatcom County Resolution 2008-007).</p>
<p>Tull-2</p>	<p>Inadequate Public Participation: See responses to Comments BIAWC-6, 7 and -10 and Tull-1.</p>

Comment Number	Response
Tull-3	SEPA Sequencing Requirements: The Draft EIS presents draft alternatives including a draft land capacity analysis that was available for public comment. In response to public and city comment, a revised land capacity analysis has been prepared and included in the Final EIS. See responses to Comments Tull-1 and BIAWC-6.
Tull-4	<p>Flexible Date Range: This analysis in this EIS is based on an assumption that the County's population will grow between 234,917 and 258,448 by the years 2029 and 2031. For purposes of this environmental review, the EIS does not discern any difference in the probable impacts or mitigation measures whether that population is reached in 2029, 2031, or any other year about that time. The County is using this analysis to support its review of UGA designations through the year 2029 and expects that this analysis will be equally useful when, in the next 2 years, the County undertakes its GMA required 7-Year Comprehensive Plan Review due in December 2011 and considers the year 2031.</p> <p>An early Central Puget Sound Growth Management Hearings Board (CPSGMHB) case, as summarized in case digests notes that: "...it may be wise to look beyond the GMA-mandated twenty-year time horizon, in view of the fact that major capital investments, i.e., sewage treatment plants and transportation facilities such as roads, airports and rail lines, have well beyond a twenty-year life and the results of certain public policy decisions will likewise endure beyond twenty years. However, the land supply and density decisions that must be made in designating UGAs must accommodate only the demands of twenty years of growth. [Kitsap/OFM, 4314, FDO, at 23.]" Thus the County is sizing UGAs to the horizon of 2029 in the Executive Recommendations.</p> <p>In another case, the CPSGMHB indicated that the Growth Management Act creates an ongoing duty for Washington's communities to plan for future growth, including preservation of the flexibility to increase the UGA land supply at a date beyond the immediate twenty-year planning horizon. (<i>Gig Harbor</i>, 5316c, FDO, at 56.)</p>
Tull-5	Draft EIS Does not Include a No Action Alternative: Please see responses to Comments Petree-1, 2 and 3.
Tull-6	Action Alternative X and Action Alternative Y – No Meaningful Comparison: Please see response to Comment BIAWC-4.
Tull-7	Land Capacity and 2000 to 2008 Timeframe: Please see response to Comment Petree-20.
Tull-8	Differing Time Frames: Please see responses to Comments Petree 3, 6, 20, 21, and 23.
Tull-9	Vehicle Impacts: The transportation analysis identifies different VMT results for each alternative. See Draft EIS Section 4.9, Table 4.9-9 and Final EIS Table 3-12 in Chapter 3 Section 3.9. The results are not identical for every alternative because there are differences in the

Comment Number	Response
	<p>growth patterns.</p> <p>The Draft EIS analysis indicates just above the table that the No Action Current Comprehensive Plan Alternative would have the lowest increase in VMT, and Action Alternative X would have the highest. Action Alternative Y is projected to result in lower VMT increase than the No Action Trends Alternative and Action Alternative X. This may be due to this alternative's spreading of employment growth to other smaller urban UGAs outside of Bellingham, allowing for more jobs in proximity to population centers. Executive Recommendation results are similar to Action Alternative Y.</p>
Tull-10	<p>Shorelines: The No Action Current Comprehensive Plan Alternative maintains the current overall growth total projected to the years 2029 to 2031 rather than 2022. The sentence on page 4.5-11 is clarified to read as follows: "Under the No Action Current Comprehensive Plan Alternative, shoreline impacts are anticipated to be similar to those associated with the current development pattern; development is assumed to continue on developable shoreline properties consistent with No Action Current Comprehensive Plan growth allocations, with a focus on urban areas." Please see Final EIS Chapter 4.</p>
Tull-11	<p>Other Future Alternative: Please see response to Comment Tate-14.</p>
Tull-12	<p>Capital Facilities Plan: Please see response to Comment WCAR-4.</p>
Tull-13	<p>Rural Growth: Please see response to Comment Petree-9</p>
Tull-14	<p>Variety of Housing: Please see response to Comment Petree -16</p>
Tull-15	<p>Timing of Land Capacity: Please see response to Comment Tull-1.</p>
Tull-16	<p>Draft EIS Fails to Consider Rural Growth: Please see response to Comment Petree-9. Action Alternative X includes a range of potential tools to address rural densities and may be considered in the future by the County. Additionally, Executive Recommendations include a monitoring program which will allow the County and cities to respond to future conditions.</p>
Tull-17	<p>Draft EIS Must Be Redone: The Draft EIS was prepared in accordance with SEPA Rules, particularly requirements regarding nonproject EISs. The Draft EIS tested draft alternatives and draft land capacity analyses. An extended comment period was conducted. Comments were considered in the formulation of the Executive Recommendations, and have also been forwarded to the County Planning Commission and Whatcom County Council. The County has taken no legislative actions prior to the completion of the Final EIS.</p>
Letter 21: Heather Wolf – Brownlie Evans Wolf & Lee, LLP	
Wolf-1	<p>Size the Columbia Valley UGA per Recommendation in Draft Foothills Subarea Plan: The comments are noted and forwarded to County decision makers.</p>

5.3. Letters Received After the Comment Period

The following letters were received after the 4:30 p.m. deadline on June 22, 2009. While not part of the 45-day comment period, the comments were presented to the Whatcom County Planning Commission and Whatcom County Council and are part of the overall record of the 10-Year UGA Review process. The range of comment topics in these letters is similar to the range of comments submitted during the 21-day scoping period in Draft EIS Appendix A and similar to other comment letters received during the Draft EIS comment period. Commenters may refer to the response to comments in Chapter 5 of this Final EIS to find responses to similar comments.

Table 5-3. Late Letters List

Date Received	Name
June 22, 2009, after 5 p.m.	Peter Spencer, Gold Star Resorts Inc.