

From: Amy L Mower <almower@earthlink.net>
To: David Hunter <dbhunterlaw@hotmail.com>, John Lesow <jlesow@whidbey.com>, ...
CC: Laurie Caskey-Schreiber <LCaskeyS@co.whatcom.wa.us>, Barbara Brenner <bb...
Date: 2/11/2009 7:34 PM
Subject: Question Foothills Subarea Plan and re Planning Commission Ordinance Process
Attachments: 20081221-emailed-notice of-availability.pdf

Dear Planning Commissioners,

I have a follow-up to the February 9 e-mail which I sent to Jean Melious which has been forwarded to all of you, and which is copied below immediately following my signature below. As an additional comment and question on procedure, I wish to note that the Notice of the January 15 Public Hearing indicated that it was to be a hearing on the Foothills Subarea Plan. There was no indication in the Notice that the Public Hearing was merely to be a 'recommendation' without a 'vote' or ordinance or that it was limited to the questions on Columbia Valley. To now say that the Public Hearing was merely for the 'recommendation' on the UGA and that no ordinance was to be issued and that no other aspects of the Foothills Subarea Plan were to be addressed at the Public Hearing or at the work session is confusing at best to the public recipients of the Notice. For your reference, I attach a copy of the Notice issued December 21, 2008.

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Taking the concerns about the Notice, together with my earlier comments about the inclusion of 'amendment' language and analysis for Section II, pages 4-14 of the PDS Staff Report submitted to the Planning Commission for the January 15, 2009 Public Hearing, it would certainly seem appropriate for the Planning Commission to convey its 5-2 vote to the County Council in the form of an ordinance since PDS appears to have been ready for an ordinance effecting an amendment should PDS' recommendation have been adopted by the Planning Commission. Under WCC 20.10.100 (3),

" The planning commission shall then cause written findings of fact, reasons for action, conclusions and recommendations to be prepared for each amendment. The written findings of fact, reasons for action, conclusions and recommendations shall be forwarded to the county council in the form of an ordinance(s) for its consideration."

On behalf of Foothills Friends, I respectfully request that the Planning Commission cause an ordinance, in the form indicated by WCC 20.10.100 (3) to be forwarded to the County Council for its consideration.

Thank you for your consideration.

Sincerely,
 Amy Mower
 Member, Board of Directors
 Foothills Friends

Copy of Feb 9, 2009 email to Jean Melious:

Jean,

I'd like to talk with you, at your convenience, about the next steps that will be taken for the Planning Commission's recent 5-2 vote on the Columbia Valley.

As you know, it is my position that the vote should be transmitted to the County Council, in the form of an ordinance for the County Council to adopt as a new policy. Then, that policy of course would be conveyed to the GMCC for incorporation into their work, and also conveyed back to the Commission for incorporation (hopefully) into the Commission's general discussions on the county-wide LAMIRD policies currently being developed.

In reviewing the Staff Report dated January 7, 2009, I note that Section II, starting on the bottom of page 4, is entitled Analysis of the Proposed Amendment. Clearly, the PDS was hoping/expecting that the Planning Commission would adopt the PDS recommendation, in which case PDS wanted to be positioned to take an ordinance to the County Council. The 10 page section of the Staff Report, pages 4-14, which analyzed the Proposed Amendment, lays out the PDS approach to supporting an amendment which tracked the Staff Report. Even this Proposed Amendment would be a departure from the Draft Plan, so I do not understand David Stalheim's comment to me in his email dated February 6, at 3:10 p.m., where he states that what I was requesting would not be possible since an amendment was not in the annual amendment cycle.

I cannot imagine why that Analysis of Proposed Amendment was included in the Staff Report unless PDS expected to submit an amendment to the County Council. Since that appears to be the case, then why is PDS not preparing the necessary paperwork to submit an amendment to the County Council on the vote that was actually made?

I look forward to the opportunity to discuss this question with you. Thank you in advance for your time and consideration.

Please let me know what telephone number you wish me to call to reach you. I did call your 714-1459 number, which may be your home number, as listed on the Commission website, and left a message, but I always hesitate before calling a public official at home. Also, please let me know when would be the best time to reach you. Thank you.

Sincerely,

Amy L. Mower
almower@earthlink.net
360-599-3372

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



David Stalheim
Director

J.E. "Sam" Ryan
Assistant Director

The Whatcom County Planning Commission will hold a public hearing and work session on a proposal to adopt a new Foothills Subarea Plan. The Foothills Subarea Plan covers a portion of the east County including the Columbia Valley, Kendall, Maple Falls, Glacier, forestry lands, rural lands, recreational developments, the North and Middle Forks of the Nooksack River, and a segment of the Mt. Baker Highway corridor that leads up to Mt. Baker. The current Foothills Subarea does not include Deming. However, it is anticipated that the Subarea boundary will be modified to include Deming.

This hearing and work session will be held Thursday, January 15, 2009 at 6:30 p.m. at the Whatcom County Council Chambers, 311 Grand Avenue, Bellingham, WA. The public is invited to submit written comments and/or attend the hearing to provide oral comments. Written comments may be submitted to:

Whatcom County Planning Commission
ATTN: Becky Boxx
5280 Northwest Drive
Bellingham, WA 98226
Email: rboxx@co.whatcom.wa.us

People with special needs or disabilities who will be attending the meeting are asked to contact our office at least 96 hours in advance so that we may make any needed accommodations. Parking for disabled persons is available in front of the building.

Additionally, the Whatcom County Planning and Development Services Department has issued a Final Supplemental Environmental Impact Statement (SEIS) evaluating the Draft Foothills Subarea Plan and alternatives. The Final SEIS addresses land use, transportation, public facilities and services, water quantity and water quality. The Final SEIS is available on the County's website at <http://www.co.whatcom.wa.us/pds/planning/FoothillsSubareaPlanUpdate.htm>. The Final SEIS is also available for purchase in paper copy or CD format at the Whatcom County Planning and Development Services office, 5280 Northwest Drive, Bellingham, WA.

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



David Stalheim
Director

J.E. "Sam" Ryan
Assistant Director

**FOOTHILLS SUBAREA PLAN –
ENVIRONMENTAL IMPACT STATEMENT
Notice of Availability & Order Form**

The Whatcom County Planning and Development Services Department has issued a Final Supplemental Environmental Impact Statement (SEIS) evaluating the Draft Foothills Subarea Plan and alternatives. The Final SEIS addresses land use, transportation, public facilities and services, water quantity and water quality.

The Final SEIS is available on Whatcom County's website at:
<http://www.co.whatcom.wa.us/pds/planning/FoothillsSubareaPlanUpdate.htm>

Paper copies and CDs may be purchased at:

Whatcom County Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226

I would like to order the Final Supplemental Environmental Impact Statement in the following format:

_____ Paper copy \$30 for SEIS and appendices or \$9 for SEIS without appendices (plus \$4.80 if you want it mailed)

_____ CD \$10 (plus \$1.17 for postage if you want it mailed)

Name: _____
Please Print

Address _____
Please Print

Email Address: _____
Please Print