

Kate Blystone - Fwd: Birch Bay UGA

From: PDS
To: David Stalheim; Kate Blystone
Date: 10/1/2009 4:09 PM
Subject: Fwd: Birch Bay UGA

>>> "Wendy Harris" <w.harris2007@comcast.net> 10/1/2009 1:53 PM >>>

Dear Members of the County Planning Commission:

Re: Birch Bay UGA

I am confused, and thus, concerned, regarding the Birch Bay UGA proposal. Executive Kremin and some members of the public have requested that the Birch Bay UGA conform to the 2004 Birch Bay Community Plan. The PDS memo to the Planning Commission lists 4 options with regard to the Birch Bay UGA, none of which reflects the recommendations of the Birch Bay Watershed Characterization and Planning Pilot Study or related Action Plan.

However, it is my understanding that the 2004 Birch Bay Community Plan was reviewed, and to the extent appropriate, incorporated into the 2007 Birch Bay Watershed Characterization and Planning Pilot Study (the "pilot study"). Other plans reviewed in the pilot study include the Shoreline Restoration Plan and the Birch Bay Stormwater Plan. As the pilot study noted,

This pilot study incorporates and build upon these earlier efforts while further examining the potential vulnerability of specific areas of the watershed to development pressures.

This study is not intended to supplant previous efforts, but provides further direction to evaluate recommendations, identify cost-effective management strategies and sources of funding, and implement collaborative, solutions-oriented land use practices.

http://www.whatcomcounty.us/pds/naturalresources/specialprojects/pdf/birchbay_page_1

The pilot project was a collaborative effort of the EPA, Ecology, CTED, WDFW, PSP and PDS, and local community groups. It studied and analyzed Birch Bay on a watershed basis, through detailed review of the ecological functions of 32 delineated sub-basins. After review of this information, prioritized areas within the watershed were recommended for development, protection or restoration. The intention was to create a watershed management plan that would integrate and address the planning requirements of the GMA and the SMA and the needs of the community.

<http://www.ecy.wa.gov/programs/sea/pubs/0506027/0506027.pdf> :

Protecting Aquatic Ecosystems By Understanding Watershed Processes: A Guide for Planners, Ecology Publication #05-06-027, June, 2008, pages 38-43.

The pilot study resulted in the Birch Bay Watershed Action Plan (the "action plan"), currently reflected on the PDS website at <http://www.co.whatcom.wa.us/pds/naturalresources/specialprojects/birchbaywate-actionplan.jsp>. This website indicates that the PDS, Natural Resources Division, is currently developing a land use management program that reflects unique watershed conditions.

Thus, it is puzzling to me that the current UGA proposal for Birch Bay does not reference and rely upon the action plan, which reflects a scientific, comprehensive and legally-complaint approach. The 2004 Birch Bay Community Plan does not reflect this level of analysis, expertise and unbiased recommendations. While I understand that the action plan is still an on-going project, sufficient information exists to make informed choices with regard to the Birch Bay UGA.

Thus, I request that the Planning Commission ask the PDS staff to explain whether, and to what extent, each area of the proposed Birch Bay UGA meets the management goals based on sub-basin vulnerability discussed in the pilot study and reflected with Table 7-6 on page 76-79. <http://www.whatcomcounty.us/pds/naturalresources/specialprojects/pdf/birchbay>

The pilot project and action plan provides a wealth of scientific information that should be used as part of a responsible land planning approach and should be encouraged. In contrast, the 2004 Birch Bay Community Plan relies more heavily upon conjecture and testimony from affected property owners who, understandably, are less likely to be form objective opinions.

I am also concerned that North Whatcom Fire and Rescue (Fire District #2) has determined that it lacks the financial resources and funding sources to provide and maintain urban levels of service to the Birch Bay UGA, and that many primary roads in the Birch Bay UGA have capacity and safety issues, which are anticipated to increase in the future. Health and safety issues should be first and foremost in any planning decisions made by the County. Additionally, would this not create problems with GMA concurrency requirements that could prohibit the County's ability to become GMA compliant?

With regard to the Blaine Road properties, I previously commented that making zoning and land designation adjustments on a "property by property" basis is poor planning policy that can result in negative consequences in the long-term. While exceptions may be warranted in a few rare cases, I am generally opposed to placating a few property owners, especially those who stand to profit sufficiently to justify hiring legal representation to press their cause before the understaffed and understandably overwhelmed PDS staff. It is unlikely that such property owners are acting in anything other than their own self-interests, whereas the responsibility of the Planning Commission and the PDS is to represent the best interests of the entire community.

Thank you for consideration of my comments with regard to the Birch Bay UGA.

Sincerely,

Wendy Harris
Bellingham Resident