

To: PDS, Planning Commission, County Council and Executive Kremin.
From: Wendy Harris
Date: 10/4/09
RE: Birch Bay UGA and Birch Bay Watershed Pilot Study

Whatcom County has the ability to create UGA boundaries in Birch Bay that reflect an innovative, comprehensive watershed-based plan for land use, stormwater management and natural resource protection/restoration. The information necessary for Whatcom County to assume a progressive and news-worthy role is currently available as a result of the Birch Bay Watershed Characterization and Watershed Planning Pilot Study (“the pilot study”) and related Birch Bay Watershed Action Plan. Birch Bay could serve as a role model for not only the rest of the County, but the rest of the state. Please do not squander this unique opportunity.

An effective watershed based management plan would not only protect and restore our natural resources, but would serve the interests of the development community. The Whatcom County Critical Area ordinance allows local watershed-based management plans to substitute for standard critical area regulations when special criteria are met. WCC 16.16.260.E (“Alternative Mitigation Approaches and Watershed-Based Management Plans”). Therefore, a locally adopted watershed plan in Birch Bay could tailor development regulations to watershed conditions to both streamline the regulatory process, including review and permitting, and increase resource protection. The on-going Birch Bay Action Plan could be designed to meet the requirements of WCC 16.16.260E, providing a win-win situation for all parties.

Please remember that the pilot study and action plan were actually initiated by the County and funded through state and federal grants. This included an “Estuaries Initiatives” grant from EPA to implement watershed based land use planning in Birch Bay. The pilot study and plan reflect the collaborative efforts of the County, EPA, Ecology, WDFW and Puget Sound Partnership. It reviewed and incorporated prior Birch Bay planning efforts, including the Whatcom County Comprehensive Plan, the Whatcom County Comprehensive Water Resources Plan, the Birch Bay Community Plan, the Birch Bay Comprehensive Stormwater Plan, the WRIA 1 Salmonid Recovery Plan, the Salmonid Habitat Restoration Strategy, the Shoreline Inventory and Characterization Report, and the Shoreline Restoration Plan.

Given these facts, it is inconceivable that the pilot study and action plan are not being used to form the foundation for the Birch Bay UGA recommendation. It is also unthinkable that, instead, the 2004 Birch Bay Community Plan, a subcomponent of the pilot project, which fails to reflect a comprehensive watershed based approach, is being used as the primary basis for the UGA recommendation. I can only speculate why this situation exists.

Fortunately, at the October 1, 2009 Whatcom County Planning Commission meeting on the Birch Bay UGA, the PDS was directed to reduce the proposed size of the UGA and submit a revised proposal suggesting standards upon which to determine an appropriate basis for reduction. It is my hope that PDS will use this opportunity to revisit the pilot project and action plan and make appropriate adjustments that reflect the pilot project management recommendations for growth, protection and restoration.

I believe Director Stalheim is mistaken in his stated belief that the pilot project is some type of theoretical draft document. As reflected in the pilot project, it has an analytic component, which involves characterizing watershed processes, and a planning component, which consists of recommending specific solutions and actions needed to protect and restore ecosystem health.

These are the first of several steps in a multi-step process to manage natural resources in the context of land use planning. The first two steps- analyzing (or characterizing) the landscape and its wetlands, streams, and wildlife, and prescribing solutions- are addressed via this pilot study. The second two steps- taking actions and monitoring results- are dependent upon formal adoption and implementation of a watershed plan by Whatcom County and the residents and stewards of the Birch Bay watershed.

Pilot Study, page 8, http://www.whatcomcounty.us/pds/naturalresources/specialprojects/pdf/birchbay_pilot_study_finalclean.pdf

I urge PDS, the Planning Commission, County Council and Executive Kremen to review the Birch Bay Watershed Characterization and Watershed Planning Pilot Study, cited in the above hyperlink, and to enact the final two steps of the pilot project; adoption and implementation of a watershed management plan in Birch Bay; as part of the Birch Bay UGA review and recommendation process currently before the County.

Thank you for the opportunity to provide public comment on the Birch Bay UGAs.

Sincerely,
Wendy Harris
Bellingham Resident