

RECORD OF PROCEEDINGS OF THE  
**WHATCOM COUNTY PLANNING COMMISSION**

January 15, 2009

Regular Meeting

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1 **Call To Order:** The meeting was called to order, by Whatcom County Planning  
2 Commission Chairperson, Ken Mann, in the County Council Chambers at 6:10 p.m.

3

4 **Roll Call**

5 Present: Ken Mann, John Lesow, Jean Melious, Rabel Burdge, John Steensma, Sean  
6 Wilson, Geoff Menzies, John Belisle, David Hunter.

7

8 **Staff Present:** David Stalheim, Matt Aamot, Becky Boxx.

9

10 **Annual Business Meeting**

11

12 Election of Chair: Lesow nominated Jean Melious. Menzies seconded. The motion carried.

13

14 Election of Vice-Chair: Menzies nominated John Lesow. Mann seconded. The motion  
15 carried.

16

17 Business Rules

18

19 Mann moved to accept the business rules with an amendment to read: The Open Session  
20 for Public Comment provides an opportunity for any member of the public to speak to the  
21 Planning Commission for three minutes on any topic, except:

22 Items that are scheduled on the agenda for a public hearing that same day.

23 Items that have had a public hearing and are still under deliberation by the Planning  
24 Commission.

25 The time limit of three (3) minutes may be extended to five (5) minutes at discretion of  
26 Chair.

27

28 Lesow seconded.

29

30 Lesow made a friendly amendment to change Chairperson to Chair where it appears in the  
31 rules. Mann accepted the amendment.

32

33 Lesow made a friendly amendment that when a person is speaking they are notified when  
34 they have 30 seconds left. Mann accepted the amendment.

35

36 The motion carried.

37

38 **Director's Dialog**

39

40 Stalheim: Going over our upcoming schedule, on January 29<sup>th</sup> you will be deliberating and  
41 making a decision on the Foothills subarea.

42

43 In February we would like to propose different meeting dates. We had proposed having a  
44 joint meeting with the County Council on February 12<sup>th</sup>, to discuss the range of  
45 alternatives that we are going to study as part of the UGA review process. We just found  
46 out the City of Bellingham is having a hearing on the same subject that night, so we  
47 would like to move the hearing to February 17<sup>th</sup>. On February 19<sup>th</sup> we will have a work  
48 session on the issue to prepare your recommendations to send to the Council. We would

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1 like to start the meeting on February 17<sup>th</sup> at 6:00 p.m. for an executive session, with legal  
2 council, and then start the hearing at 7:00.

3  
4 On March 12<sup>th</sup> we are proposing to look at the Bellingham Urban Fringe Subarea Plan.  
5 There are some consistency issues. We are also trying to work with Fire District 21 to deal  
6 with some fire protection level of service issues and their capital facilities plan. On March  
7 26<sup>th</sup> we will review some code scrub items.

8  
9 In April we are proposing to focus in on the rural element and the LAMIRD issue. We are  
10 hoping to go out and do our next round of public involvement in the early part of March.  
11 We will go out with proposed criteria and review of the LAMIRD boundaries and review of  
12 the data we have.

13  
14 Lesow: Will there be an attempt to go out to Pt. Roberts?

15  
16 Stalheim: We haven't decided yet.

17  
18 In May the draft EIS on the UGA 10 year review should be completed so we should be  
19 ready for a public hearing. We will continue work on this throughout May so you can make  
20 your recommendation to the Council.

21  
22 In June we start having a lighter schedule so we can catch up and work on other issues.

23  
24 Council has a strong commitment to try to meet our June 30<sup>th</sup> deadline. As you know  
25 there are some compliance issues. We are not eligible for quite a few funding sources.

26  
27 I want to give you an update of what is going to Council. The school impact fee issues are  
28 before them for action at their next meeting. We made some minor adjustments to the  
29 land division ordinance, based on the public hearing testimony. The Council will be looking  
30 at that at their next meeting. The transportation concurrency ordinance is scheduled for  
31 action at the next meeting. The Comprehensive Plan transportation level of service and  
32 impact fees was introduced and a work session was held. The Council is ready to start  
33 moving forward on that. They first want to get a briefing from Larry Toedtli, from the  
34 Transpo Group. They passed to concurrent review the Birch Bay transportation  
35 amendments. We will introduce the Lummi Island actions that you forwarded at the next  
36 meeting. They will probably have a public hearing on that. They are also scheduled to  
37 take action on the garages at the next meeting.

38  
39 Lesow: I need some clarification. I do not recall us coming to any agreement or any vote  
40 on the population methodologies. I know that we discussed it. Has there been any  
41 question from the Council or Executive Kremen as to where the Planning Commission is as  
42 far as this consideration? It was my understanding, before I was on the Planning  
43 Commission, that the Planning Commission weighed in on this issue early on. So far I  
44 don't think we have.

45  
46 Stalheim: No, you haven't and I will continue to not ask you to weigh in because that is  
47 an action and you can't take action, nor can the County Council, until you have public  
48 hearings, SEPA, etc. So we can have discussion but we don't ask you to take action. At

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1 the hearing on February 17<sup>th</sup> the range of alternatives we will be reviewing that and  
2 eventually ask you to make a recommendation on the range of alternatives to be studied  
3 in the EIS. That could include alternative growth forecasts. It will not be staff's  
4 recommendation to do that.

5  
6 Lesow: Who made the initial decision to choose 251,500 as an ad-hoc adopted projection  
7 by the GMCC?

8  
9 Stalheim: From the County's perspective you can't make a decision until the County  
10 Council and the Planning Commission go through the public process. The GMCC is not a  
11 legal entity. They are an advisory body.

12  
13 Lesow: But you are working with the medium projection.

14  
15 Stalheim: We are working with that number. The number could change through this  
16 process which will be the subject of the hearing on February 17<sup>th</sup>.

17  
18 Lesow: The way I read this lawsuit is that there is a timetable set forth and a decision on  
19 the population forecast and allocation has to be made in January. That means it is going  
20 to have to be made at the next County Council meeting.

21  
22 Stalheim: Where are you reading that from?

23  
24 Lesow: There is a timetable in the lawsuit.

25  
26 Stalheim: We are not going to make a decision about population projections until we get  
27 done with the process. You are not going to make an interim decision and put that into  
28 the Comprehensive Plan because that will become an appealable action.

29  
30 Lesow: I don't want to have to come to a decision about this in May. We should have been  
31 talking about this in November.

32  
33 Stalheim: In February you will start discussing the range you want studied in the EIS and  
34 the alternatives. There are different ways to package the alternatives. Staff will package  
35 its alternative around land use strategies, it won't be around employment and population  
36 projections. If that's what the Planning Commission wants it based on you guys will have  
37 to work on that because the Planning Directors of the cities do not support that.

38  
39 Hunter: I am certainly open to us having more than two meetings a month in order to get  
40 through all of this.

41  
42 Stalheim: Your business rules allow you to form committees, which you may want to think  
43 about. That may be a way of delegating some of these issues.

44  
45 **Open Session for Public Comment**

46  
47 Dave Pros, Whatcom County: I have been going to the Technical Advisory Group (TAG)  
48 and Growth Management Coordinating Council (GMCC) meetings. There is so much wrong

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1 with this population projection process. I understood that the County Council is the one  
2 that created the GMCC to say that they aren't legally an organization, not subject to the  
3 open meeting rules, I am a little surprised at. Where are the three alternatives going to  
4 come from? Is there going to be a public hearing asking people what they would like or is  
5 public input not relative at this point? When information starts coming to you there are  
6 four parts that need to be determined first. Determine what ordinances need to be  
7 enacted to make the population projection and population allocation congruent with the  
8 Comprehensive Plan. The Comprehensive Plan, from 2000 to 2008, says that there is  
9 supposed to be 6.3% of the population growth in the rural areas. Actually 28.7%  
10 happened. Until the Council has information, hopefully from the Planning Department,  
11 about why this happened and how to change that, what difference does it make what  
12 numbers they pick? This is a place where consultants could help the Council a lot. The  
13 number one, immediate thing that needs to be done, is in order to comply with the GMHB  
14 the 2029 population projection needs to be done. To couple that with the 2031 projection  
15 just confuses the issue. Visioning itself should take a period of time where suggestions are  
16 taken out to the people. The population planning should be from the bottom up. In this  
17 case the TAG is telling the GMCC what the population projection numbers should be, it  
18 pretty much gets written in stone and everything comes off of those numbers. It's very  
19 bogus. Each city should come to the Council stating how much they can grow. Finally, we  
20 don't have a plan for how we are going to grow. We don't have a model.

21  
22 Bob Wiesen, Whatcom County: I want to assure you that I have never been paid to be  
23 here and it cost me a lot of time and money to participate in this activity. One of the most  
24 critical things that you need to do is to be really generous in allowing people to make  
25 public comment. When we originally wrote the rule to allow public comment at the  
26 beginning of the session we went by the same rules that the County Council does. You can  
27 speak on any issue as long as it wasn't the hearing that night.

28  
29 Jack Petree, Whatcom County: I would like to thank those of you that voted for the  
30 resolution to open up the public comment period to more rational comment and coming  
31 more in line with what the other County organizations do.

32  
33 **Commissioner Comments**

34  
35 Several members of the Commission thanked Commissioner Mann for his work as chair  
36 the past two years.

37  
38 **Approval of Minutes**

39  
40 December 3, 2008: Lesow made a change to page 1, line 41, to read: ~~I would rather not~~  
41 ~~say-~~ It's none of your business. Lesow moved to approve with this change. Mann  
42 seconded. The motion carried.

43  
44 December 11, 2008: Burdge made a change to page 3, line 17, to read: City of  
45 Bellingham because a speaker alleged enrollment was becoming very high... Menzies  
46 moved to approve with this change. Belisle seconded. The motion carried.

47  
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1 **Public Hearing**

2  
3 **File #CMP2007-00007** – Proposed adoption of a new Foothills Subarea Plan.

4  
5 Matt Aamot presented the staff report.

6  
7 The Foothills Subarea Advisory Plan Committee worked in 2006 and 2007 to develop a  
8 draft plan. We are asking for a Planning Commission recommendation on two specific  
9 issues. The first one is should there be an urban growth area in the Columbia Valley?  
10 Second is what should the population projection for the Columbia Valley be? The reason  
11 we are asking for your recommendation on these two issues is because the 10 year  
12 review, of Urban Growth Areas (UGAs) throughout the County, is currently underway and  
13 by order of the Growth Management Hearings Board (GMHB) it must be completed by  
14 June 30, 2009. Planning and Development Services is recommending retaining the  
15 existing UGA and adopting a total Columbia Valley UGA population allocation of 5,000 for  
16 the next 20 year planning period. That would imply that the UGA would have to be  
17 reduced in size. The rationale for keeping the UGA is that there are goals and policies in  
18 the Comprehensive Plan which support the UGA. The majority of the Foothills Subarea  
19 Plan Advisory Committee recommended maintaining the UGA.

20  
21 There has been Urban Residential zoning in this area since 1988, when the last Foothills  
22 Subarea Plan was adopted. The Columbia Valley area was designated as a UGA in 1999.  
23 The existing UGA is about 1 percent of the land area of the Foothills. There are large areas  
24 of Rural and Forestry land use designations that will be maintained. The subarea plan  
25 contains policies to protect these lands from encroachment of the UGA.

26  
27 Regarding the population allocation, the existing Comprehensive Plan projects 5,000  
28 people, in the Columbia Valley, at the end of the current planning period, which is 2022. If  
29 growth were to follow historical trends from the last 10 to 20 years the Columbia Valley  
30 population would exceed the projection prior to the end of that planning period. However,  
31 there are circumstances, especially the need for additional capital facility planning, that  
32 warrant careful consideration prior to allocating additional population to the Columbia  
33 Valley UGA.

34  
35 Fire District 14 has indicated significant concern about their ability to serve the growth  
36 projected in the Foothills Subarea Plan. Currently the fire district does not have a capital  
37 facility plan, although they are in the process of developing one. Water District 13 is also  
38 in the process of developing a sewer plan. Their existing plan is from the 1970's. Other  
39 capital facility planning is also needed. WSDOT has stated they have significant  
40 constraints on State funding for transportation projects. Given these factors Planning and  
41 Development Services believes that additional population should not be allocated to the  
42 Columbia Valley UGA at this time. If the existing population allocation of 5,000 were  
43 applied to the new 20 year planning period it would constitute an increase of  
44 approximately 1,147 people from the 2006 population estimate. This is lower than the  
45 Foothills Subarea Plan Advisory Committee recommend, which was a total population of  
46 7,053. It is also below historical growth in the area, since 1990. The County does have  
47 discretion in making policy choices when allocating growth and formulating associated  
48 land use plans.

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- 1 Hunter: It sounds like you are making a presumption that by maintaining the population  
2 projection at 5,000 will help to control the population. Is that fair to say?  
3
- 4 Aamot: In GMA there is a close connection between the land use designations and the  
5 population projection. We have to size the UGA appropriately. So in the UGA there would  
6 be a finite land supply sized to accommodate that population.  
7
- 8 Melious: Are we assuming that if the UGA is retained, even though the population is  
9 different, that the land use designations would also be retained?  
10
- 11 Aamot: There would have to be changes to zoning. If an area is removed from the UGA  
12 we would have to give it rural zoning.  
13
- 14 Melious: Would the land uses change if left in the UGA?  
15
- 16 Aamot: We still have to do further analysis on that, but I think, generally, that's true.  
17
- 18 Burdge: Is your 20 year planning period through 2031?  
19
- 20 Aamot: That is what the GMCC has been working with. There has been discussion of what  
21 the appropriate 20 year period is.  
22
- 23 Belisle: When I look at the EIS it seems like the area is overpopulated and underserved. If  
24 we allocate more people to it there doesn't seem to be any way to add money to make all  
25 the good things happen that people are hoping for. Is that missing from this conversation?  
26
- 27 Aamot: I think that's an appropriate consideration. One thing that will have to be done  
28 before final plan adoption is development of more detailed capital facility plans. Cost has  
29 been a big issue with the community and I think it will be a big issue county wide when  
30 we do these UGA reviews.  
31
- 32 Menzies: Have the questions of whether or not to have a UGA and the population  
33 allocation been brought to the TAG or GMCC?  
34
- 35 Aamot: No. We want your input to feed into theirs.  
36
- 37 Lesow: In terms of the three alternatives, wouldn't alternative three represent the lowest  
38 cost to the County?  
39
- 40 Aamot: I think that is true. There would be less transportation improvements, less school  
41 improvements, etc.  
42 The hearing was opened to the public.  
43
- 44 Phil Cloward, Whatcom County, speaking for the members of the Foothills Advisory  
45 Committee: I don't know if we are making progress when it comes to stating our opinions  
46 or listening when we state them. With that in mind I want to remind you that we are  
47 dealing with an area of 208 square miles. It has a very diverse population that was  
48 estimated at 6,722 people in 2006. I would also like to point out that a lot of times I hear

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1 the statement that people wish the area was like it used to be. In 1905 the population of  
2 Maple Falls was 9,320 people. There were 13 businesses at the time. Sometimes we don't  
3 want to wish for the past because I don't think it would pay off too well.

4  
5 I first came here in 1950 so I feel qualified to talk about the area. In the 1950's the area  
6 was different than it is today. It used to be a prime fishing and hunting area. After 5:00  
7 p.m., when the logging trucks quit running, there was no more traffic. When we talk  
8 about land use we want to preserve the natural beauty, the open spaces and the rural  
9 character. The slow rural pace is prized by the long term residents and also the  
10 newcomers.

11  
12 One of the things that I feel has real value, and comes out in the plan, is the  
13 concentration of the urban growth in the Columbia Valley UGA. It also gives us the ability  
14 to enhance the small towns of Deming, Kendall, Maple Falls and Glacier as vital, vibrant  
15 and distinct areas.

16  
17 Increased employment opportunities are provided for in the plan.

18  
19 One of the things that we have a lot of in the Foothills is biomass. It allows us to hide a lot  
20 of our errors. We need to recognize and encourage the high level of cultural and social  
21 diversity. It's also important that we maintain the heritage and historical uses incumbent  
22 on the area of 118,000 acres of forested land.

23  
24 One strong area of the plan shows that there is land to accommodate the population that  
25 is forecast for the UGA and residential growth in Deming, Maple Falls and Glacier. Housing  
26 should be affordable. In recent years there has been a conversion of seasonal use housing  
27 to full time residential housing and it has been occurring farther up the canyon. 29  
28 percent of the total dwellings are seasonal, compared to 8 percent in the rest of Whatcom  
29 County. In addition, Camper's Paradise, The Glen At Maple Falls, and Black Mountain  
30 Ranch accommodate approximately 2,500 recreational units.

31  
32 As far as capital facilities we have some things going on, such as the East County  
33 Resource Center. We have parks, although we need neighborhood parks. We need access  
34 to open spaces and convenience and safety of trails and bicycle routes. Administrative  
35 offices need to be located in the Foothills. There is an insufficient law enforcement  
36 presence. It has to be recognized that with the resident deputy program we've had in the  
37 last few years that the results have been outstanding, but when you have one deputy for  
38 a population of 6,277 people it is stretching it a little tight. That is discussed a lot in this  
39 plan.

40  
41 We have water districts and water associations and a number of other public water  
42 systems plus individual wells that serve the residents. We have one sewer district in the  
43 Foothills, which happens to be in the Columbia Valley UGA and it happens to be in the  
44 Peaceful Valley subdivision. That district is currently developing a Comprehensive Plan and  
45 a facilities report. Puget Sound Energy provides the power. There is a severe lack of cell  
46 phone coverage in most of the subarea. There is a need to consider this in the utilities  
47 planning.

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1 Regarding transportation, we have State Route 9, Highway 547 and Highway 542. These  
2 are the primary arteries. We also have South Pass Road, Mosquito Lake Road and Silver  
3 Lake Road, which are major County routes. There are a substantial network of private  
4 roads that traverse the resource lands. It's nice to say that we now have public  
5 transportation. I know for years the WTA resisted a route out there for years, now it's  
6 probably one of the most successful routes they have initiated in recent years. There are  
7 areas we can make progress regardless of what we feel like. The need for bicycle and  
8 pedestrian type transportation is needed.

9  
10 We also have level of service (LOS) planning that needs to be done. There is mitigation  
11 that is available and appropriate to development.

12  
13 The economy in the area has traditionally been forestry and mining, with tourism and  
14 government now supplementing a lot of that. The statistics used in the plan state that the  
15 employment will grow between 1.25 percent and 2.35 percent annually over the next 20  
16 years. Resource lands comprise 82 percent of the land within the subarea. We need to  
17 conserve the natural resource lands in the Foothills for the continued production of food,  
18 minerals, forage and timber while promoting the expansion of stability of the County's  
19 agricultural and forestry economics.

20  
21 The Columbia Valley UGA should be maintained as recommended in the final draft and in  
22 conjunction with the more recently created GMCC allocated population represented by  
23 historical trends that have been proven over time. Consider only those points in the  
24 minority report that would be consistent with the established business rules of the  
25 committee. In other words the items that were covered by a majority vote, not by  
26 consensus. After 44 meetings over two years 94 percent of the decisions that went into  
27 the plan were covered by consensus. I hope it wasn't a waste of time and effort.

28  
29 Mann: One thing that came out was the need and desire for services, specifically cell  
30 phone coverage and a full service grocery store. I don't understand how the plan delivers  
31 that because the government doesn't provide those services. How will you get those types  
32 of privately run services to open up and thrive in the Foothills?

33  
34 Cloward: Originally, and covered in the plan, there is a commercial center recommended.  
35 There was a lot of thought and effort that went into it. Having this center reduces  
36 transportation and the need to travel.

37  
38 Mann: If you have a site for a commercial center do you think a store would show up and  
39 be able to make a go of it?

40  
41 Cloward: Right off of the bat, no. It won't happen overnight. We also have to consider the  
42 fact that we have a lot of viable businesses. Most of those people are very frightened that  
43 we might get a larger grocery store. That has to be considered in the process.

44  
45 We are working hard on the cell phone tower issue. We have been working with each of  
46 the companies trying to get them to build towers.

47  
48 Burdge: Do you and your group favor the development of Balfour Village?

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1 Cloward: That was supported in the plan and we support those recommendations in the  
2 plan. I think it would be inappropriate to cap the population because we do have the area  
3 and it's already zoned UR4. The beauty of the plan is that it combines and concentrates  
4 the population rather than spread it out.

5  
6 Lesow: You mentioned affordable housing. What do you define as affordable housing for  
7 the Foothills area?

8  
9 Cloward: One of the reasons we moved to the area was because it was much more  
10 reasonable to purchase in the area, but it's much more expensive to live in the area  
11 because everything you need you travel for. The median home price is \$250,000 to  
12 \$300,000 in Bellingham. In the Foothills it's about \$180,000 or maybe a bit lower. I don't  
13 have a figure on what's affordable. The other thing is it has to be a range of housing.

14  
15 Lesow: Do you see multi-family in the area?

16  
17 Cloward: I see smaller lots and better utilization of the space but I think you are talking  
18 about a lot of single family housing. For the commercial areas we discussed, a lot, having  
19 commercial facilities below with housing above.

20  
21 Jan Eskola, Whatcom County, speaking for the members of the minority report: I am one  
22 of three people who wrote the report. The report discusses the following: population  
23 projections, certain decisions involving the Columbia Valley UGA, cluster zoning in the  
24 rural area, and concurrency requirements for development.

25  
26 On July 19, 2006 Professor John McLaughlin, of Western Washington University, delivered  
27 a presentation on population projections to the Foothills Advisory Committee. He  
28 discussed his analysis as it applies to the Foothills Subarea. His input was requested as an  
29 alternative to population projections which had been presented by EcoNorthwest to the  
30 Foothills Advisory Committee. Professor McLaughlin says that his formula is logarithmic  
31 and bottom up whereas EcoNorthwest's formula is exponential and top down. The  
32 McLaughlin formula utilizes feedback, which according to Professor McLaughlin is not  
33 addressed by EcoNorthwest. To assess the accuracy of his formula Professor McLaughlin  
34 tested it against historical population growth data and compared the success of his  
35 formula to the correlation of the EcoNorthwest formula against historical population  
36 growth. Professor McLaughlin stated that when the two formulas were tested against  
37 historical growth patterns his formula was far more accurate than EcoNorthwest's formula.  
38 His projections indicate that the population growth, over the 20 year term of the subarea  
39 plan, will be significantly lower than the growth projected by EcoNorthwest. The  
40 population projections approved by the majority members even exceeded EcoNorthwest's  
41 recommended numbers and therefore should be recalculated. The Planning Department  
42 has since revised the population projection for the UGA to 5,000 from 7,053  
43 recommended by the majority. Based on figures by the Washington State Office of  
44 Financial Management, on September 13, 2007, the rate of growth, in the UGA from 2000  
45 to 2007, was 5.84 percent. The 5,000 population projection, by the Planning Department,  
46 suggests a 30 percent increase in population for the planning period. Also if the  
47 projections, for the UGA, are being revisited then the population projections for all the  
48 small towns and remaining subarea should be revisited also. The minority members urge

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1 that the population analysis, by the majority committee members, be revoked. We also  
2 urge that the EcoNorthwest projections, at a minimum, be revisited. We also suggest  
3 review of Professor McLaughlin's critique of the EcoNorthwest projections methodology  
4 would be appropriate before final growth rates are chosen for the Foothills. Planning for  
5 more growth, without an in depth analysis of carrying capacity, does not serve to maintain  
6 rural character. Although the advisory committee balanced population projections against  
7 available land and did look at current water and sewer connection potentials there was no  
8 analysis by the committee of the following carrying capacity issues, which were requested  
9 by the minority members on numerous occasions.

10  
11 The impact on drawdown of the Columbia Valley aquifer or any cone of depression which  
12 would result from a dramatic increase in the drawdown of the aquifer with consequential  
13 results on groundwater, creeks, rivers, private wells, salmon and fish habitat.

14  
15 The highly permeable soils of the Columbia Valley to determine whether or not there  
16 would be either adequate aquifer recharge to provide sufficient water for all residents, the  
17 fish hatchery and the Nooksack River. Or sufficient filtration to filter out impurities created  
18 by more housing and roads to avoid pollution of our water.

19  
20 Any increase in LOS traffic and road issues on the subarea roads that will likely be caused  
21 by increases in population.

22  
23 Any increase in taxes for schools, fire service, parks, sheriff assistance or emergency  
24 medical assistance.

25  
26 Input and feedback from the Water Resource Inventory Area (WRIA) 1 with regard to  
27 regional storm water management.

28  
29 Safety routes for emergency evacuation from the UGA due to forest fire, volcanic activity,  
30 land slides, etc., which currently has only two exit and entry routes into and out of the  
31 UGA as well as safety routes for the emergency evacuation from the rest of the Foothills.

32  
33 Adding a town center overlay is premature as the UGA has not yet developed as a  
34 municipality. First the community needs to establish a municipal identity and then the  
35 location of a town center will be driven by the location of a municipal center.

36  
37 Changing the Whatcom County Comprehensive Plan designation of the of the 40 acre  
38 Holly and Associates/S.C. Goshen site from Rural to UGA and changing the zoning  
39 designation of those 40 acres from Rural Forestry to UR4 were not justified by the land  
40 use needs analysis conducted by the Foothills Advisory Committee. There is sufficient  
41 acreage in the original UGA even as reduced by moving its southern boundary north of  
42 Kendall to meet the population projections without the need to change either the  
43 Whatcom County Comprehensive Plan designation or the zoning of these 40 acres.

44  
45 Based on Studio Cascade's expert analysis of land use requirements, the minority  
46 members do not think that potential additional Light Impact Industrial acres are needed at  
47 all, whether within the UGA or outside the UGA. Studio Cascade has forecast industrial  
48 land demand in the subarea, in 2027, to be equal to 8 to 21 acres. The current 40

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1 planned acres are sufficient and certainly there is no justification for an additional 40  
2 acres, for a total of 80 acres which is possible under the recommended subarea plan.

3  
4 The recommended subarea plan instead provided for a minimum of 40 acres of land zoned  
5 for planned Light Impact Industrial development, plus an additional 40 potential acres for  
6 Light Impact Industrial development already within the UGA, for an aggregate total of 80  
7 acres within the UGA. It also provides for an additional 80 potential acres for Light Impact  
8 Industrial development entirely outside the UGA.

9  
10 The GMA, RCW 36.70A.130 and .215 provides for five and seven year look-backs, which  
11 would be the more appropriate method to determine whether or not it is proper to change  
12 the size of the UGA. It is inappropriate to dramatically over size for future growth now,  
13 and adjustments in the UGA could be made early on in the 20 year planning period by the  
14 look-back process which will look at market factors, long before land supply is used up.  
15 The look-back process will bring the subarea plan into compliance with actual growth and  
16 will implement measures to make sure that the subarea plan and UGA meet current  
17 needs.

18  
19 The recommended language lays the groundwork for expansion of the boundaries of the  
20 UGA for the entire 160 acres. The minority members are concerned that it would be an  
21 easy jump from potential to permanent status of the approved potential light impact  
22 industrial land scheme, thus possibly expanding the light impact industrial acreage, even  
23 within the UGA, and possibly expanding the boundaries of the UGA if the additional  
24 required acreage can't be found within the UGA.

25  
26 Cluster development in the Rural zone does not support rural character. Rural character  
27 not only preserves natural landscapes of the rural area, but must also foster traditional  
28 rural lifestyles, rural based economies and opportunities to live and work in the rural  
29 areas.

30  
31 Questionnaires were circulated by the Foothills Advisory Committee. The committee spent  
32 a great deal of time, effort and thought on this and felt that the questions were very  
33 important. We spent many meetings drafting and redrafting the questionnaire in order to  
34 create questions which reflected the specific local issues unique to the Foothills.  
35 Approximately 5,500 questionnaires were distributed with 376 responses. Those  
36 responses represent an approximate return rate of 6.8 percent, which is a respectable  
37 return rate for public surveys. Question 3f stated "I support retaining the rural character  
38 of the Foothills area." 68.3 percent strongly agreed with this statement. 24.5 percent  
39 agreed with this statement. Question 2b stated "Protecting the high quality of water in the  
40 Foothills is important to me." 68.3 percent strongly agreed with the statement, while 28  
41 percent agreed with the statement. Question 3b stated "I think we should continue the  
42 type of single family and rural residential patterns we now have in the Foothills." 39.2  
43 percent strongly agreed and 37.1 percent agreed.

44  
45 Recently there has been a questionnaire circulated by Whatcom 2031 throughout the  
46 County. There were 387 respondents, 46.5 percent from unincorporated areas of the  
47 County. The questionnaire indicated that 38.2 percent of the respondents agreed that  
48 overall population growth was too much. It also stated that 62.2 percent of the

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1 respondents agreed that population growth in rural areas was too much. The best places  
2 for population growth from 11 choices were: Bellingham, Ferndale, Blaine, Lynden and the  
3 Columbia Valley was 9<sup>th</sup>. The worst places for job growth, out of 12, Columbia Valley was  
4 10<sup>th</sup>. The worst places for job growth were the rural areas and Columbia Valley. These  
5 public comments and opinions are and should be given considerable weight in formulating  
6 policy and planning. These are the tax payers of Whatcom County and as such deserve to  
7 be listened to.

8  
9 The minority members had originally proposed to the Foothills Subarea Committee and  
10 the consultant, Studio Cascade, a provision for the subarea plan which would have  
11 provided that developers must have in place all infrastructure within one year of  
12 commencing construction on a development. The proposal stated: "It is the policy of  
13 Whatcom County that all statutory and regulatory concurrency requirements must be met  
14 at the same time as the issuance of any building permit. Public services shall be built and  
15 available within one year of commencement of construction with evidence of ability to  
16 complete." The policy proposed instead by Studio Cascade utilized only the first sentence  
17 but then omitted the critical change proposed of a timing provision dramatically shorter  
18 than the six years currently in place in Whatcom County. The minority members in fact  
19 support the idea of concurrency and completion of infrastructure before the home building  
20 is started, but acknowledge the difficulty of both politically and practically accomplishing  
21 such an aggressive policy. Therefore, the minority members proposed a one year time  
22 frame for completion of public services infrastructure. We wished to send a message to  
23 the County Council that we supported tightening the existing concurrency ordinance to  
24 shorten the compliance period from six years to a shorter time period and to thus make  
25 the ordinance more effective. The minority members wish to avoid future developments  
26 where the infrastructure is never completed by the developer or was flawed. The carrying  
27 capacities of proposed developments must be dealt with now to avoid future problems. If  
28 the carrying capacity does not exist and cannot be provided for at the same time the  
29 development occurs developments should not be built.

30  
31 The Foothills Advisory Committee had the benefit of the population projections and  
32 analysis by EcoNorthwest, the land inventory analysis prepared by Whatcom County  
33 Planning and Development Services regarding all land uses in the subarea, industrial land  
34 use projections prepared by Studio Cascade and commercial land use projections prepared  
35 by Studio Cascade. However, the Foothills Advisory Committee did not follow the  
36 industrial land use recommendations for the UGA. In addition the committee did not  
37 address at all the commercial land use projections for the UGA. Last, regarding the land  
38 use inventory, the committee did not address inventory issues in the UGA other than  
39 housing.

40  
41 A review of the UGA's sizing and determination of how much land must be set aside for  
42 roads, schools, parks, infrastructure and protection of critical areas should have been  
43 conducted as part of the subarea plan review process. In addition, a review should have  
44 been made as to whether or not the boundaries of the UGA itself meet the requirement  
45 for LAMIRD review and restrictions rather than a UGA.

46  
47 As previously mentioned the GMA provides for look-backs which would be the appropriate  
48 method to determine whether or not the size of the UGA is appropriate. In addition other

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1 provisions of the GMA may require a review as to whether or not the UGA should in fact  
2 be a LAMIRD. The look-back process will bring the subarea plan into compliance with  
3 actual growth and will implement measures to make sure that the designation of that land  
4 area meets current needs.

5  
6 The small scale and character which we all cherish in the Foothills will be lost by  
7 suburbanization of the Foothills. The economic powerhouse here is tourism and locally  
8 created and owned businesses. Tourists come because of the beauty of the mountains and  
9 foothills. If we permit the overdevelopment of commercial and industrial land uses and we  
10 permit residential cluster developments in the Rural zone that rural character will be lost  
11 forever. We need to create a land use ethic that protects the Foothills. The Foothills are  
12 important not only to the residents of the Foothills Subarea but also to all residents of  
13 Whatcom County. We need to protect the landscape, the environment and rural character  
14 while providing people with a good place to live and work.

15  
16 The current draft subarea plan is a good start for the future of the Foothills, but it does  
17 not provide the protection which the Foothills needs in order to survive with any  
18 semblance of the rural character and natural beauty that all residents of Whatcom County  
19 cherish. Build it and they will come only works for baseball fields in the movies. We need  
20 to make sure that we take the best of two roads to the future and we do not regret what  
21 we did not choose. The difference between the road we take and the road not chosen will  
22 make all the difference in the world to maintaining the special character of the Foothills  
23 Subarea for now and for future generations.

24  
25 Lesow: Where do you live?

26  
27 Eskola: I have lived in Glacier since 1970.

28  
29 Lesow: How long does it take you to get to a food store?

30  
31 Eskola: I come to Bellingham once a week to do my grocery shopping. I choose to live in  
32 the rural area, and as such I plan for my needs.

33  
34 Lesow: How does the lack of cellular service in the area affect you?

35  
36 Eskola: I would love to have service in the Glacier area. I am also a fire district  
37 commissioner so cell phone service would be a tremendous help to our fire fighters. We  
38 have tried satellite phone service and that doesn't even work up in my area.

39  
40 Mann: Right now we are looking at whether the area should be a UGA or not and the  
41 population. What exactly are your recommendations?

42  
43 Eskola: I don't have a specific number for the population.

44  
45 Mann: Do you think 5,000 is too high?

46  
47 Eskola: I do.

48

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1 Mann: Do you favor a UGA or LAMIRD designation?

2

3 Eskola: A LAMIRD.

4

5 Mann: You stated that the community needs to establish a municipal identity and then a  
6 location for the town center. How do you propose to establish a municipal identity with no  
7 UGA?

8

9 Eskola: When the minority report was written the minority members were under the  
10 impression that we could not even address anything other than a UGA. Since the EIS has  
11 been written a LAMIRD is one of the alternatives. We felt if the citizens wanted a UGA  
12 they needed some sort of committee in order to do that.

13

14 Mann: Do you think that it shouldn't be a UGA right now but down the road it should be  
15 and then incorporate to develop its municipal identity?

16

17 Eskola: No, I don't agree with that. It could be a LAMIRD and still become a city at some  
18 point in time.

19

20 Melious: I don't have a sense of what the Columbia Valley would look like in 20 years, as  
21 a LAMIRD. What is your vision of what it would look like 20 years from now if it is a  
22 LAMIRD?

23

24 Eskola: I think it would totally protect the rural character of the Foothills Subarea. It  
25 wouldn't be much of a different community.

26

27 Menzies: I can understand, from environmental standpoint, why alternative 3 is the most  
28 favorable but I think it goes far beyond that. Has your group looked at how designating  
29 that area as a LAMIRD would affect its ability to develop and the economic development  
30 that it might achieve through a planned town center and even a light industrial area?

31

32 Eskola: We have not thought about that.

33

34 Burdge: You spoke of a survey that was done. Was that part of a larger group or just the  
35 Foothills Subarea Committee?

36

37 Eskola: One questionnaire was done by the Committee the other was done by the GMCC.

38

39 Burdge: How was it distributed?

40

41 Aamot: It was sent to property owners and put in the libraries, etc. in the area.

42

43 Burdge: You have to be careful about what Professor McLaughlin says. A lot of his theories  
44 were based on something other than humans.

45

46 Menzies: I wish that a lot of times we did a lot more planning based on carrying capacity  
47 for natural resources and the things that we value. Professor McLaughlin's approach just

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1 happens to be very much in line of a biologist's standpoint but not in line with the way we  
2 plan here.

3  
4 Cloward, (Rebuttal): I'm glad to see there is one thing we agree on, which is cell phone  
5 towers. Under GMA the Office of Financial Management (OFM) is the one that dictates the  
6 population forecasts. One thing we were faced with was reviewing those population  
7 projections that were put forth to us.

8  
9 The committee had business rules that stated that the minority report would address only  
10 those issues that were voted on and solved by a majority opinion. Jan stated several  
11 issues that should not have been in there. It must be stated that if the minority report  
12 should have been returned and asked the minority group to respond as per the business  
13 rules that were laid down.

14  
15 I definitely do not support LAMIRDs in the Columbia Valley. There were considerations and  
16 studies given with regard to land capacity. There is 40 acres of Commercial Forestry land  
17 on the flat within the UGA. As a forester I was the forest representative of this group. In  
18 assessing the site it does not grow good trees.

19  
20 Mann: Regarding the Light Impact Industrial land, has there been any interest from  
21 people wanting to open up some type of business there that might provide jobs?

22  
23 Cloward: That's a good question. There has been some interest but they are things that I  
24 don't think are any longer viable entities. There is one active sawmill, but it's not within  
25 the subarea. It's still going strong. Right now there is a family, in Sedro Woolley, who are  
26 pursuing a distillate fuel process from wood fiber. There are some transportation issues  
27 they are working on. We should be looking at things like that.

28  
29 Lesow: Do the members of the committee favor the high population projection that is  
30 from the OFM?

31  
32 Cloward: What we adopted was between the middle and high range.

33  
34 Eskola (Rebuttal): All of the items that I spoke to were specific votes that were taken by  
35 the committee. The minority shows what we did agree on.

36  
37 As far as the population projections that were recommended by the majority the Columbia  
38 Valley area was actually between the baseline and the high. It was 69 percent higher than  
39 what EcoNorthwest recommended. The population projection in Glacier was 200 percent  
40 higher than what EcoNorthwest projected. The remainder of the subarea was 200 percent  
41 higher than EcoNorthwest recommended. The minority members feel that EcoNorthwest's  
42 numbers are way too high to begin with.

43  
44 Bill Velacich, Whatcom County: I believe you can't make it look less of a mess by making  
45 it more of a mess. The County has allowed a small camper's club to turn into the mess it  
46 is today. Now they want us to trust them to know how to fix it. The County hopes to  
47 sanctify past flawed decisions by a great grey stroke called a UGA. I say grey because the  
48 draft plan I read had hopes and dreams but not much in the way of a plan. The plan says

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1 there will be future industries and jobs for the area with no plan for what kind or even  
2 what area the jobs would be located in. When that does not happen then what? Oops,  
3 sorry.

4  
5 The plan said water and wild life would not be affected with no real plan to insure its  
6 safety. If it is damaged then what? Oops, sorry.

7  
8 I have attended many of the meetings held to discuss the upcoming changes and have  
9 heard the people's desires. They need to be followed.

10  
11 I have concerns about traffic increases so the County uses the study showing the least  
12 impact to the citizens.

13  
14 I have concerns about population increases destroying the life style that living out there  
15 affords me. People who wish to live in a city have many to choose from. The county is a  
16 dwindling resource. If you decide to allow this area to be destroyed please set aside an  
17 area that could be left natural so we could move there to live in peace.

18  
19 Is the County taking advantage of all the available information concerning ground water  
20 and wildlife? It does not seem so and this needs to be done before any decision can be  
21 made in good faith.

22  
23 I have seen pictures of the planned town square with planters and paths. It looks like  
24 Bellevue. Get up on Sumas Mountain, it is full of plants and trails. We do not need to  
25 spend tax dollars to make cute ones.

26  
27 You on the Commission are charged with making a decision. You can show that we indeed  
28 have a government of, by and for the people or you can prove we have a government of,  
29 by and for the almighty dollar.

30  
31 I support alternative 3, country life and the Foothills Friends.

32  
33 Lesow: In a previous letter, you made a comment that you like frogs and your neighbors  
34 don't. Do you still have frogs in your area?

35  
36 Velacich: Yes. I was trying to make a point about the country way of life and the non-  
37 country way of life. My neighbor, who I was referring to in the letter, has cut a lot of trees  
38 down and plowed a lot of ground.

39  
40 Peggy Taphouse, Whatcom County: We have owned our place for 20 years and we are  
41 finding that with the drawdown on the aquifer that in the summer our wells our starting to  
42 diminish and aren't recharging like they used to. Our kids are all grown up so we aren't  
43 putting the same demand on our well, yet we are finding a diminished capacity. We see  
44 development of new homes all along Silver Lake and I am certain they will have an impact  
45 on the other side of the hill. I don't know where we are going to get more water. You have  
46 only addressed sewers in the plan. We have friends on the other side and they say their  
47 water bills have increased dramatically. These people are juggling whether they are going

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1 to pay for water or food. How fair is that for people that have lived up there for a very  
2 long time? They can't afford a bunch of improvements.

3  
4 Martha Sirguy, Whatcom County: I am a member of the Board of Directors for Foothills  
5 Friends. On behalf of Foothills Friends I have several comments. We support the minority  
6 report and request that the Planning Commission implement the recommendations of the  
7 report, including review of the population forecast methodology and a recalculation of the  
8 population projections.

9  
10 We request that you vote to ensure safe travel on the subarea roads taking into  
11 consideration today's limited capacity of County and State roads.

12  
13 We request that you vote for the lowest growth projections possible. Neither the County  
14 nor the State have the funds to implement the mitigation which is recommended for any  
15 growth. At such time as the economy has turned around and the County and the State  
16 have the funds for the significant improvements required the growth projections can be  
17 revisited. The subarea plan will be reviewed in the future under the GMA at which time the  
18 mitigation suggestions can be revisited. It does not make sense to adopt a plan, the  
19 mitigation for which has no possibility of being implemented today or in the near future.  
20 We request that you address the water quality and quantity concerns raised by Foothills  
21 Friends. We ask that you vote to require a quantitative groundwater modeling to be done  
22 by the County.

23  
24 Vote to investigate the impact of growth on the aquifer. Vote to require that the landfill  
25 investigation be completed before the subarea plan is adopted. Vote to revise the low  
26 impact development policy as discussed by Foothills Friends.

27  
28 The SEIS recommends a policy to have future developers conduct a quantitative  
29 groundwater modeling if their developments are found to utilize more than 5,000 gallons  
30 per day. Waiting for the future results is not good for proper planning decisions and  
31 applying that requirement only to individual developments is short sighted. This modeling  
32 should be done now.

33 We also ask that the Planning Commission vote to revise the proposed transportation  
34 policy for weekend traffic counts so that it is a meaningful policy. As written it would not  
35 achieve its goal.

36  
37 Foothills Friends supports alternative 3 as the only fiscally prudent land use option. It is  
38 also the option that best protects rural character as well as protecting the safety of  
39 drivers, visitors, residents and tourists on the roads. We ask that you vote to protect the  
40 rural character of the Foothills as mandated under the GMA and to revise the plan to meet  
41 that goal.

42  
43 Jack Hovenier, Whatcom County: I own the 40 acres that Phil Cloward referred to as the  
44 rural forestry that can't grow trees. I also own 80 acres that is currently in the UGA as a  
45 long term planning area. Over two years ago I made an application to change the area to  
46 UR4 and short term planning which is still stuck in PDS. If these artificially low population  
47 projections are adopted the land could easily be permanently removed from the UGA.  
48 Years of hard work and significant investment, made in good faith and under current

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1 County policy of using historical, factual population numbers will be lost. That might be  
2 fair if the population weren't actually increasing. This is documented as the fastest  
3 growing area in Whatcom County. I would encourage you not to adopt a population  
4 projection that isn't good science and harms residents and land owners. Please consider  
5 the facts. The Columbia Valley was the fastest growing area, in terms of average annual  
6 growth rates, in Whatcom County during the 1990's. The growth in the Columbia Valley  
7 UGA, between 2002 and 2006, exceeded the 2004 Comprehensive Plan population  
8 projection by over 250 percent. The PDS recommendation to freeze the 5,000 total  
9 resident population forecast, for the 20 year planning period, ending in 2022, and use that  
10 same 5,000 for the next 20 year planning period ending in 2031, effectively reduces the  
11 Whatcom County Comprehensive Plan population by 39 percent. The facts support  
12 increasing the population not reducing it. The PDS staff report recommendation of  
13 projecting only 46 people, averaged annually, moving into the UGA, from 2006 to 2031, is  
14 85 percent lower than the actual growth in the UGA between 2002 to 2006 and is lower  
15 than every average annual increase noted in the EcoNorthwest report. The County itself  
16 acknowledges, and I quote, "If growth were to follow historical trends for the last 10 or 20  
17 years the Columbia Valley UGA population would exceed the adopted population in the  
18 projection." Why do we want to adopt population numbers that we know are wrong? The  
19 staff report states that the need for capital facilities planning is a significant factor used to  
20 justify these numbers. This is ironic, at best, since Whatcom County, itself, has failed to  
21 do the capital facilities planning that needed to be done.

22  
23 I support maintaining the status of the UGA for all of the reasons listed in the staff report.  
24 I support the advisory committee population numbers.

25  
26 Burdge: Have you actually proposed a development on your 40 acres?

27  
28 Hovenier: We asked for a rezone with a long term plan of potentially developing it, but  
29 there is nothing proposed now.

30  
31 Mann: Why do you think the Columbia Valley is growing so much?

32 Hovenier: I think because it's a great place to live, lots are affordable, and lots of people  
33 like to live in the country but still be surrounded by other people. I think the main reason  
34 is because lots and houses are affordable. That is short term however, because we spend  
35 a lot of money driving to town for services.

36  
37 Ellen Baker, Whatcom County: I have lived in Glacier for 35 years and I am a water  
38 commissioner in the district.

39  
40 Ever since the draft subarea plan was released I have contacted the Planning Department  
41 on many occasions. I repeatedly wrote about a long list of errors that are in the plan.  
42 None of the errors are minor. The numbers in section 7 and the EcoNorthwest report that  
43 it is based on contain significant errors. They are used in every section of the draft plan.  
44 They were used to compute land use and capital facilities in the transportation section.  
45 From the first moment I laid eyes on the numbers I recognized that this was not an  
46 economic analysis of our community. I couldn't figure out where the numbers had come  
47 from. When I contacted PDS they explained to me that it was true that EcoNorthwest had  
48 used the wrong census blocks. I am very concerned that allocations based on incorrect

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1 information are going to occur, not only for the UGA for the Foothills Subarea as a whole.  
2 When I tried to find out what the source of the information was Whatcom County refused  
3 to give me the source information. I was told that the data was obtained from  
4 EcoNorthwest and it's not in Whatcom County's possession and that they didn't provide  
5 the background information, only results. In regard to any other data I was told that it  
6 was technically exempt and confidential. What we have are a lot of numbers in this plan  
7 that can't be verified. There is information in the draft plan that says that 66 percent of  
8 employment in the subarea is government. It says there are 227 industrial jobs and 437  
9 retail and services jobs. As you drive around the Foothills you can't locate any of that. The  
10 numbers are wrong.

11  
12 Burdge: The government employment is mostly accounted for by the Nooksack Casino.

13  
14 Baker: I looked at the notes from the advisory committee who stated that there are 500  
15 government jobs not 800.

16  
17 Mann: I would like to ask staff about the source of the numbers.

18  
19 Aamot: That was Employment Security Department data which we had to sign a  
20 confidentiality agreement in order for EcoNorthwest to receive the data.

21  
22 Mann: There's no way anyone can see that data other than EcoNorthwest?

23  
24 Aamot: They released it to us with the confidentiality agreement.

25  
26 Baker: I contacted the Department of Revenue who was more than happy to give me  
27 gross income for all of the North American Industry Classification System codes.

28  
29 Mann: Has anybody been able to check the data? How do we know if she is right?

30  
31 Aamot: It's not in the County's possession, but I can call EcoNorthwest.

32  
33 Mann: Do you feel the errors she is claiming have merit?

34  
35 Aamot: I can call the people who did the economic analysis, but they aren't under  
36 contract any more.

37  
38 Mann: Do you have an opinion?

39  
40 Aamot: I would want to talk to them.

41  
42 Mann: I would like some more clarity of this issue, if you can do that.

43  
44 Stalheim: The reason for the confidentiality is because there is specific business related  
45 information. Unless you aggregate it up into large categories you are looking at data that  
46 is proprietary. It is data that the State collects and whether it is accurate or not has to do  
47 with the accuracy of how people report to the State. If there are any issues with this data  
48 you need to think about how does this play into the land use decisions? A lot of this detail,

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1 perhaps, does not affect the final land use plan and the land use designations. If it does  
2 then we need to take a look at it. You need to state what data you want more information  
3 on before we spend staff time hunting it down.  
4

5 Norma Otto, Whatcom County: I support alternative 1 without the new mitigation maps  
6 that the County has added. I would support retention of the UGA. I don't support the  
7 5,000 population allocation.  
8

9 I am a member of the Kendall community and a founder of the Kendall Watch  
10 Organization. I am the president of the board of commissioners for Water District #19 and  
11 a member of the subarea committee. As a member of Kendall Watch, for about five or six  
12 years, we members have proven our intent to keep the environment in the Columbia  
13 Valley good. We have removed 400 junked cars, hundreds of tons of garbage, scrap metal  
14 and hazardous waste all on our own with the help of the County. None of the people who  
15 are expressing a concern for the environment have any hand in that what so ever. I think  
16 that we have proven ourselves to be good stewards of the land where we live.  
17

18 We can not loose the UGA. We need it. If you put a LAMIRD around us you are going to  
19 fence us off and make even a bigger stagnation than what we have now. We need the  
20 ability to revitalize our community. We can't do that if you change us to a LAMIRD. Please  
21 keep that in mind.  
22

23 The Columbia Valley has nearly 4,000 people. We have next to no services. We are in  
24 desperate need of these things.  
25

26 We are economically challenged, which is evident by the fact that Water District #19 has  
27 secured a four million dollar, zero percent interest loan to upgrade our water district. You  
28 don't get loans like that unless you are an economically challenged community. The Board  
29 of Commissioners for District #19 also recognizes the need for wastewater treatment  
30 services. We have had our engineer fill out a form that is going to get us some technical,  
31 targeted assistance to create a plan for wastewater treatment.  
32

33 Mann: How does the UGA equal revitalization and services?  
34

35 Otto: I think it's all about zoning. It's my understanding that there can be different kinds  
36 of zoning than what you can have in a LAMIRD. We have the ability to have some  
37 commercial things. I would like to suggest we eliminate the incorporation study listed in  
38 the plan and ask for a revitalization study.  
39

40 Mann: Is it your opinion that a UGA means potential for growth which will lead to a better  
41 tax base and then services?  
42

43 Otto: Yes. I think we are all coming at it with the concept of managing this growth and  
44 having things in place for it.  
45

46 Belisle: How many people does the water district serve?  
47

48 Otto: Over 3,000 people. We have about 1,500 hookups.

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1 Carole MacDonald, Whatcom County: I am speaking as president of the Mt. Baker  
2 Foothills Chamber of Commerce. You have received a copy of our resolution that was  
3 passed unanimously in December 2008. The retention of the Columbia Valley UGA is vital  
4 and necessary to the Mt. Baker Foothills community. The implementation of the economic  
5 development policies, in the plan, is vital and necessary to revitalizing the quality of life  
6 and economic viability of the Mt. Baker Foothills, as related to job creation, business  
7 retention, expansion and community development. The retention of the Columbia Valley  
8 UGA and the implementation of the policies will help minimize impacts of future  
9 development along the Mt. Baker scenic byway, thereby preserving rural character of this  
10 major tourism transportation corridor. Also the implementation of these policies may  
11 create additional opportunities for grants, loans and other financial incentives not  
12 currently available to the Foothills community.

13  
14 Mt. Baker Foothills Chamber of Commerce, hereby, formally declares and supports the  
15 retention and revitalization of the Columbia Valley UGA and the implementation of the  
16 associated economic development policies as presented in the draft Foothills Subarea Plan  
17 of October 2007. The Chamber would like PDS to know that they are most pleased with  
18 the staff report and its support of retention of the UGA.

19  
20 As a private citizen and resident of the Foothills I am very pleased that the staff report  
21 recommends retention of the Columbia Valley UGA.

22  
23 The GMCC is charged with the responsibility of allocating population to Whatcom County.  
24 However, the staff report is recommending a specific population projection of 5,000.  
25 Given the charge of the GMCC I find this PDS population recommendation very confusing.  
26 My understanding is that the GMCC will be allocating population using both OFM figures  
27 and Berk and Associates reports. My understanding is that the Berk report is not yet  
28 completed and GMCC has not done its allocations. Hence, I don't understand how PDS  
29 staff can make projections for the Columbia Valley UGA at this time.

30  
31 Lesow: Does Berk and Associates have anything to do with these numbers?

32  
33 Aamot: They are working as a sub-consultant with Jones and Stokes who is working on  
34 the population figures.

35  
36 Lesow: My concern is that the consultants are putting some sort of imprimatur on the  
37 OFM projections. That is why I questioned it. Do you support the 7,000 person population  
38 projection for the UGA?

39  
40 MacDonald: I am supporting the draft subarea plan as presented.

41  
42 Jack Petree, Whatcom County: I think you need to follow the staff recommendation and  
43 leave the Columbia Valley a UGA. I think you find it's not legal to not leave it a UGA. The  
44 whole concept of UGAs is to provide certainty that you can develop during the planning  
45 period.

46  
47 As to Commissioner Mann's questions the reason that there is a problem there is that the  
48 zoning in the Columbia Valley is like the Emperor's new clothes. Everybody keeps saying

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1 look, look, jobs, jobs, commercial, whatever, but there's none there. I really encourage  
2 you to look at the map that you were shown earlier. There are lots of things that say this  
3 might someday, possibly, maybe, under certain conditions become a jobs producing area.  
4 As far as I know there's not an inch of land zoned for producing jobs, except for around  
5 the little grocery store at Kendall. If you don't zone it you can't expect them to come in.  
6 You were supposed to plan this year's ago, to the same level that you planned Birch Bay.  
7 The County took on the position of a city when it created UGAs. Not doing what you were  
8 supposed to led to the lack of job producing areas in the Foothills. In the future I hope  
9 you do something about that.

10  
11 Lesow: What about the construction jobs that building all of these new homes are going to  
12 provide?  
13

14 Petree: Actually there are quite a few homes going in up there, but because the zoning is  
15 so screwed up you will find some nice great big homes on big, huge lots. Do you think  
16 there will later be infill around those?  
17

18 Lesow: I don't think the people in those houses are going to be looking to the Columbia  
19 Valley UGA to get a job.  
20

21 Petree: One of my favorite quotes to the Council is "Pave paradise and put up a park-n-  
22 ride lot." What I meant by that was you have to go up there to afford it. I don't care  
23 where a person building a million dollar house gets a job. What we should be caring about  
24 is where the other 3,000 people, who are living in houses that used to be a vacation  
25 cabins, are going to live because they can't afford to live in Bellingham. Why should they  
26 have to drive to Bellingham to get a job?

27 Mann: If there is Light Impact Industrial zoning up there, and let's say there was enough  
28 certainty in the plan, is it realistic to assume that it's an attractive place for industrial  
29 business to locate to?  
30

31 Petree: Absolutely. We are moving into a new economy at the same rate as we did when  
32 we changed from horses to cars. We are going to be doing industries that we never  
33 dreamed about before. If you can get a good work force and build without bankrupting  
34 yourself trying to get a permit then it's reasonable. If it doesn't work out then what are  
35 you out since you can't put anything there now? At least give them the chance. Besides,  
36 it's your obligation under GMA.  
37

38 Menzies: Why do you think Whatcom has never done the planning that's been required in  
39 the Columbia Valley UGA?  
40

41 Petree: I plead the fifth on that.  
42

43 Rebecca Boonstra, Whatcom County: I live on a piece of property that abuts the Aiki  
44 Homes site.  
45

46 I would like to commend the PDS staff for their recommendation to keep the UGA and to  
47 not downzone it to a LAMIRD. However, I prefer the plan as recommended by the Foothills  
48 Advisory Committee.

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1  
2 I believe to cap growth in the Columbia Valley, at 5,000, by 2031 is unreasonably low.  
3 The population projections in the draft Foothills Subarea Plan are more accurate.  
4 According to EcoNorthwest, in a memo dated December 1, 2006, the OFM anticipates  
5 comparable growth increases in Whatcom County during the current planning period to  
6 those experienced in the previous 25 years. Since the UGA is one of the fastest growing  
7 areas in Whatcom County, and Whatcom County is the eighth fastest growing county in  
8 the State, it seems to be that it's unlikely that growth will just taper off. The existing  
9 population in the Columbia Valley, today, represents approximately 3.5 percent of the  
10 County's total population base. The proposed population recommendation contained in the  
11 staff report contemplates an unreasonably low population increase of only 1,147 people  
12 during the 20 year planning period. Using the historical allocation method this is 46  
13 percent lower than growth anticipated in the preliminary population forecast of 60,490  
14 over the next 20 years currently under consideration by the GMCC. If adopted this  
15 forecast would allocate 2,117 to the Columbia Valley UGA at its existing and historical rate  
16 of 3.5 percent of the total population base.

17  
18 After participating in the Whatcom 2031 survey I studied the results and I found that  
19 respondents to the survey felt that small cities and small unincorporated urban areas  
20 should take more population growth so they can be economically viable and so people  
21 won't have to travel as much to Bellingham for jobs and services. This isn't a viable option  
22 if the UGA population is capped at 5,000. If the population is capped in the UGA and more  
23 people want to move into the subarea where are they going to go? As the UGA fills up and  
24 more people want to move out to the county the only place remaining for them to go is  
25 into the rural areas. This, of course, will not protect rural character. There is no harm in  
26 planning for higher population growth and it doesn't happen. There is definite harm in  
27 planning for lower growth and exceeding it.

28  
29 Heather Swanson, Whatcom County: I still support the minority report and alternative 3.  
30 None of the arguments for the UGA have been compelling. I believe that most of the  
31 concerns that we have heard could be mitigated, to a very large degree, with one action.  
32 That is to adopt alternative 3, which recommends the Columbia Valley UGA be turned into  
33 a LAMIRD. The bottom line is this, the continued existence and development of the UGA  
34 negatively impacts rural character, levels of service, tax rates, and quality of life for the  
35 entire Foothills subarea and it doesn't provide any assurance that the residents of the  
36 Columbia Valley will see an increase in jobs or services. It's lose, lose. In contrast  
37 redesignating the UGA as a LAMIRD would protect the Foothills from the impacts  
38 associated with a non-city UGA and it would still allow for an appropriate amount of  
39 development in existing small town centers.

40  
41 The existing community is not a result of an urban community expanding. It's an anomaly  
42 that was created by speculative real estate development aided by poor policy on the part  
43 of the County. It began as a massive recreational development and as it became a year  
44 around use inevitable social, environmental, and economic problems associated with this  
45 have come to pass. The County zoned the area as a UGA and tried to grow out of problem  
46 created by growth. Now we are trying to grow out of this problem again by adding  
47 commercial zoning to a non-city UGA. I think we need to learn from history. The UGA has  
48 been in existence for 10 years, and as we keep hearing, there have been no businesses

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1 flocking there to take advantage of the available land base and the potential work force  
2 that exists there. Community recreation centers have closed. The greenbelts have  
3 recently been logged and sold, so there go the parks. The County has put money into  
4 planning, transit, animal control, public safety and still we have no thriving urban area  
5 that was envisioned by the original proponents of the UGA. Let's seize this moment to  
6 correct our past mistakes, not compound them. Let's not charge ahead with reorganizing  
7 a UGA, that at best, will continue to attract real estate speculators and encourage high  
8 density rural development.

9  
10 Brady Webb, Whatcom County: I would like to see the Columbia Valley UGA removed and  
11 replaced with LAMIRD status. We have a unique opportunity to avoid the obvious future  
12 consequences before they come to pass. The UGA is not necessary to meet the needs of  
13 the community. I ask the Planning Commission to consider a plan that includes  
14 commercial zoning that could provide services for the current residents in a rural area  
15 without unnecessary urbanization and exacerbation of existing problems. Let paradise  
16 heal.

17  
18 I also ask the County to adopt low growth policies in the County and direct urban growth  
19 to Bellingham and other existing areas. I feel the influx of population in Paradise and  
20 Peaceful Valley was due to factors that have evaporated, cheap housing and cheap gas.  
21 There is no longer a dramatic economic incentive to move to the area, therefore it doesn't  
22 seem logical for the forecasted population burst to continue. It seems this trend will  
23 actually start to reverse. We need to be cautious in these changing times and make  
24 Whatcom County resilient to the uncertain future we face. I feel that urbanizing 24 miles  
25 from town makes Whatcom County weak and vulnerable. The days of building far-flung  
26 communities, reliant on long commutes are over. Just to reiterate the Whatcom County  
27 2031 question, the best places for growth are Bellingham and cities located along the I-5  
28 corridor. The worst places for growth and jobs, the rural area and Columbia Valley.

29  
30 I feel that this plan being proposed is considered the worst and worst piled on top of too  
31 much. The public opposition to this type of growth should be taken into account.

32  
33 One concern of UGA removal is that the adoption of a lower population projection and  
34 elimination of the UGA could cause the growth to go into other existing urban areas. This  
35 is exactly what needs to happen.

36  
37 The Washington State Department of Transportation (DOT) has documented concerns  
38 about its ability to fund highway improvements that serve the Foothills subarea traffic.  
39 This is another reason to take a cautious approach and remove the UGA development.

40  
41 In regards to the Foothills Subarea Advisory Committee, I have been disappointed in  
42 regards to public participation and the final recommendation. I have respect for all of the  
43 people and appreciate the time involved. I feel this committee was a stacked deck and  
44 further urbanization, public input and not supporting their foregone conclusions was  
45 effectively ignored.

46  
47 I urge you to take my sincere comments into consideration and suggest the following.  
48 Adopt low growth policies in the County and direct urban growth to Bellingham and other

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1 existing areas. Remove the UGA and replace it with a LAMIRD status. Let paradise heal.  
2 Designate commercial zoning that can provide services for the residents of Columbia  
3 Valley.  
4

5 Mann: You mentioned adopting lower population projections and causing growth to go into  
6 other urban areas. Is there any evidence of that happening?  
7

8 Webb: I got that from the SEIS. They discuss the negative impacts of removing the UGA.  
9 One was that since the building lots are limited in Paradise and Peaceful Valley if there  
10 isn't a UGA that would force them to start buying properties in other areas. I feel that's  
11 kind of an apples and oranges type argument. The guy looking for an affordable lot isn't  
12 the same guy looking for five acres and a million dollar custom home.  
13

14 Bob Wiesen, Whatcom County: I forgot to mention earlier that previous Planning  
15 Commissions used to have work sessions in the afternoon of the day they had the public  
16 hearings. We put a few more hours in. I hope you keep the record open until your next  
17 work session.  
18

19 An important part of the GMA is predictability. Changing the size or eliminating the UGA  
20 would go against the goal and objective. It may be appropriate to reduce the population  
21 projection based on the inability of the UGA to realistically absorb the population. Stores  
22 will come based on a little more growth out there. When the market is there the  
23 businesses will want to come. The impediment is getting through the permitting process  
24 which is atrocious. Maple Fuels has expanded at Maple Falls and it took them years to get  
25 through the process.  
26

27 I have been involved in water issues for many years. I happened to be chairman of a non-  
28 municipal water system. There has been talk of people running out of water but there is  
29 no proof of this.  
30

31 If we had affordable housing in Bellingham's UGA would those people be driving to  
32 Columbia Valley?  
33

34 Michael Iris, Whatcom County: You find a consensus, among the people in this crowd, that  
35 they enjoy the rural nature of Whatcom County. They enjoy the views of soaring bald  
36 eagles, the sounds of frogs and the birds singing. They enjoy the clear views of the  
37 sparkling stars and the brightness of the moon. All of these precious and priceless aspects  
38 of Whatcom County and the Nooksack River basin are not witnessed in this abundance in  
39 urban areas. Although you will find many people wanting more cell towers, more internet,  
40 more bike trails and more grocery stores all residents treasure the environment and the  
41 unique nature of county life. Yes, you find those that want to profit by large growth and  
42 develop the land to make lots of money. These people are not true stewards of the real  
43 riches of Whatcom County. Indeed, if urban development is a necessity then the obvious,  
44 logical solution is to locate the urban development in close proximity to the primary urban  
45 area, which is the City of Bellingham. The small towns of Glacier, Maple Falls and Deming  
46 manage their growth without major developments.  
47

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1 The recent mudslides, that we have all experienced, emphasize the need to look ahead  
2 and to plan.

3  
4 Please do not succumb to real estate speculation. Urbanization is not appropriate for the  
5 Columbia Valley.

6  
7 Amy Mower, Whatcom County: I have five general topics of concern with the staff report.  
8 The proposed delay in review of the entire draft subarea plan; retaining the UGA; the  
9 recommended UGA population; the failure to recommend land supply for the UGA, yet  
10 asking for your vote without information on new boundaries; and the proposed finding of  
11 fact, conclusions and recommendations.

12  
13 The review and delay of the entire draft subarea plan is troubling because in order to  
14 satisfy the needs of the GMCC your votes on the UGA retention are being asked for now.  
15 However, the balance of the draft plan is proposed for six months later, in July, without  
16 acknowledging the impact on the rest of the draft plan of the delay of review or the  
17 impact of the isolated, earlier decision on the UGA. Instead, as I have previously  
18 suggested in emails to the Planning Department, County Council and to you, you could  
19 review the draft plan on a parallel track to the work being done by the GMCC. Rather than  
20 a piecemeal approach the decisions on the entire draft plan could be reached in time to  
21 provide the GMCC with the necessary information before June 30<sup>th</sup> and still have an  
22 internally consistent subarea plan.

23  
24 The staff report recommending retention of the UGA is troubling because there is no  
25 discussion of the LAMIRD option. This would be logically consistent with the County  
26 Comprehensive Plan if the County plan was amended. As example, the Sudden Valley  
27 status was changed, notwithstanding the County Comprehensive Plan. A UGA can be  
28 converted to a LAMIRD under the GMA, where appropriately based on the facts. A LAMIRD  
29 can provide sewer and other necessary public facilities and services.

30  
31 There was no discussion in the staff report about the dramatically increased traffic  
32 impacts, which had been addressed in the FSEIS that affects the entire subarea. Neither  
33 the staff report nor the FSEIS consider that County and State roads have limited road  
34 capacity today.

35  
36 There was no discussion about quantitative groundwater modeling, which should be  
37 performed now, for good planning, rather than allowing growth to continue without  
38 concern of groundwater until such time in the future as a developer conducts such  
39 groundwater study.

40  
41 The staff report recommendation on the UGA population is troubling. It doesn't follow the  
42 methodology that the GMCC is utilizing.

43  
44 The staff report fails to provide recommendations on the land supply. You need that  
45 information in order for you to vote.

46  
47 Many of the staff report proposed findings of fact, conclusions and recommendations need  
48 to be revised to reflect the actual discussions held by the Planning Commission.

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1  
2 Cynthia Purdy, Whatcom County: I ask you to refigure the paradigm way, meaning this  
3 nation seems to run on, perhaps, we can ask ourselves how to live with the means that  
4 we have right now. We might want to think outside the box, and instead of thinking of it  
5 as Columbia Valley, a UGA, and the rest of the Foothills we may think of it as the  
6 Foothills. Possibly there could be a government of the Foothills because services are  
7 needed by everyone in the Foothills. That government could have a council where there is  
8 a representative from each of these LAMIRDs, because I do support that there would not  
9 be a UGA. The people of the Foothills would unite and it wouldn't be an us them thing, it  
10 would be all of us trying to solve this situation.  
11  
12 I teach at Kendall Elementary, which is in the Foothills. When we opened in 1999 we had  
13 603 students, which is the highest we've had. Currently we have 474. That is a barometer  
14 of the population out there.  
15  
16 Currently there are four places out there where we can buy groceries. None of them are  
17 huge, however they have everything we need so we don't have to come into Bellingham  
18 to get those.  
19  
20 It's a vibrant community. There are some businesses that have opened in the last two  
21 years.  
22  
23 I hope all of you have been out there and driven the roads so you know what you are  
24 talking about.  
25  
26 The Deming Library and the Northfork Library are being built. The Deming Library was  
27 built with 2/3 in kind donations and time. The Northfork Library is also doing that. We are  
28 finding ways to take care of ourselves. Things are happening out there. It's not as dire as  
29 it sometimes sounds.  
30  
31 Lesow: In the staff report it says Kendall Elementary School and Mt. Baker Junior High  
32 School are currently over capacity. It also says there are portables at Kendall.  
33  
34 Purdy: The portables are from when we had 600 students.  
35  
36 Aamot: The school district considers capacity to be the permanent structures, not the  
37 portables. The school district said permanent capacity is 412. The head count at the  
38 beginning of this year was 468 so they are accommodating the overage in the portables.  
39  
40 Mike Head, Whatcom County: I am a 32 year resident of the Mt. Baker Foothills subarea. I  
41 strongly urge you to recommend alternative 3 which removes the Columbia Valley UGA  
42 and designates LAMIRDs.  
43  
44 I do appreciate that Whatcom County recognizes the subarea plan, as submitted, had  
45 significant environmental impacts with a likelihood that it contains more than a moderate  
46 adverse impact on the environment under SEPA guidelines. In the SEIS major conclusions  
47 it states: Alternative 1 will lead to increased traffic, increased school enrollment, greater

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1 need for fire protection, emergency services and law enforcement. Additional water and  
2 sewer connections increase water usage.

3  
4 Alternative 2 allows for a larger UGA, which would lead to sprawling development in a  
5 rural area without provisions for essential services.

6  
7 Alternative 3, with its lower population projections, has the least environmental impacts to  
8 the Foothills subarea region.

9  
10 Page 11 of the SEIS states: "If funding is not available then many of the impacts in the  
11 SEIS will not be appropriately addressed." The SEIS contains no estimates for potential  
12 capital and operating costs for mitigation measures for these impacts. The majority of the  
13 mitigation measures that are listed in the SEIS are addressed simply by putting dollars to  
14 the adverse impacts. How much cost are we talking about here? Certainly the County  
15 could put an estimate to this. Are we talking 100 million, 125 million or 150 million? Who  
16 is going to pay for these costs? On September 15, 2008 I submitted a letter to PDS. In  
17 that letter I went ahead and estimated what a 20 year cost difference between Alternative  
18 1 and Alternative 3 would be. I came up with 113 million dollars over the 20 year lifecycle  
19 of this. I was surprised nobody challenged those numbers. I would suggest that it will be  
20 Whatcom County taxpayers that will pay for a majority of these costs. My taxes increased  
21 by 20 percent between 2007 and 2008. I hate to think that I will be like so many people  
22 who are forced off of their land during retirement due to the inability to pay property  
23 taxes as a result of irresponsible development.

24  
25 Lesow: Since you are in the construction business, what do you see for your future if the  
26 UGA is not approved?

27  
28 Head: With the lots that are available in the developments it could easily reach the 5,000  
29 population figure projected by the County. The rest would go into the rural area on 5 to  
30 20 acre parcels. I'm not into residential construction.

31  
32 Rob Staveland, Whatcom County: There was a question that came up earlier, regarding  
33 Brown and Cole's interest in a grocery store in the area. I know for certain that Brown and  
34 Cole has an interest in locating a grocery store in the Columbia Valley, but not in Kendall.  
35 Their market studies have shown they could support a 30,000 square foot store and they  
36 are nearing the critical mass which is around 5,500 people.

37  
38 Another question was in regards to the benefit of allowing growth. The whole Columbia  
39 Valley is not yet at what is near the critical mass necessary for it to become a viable  
40 community with supporting services.

41  
42 I have attended 42 of the 44 meetings of the subarea committee. When the committee  
43 first met several of the committee members expressed concern that in the end the County  
44 would ignore the committee's work as that had been their usual experience. I have heard  
45 over and over that this time it would be different and that the work done by the  
46 committee would carry significant weight in the County's subsequent planning process. I  
47 haven't seen that happen. I am hoping that the Planning Commission's recommendation  
48 will help to make that statement true.

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1  
2 In my opinion there is smart growth and stupid growth with little in between. Smart  
3 growth means being realistic about the growth that is coming and planning for it in a way  
4 that sets the condition for it to be successful. By successful I mean that it would be  
5 accommodated in such a way that its impacts can be optimally mitigated and that it  
6 contributes rather than detracts from the health, beauty and vitality of the overall  
7 community. However, smart growth requires smart, realistic and honest planning.  
8 Whether we like it or not growth is coming to the Foothills. Not only is it the fastest  
9 growing part of the County, we are one of the fastest growing counties and Washington is  
10 one of the fastest growing states. The Olympics, being held in Vancouver next year, are  
11 going to expose the beauty of this area to the entire world and will only increase the  
12 number of people wanting to move here. To ignore this reality and to pretend that if we  
13 ignore it it will go away is to set the stage for stupid growth. With proper planning this  
14 could be a wonderful urban environment but instead, with stupid growth, it would be  
15 spread out all over the Foothills in new 5, 10 and 20 acre lots. Such a scenario will cause  
16 maximum esthetic and environmental impacts with less potential for mitigation and at  
17 greater cost to the tax payers.  
18  
19 Menzies: Do you know why Brown and Cole would be interested in putting a grocery store  
20 in the Columbia Valley UGA, but not in Kendall?  
21 Staveland: For one thing there is no longer any Small Town Commercial land available in  
22 Kendall that is large enough and Small Town Commercial zoning doesn't allow anything  
23 that size. They also have problems with water and sewer and DOT access. There is no  
24 possibility of supporting retail or integrating the commercial into the community.  
25 Walkability is an essential factor.  
26  
27 Carl Steiner, Whatcom County: I was born and raised in Glacier. Our Foothills has taken  
28 great pride in well managed schools and road system that served our needs well for many  
29 years. I support alternative 3 for traffic reasons. I have been looking at the independent  
30 study documents by the Tilghman group. The July document indicates that, with UGA  
31 development, there would be hundreds of cars crossing the Mt. Baker Highway at Kendall  
32 to SR547, during peak hours. The report also said " Future volumes that are shown at the  
33 Kendall Road, South Pass, SR542, between Deming and Kendall will sorely tax the limited  
34 capacity of these two lane roads." In fact, alternative 1 would significantly exceed the  
35 capacity of each. This is before weekend volumes or seasonally adjusted volumes are  
36 considered. To me this is scary. At the present the intersection is very dangerous. I hear a  
37 round-about may be on the way to save the day for the projected UGA traffic. I question  
38 this solution. The first reason I feel a round-about is not the solution is because, according  
39 to the Bellingham Herald, one of the highest sites of accidents is the round-about near  
40 Whatcom Community College. The second reason is because when I was in the military, in  
41 Europe, I visited Paris where there are 14 streets coming into one circle. We in Kendall  
42 are not the aggressive drivers who grew up with these traffic circles. We want a safe and  
43 predictable traffic system. The folks in PDS work hard. In Columbia Valley families need  
44 service upgrades but lets get the highway capacity study up to date. The County needs to  
45 use updated weekly evening traffic counts, morning counts, weekend counts and it needs  
46 to acknowledge the Mt. Baker Highway is a recreational highway. It needs to include  
47 traffic count reports of Maple Falls and Glacier. If PDS were to put the horse back in front  
48 of the cart of UGA development and get highway capacity assessed first that would be

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1 awesome. Honestly, if the cart of UGA development stays in front of the horse I would  
2 rather say goodbye to our recreational Mt. Baker Highway. Budget for safe four lane  
3 highways so we can correctly handle the projected traffic of a UGA and get no expensive  
4 surprises because of poor studies.

5  
6 Lesow: Am I correct in that we are still relying on a five year old traffic study to base our  
7 decisions on?

8  
9 Aamot: Transpo updated the traffic analysis for the final EIS. They incorporated  
10 information from the Tilghman Group from 2008 when in their professional judgment they  
11 believed that was appropriate, specifically along SR 547. They did not use the seasonal  
12 counts because even in WSDOTs letter they say we do not design roads for seasonal  
13 traffic. That's not how planning is done. If you look in the EIS it describes how Transpo  
14 proceeded.

15  
16 Steve Groen, Whatcom County: I don't live in the Columbia Valley, but I do support the  
17 UGA and alternative 1. I listen to some of these citizens talk and I think this UGA is going  
18 to give them the tools they need to improve their lifestyle and their community. I don't  
19 feel that planned development is wrong. I don't believe profit is wrong by these  
20 developers.

21  
22 My family has been involved in agriculture in this county for over four generations. We  
23 made our living from commercial agriculture. I have seen a lot of poor land use planning  
24 in this county. The big concern for me is that sustainable industries, like agriculture,  
25 fishing, forestry, etc. remain viable. I do believe that some growth is good for these  
26 industries.

27  
28 Lou Piotrowski, Whatcom County: When I looked at the top 10 most populated counties in  
29 Washington we ranked second in terms of people who migrate to Whatcom County. 74  
30 percent of the growth, in the period from 2000-2008, was migration. If you get it from  
31 births and deaths you have it in a house. When 74 percent come that means that they are  
32 coming with families and need new housing.

33  
34 I am a member of the advisory committee and support the plan as it is written. I support  
35 and thank the Planning Department for supporting the UGA because I think it's absolutely  
36 essential.

37  
38 I am not in favor of the cap of 5,000. I think that takes away the advantages of moving  
39 this UGA forward.

40  
41 There are 895 dwellings in the Glacier. 128 are occupied full time dwellings. That leaves  
42 how many more to be sold? That leaves a lot of people that can move into the Glacier  
43 area if they choose to.

44  
45 Bill Vaught, Whatcom County: I live about 80 feet from the westbound lane of the Mt.  
46 Baker Highway. I have looked at the WSDOT website regarding traffic flow. You have  
47 things like average daily volume, which is all I was interested in. From my point of view  
48 it's 5,900 per day. Let's forget about peaks and all of that. One of the other things about

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1 traveling the Mt. Baker Highway is that it kind of defies some of those old adages and the  
2 defense driving rules. You need to leave yourself an out and from Deming, Kendall or past  
3 Black Mountain there aren't that many outs. You don't have wide lines so you are in  
4 trouble on that. As far as peak hours, yes, there are down times but only about six to  
5 eight weeks out of the year, if that.

6  
7 My next issue is alluvial fans. I live almost next to where that slide went over the road.  
8 That is an awesome site. I did a little research and that is not an alluvial fan but just a  
9 slope failure. There are major alluvial fans in the County. In a Sunday, November 12,  
10 2006 article in the Bellingham Herald there was a nice article on that. There are alluvial  
11 fans in township 40, range 5E, sections 21, 22 and 27. These happen to be in the Kendall  
12 area.

13  
14 Ron Reimer, Whatcom County: Note that Water District #13 is required, in accordance  
15 with the RCW, to serve growth within its service area. That service area encompasses all  
16 of the undeveloped land proposed for the inclusion in the Columbia Valley UGA. Note that  
17 Water District #13 has issued an intent to serve letter to landowners in the UGA. These  
18 letters clearly indicate that the water district anticipates the ability to serve the properties  
19 within the service area. The current legal definition of water and sewer concurrency is that  
20 facilities must only be in before a development is given final plat approval and is not a  
21 condition for preliminary plat approval. Therefore, the fact that Water District #13 has a  
22 limited number of potential sewer connections, currently available, it can't be given as a  
23 rationale for restricting the size of the Columbia Valley UGA.

24  
25 Going back to 1990, I sat in on the GMA discussions when they came to the County. I am  
26 an excavation contractor and I was just getting started in that business, and the  
27 overwhelming comments were that if you build in the UGAs then it will be much easier  
28 and it will be super hard to build in the rural areas. People wonder why the development  
29 is now going into the rural areas and it's because of this incredible quagmire of trying to  
30 get through things legally that are already approved.

31  
32 We need critical mass in Kendall in order to get businesses to come in. We need to create  
33 a sense of community. I would love to see some companies locate there. It's still a free  
34 country and we follow laws. Who are we to presume upon the future all of the time? I  
35 listen to people talk like they know what the future is. Make the space available and give  
36 people the opportunity.

37  
38 Mann: Do you know the number of people that would be needed in the area?

39  
40 Reimer: About 8,000 to 10,000. The grocery store will be the commercial anchor and  
41 other businesses will come in.

42  
43 Max Duncan, Whatcom County: I support the minority report and alternative 3. I support  
44 a lower population projection, both as a matter of accurate forecasting and means to  
45 achieve public policy. I thought that Mr. Pros' comments, earlier, were interesting, in that  
46 we need a population model. We can't really steer clear of that. It was also interesting  
47 when Mr. Stalheim commented on the plans to use a land use designation model as  
48 opposed to a population model. Staff then focused a lot upon a 5,000 person population

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1 model. The contradiction stuck out to me. I think we are really going to have to address  
2 the whole population thing.

3  
4 I think the idea of a grocery store is a little bit of a red herring. I would love to have a  
5 grocery store closer, but when you live in the county most of us wind up going to  
6 Bellingham when we need to buy a lot of things. Does anyone really think a local grocery  
7 is going to be able to compete with the variety or the price of the food in Bellingham?  
8 Only those who stock up on groceries locally are those who don't have transportation to  
9 go to Bellingham to get them. Before you think you are going to get a Haggen in the  
10 Columbia Valley please do two things. Go shop in one of our local stores, that is actually  
11 supported by the business in our community, then ask yourself if you would buy most of  
12 your food there, given the prices and the variety available. Second, talk to people in the  
13 grocery business and ask for a business plan for a store in a community of less than 7,000  
14 people.

15  
16 Richard Banel, Whatcom County: I am here tonight as a spokesperson for a group of  
17 Foothills area residents and landowners. The members of the group I represent are  
18 identified in the document I handed you.

19  
20 In the PDS staff report, dated January 7, 2009, staff recommends retaining a UGA in the  
21 Columbia Valley. We support this recommendation and encourage the Planning  
22 Commission to adopt the recommendation as presented. The staff report also  
23 recommends adopting a Columbia Valley UGA population projection of 5,000 for the next  
24 20 year planning period. We do not support this recommendation. In a recent survey,  
25 conducted for Whatcom 2031, a majority of respondents, 40 percent, indicated the  
26 following preferred growth scenario. The small cities and small urban areas, in Whatcom  
27 County, become their own economic centers so there would be less of a need to drive to  
28 Bellingham. More population growth can locate in these small cities and small urban areas  
29 to be near jobs. An additional 19 percent of the respondents would like to see each  
30 community take a share of future population growth that is similar to their share of  
31 existing population. Over 59 percent of respondents, to the Whatcom 2031 questionnaire,  
32 indicate that they wish to see an increase or retention of historical population allocations  
33 within Whatcom County. A majority would like to see this growth filtered into the small  
34 cities and small urban areas.

35  
36 Whatcom County's County-Wide Planning Policy A4 states that citizen comments and  
37 viewpoints shall be incorporated into the decision making process in development of draft  
38 plans and regulations. Consideration of these comments shall be evident in the decision  
39 making process.

40  
41 Based on observation of the extensive committee dialog and previous analysis done on  
42 the subarea plan we recommend that the Planning Commission adopt the population  
43 utilized in the draft Foothills Subarea Area Plan update as adopted by the committee with  
44 a planning horizon of 2031.

45  
46 The Foothills Subarea Plan is a non-project action that establishes policies and guidelines  
47 through which growth in the Foothills will be managed over the 20 year planning period.  
48 The SEIS indicates that there are no significant environmental impacts that can not be

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1 mitigated. The SEIS further identifies that appropriate monetary and human resources will  
2 be needed to ensure all proposed mitigation is implemented properly as projects begin to  
3 move forward.

4  
5 A significant source of potential monetary investment will come from developers and the  
6 private sector. The permit process will ensure that appropriate mitigation measures and  
7 essential infrastructure will be in place and shall be adequate to serve proposed  
8 development at the time the development is available for occupancy and use without  
9 decreasing current service levels below locally established minimum standards. Therefore,  
10 with a heightened awareness of the need to implement LID standards and other  
11 mitigation measures already identified throughout the plan and the SEIS we support  
12 adoption of the Foothills Subarea Plan as proposed by the Foothills Advisory Committee in  
13 October 2007. We support alternative 1 from the SEIS with reasonable and necessary  
14 revisions required to mitigate any significant environmental impacts and protect public  
15 health and safety.

16  
17 Charlie Heggem, Whatcom County: I was born and raised in the Foothills and I have seen  
18 a lot of change during that time. There have been a lot of kids killed on SR 547 and 542.  
19 There has been nothing changed to prevent that. We need to find some way to change it.

20  
21 We are between a rock and a hard place because the rural character of what we have up  
22 there is the lifeblood of that land. We love being in the middle of no where, that is why we  
23 live there and why it's so attractive. I live in an incredibly spoiled area. People are going  
24 to recognize this as an amazing place and want to come here to play and stay. I  
25 recognize, that through my travels throughout the world, that we live in a very unique  
26 spot and with the changes that are coming I believe our corner of the world is going to be  
27 become very well recognized. We need things in place to help manage that. I hope we can  
28 manage the growth successfully.

29  
30 Bill Isenhardt, Whatcom County: (Inaudible) comments regarding affordable homes  
31 available in the area. Would like to see that continue.

32  
33 RobRoy Graham, Whatcom County: I am a Commissioner for Fire District #14. In  
34 reviewing the section on fire in the SEIS, under the list of potential mitigation options, 6  
35 of 10 options will result in an increase in taxes, through levies, to provide funding for  
36 these options. The committee would require additional funds from local, state or federal  
37 resources. The final mitigation option would be addressed, primarily, by the developers  
38 but would require a huge investment by District #14 to accommodate the growth.  
39 Ultimately citizens would again be asked to provide additional funding to help meet the  
40 needs of development.

41  
42 Wilson: I understand, from reading the SEIS, that the level of service is not currently  
43 being met and the district is trying to increase staff. Do you know how that will be  
44 funded?

45  
46 Graham: We have a capital facilities and it lists several options for us. Some of them will  
47 require additional funding to staff full time people. We will probably have to ask for

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1 additional funding from the public. Recruitment of volunteers has fallen below our need.  
2 With the projection of the homes that are to be built there is no way we can serve them.  
3 Myra Creasy, Whatcom County: I want to address emergency services in our area. Our  
4 fire department is really stretched to its limit. We had a fire in our chimney and I called  
5 the fire department and they didn't get there until one and a half hours later. The Mt.  
6 Baker Highway has a lot of accidents on it and it's really frightening to drive.

7  
8 Regarding the water, my neighbor's well goes dry in the summer. Water bills keep going  
9 up. I don't know why people keep saying there's lots of water. We have problems with run  
10 off from development.

11  
12 Mann: Living out there you don't have as many services as you would in a city, including  
13 emergency services. Do you view this as acceptable since you are in a rural area? Would  
14 you be willing to increase your taxes for better service?

15  
16 Creasy: We love the peace and quiet out there. It's well worth it. Low income people will  
17 have a hard time paying more taxes.

18  
19 Blair Murray, Whatcom County: I am involved in the Balfour Village project. I would ask  
20 that you leave the public record open. I am in favor of alternative 1. I am disturbed there  
21 is a population projection being proposed for action at this time. The GMCC has been  
22 conveyed to do this with the help of a consultant and staff. This concept of allocation of  
23 growth will come back to you when they have reached a determination of allocation within  
24 the whole UGA.

25  
26 Melious: Can you tell us the status of your project?

27  
28 Murray: There is a plan calling for 752 units, two rezones and a long plat. We have scaled  
29 this back in an effort to allow the subarea process to proceed without influence from our  
30 proposal. We have scaled it back to a 290 unit long plat, all within the short term UGA.  
31 We have a master plan that includes a commercial component.

32  
33 Mann: What is the status of grocery store viability?

34  
35 Murray: Critical mass is obviously the issue. Where that threshold is where you meet  
36 critical mass is, I don't know. We have market reports that state we are already at that  
37 threshold, but I don't know if it takes into consideration the different economic groups out  
38 there. I think that is one of the reasons we don't currently have a number of different  
39 grocery store chains wanting to locate there. Also there isn't the assurance that there will  
40 be the growth to support a store.

41  
42 Mann: Have you contacted grocery stores with your proposal and to find out their  
43 interest?

44  
45 Murray: Yes, that was done when there was a PUD application and there was some  
46 interest.

47

RECORD OF PROCEEDINGS OF THE  
**WHATCOM COUNTY PLANNING COMMISSION**

35

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1 Mann: If this area were to become a LAMIRD how many fewer homes could be built in this  
2 area?

3  
4 Stalheim: They currently have an application for 290 homes. Your decision will not affect  
5 that application. It would affect future phases.

6  
7 Menzies: If the UGA is removed is there potential for commercial under the LAMIRD  
8 designation?

9  
10 Stalheim: It's a possibility. We aren't to that kind of detail yet.

11  
12 Jay Irwin, Whatcom County: I want to avoid the misconception of the differences between  
13 the UGA and the LAMIRD designations. Doing commercial development without a UGA is  
14 very problematic. The formal LAMIRD designation is new to Whatcom County so how  
15 these things are going to be developed we don't quite know. I think there is a concept  
16 that it might be like a mini UGA but there is a big difference between a UGA and a  
17 LAMIRD. From a developer's perspective, to do commercial development without urban  
18 services, I don't know if it's possible. It's certainly not smart to try and do it. I would warn  
19 you not to think a LAMIRD is going to be like a stripped down UGA.

20  
21 Hunter: I don't necessarily agree with you. The difference is a LAMIRD is limited from  
22 expanding. There are crucial differences between the two which may make a LAMIRD less  
23 attractive for commercial development. I am unaware of anything that makes it illegal to  
24 do some commercial development in a LAMIRD.

25  
26 Stalheim: Commissioner Hunter is basically correct. The difference is what the boundaries  
27 are not what the uses are. Establishing LAMIRDS will not include looking at the zoning  
28 with the LAMIRDS. Currently there is no commercial center in the Columbia Valley UGA.

29  
30 Irwin: If it is a LAMIRD can commercial zoning be created from a practicable standpoint? I  
31 don't see how it would happen.

32  
33 Stalheim: Within a LAMIRD we can create uses to meet the needs of the area and still  
34 meet the GMA rules. However, we have not looked at that issue yet.

35  
36 Irwin: Even if it may be legal to create commercial I am addressing how practicable it  
37 would be without a UGA designation. I would ask you to consider that.

38  
39 Jason Reimer, Whatcom County: I am so furious with how Whatcom County Planning and  
40 our County Executive, the County Council, and some of you guys run this place. You are a  
41 group of communist retards. There is no certainty in what is going on. If I knew that I  
42 would be here four years after originally envisioning something so awesome, that is  
43 desperately needed, that it would still be at ground zero, I would run anywhere but to  
44 Whatcom County. I can't tell you how many other people I know that say the same thing.  
45 Don't destroy the viability of these projects.

46  
47 The hearing was closed to the public.

48

RECORD OF PROCEEDINGS OF THE  
**WHATCOM COUNTY PLANNING COMMISSION**  
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1 Hunter moved to keep the written record open through January 29, 2009. Wilson  
2 seconded. The motion carried.

3

4 The meeting was adjourned at 11:05 p.m.

5

6 Minutes prepared by B. Boxx.

7

8

9

10

11 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

12

13

14

15

16 \_\_\_\_\_  
Jean Melious, Chair

\_\_\_\_\_   
David Stalheim., Secretary

17

18

19

20

21

22