

From: suzanne ravet <sustainablefoothills@gmail.com>
To: <PDS_Planning_Commission@co.whatcom.wa.us>
CC: <pgill@co.whatcom.wa.us>
Date: 1/10/2012 8:50 AM
Subject: Comments

To Planning Department:

I'd like to reiterate my concerns about the precedent of setting up a fee in lieu of program in the industrial area, when such decisions should be viewed instead through the lenses of the EIS process. It appears that this was strategically placed into the mix of a low impact development project to side with the developer of the project. The County Planning Commission openly stating that they backed this peculiar addition is another major concern.

Questions still remaining with need of clarification: Does the omission of "heavy industry" still allow for railroad improvements and the development of a coal terminal? Shouldn't rail improvements requiring a permit outside the UGA be excluded from the new program? Is this an attempt to reduce stream and wetland buffers for miles of track outside the UGA using the precedent of a fee in lieu of program?

As well, I would question the mixing of storm water standards with habitat mitigation. These two programs should have clear delineations to best support habitat protection for fish and wildlife. Finally, industrial areas have the greatest environmental impact on habitat and storm water, they should also require different and more stringent development standards than residential development.

Thank you offering a work session and opening this up to further comment.

Suzanne Ravet

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**"If your dreams do not scare you, they are not big enough." ~ Ellen Johnson Sirleaf, Africa's 1st female president and 2011 Nobel Peace Prize winner.

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From: Donna Shaw <ddsina@gmail.com>
To: <PDS_Planning_Commission@co.whatcom.wa.us>
Date: 1/2/2012 10:37 AM
Subject: Birch Bay Stormwater District

Before the Planning Commission considers the request from the administrators of the Birch Bay Storm water District, to create a fee in lieu of mitigation plan for the Birch Bay/ Terrell Creek area, the commission should consider who these would be regulators are, the purpose of their request, and who would really benefit from such a plan. It wouldn't be the Birch Bay / Terrell Creek residents, the developers or even the local environment. The board of the Birch Bay Storm water district does not represent the residents of Birch Bay/ Terrell Creek. The board is mostly made up of Bellingham residents, members of the Sierra Club and ReSources, paid county employees, (a multi-modal transportation specialist, not a storm water specialist), and BP. If the presence of BP on the board of this storm water district, making this request, isn't a conflict of interest, I don't know what is.

I have been questioning the fact that the Birch Bay Stormwater district has declined to regulate the commercial district at Cherry Point. Craig Olsson told me, personally that he and the board had actually removed the Cherry Point Industrial zone from the stormwater district and excluded other high impact commercial property, such as the Honcoop gravel pit (which is right on Lake Terrell) and the North Star gravel pit (on Terrell Creek) from the storm water district.

I was going to do a FOIA request to prove that this had happened, but when I spoke to Llyn Doremus, she freely admitted that the board had removed all the high impact commercial property from the storm water district because the purpose of the district was to regulate private property owners, small businesses and low impact developers. Regulating the high impact, large commercial properties would interfere with what she called, an experiment in using storm water regulation to manage growth. She said that the "experiment" is being funded by an outside entity and that they would lose their funding if they included the high impact commercial properties.

I don't know who is funding this storm water "experiment". Do you?

There is no benefit to residents of Birch Bay or the Terrell Creek area from a fee in lieu of mitigation plan. There is no reason to implement such a plan. There is NO low impact development taking place in the Birch Bay area due to the recession and housing market decline. Yes, the plan was suggested in 2007, at a meeting presided over by David Stahlhiem. The plan was abandoned at that time because the developers had no money for such expensive mitigation fees. They had already invested all their money in their projects and were facing bankruptcy due to the new wetlands restrictions. I actually saw a couple of developers in tears at the meeting where the fee in lieu of mitigation was first suggested. Nothing has changed.

I beg you to reject this request for a fee in lieu of mitigation plan and re-examine the motives of the board of the Birch Bay Storm Water District, which includes BP. A fee in lieu of mitigation plan would set a precedent for SSA to create a plan to establish a fund for mitigation that would be administered by the Puget Sound Partnership, and used outside of Whatcom County, removing all opportunity for oversight by Whatcom County, as well as the benefit of the mitigation funds. It has been stated in the SSA documents that a local precedent for a fee in lieu of mitigation is needed before such a plan can be approved.

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From: "D White" <deweyanddanwhite@gmail.com>
To: <PDS_Planning_Commission@co.whatcom.wa.us>
Date: 12/16/2011 4:15 PM
Subject: There is a significant difference between industrial development and residential/commercial

To the Members of the Planning Commission:

I attended the December 8 public session that allowed local residents and constituents to speak out on the proposed amendments to the Birch Bay Mitigation Plan. I listened to many concerned and involved citizens speak out in favor of the proposed changes including Whatcom County Planner Peter Gill. With only a rare exception or two, all the speakers urged you to include the amendments and approve the plan.

I was greatly surprised to see the result of this public forum - the planning commission did neither! Apparently, you chose to listen to other advice and, on the surface, it appears that advice was in support of industrial developers - not to protect the watershed, not to support local residents, not to promote the long-term environmental quality of Birch Bay and Cherry Point. As a citizen and a constituent, I would like to understand why you voted as you did.

A response from you would be greatly appreciated.

While I wait for your response, I join with others in the community and offer you the following positions:

I do not support the Birch Bay watershed in lieu of fee mitigation proposal. It is not likely to be successful and will result in public subsidy of private development costs when the public is forced to pay for restoration of degraded waters and lost habitat.

I strongly support LID stormwater standards and would like to see LID standards enacted, but not as a part of an offsite habitat buffer mitigation proposal.

I do not want to reduce protection for Habitat Conservation Areas provided for in the County Critical Area Ordinance. Fish and wildlife play an important role in a healthy, functioning ecosystem. The proposal has a number of provisions that are likely to harm habitat and increase fish and wildlife mortality, such as 3 year delay between development and the creation of off-site habitat.

I do not support reduced habitat buffers in industrial areas such as Cherry Point, and would like to see Cherry Point and the LID waiver loophole eliminated. Best available science indicates industrial development has greater environmental impact, and may require different development

standards than residential development.

I look forward to hearing from you.

Regards

Dan White

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Bellingham