

Jessi Roberts

From: vw <vwilkenwatson@aol.com>
Sent: Tuesday, June 09, 2015 10:52 AM
To: Cliff Strong
Subject: last meeting

Hi Cliiff

I have to tell you that I did not appreciate Audrey hijacking our last meeting. In my opinion, she went so far as to adjourn the meeting while telling Joel from WDFW to come back next time. It's clear she doesn't want to be there one minute extra, if at all. Please don't let her take the reins again.

Also, you might let everyone know that today's Council Agenda contains the information that committee members need to know so they understand the proposed Wildlife Advisory Committee that will be introduced at tonight's meeting. It is listed under Introductory Items as AB-2015-175.

Thank You & Keep Cool

Virginia

Jessi Roberts

From: vw <vwilkenawatson@aol.com>
Sent: Thursday, October 22, 2015 9:26 AM
To: john2patten@gmail.com; w.harris2007@comcast.net
Cc: Cliff Strong; msqly@gmail.com; dhaggithn3@frontier.com; kateb@re-sources.org; laurabsachs@gmail.com; Mark Personius; almskaarr@comcast.net; wwkentch@comcast.net; kilaruba@copper.net; mcshanedan@gmail.com; Joel.Ingram@dfw.wa.gov; KaraK@lummi-nsn.gov; ograph@nooksack-nsn.gov; Pete.Sim@bp.com; sume461@ecy.wa.gov; wendys@re-sources.org; amy.devera@erm.com; dtraxler@langabeertraxler.com; david@onkels.com; veenteam@gmail.com; dbobena@yahoo.com; zonemaven@hotmail.com; DDM@vnf.com; ebinney@pacificecologic.com; GBoggs@whatcomcd.org; heather@fhb3.com; irwinlanduse@gmail.com; jessica.shaw@wsu.edu; lindat@biawc.com; maxandcarole@gmail.com; michele@nwecological.com; borsope@aol.com; perrye@wcar.net; Scott.Luchessa@seattle.gov; vikki@nwecological.com; Amy Dearborn; Andrew Wiser; Chris Elder; Erin Page; John Thompson; Matthew Mahaffie; Ryan Ericson; Travis Bouma
Subject: Re: Critical Areas CAC agenda for 10/21/15

John

For 18 months I have listened to the word "takings" uttered at CAOCAC meetings. As often property rights have been mentioned as well.

When I hear the word takings, I am reminded of all that was taken from the Native Americans. I also think of how all life is dependent on the natural world or environment for survival. We take or nature supplies life sustaining air and water, its soil produces our food and fibers, water, wind, and fossil fuels provide much of the energy that powers our world. All people need nature to thrive physically, and for many people nature provides psychological and even spiritual benefits.

I would like to hear about the responsibilities of property owners, because I believe rights have responsibilities as does privilege. It is a privilege to be a landowner.

When I read the Critical Areas Ordinance I was dismayed to realize that it guides, rather than prohibits, development in critical areas. Only estuaries are off limits. Meanwhile, the introduction to the ordinance and the introduction to County charter extol the value, benefits, and importance of Whatcom County's natural environment. How's this for "lip service"?

You may be relieved to know that the majority of the CAOCAC does not want critical areas to be denoted on the land parcels where applicable. This fails to inform and protect the public from the harm caused by potential landslides, earthquakes, erosion, volcanic events, flooding and other natural hazards. Isn't this immoral?

Virginia Watson

-----Original Message-----

From: John Patten <john2patten@gmail.com>

To: WENDY <w.harris2007@comcast.net>

Cc: Strong, Cliff <CStrong@co.whatcom.wa.us>; Borders, Audrey <msqly@gmail.com>; Haggith, David <dhaggithn3@frontier.com>; Blystone, Kate <kateb@re-sources.org>; Sachs, Laura <laurabsachs@gmail.com>;

Personius, Mark <MPersoni@co.whatcom.wa.us>; Almskaar, Roger <almskaarr@comcast.net>; Watson, Virginia <vwilkenawatson@aol.com>; Kentch, Wes <wwkentch@comcast.net>; Rubash, Bert <kilaruba@copper.net>; McShane, Dan <mcshanedan@gmail.com>; Ingram, Joel <Joel.Ingram@dfw.wa.gov>; Kuhlman, Kara <KaraK@lummi-nsn.gov>; Grah, Oliver <ograh@nooksack-nsn.gov>; Sim, Pete <Pete.Sim@bp.com>; Meyer, Susan <sume461@ecy.wa.gov>; Steffensen, Wendy <wendys@re-sources.org>; Amy de Vera <amy.devera@erm.com>; Dannon Traxler <dtraxler@langabeertraxler.com>; David Onkels <david@onkels.com>; Debbie Vander Veen <veenteam@gmail.com>; Dena <dbobena@yahoo.com>; Dick Conaboy <zonemaven@hotmail.com>; Doug McIntyre <DDM@vnf.com>; Binney, E. <ebinney@pacificecologic.com>; Boggs, George <GBoggs@whatcomcd.org>; Heather MacKay <heather@fhh3.com>; Jay Irwin <irwinlanduse@gmail.com>; Jessica Shaw <jessica.shaw@wsu.edu>; Linda Twitchell <lindat@biawc.com>; Max & Carole Perry <maxandcarole@gmail.com>; Michele <michele@nwecological.com>; Borso, Pam <borsope@aol.com>; Estridge, Perry <perrye@wcar.net>; Scott Luchessa <Scott.Luchessa@seattle.gov>; Vikki <vikki@nwecological.com>; Dearborn, Amy <ADearbor@co.whatcom.wa.us>; Andrew Wisner <AWisner@co.whatcom.wa.us>; elder, Chris <CElder@co.whatcom.wa.us>; Erin Page <epage@co.whatcom.wa.us>; John Thompson <jnthomps@co.whatcom.wa.us>; Matthew Mahaffie <MMahaffie@co.whatcom.wa.us>; Ryan Ericson, County <REricson@co.whatcom.wa.us>; Travis Bouma <tbouma@co.whatcom.wa.us>

Sent: Wed, Oct 21, 2015 7:36 am

Subject: Re: Critical Areas CAC agenda for 10/21/15

I applaud Rogers efforts. I would go even further and eliminate the "net neutral" clause and concept from the code. To say that wetland areas are fixed is to deny the property owner's right to improve his or her property. You can call it BAS or any other thing you like. But ultimately, to put it very, very simply, it is a taking or stealing of building rights that belong to the property owner without reasonable compensation for the taking. It is therefore, a moral issue, not a science issue. Not to mention constitutional. We, of Whatcom County, are above immoral taking of things that do not belong to us. Why even bother to give lip service to preserving property rights, since the code authorizes for them to be taken without compensation. We need to clean this whole thing up. We should take any time that we need to remove any immoral and "wrongful taking" aspects from the proposed code.

On Wed, Oct 21, 2015 at 6:01 AM, WENDY <w.harris2007@comcast.net> wrote:

I want to lodge on the record my strong objection to spending time reviewing "Roger's proposal for buffers." These are not science based, do not reflect an accurate interpretation of state law, and attempt to replace BAS with self-interested opinion. Adoption of these proposals will put the county out of compliance and are a waste of our time. We have heard these arguments at literally every single committee meeting, while my written proposals, which do reflect BAS, have been ignored by the committee majority and have not received your support and promotion. The preferential treatment is glaring.

We have serious issues to resolve, some of which reflect compliance problems and I do not want to spend more time listening to biased arguments that fail to fulfill our mission. Frankly, I am really angry that most of my time on this committee has been wasted pointing out all the flaws and problems in Roger's continual attempts to promote his clients' agenda.

General problems with Roger's proposal:

- Roger refers to what he "thinks". That is not adequate replacement for BAS under WAC 365-195-915(1)(c). The county is in compliance where it follows state standards and Roger asks us to depart from this without quantifiable or verifiable information or data.
- Site specific buffers are contrary to BAS and the policy goals of state and local government. WAC 356-196-830 states that, functions and values must be evaluated at a scale appropriate to the function being evaluated. Functions are the conditions and processes that

support the ecosystem. Conditions and processes operate on varying geographic scales ranging from site-specific to watershed and even regional scales. Some critical areas, such as wetlands and fish and wildlife habitat conservation areas, may constitute ecosystems or parts of ecosystems that transcend the boundaries of individual parcels and jurisdictions, so that protection of their function, and values should be considered on a larger scale.

- BAS now establishes that small and disconnected wetlands may have even higher conservation value to habitat and downstream water quality than large higher rated wetlands. This was referenced in the January 2015 EPA final report I previously provided as BAS for the record.
- Habitat scores for wetlands are not an adequate substitute for baseline standards specific to Habitat Conservation Areas, but Roger assumes that they are. See WAC 365-190-130(3). Wetland ratings do not consider species of local importance or biodiversity issues that include common, abundant species. Using the habitat ratings from wetlands to evaluate HCA will not protect functions and values from no net loss.
- Intensity of use for HCA generally refers to human activities and is distinct from evaluation of land use patterns.
- Vegetative covers is **critical** with regard to HCA, which Roger fails to understand.
- The idea of a BAS board is an attempt to interject politics into an objective process. I have previously rebutted the allegation that there is no such thing as BAS. It not only exists, but is clearly and objectively defined in a manner that is not difficult to understand. This will make a muddled mess of critical areas cases, fueling invalid beliefs and resistance to adhering to well litigated and resolved issues of law.
- The BAS board would extend the time spent on CA cases. Is the applicant going to be fully covering all the costs of staff's time and administrative overhead? I object to any form of public subsidy from applicants trying to avoid the law. Why would not everyone give it a try if the cost is low?
- The entire goal of Roger's proposal is not compatible with the purpose and role of critical areas. He wants buffers that preserve buildable land. The goal of the CAO is to protect the functions and values of ecosystems of which a critical area is a part. And staff is incorrect when it asserts this is a balancing test, or that things can be ignored for political reasons. It is a prerequisite to protect critical area ecosystems before construction can occur.

At what point can we move beyond these tired variations on the same theme? This constant focus on Roger's attempts to deregulate the CAO have prevented us from delving into more productive issues.

Wendy Harris

From: "Cliff Strong" <CStrong@co.whatcom.wa.us>
To: "Audrey Borders" <msqlty@gmail.com>, "David Haggith" <dhaggithn3@frontier.com>, "Kate Blystone" <kateb@re-sources.org>, "Laura Sachs" <laurabsachs@gmail.com>, "Mark Personius" <MPersoni@co.whatcom.wa.us>, "Roger Almskaar" <almskaarr@comcast.net>, "Virginia Watson" <vwilkenswatson@aol.com>, "Wendy" <w.harris2007@comcast.net>, "Wes Kentch" <wwkentch@comcast.net>
Cc: "Bert Rubash" <kilaruba@copper.net>, "Dan McShane" <mcshanedan@gmail.com>, "Joel Ingram" <Joel.Ingram@dfw.wa.gov>, "Kara Kuhlman" <KaraK@lummi-nsn.gov>, "Oliver Grah" <ograh@nooksack-nsn.gov>, "Pete Sim" <Pete.Sim@bp.com>, "Susan Meyer" <sume461@ecy.wa.gov>, "Wendy Steffensen" <wendys@re-sources.org>, "Amy de Vera" <amy.devera@erm.com>, "Dannon Traxler" <dtraxler@langabeertraxler.com>, "David Onkels" <david@onkels.com>, "Debbie Vander Veen" <veenteam@gmail.com>, "Dena" <dbobena@yahoo.com>, "Dick Conaboy" <zonemaven@hotmail.com>, "Doug McIntyre" <DDM@vnf.com>, "Elizabeth Binney" <ebinney@pacificecologic.com>, "George Boggs" <GBoggs@whatcomcd.org>, "Heather MacKay" <heather@fhb3.com>, "Jay Irwin" <irwinlanduse@gmail.com>, "Jessica Shaw" <jessica.shaw@wsu.edu>, "John Patten" <john2patten@gmail.com>, "Linda Twitchell" <lindat@biawc.com>, "Max & Carole Perry" <maxandcarole@gmail.com>, "Michele" <michele@nwecological.com>, "Pam Borso" <borsope@aol.com>, "Perry Eskridge" <perrye@wcar.net>, "Scott Luchessa" <Scott.Luchessa@Seattle.gov>, "Vikki" <vikki@nwecological.com>, "Amy Dearborn" <ADearbor@co.whatcom.wa.us>, "Andrew Wiser" <AWiser@co.whatcom.wa.us>, "Chris Elder" <CElder@co.whatcom.wa.us>, "Erin Page" <epage@co.whatcom.wa.us>, "John Thompson" <jnthomps@co.whatcom.wa.us>, "Matthew Mahaffie" <MMahaffi@co.whatcom.wa.us>, "Ryan Ericson" <REricson@co.whatcom.wa.us>, "Travis Bouma" <tbouma@co.whatcom.wa.us>
Sent: Friday, October 16, 2015 11:46:20 AM
Subject: Critical Areas CAC agenda for 10/21/15

Please find attached an agenda for next week's meeting. I've already sent you a copy of the whole code as it stands, and will have hard copies available for those who didn't pick it up last meeting. Also attached is a proposal by Roger which he'd like to talk about.

Also, I would like RSVPs from everyone who's planning on attending this time; last time we ended up without a quorum and those who made it did so for no reason as we had to cancel.

Thanks,

Cliff Strong
Senior Planner
Whatcom County Planning & Development Services

cstrong@co.whatcom.wa.us
[360.778.5942](tel:360.778.5942) ←Note new phone number
www.co.whatcom.wa.us/pds

Jessi Roberts

From: vw <vwilkenwatson@aol.com>
Sent: Tuesday, August 19, 2014 9:37 PM
To: Cliff Strong; msqly@gmail.com; dhaggithn3@frontier.com; kateb@re-sources.org; laurabsachs@gmail.com; Mark Personius; almskaarr@comcast.net; w.harris2007@comcast.net; wwkentch@comcast.net
Cc: david@onkels.com; GBoggs@whatcomcd.org; maxandcarole@gmail.com
Subject: Re: Critical Areas Citizens Advisory Committee - Agenda for 8/20 mtg

Hi Cliff

Thank you for the notes and the agenda.

Here are a few questions that I would like the TAC to address:

- 1) What new BAS do we have to work with since the last CAO regulations update?
- 2) How will we address administrative interpretations as part of the current update?
- 3) How is the code performing? Where are we in relation to the baselines set at the last update?

Perhaps the questions under number three can be addressed by staff at tomorrow's meeting during their presentation? I, and I believe other committee members would be interested in staff's perspective on these two items.

Thank you.

Virginia

-----Original Message-----

From: Cliff Strong <CStrong@co.whatcom.wa.us>
To: Audrey Borders <msqly@gmail.com>; David Haggith <dhaggithn3@frontier.com>; Kate Blystone <kateb@re-sources.org>; Laura Sachs <laurabsachs@gmail.com>; Mark Personius <MPersoni@co.whatcom.wa.us>; Roger Almskaar <almskaarr@comcast.net>; Virginia Watson <vwilkenwatson@aol.com>; Wendy Harris <w.harris2007@comcast.net>; Wes Kentch <wwkentch@comcast.net>
Cc: David Onkels <david@onkels.com>; George Boggs <GBoggs@whatcomcd.org>; Max & Carole Perry <maxandcarole@gmail.com>
Sent: Wed, Aug 13, 2014 2:33 pm
Subject: Critical Areas Citizens Advisory Committee - Agenda for 8/20 mtg

Please find attached the agenda for next week's meeting. As requested, PDS environmental staff will be making a presentation on our review process. Also attached are my notes from last meeting for you to review prior to approval at the meeting.

Also, please be advised that the County Executive has informed us that he is not planning on appointing alternate members. Therefore, if you are on vacation next week, give me a call upon your return and I can fill you in on what happened at the meeting.

See you next Wednesday,

Cliff Strong
Senior Planner
Whatcom County Planning & Development Services

cstrong@co.whatcom.wa.us
360.676.6907

