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## WHATCOM COUNTY COUNCIL

### WHATCOM COUNTY COUNCIL SCHEDULES SPECIAL PRESENTATION REGARDING HIRST ET AL V. WHATCOM COUNTY

BELLINGHAM, Washington, February 23, 2017 – The Whatcom County Council has scheduled a special presentation at its meeting on March 7, 2017, to present information related to the State Supreme Court’s decision on Hirst et al v. Whatcom County (Hirst decision). The meeting will begin at 6 p.m. in the County Council Chambers, 311 Grand Avenue, Bellingham.

In the Hirst decision, the Supreme Court ruled that Whatcom County failed to comply with the Growth Management Act requirements to protect water resources. The court ruled:

- It is the County’s responsibility under the Growth Management Act to determine legal availability of water for purposes of issuing land use decisions, not the Department of Ecology.
- Development permit applications that are proposing to use a private well water supply (in a basin that is closed or partially closed to surface water withdrawals by the Department of Ecology) must demonstrate that groundwater withdrawal will not impair a senior water right, including instream flows established in Chapter 173-501 WAC (the Nooksack Basin Instream Flow Rule).

The Council will begin its meeting on March 7 by showing a twenty minute video to provide audience members with important information related to the Hirst decision. Following the video councilmembers will ask questions of state and local water experts, specifically attorneys Tadas Kasilius and Bob Carmichael, hydrogeologist Chuck Lindsay, and local public utilities district manager Steve Jilk.

Following the presentation portion of the meeting, Council will hold a public hearing on a proposed interim ordinance adopting interim amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code), relating to water resources (AB2016-309D). A copy of the ordinance can be found here:

<http://www.co.whatcom.wa.us/DocumentCenter/View/25660>

Additional information on the Hirst decision can be found here:

<http://www.co.whatcom.wa.us/2487/Exempt-WellWater-Information>

Questions? Contact the Council Office at 306.778.5010 or [council@co.whatcom.wa.us](mailto:council@co.whatcom.wa.us)

Below is a link to the Notify Me ® page of the County website where you can subscribe to receive notifications of your choice via email or text.

<http://www.whatcomcounty.us/List.aspx>

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