

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

SEPA Distribution List
SEP2011-00088
Date of Issuance: May 21, 2013

Please review this determination. If you have further comments, questions or would like a copy of the SEPA checklist, phone the responsible official at (360) 676-6907. Please submit your response by the comment date noted on the attached notice of determination.

SEPA Unit, WA State Department of Ecology, Olympia via email
sepaunit@ecy.wa.gov

SEPA Unit, WA State Department of Transportation, Burlington, via email
stormer@wsdot.wa.gov

WA State Department of Archaeological and Historic Preservation

WA State Department of Fish and Wildlife

WA State Department of Natural Resources

Lummi Nation

Attn: Natural Resources Department
Attn: Cultural Resources Department

Nooksack Indian Tribe

Attn: Natural Resources Department
Attn: Cultural Resources Department

City of Bellingham

Kurt Nabbefeld
Brent Baldwin
Clare Fogelsong

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SEPA Determination of Nonsignificance (DNS)¹

File: SEP2011-00088 - Addendum

Project Description: A non-project action to amend the Whatcom County Code Title 20-Zoning to address stormwater and land use regulations for new development within the Lake Whatcom watershed to comply with the Department of Ecology's Total Maximum Daily Load criteria. This Determination is amended to include notice of Whatcom County Comprehensive Plan change to the Land Use Chapter policies 2DD - 2 relating to water quality and stormwater management in the Lake Whatcom Watershed.

Proponent: Whatcom County Planning & Development Services

Address and Parcel #: Applicable to the Lake Whatcom Watershed, File PLN2011-00015

Lead Agency: Whatcom County Planning & Development Services

Zoning: N/A **Comp Plan:** N/A

The lead agency for this proposal has determined that with proper mitigation, no significant adverse environmental impacts are likely. Pursuant to RCW 43.21C.030(2)(c), an environmental impact statement (EIS) is not required. This decision was made following review of a completed SEPA environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS².

Pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date of issuance indicated below.

Responsible Official: Tyler Schroeder

Title: Current Planning Supervisor

Telephone: 360-676-6907

Address: 5280 Northwest Drive
Bellingham, WA 98226

Date of Issuance: May 21, 2013

Signature:  _____

¹ This determination is amended with new information that does not result in any new environmental impacts, therefore a new threshold determination is not necessary pursuant to WAC 197-11-600(4)(c).

² This addendum is being noticed without a comment period to the original distribution list WAC 197-11-625.

An aggrieved agency or person may appeal this determination to the Whatcom County Hearing Examiner. Application for appeal must be filed on a form provided by and submitted to the Whatcom County Current Planning Division located at 5280 Northwest Drive, Bellingham, WA 98226, during the ten days following the comment period, concluding May 31, 2013.

You should be prepared to make a specific factual objection. Contact Whatcom County Current Planning Division for information about the procedures for SEPA appeals.

Whatcom County Comprehensive Plan, Chapter 2: Updates to reflect the addition of the Lake Whatcom Watershed Overlay District

Policy 2DD-2: Protect the character of the rural area through the County's development regulations. In addition to the policies of this plan that provide measures governing rural development, the following County's key development regulations are incorporated into this plan by reference to assure that the plan contains measures to protect rural character:

C. Measures to protect critical areas and surface and groundwater resources:

3. Preserve and protect unique and important water resources through development standards in WCC 20.71 Water Resource Protection Overlay District and WCC 20. 51 Lake Whatcom Watershed Overlay District adopted herein by reference. †
4. Protect surface and ground water resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630, WCC 20. 51, and 12.08.035 and referenced in the following Zoning Code provisions, adopted herein by reference:
 - a. 20.32.656 Drainage, Residential Rural District;
 - b. 20.34.659 Drainage, Rural Residential-Island District;
 - c. 20.36.656 Drainage, Rural District;
 - d. 20.37.655 Drainage, Point Roberts Transitional District;
 - e. 20.44.652 Drainage, Recreation and Open Space District;
 - f. 20.59.704 Drainage, Rural General Commercial District;
 - g. 20.60.655 Drainage, Neighborhood Commercial District;
 - h. 20.61.704 Drainage, Small Town Commercial District;
 - i. 20.63.654 Drainage, Tourist Commercial District;
 - j. 20.64.655 Drainage, Resort Commercial District;
 - k. 20.67.653 Drainage, General Manufacturing District;
 - l. 20.69.655 Drainage, Rural Industrial and Manufacturing District.
8. Limit phosphorus entering Lake Whatcom through WCC 20. 51 Lake Whatcom Watershed Overlay District and Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential lawns and public properties through WCC 16.32, adopted herein by reference.