

WHATCOM COUNTY

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J.E. "Sam" Ryan
Director

Memorandum

TO: Whatcom County Planning Commission

FROM: Mark Personius, Long Range Planning Division Manager

DATE: October 15, 2013

SUBJECT: October 24th Planning Commission meeting regarding water resource protection measures

I wanted to update you all on the purpose and intent of the Planning Commission meeting and public hearing now re-scheduled for October 24th on water resource protection measures. At the public hearing on October 24th, it is PDS' intent to **begin** the conversation with the Planning Commission on potential **water quality** protection measures and actions the County could take in light of the Growth Management Hearings Board Order related to protection of rural surface and groundwater quality.

At the outset, it is important to state that, while the Board did not agree with the County's approach to water quality issues, the County has appealed the Board's order and it continues to be the County's position that its current approach is consistent with the GMA. However, the Planning Commission and the public have not yet had a formal opportunity to consider and comment on the Board's suggestion of "*options for adopting measures to reverse water resource degradation in...the rural area...*" The public hearing on October 24th offers the Planning Commission their first real opportunity to discuss rural water quality issues addressed by the Hearings Board Order.

There are two distinct parts of the staff proposal subject to hearing and review by the Planning Commission on October 24th. The first is proposed amendments to Comprehensive Plan policies that document the County's **existing** water quality and water supply protection measures. These are important amendments needed to document the record for future court review in this case. PDS will recommend Planning Commission approve those amendments and forward to the County Council.

The second part of the staff proposal is to consider the Hearings Board specific suggestion that the County adopt impervious surface standards for rural areas in Whatcom County. A similar proposal was evaluated—but not adopted—in 2012 (prior to the Hearings Board

Order on water quality and quantity issues). We want to run this idea up the flag pole, get public comment and consider those comments in the larger context of our compliance efforts for the Rural Element. However, the Planning Commission meeting schedule for November and December is already booked with 20-year GMA population and employment allocations, so it will be some time before we can continue discussions on water quality issues. Therefore, PDS will recommend that Planning Commission refer the impervious surface standards proposal back to staff for further review following the public hearing on the 24th. We have updated the proposed findings and conclusions to reflect this intent and to allow for the Comp Plan amendments to be forwarded separately from the proposed impervious surface code amendments. PDS staff will review and consider the public comments on rural water quality protection measures prior to further Planning Commission consideration.

I hope this helps clarify the purpose and intent of the proposals for consideration on October 24th. If you have any questions, comments, or concerns, please contact me to discuss at 360-676-6907.

Thank you.