



Memorandum

TO: Whatcom County Council

FROM: Joshua Fleischmann on behalf of the Forestry Advisory Committee

DATE: April 21, 2021

SUBJECT: PLN2017-00004 - Countywide Review of Designated Mineral Resource Lands

This memo is intended to convey the voice of the forestry industry as it relates to proposed changes to the Rural Forestry and Commercial Forestry Comprehensive Plan designations as a result of the countywide review of potential resource areas for designation as Mineral Resource Lands. Membership on the Forestry Advisory Committee (FAC) is not presently sufficient to provide a committee approved memo consistent with their adopted business rules. However, I have provided this memo to present and past members of the committee for their review in an attempt to capture their collective voice. I have also invited them to provide individual feedback directly to you.

The Surface Mining Advisory Committee (SMAC) recommendation as part of the countywide review of Designated Mineral Resource Lands (MRL) would result in ~47,000 acres of Designated Rural Forestry and Commercial Forestry becoming Designated MRL. This change would allow for mining to be permitted by Whatcom County on productive forestlands through a Conditional Use Permit (CUP), and require reclamation subject to the Washington State Surface Mining Act (SMA), as administered by the Washington State Department of Natural Resources (DNR).

In May of 2018 the Forestry Advisory Committee (FAC) met to discuss how the forestry industry may be impacted by a potential change in comprehensive plan designations from either Commercial Forestry or Rural Forestry to Designated Mineral Resource Lands (MRL). At that time, the FAC was cautiously supportive of the ability of a landowner to mine presently designated forestlands. However reclamation of mined areas to forestlands was one of the most important factors in whether the committee would support or oppose a change in designation.

This caution was consistent with the feelings of the committee in 2014, where, in a memo to the Whatcom County Council, the FAC conveyed their concerns over the loss of forestland and its impact on the long term viability of the forestry industry.

In December 2019, the Forestry Advisory Committee, Agricultural Advisory Committee and Surface Mining Advisory Committee met with a representative of DNR to discuss reclamation of surface mining. At the time, presuming that reclamation could return mined lands to forestland, the greatest concern from the FAC was whether there would be changes to presently allowed uses as a result of a change in designation to MRL, which there would not.

Since that time I have had occasional communications with DNR to help me understand how mining and the reclamation process may impact agriculture and forestry. Generally, upon

reclamation, forestlands would be negatively impacted by bedrock quarries, but steps can be taken so that the impacts may be minimal. As part of a change in designation and subsequent potential land uses, considerations to limit impacts to forestlands may include:

- MRL designation directed to areas with lower quality forestland.
- Average size of quarry is ~30-40 +/- acres. It may be worth collecting income on a few million tons of rocks in lieu of a single harvest rotation and then reclaim at a potentially less productive level.
- The floor of quarries could be returned to forestry production, limiting the loss of forestland.
- Requirement for mitigation as part of a mining permit. Mitigation could include, but is not limited to, conservation easements and afforestation of previously converted lands, removal of development rights from forest lands at risk of conversion, fee in-lieu program, or other protective measures.

Ultimately, past and present members of the Forestry Advisory Committee recognize the benefit of mineral resource lands to Whatcom County; they support flexibility in how landowners choose to manage their land; they are more concerned with other increasingly impactful influences to forest management than potential mineral extraction; and they cautiously support the SMAC recommendation.