

# APPENDIX A

## Scoping Materials





# WHATCOM COUNTY ENVIRONMENTAL IMPACT STATEMENT (EIS) SCOPE

## 2016 Comprehensive Plan and Development Regulations Update & Urban Growth Area Review • Revised May 23, 2014

### Description of Proposal

Whatcom County is undertaking a Comprehensive Plan Update in accordance with the Growth Management Act. Whatcom County is required to complete its review and update of the Comprehensive Plan elements, development regulations, and Urban Growth Areas (UGAs) by June 30, 2016. As part of the Comprehensive Plan and Development Regulations Update and UGA review, the County and cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas are undertaking a process to allocate population and employment growth to UGAs and the area of the County outside of UGAs. As a result of the Comprehensive Plan and Development Regulations Update and associated UGA review, the County may consider amendments to County Comprehensive Plan goals and policies, UGA boundaries, land use map, and other plan elements, as well as development regulations (zoning, critical areas ordinance, etc.).

### Environmental Review of the Proposal

The County intends to evaluate the Comprehensive Plan and Development Regulations Update and UGA Review in an Environmental Impact Statement (EIS). Generally, an EIS is an informational document that provides the County, cities, public, and other agencies with environmental information to be considered in the decision-making process for a plan, program, or new development. It also allows residents, businesses, and other government agencies to comment on proposals and alternatives. An EIS describes: proposed actions and alternatives; existing conditions of the study area; impacts that may occur if an alternative were implemented; mitigation measures to reduce or eliminate impacts; and potential significant, unavoidable, and adverse impacts.

**Alternatives:** A comparative evaluation of alternative courses of action will be included in the EIS for the 2013-2036 planning period. Alternatives are anticipated to include:

- A no-action alternative assuming the existing Whatcom County Comprehensive Plan and associated growth projections are carried forward, representing a lower growth option (48,630 population growth);
- The OFM Medium projection allocated to each UGA and the area outside UGAs using recent historic shares (68,111 population growth);
- Growth consistent with a multi-jurisdictional resolution approved by the County Council (Resolution 2014-013; 74,781 population growth); and
- A higher countywide population projection, apportioned similar to the multi-jurisdictional resolution (86,149 population growth)<sup>1</sup>.

Each alternative would include potential land use, policy, and regulatory components as well as growth allocations.

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<sup>1</sup> Consistent with the BERK High countywide projection in the *Whatcom County Population and Employment Projections and Urban Growth Area Allocations Phase I Technical Report*, BERK, November 1, 2013.

**EIS Topics:** Whatcom County has identified the following areas for discussion in the EIS: Earth, air quality, water resources, plants and animals, land and shoreline use, plans and policies, population, housing and employment, cultural resources, transportation, and public services and utilities.

**Planning Level Review:** An EIS that evaluates planning-level proposals, such as changes to a comprehensive plan or zoning regulations, is referred to as a nonproject EIS. A nonproject EIS does not evaluate the impacts associated with a specific development project. Because implementation of land use plans and policies or regulations can result in a range of impacts to the built and natural environment from development occurring consistent with them, a nonproject EIS emphasizes a comparison of alternatives (WAC 197-11-442). The Comprehensive Plan and Development Regulations Update and UGA Review EIS will contain an analysis of potential environmental impacts associated with adoption of each of the proposed alternatives. Individual development projects occurring under the updated Comprehensive Plan and Development Regulations will be subject to additional SEPA review in accordance with state and local rules.

The County is responsible for allocating growth and reflecting the growth numbers in its Comprehensive Plan. The EIS analysis will consider cumulative growth pattern impacts across the county including UGAs, rural areas, and resource lands.

## **EIS Scope and Methodology**

Whatcom County has developed a scope for the 2016 Comprehensive Plan and Development Regulations Update and UGA Review EIS. The scope of the EIS was determined after the public, agencies, and interested tribes had an opportunity to provide comments and express their views on what topics should be discussed. The County has determined the following topic areas would be discussed in the EIS:

### **Earth**

Based on past studies, areas of review are anticipated to include topography and soils found in the county, naturally occurring asbestos, and the areas subject to geologic hazards including erosion, landslides, liquefaction and other hazards. The identification of geologic conditions and hazards would be based upon Critical Areas Ordinance maps and other available resources. A comparison of growth scenarios and land use alternatives would be made to the location of the sensitive or hazard areas, and would consider application of critical area and building regulations. As appropriate, mitigation measures to avoid, minimize or rectify impacts would be identified.

### **Air Quality**

The air quality analysis would outline requirements of federal, state and regional air quality regulations for the proposed alternatives. The EIS would reference prior studies, applicable regulations, and the air quality status of the county. The EIS would qualitatively compare the alternatives' potential to contribute to emissions, including greenhouse gas emissions, based on a comparison of projected vehicle miles traveled and estimates of emissions from other uses. A summary of current climate change programs applicable to the county or region would be summarized. Mitigation measures to avoid, minimize or rectify impacts would be identified.

### **Water Resources**

The EIS would summarize existing conditions regarding water quantity and water quality based on available County and State inventories and analyses of critical areas. The analysis would review drainage, flooding, and storm water run-off in the county and provide guidance for corrective actions. A comparison of the alternatives would be made (e.g. broad estimates of impervious surfaces based on acres by land use category and typical impervious surfaces associated with the land use category). Mitigation measures to avoid, minimize or rectify impacts would be identified.

### **Plants and Animals**

Plant and animal habitat would be described based on existing Federal, County and State published sources. The EIS would include information from the Washington State Department of Fish and Wildlife (WDFW) such as the latest Priority Habitats and Species (PHS) Map. The EIS would reflect consultation with the WDFW area biologist to review the PHS information, management plans, and other sources of information addressing fish and wildlife habitat conservation areas, such as

habitat corridors and biodiversity maps. Additional information sources include, but are not limited to, State Department of Natural Resources Washington Natural Heritage Program information for high quality terrestrial and wetland plant communities that may provide habitat. The EIS would also review County Shoreline Master Program inventories and analysis, as well as information the County has mapped or defined in terms of its designated Fish and Wildlife Habitat Conservation areas. Federal, State and local plans and programs designed to protect fish and wildlife habitat conservation areas would be summarized.

The EIS would qualitatively address common impacts due to habitat alteration or habitat loss due to increased population and employment growth, comparing the land use alternatives at a planning level noting areas that are fish and wildlife habitat conservation areas and potential habitat corridors. Mitigation measures to avoid, minimize or rectify impacts would be identified including County policies and codes that protect habitat and other mitigation measures can be identified to help mitigate impacts.

### **Land and Shoreline Use**

The land and shoreline use affected environment section would generally describe land use patterns in the county, including the location and distribution of urban, rural, and resource land uses. Potential land use impacts would be identified at a planning level for each of the alternatives including changes in activity levels, intensity of development and urban/rural land use patterns, land use compatibility, and ability to absorb the densities proposed. Mitigation measures to avoid, minimize or rectify impacts on land and shoreline uses, including on urban, rural and resource lands, would be identified.

### **Plans and Policies**

The EIS would describe the policy and regulatory context in the County. The impact analysis would evaluate the internal and external consistency of the proposed alternatives. Internal consistency would focus on the Comprehensive Plan and Development Regulations Update and proposed alternatives in the context of the County's plans and regulations. External consistency with relevant local, regional and state plans and policies including GMA Goals, Shoreline Management Act goals and requirements, Countywide Planning Policies, and local Comprehensive Plans would also be included.

### **Population, Housing and Employment**

The EIS would assess impacts of the land use alternatives on employment, housing, and population in the county including growth rates, land capacity in relation to growth projections, jobs/housing balance and related issues. Mitigation measures to avoid, minimize or rectify impacts would be identified.

### **Cultural Resources**

Based on prior available information, areas of review are anticipated to include historic and cultural resources known to be present in the county based upon published State and County sources. The EIS would consider potential impacts by broadly identifying UGAs in relation to areas of potential sensitivity (e.g. shorelines). Mitigating measures, including federal, state and local requirements, would be identified, as appropriate.

### **Transportation**

A transportation inventory and existing conditions analysis would be included in the EIS. Impacts would be identified through analysis of future conditions for each of the land use alternatives, and would primarily be based upon level of service (LOS) analysis results assuming County LOS standards. The EIS would use the Whatcom Council of Governments Model output to generate link-based LOS results. Mitigation measures to avoid, minimize or rectify impacts would be identified. Mitigation would include transportation improvement projects identified to address deficiencies. The mitigation section would also describe potential options under GMA for additional revenue sources, revisions to LOS/concurrency standards, and/or land use that could be implemented to ensure a balanced transportation plan that supports land uses proposed.

## Public Services and Utilities

The public services and utilities section would address public facilities, public services, and private utilities including:

- Law Enforcement
- Fire and Emergency Medical Services
- Parks and Recreation
- Schools
- Water
- Wastewater
- Stormwater
- Solid Waste
- Power, Gas, and Telecommunication Utilities

The affected environment analysis would be based on existing or proposed County, city, special district, and private utility purveyor plans, and would generally describe the services provided and service areas. It would also include an analysis of current LOS (where applicable) and capacity. The impact analysis would include future demand projections for public facilities and services, and compare these projections to adopted level of service standards (where applicable). Mitigation measures to avoid, minimize or rectify impacts would be identified.

## Scoping Process

Whatcom County has conducted a scoping process allowing written comments and testimony to help define alternatives and the scope of the EIS. The initial scoping period was 21 days consistent with the State Environmental Policy Act implementing rules (WAC 197-11), beginning March 3 and ending March 24, 2014. In response to a public request, the County added two more weeks to the scoping period, closing it ultimately on April 7, 2014. In addition to a written comment period, Whatcom County held a scoping public hearing on March 18, 2014 at 7:00 pm, in the County Council Chambers at the Whatcom County Courthouse.

## Next Steps

The County will issue a Draft EIS in fall 2014. There will be a public and agency comment period on the Draft EIS. It is anticipated that a Final EIS will be issued in summer 2015.

## For More Information

Please see the County's website for more information: <http://www.whatcomcounty.us/pds/plan/lr/compplan/updates.jsp>.

You may also contact Senior Planner Matt Aamot at (360) 676-6907 or [maamot@co.whatcom.wa.us](mailto:maamot@co.whatcom.wa.us) for additional information.

**Attachment A:** Determination of Significance and Scoping Notice, March 3, 2014

**Attachment B:** Summary of Scoping Comments, May 23, 2014



## WHATCOM COUNTY DETERMINATION OF SIGNIFICANCE & SCOPING NOTICE

### 2016 Comprehensive Plan and Development Regulations Update & Urban Growth Areas Review • March 3, 2014

#### Request for Comments on the Scope of the Environmental Impact Statement (EIS)

##### Description of Proposal

Whatcom County is undertaking a Comprehensive Plan and Development Regulations Update in accordance with the Growth Management Act. Whatcom County is required to complete its review and update of the Comprehensive Plan elements, development regulations, and Urban Growth Areas (UGAs) by June 30, 2016. As part of the Comprehensive Plan and Development Regulations Update and UGA review, the County and cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas are undertaking a process to allocate population and employment growth to UGAs and the area of the County outside of UGAs. As a result of the Comprehensive Plan and Development Regulations Update and associated UGA review, the County may consider amendments to County Comprehensive Plan goals and policies, UGA boundaries, land use map, and other plan elements, as well as development regulations (zoning, critical areas ordinance, etc.).

##### Location of Proposal

The proposal encompasses all of Whatcom County.

Growth allocations and patterns across the county and cities will be reviewed in the EIS. The amendment of the County's plans and regulations, and their effect on unincorporated areas will also be reviewed.

##### Proponent & Lead Agency

The proponent and lead agency of the proposal is Whatcom County.

##### EIS Required

The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030 (2)(c) and will be prepared. Copies of a scoping document indicating potential environmental issues and topics can be reviewed at the lead agency office (see Contact Person information below) or at the project website:

<http://www.whatcomcounty.us/pds/plan/lr/compplan/updates.jsp>

##### Elements of the Environment to be Addressed

The lead agency has identified the following areas for discussion in the EIS: Earth, air quality, water resources, plants and animals, land and shoreline use, plans and policies, population, housing and employment, cultural resources, transportation, and public services and utilities. The level of analysis will be programmatic and areawide, consistent with the nature of the non-project proposal.

##### Conceptual Alternatives

A comparative evaluation of alternative courses of action will be included in the EIS. Alternatives are anticipated to include a no-action alternative assuming the existing Whatcom County Comprehensive Plan and associated growth

projections are carried forward; growth consistent with a multi-jurisdictional resolution similar to recommendations by the Whatcom County Planning Commission January 9, 2014; and two other alternatives that would consider different growth levels and/or patterns. Each alternative would include potential land use, policy, and regulatory components as well as growth allocations.

## Scoping Comments

Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving us your comments is:

**Written Comment period:** March 3 to March 24, 2014. Submit comments no later than **5:00 pm March 24, 2014**.

Send written comments to the Contact Person:

### Contact Person

Matt Aamot, Senior Planner  
Planning and Development Services  
5280 Northwest Drive  
Bellingham, Washington 98226  
Telephone: (360) 676-6907  
E-mail: [pds@co.whatcom.wa.us](mailto:pds@co.whatcom.wa.us)

**A scoping public hearing** is scheduled for: **March 18, 2014 at 7:00 pm**, in the County Council Chambers at the Whatcom County Courthouse, 311 Grand Avenue, Bellingham. At this meeting you can ask questions, learn more about the 2016 Comprehensive Plan and Development Regulations Update and UGA Review, the EIS process, and submit comments.

## Responsible Official

### Designated SEPA Responsible Official

Tyler Schroeder, Current Planning / Permit Center Manager  
Planning and Development Services  
5280 Northwest Drive  
Bellingham, Washington 98226  
Telephone: (360) 676-6907  
E-mail: [pds@co.whatcom.wa.us](mailto:pds@co.whatcom.wa.us)

Signature: \_\_\_\_\_



Date

MARCH 3, 2014

**Appeal.** You may appeal this determination of significance (the determination to prepare an EIS) no later than 5 p.m. March 13, 2014 pursuant to Whatcom County Code 16.08.170.A. You may contact the lead agency designated SEPA responsible official above to read or ask about the forms and procedures for SEPA appeals.



# Whatcom County 2016 Comprehensive Plan and Development Regulations Update & Urban Growth Area Review Environmental Impact Statement (EIS)

## Summary of Scoping Comments | May 23, 2014

*Prepared by BERK Consulting | Prepared for Whatcom County Planning & Development Services*

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### INTRODUCTION

This document presents a summary of the Scoping process followed by Whatcom County for its 2016 Comprehensive Plan and Development Regulations Update & Urban Growth Area Review Environmental Impact Statement (EIS). The State Environmental Policy Act (SEPA) does not require responses to scoping comments; however, the comments should be considered during the preparation of the County’s EIS. The purpose of this document is to describe the scoping process, the features of a non-project EIS, an overview of public comments, and a summary of key topic areas and the EIS approach.

### SCOPING PROCESS

Whatcom County is preparing its Comprehensive Plan Update in accordance with the Growth Management Act (GMA). Whatcom County is required to complete its review and update of the Comprehensive Plan elements, development regulations, and Urban Growth Areas (UGAs) by June 30, 2016.

Whatcom County has conducted a scoping process allowing written comments and testimony to help define alternatives and the scope of the environmental review in an EIS. The initial scoping period was 21 days consistent with the State Environmental Policy Act implementing rules (WAC 197-11), beginning March 3 and ending March 24, 2014. In response to a public request, the County added two more weeks to the scoping period, closing it ultimately on April 7, 2014. In addition to a written comment period, Whatcom County held a scoping public hearing on March 18, 2014 at 7:00 pm, in the County Council Chambers at the Whatcom County Courthouse.

## PROPOSED EIS SCOPE

Whatcom County has identified the following areas for discussion in the EIS: Earth, air quality, water resources, plants and animals, land and shoreline use, plans and policies, population, housing and employment, cultural resources, transportation, and public services and utilities. For each natural and built environment topic, a comparative evaluation of alternative courses of action will be included in the EIS. See the May 2014 Revised EIS Scope.

## NONPROJECT EIS

The scoping comments and approach discussion should be read in the context of the type of EIS that will be prepared. An EIS that evaluates planning-level proposals, such as changes to a comprehensive plan or zoning regulations, is referred to as a nonproject EIS.

A nonproject action is defined as an action that is broader than a single site-specific project and involves decisions on policies, plans, or programs. The EIS will be a nonproject document, and therefore, the EIS will address EIS topics at a broad and cumulative level and not a detailed or site-specific level. The EIS will also compare alternatives. (Washington Administrative Code [WAC] 197-11-442).

Additionally, SEPA encourages the use of phased environmental review to focus on issues that are ready for decision, and to exclude from consideration issues already decided or not yet ready for decision-making (WAC 197-11-060(5)). Environmental review of the Comprehensive Plan & Development Regulations Update is being phased pursuant to WAC 197-11 to focus on broad policy actions prior to the consideration of more detailed actions. Future capital projects, development projects, implementing regulations, etc. will be subject to their own SEPA review processes.

## PUBLIC COMMENTS

Forty four written communications were received during the scoping period from individuals and agencies. See Exhibit 1 providing comments in alphabetical order by the commenter's last name.

**Exhibit 1. List of Commenters and Issue Summary – Written Comments**

<b>Commenter</b>	<b>Agency/ Organization</b>	<b>Date</b>	<b>Comment Topics Summary</b>
James Ackerman	City of Nooksack	March 31, 2014	Request to study potentially shifting land from the Everson UGA into the Nooksack UGA to eliminate split jurisdiction parcels. Request to study potentially adding land adjacent to Nooksack Valley Middle School into the UGA for school purposes.
Brooks Anderson		April 7, 2014	Include Cherry Point in the Comprehensive Plan EIS.
Bonnie Blessing		March 20, 2014	Farmland can help maintain rare species in Whatcom County, e.g. Oregon Spotted Frog; make sustainable farming practical and profitable.
Kate Blystone	RE Sources for Sustainable Communities	April 7, 2014	Consider the impact of plans on earth (impervious areas and hazards), groundwater and recharge areas, air quality including greenhouse gas, air

Commenter	Agency/ Organization	Date	Comment Topics Summary
			quality and visibility and greenhouse gas (GHG) at Cherry Point, watersheds and surface and groundwater, water quality and supply, runoff, habitat, best available science, consider an alternative maintaining the current footprint of urban areas, legacy lots in rural and agricultural areas, longer term planning horizon, expand the amount of land available for agricultural purposes, consider OFM medium population, greater mix of housing types, lower jobs at Cherry Point, cultural resources, transportation including terminals, public services and utilities including green infrastructure.
John Bremer		April 7, 2014	Request for area-wide EIS for Cherry Point UGA, taking into account the Cherry Point Aquatic Reserve.
Laurence Brown		April 7, 2014	Do a full EIS to see if industrial use is compatible with the environment in Cherry Point.
Nicole Brown	Safeguard the South Fork	April 7, 2014	SGSF requests that the EIS for the 2016 Comp Plan study reasonably foreseeable significant adverse environmental impacts of the east/west rail proposal from Lynden to Custer Spur/Cherry Point identified on Map #15: Modal Connection Points and Railroads in the Transportation section of the current comprehensive plan and/or that the east/west proposal be removed.
Jason Cline		April 7, 2014	Preserve Cherry Point's environment.
Ryan Ericson	Futurwise Whatcom	April 7, 2014	Judiciously choose between quantitative and qualitative analysis in the EIS; when using qualitative analysis determine topic area objectives; and identify watershed connectivity as a common objective. Add an assessment of cumulative impacts, mitigation sequencing, and environmental and social justice impacts.
Carol Follett		April 7, 2014	Major threats in Whatcom include the Cascadia Subduction zone/earthquake threat, a live volcano, and tsunami zones; study the burden on emergency and health workers and evacuation.
Thelma Follett		April 7, 2014	Plan for major fallout from climate change. Have a zero growth policy for in-migration, allow no growth outside cities, and protect farmland and water resources.
Alissa French		April 7, 2014	Do full research and EIS efforts to consider how industrial activities will affect the aquatic areas and wildlife.

Commenter	Agency/ Organization	Date	Comment Topics Summary
Wendy Harris		March 19, 2014	Request for an alternative for the comp plan that reflects growth that is at least as low as the lowest OFM projection; develop policy first then population and focus on land use patterns; consider sensitive watersheds.
Wendy Harris		March 31, 2014	The scope of review for plants and animals is inadequate; expand to include more detailed information on plants and animals, particularly habitat conservation areas, and ensure no net loss of ecological values. Need site specific review to establish a baseline of local species, habitat and migration routes. Consider biodiversity. Need special attention for Cherry Point and aquatic wildlife. Determine if there is adequate protection for the Chuckanut Wildlife Corridor. Address Lake Whatcom Forest Preserve including wildlife and habitat assessment before park planning. Address aquatic invasive species. Protect open space for habitat. Address unique species including Chinook salmon, Cherry Point herring, and rockfish species recently listed. Address terrestrial system migration routes. Develop wildlife management policies and procedures.
Wendy Harris		April 1, 2014	Expand plants and animals discussion to include habitat, number and diversity of species especially on county parks and open space; unique species; bird and wildlife migration routes.
Wendy Harris		April 2, 2014	The EIS scope is too narrow and centered on fish; expand to all animals and plants. Address habitat connectivity countywide. A comprehensive review with a quantifiable baseline would allow the County to measure and monitor mitigation projects.
Wendy Harris		April 7, 2014	Increase the scope to include a wider consideration for water including water supply, water treatment, groundwater movement, quality and quantity, aquatic invasive species, wetlands and floodplains. Address water resources under a watershed analysis approach. List water quality and quantity for each water body. Overlay growth patterns on critical areas, shellfish protection districts, and areas with surface and groundwater problems. Include the issue of climate change beyond air quality, and address shoreline use, water supply, food supply, public utilities (stormwater management, energy use, etc.) and wildlife and habitat impacts.

Commenter	Agency/ Organization	Date	Comment Topics Summary
ilwu07@comcast.net		April 7, 2014	Make the process fair and above board.
Dena Jensen		April 1, 2014	Expand the scope of the EIS to include consideration for preserving plant and animal habitat. Include habitat, numbers and diversity of species especially on county parks and open space; unique species; bird and wildlife migration routes / habitat connectivity.
Darcy Jones	Jones Engineers	April 2, 2013	The EIS should evaluate current market demand and needs including single family homes; the corridor study for transportation; prepare a suitability analysis of UGA; evaluate implications of transfer of development rights (TDR) approaches; ground truth land capacity and use individual parcel data not aggregations; account for critical areas in land capacity; evaluate infrastructure limiting policies in the Bellingham UGA; address a reasonable variety of population alternatives; including an environmentally superior alternative for both built and natural environment, such as community character, cultural centers, existing employment centers, industries, agriculture, and natural environment.
Hank Kastner		April 1, 2014	Fully consider water supply and quality impacts in the Comp Plan for both ground and surface water.
Hank Kastner		April 7, 2014	Conduct an EIS before consideration of how to develop Cherry Point UGA. Was aquatic reserve considered?
Joseph Knight		April 7, 2014	Do not allow self-inspection of septic systems.
Cal and Bernetta Leenstra and Mickey and Carloe Ghio	TAL Properties, LLC and Westpac Management Inc.	March 18, 2014	In addition to population, employment and housing, address ownership and likelihood of ownership to annex and develop. Some Urban zoning is applied to land that won't ever develop (e.g. public land). Consider UGA areas with bike lanes, sidewalks, and public transportation. Focus on Bellingham UGA (e.g. Dewey Valley) and UGA Reserve.
John Lesow	Point Roberts Conservation Society	April 7, 2014	Expand the scope of the review to include protection of biodiversity, habitat and no net loss of ecological value. Field verify species and habitat and develop a baseline to measure and monitor health of species and habitat.
Dan McKisson	ILWU Puget Sound District Council	April 7, 2014	Do not make changes in the 2016 update that subvert the current EIS process and delays projects on industrial lands. Create family-wage jobs.

Commenter	Agency/ Organization	Date	Comment Topics Summary
John McLaughlin		April 7, 2014	Address alternatives including no net increase in footprint over current status, allowing additional development with restoration. Use OFM Low Projection per March 2, 2014 submission to County Council. Consider whether UGA expansion actions would foreclose future options. Look at impacts not addressed by mitigation measures. Include considerations to preserve the natural environment; animal species; quality of drinking water; native cultures.
Jean Melious	Nossaman LLP	April 7, 2014	Account for all of the growth capacity in the County, including on rural and agricultural lands; focus on growth effects outside of UGAs where water is limited and impacts to water resources, habitat, services, transportation and agriculture would occur.
Dick Mills		April 5, 2014	Concern about air, water, and food: particularly, air quality related to coal dust, water quality and the need for double-hulling of tank vessels on land and water, and avoiding food contamination such as by not allowing transshipment of biohazards through Northwest Washington. Regarding population densities and land use, support an urban/rural split of 85% urban and 15% rural. Need stewardship to sustain a green environment. Maintain agricultural zoning. <sup>1</sup>
John Munson		April 7, 2014	There isn't enough time to comment.
Dale R. Petersen		March 26, 2014	Consider the important issues of water, salmon, and agriculture. Grow up and not out.
Clayton Petree		March 18, 2014	Identify best areas to grow and minimize impacts. Don't apply urban zoning to areas not likely to develop (e.g. Dewey Valley in Bellingham UGA). Analyze transportation and air quality as well as recreation when placing areas of growth.
Clayton Petree		March 20, 2014	For a No Action Alternative, use the OFM most likely total county population for 2036. Assume existing UGAs are developed by 2031.
Andy Ross		April 7, 2014	Expand the scope to include more in depth study of water quality; water availability; air quality; habitat availability. Address GHG emissions for development and activities, not just vehicle miles travelled (VMT).
John Shambaugh	WSDOT	April 7, 2014	Consider including the Grandview to Bakerview Sub-area Transportation Analysis documentation into the environmental review process.

Commenter	Agency/ Organization	Date	Comment Topics Summary
Rich Sluss	WDNR	March 21, 2014	Encouragement to take jurisdiction for Forest Practices Class IV-General Conversions within Whatcom County.
John Tuxill		April 7, 2014	Request a full EIS for the Cherry Point UGA.
Linda Twitchell	BIAWC	March 18, 2014	Retain adequate range of alternatives; TDR plan in multi-jurisdictional resolution would have financial impact on housing affordability; compare land capacity to market demand; drop areas from UGA that don't want to annex (e.g. Dewey Valley); consider impacts of city policies relating to extension of sewer and water service into UGAs; protect living wage jobs at Cherry Point.
Kirk Vinish	Lummi Nation	March 5, 2014	Zoning used in the review is not consistent with the Lummi Nation's zoning of its land. Conform to the Lummi Nation's zoning.
Bill Walker		March 24, 2014	Plan for an influx of retirees and an aging population; consider impacts on transportation, water and power; need clean energy such as geothermal; plan the Waterfront Redevelopment.
Virginia Watson		April 6, 2013	Expand the scope to include habitat, number and diversity of species especially on county parks and open space; unique species; bird and wildlife migration routes.
Virginia Watson	Squalicum Valley Community Association	April 7, 2014	Expand the scope to include habitat, number and diversity of species especially on county parks and open space; unique species; bird and wildlife migration routes.
Gaythia Weis		April 7, 2014	Carefully plan where there are geologic hazards and do not risk safety; both qualitatively and quantitatively address GHG, not just VMT but also wood stoves and industrial practices. Address watershed level of analysis on water quality, availability and usage, and where mitigation or changes in usage may become necessary. Address surface water flow, wetlands and floodplains, groundwater and linkages between these, as well as sediment and erosion. Address land use for resource lands, industry, and residential uses and cultural resources. Evaluate plant and animal habitat in an integrated way. Address Lake Whatcom conveyance, Cherry Point Aquatic Reserve. Address land use patterns and limit sprawl. Consider types of employment, footprint and service demand. Avoid adopting highest growth. Need to consult with Tribes on cultural

Commenter	Agency/ Organization	Date	Comment Topics Summary
			resources. Look at countywide transportation needs. Consider public services and utilities in an integrated way with other topic areas.
Terry Wenchsler and Nicole Brown	ProtectWhatcom	April 7, 2014	Request a full EIS for the Cherry Point UGA that considers the appropriateness of the Heavy Impact Industrial (HII) zoning, environmental impacts of industrial development and reasonable alternatives.

Table Note Reference: <sup>1</sup> The Mills comment was inadvertently excluded from the May 23, 2014 summary and was added June 2014.

General Note: A comment was received on April 14, 2014, after the deadline, from Skip Richards that integrated water resource (quantity, quality, stream flow and habitat) planning should be addressed in the Update.

In addition to written comments, the County accepted oral testimony at a public hearing on March 18, 2014. The table below shows the list of commenters and a summary of their main topics. Several also provided written comments described above.

### Exhibit 2. List of Commenters and Issue Summary – Public Hearing on EIS Scope

Commenter	Date	Comment Topic Summary
Wendy Harris	March 18, 2014	Requesting two EIS alternatives: one that reflects lower growth; one that determines policy before population figures.
Darcy Jones	March 18, 2014	Base plans on good market data; some properties do not want to be in UGA.
John McLaughlin	March 18, 2014	Restore drinking water; mitigate products of climate change; restore fish species; consider impacts to wildlife.
Clayton Petree	March 18, 2014	The plan should take different levels of probable growth into account; also use the state provided OFM range for high, medium, and low.
Darlene Radke (unconfirmed name)	March 18, 2014	Make the process easier to navigate for the common person; preserve the salmon.
Linda Twitchell	March 18, 2014	Need policies to encourage growth; people will build elsewhere if requirements are too onerous. Remarks on Cherry Point.

Copies of the comments are available at the Whatcom County Planning and Development Services offices: Planning and Development Services | 5280 Northwest Drive | Bellingham, Washington 98226.

## SUMMARY OF COMMENTS AND EIS APPROACH

Based on the comments received, key issues include:

- UGAs
- Fish and Wildlife Habitat Conservation Areas
- Water Resources

- Air Quality and Climate Change
- Range of EIS Alternatives

Each topic is addressed below.

**UGAs.** A number of comments were made regarding UGAs including:

- Address the Cherry Point UGA and the aquatic reserve designation
- Address suitability of different UGA areas, such as Dewey Valley
- Address potentially shifting land from the Everson UGA into the Nooksack UGA and potentially adding land adjacent to Nooksack Valley Middle School into the UGA for school purposes
- Evaluate implications of TDR approaches and public service policies (e.g. water and sewer service)

The County conducted a UGA review in 2008 and 2009, and will do so again by 2016 per RCW 36.70A. The EIS for the 2016 Update will address growth projections for the UGAs and consider amendments to County Comprehensive Plan goals and policies, UGA boundaries, land use map, and other plan elements, as well as development regulations. The effect of future growth on natural and built environment features will be addressed at a broad level.

Cherry Point is a Major / Port Industrial Urban Growth Area that has been addressed in past Comprehensive Plan reviews and associated SEPA documents. Cherry Point will be one of the ten UGAs under review in the EIS. The applicability of the Cherry Point Aquatic Reserve Management Plan (2010), to state lands and the purpose and objective of the plan will be addressed in Whatcom County's 2016 EIS.

The suitability of different UGA areas would be addressed through a similar suitability mapping approach as the 2009 EIS. The boundaries of the suitability analysis would be determined by the County in consultation with the cities.

The EIS will address the ability of the cities to provide urban services in the UGAs. The potential for the TDR program to direct growth from rural and resource lands into UGAs would be addressed qualitatively in the EIS.

**Fish and Wildlife Habitat Conservation Areas.** Commenters requested field measurements of wildlife habitat to help establish a baseline to create plans, policies and performance standards and to evaluate progress in achieving policies and standards. A nonproject EIS on a Comprehensive Plan is broad, qualitative, and cumulative in nature; field review is not required for this planning level review.

The Washington Administrative Code (WAC) recognizes this characteristic of nonproject proposals in WAC 197-11-442, which states:

*“(1) The lead agency shall have more flexibility in preparing EISs on nonproject proposals, because there is normally less detailed information available on their environmental impacts and on any subsequent project proposals. . .*

*(2) The lead agency shall discuss impacts and alternatives in the level of detail appropriate to the scope of the nonproject proposal and to the level of planning for the proposal. Alternatives should be emphasized. In particular, agencies are encouraged to describe the proposal in terms of alternative means of accomplishing a stated objective (see WAC [197-11-060\(3\)](#)). Alternatives including the proposed action should be analyzed at a roughly comparable level of detail, sufficient to evaluate their comparative merits . . .*

*(3) If the nonproject proposal concerns a specific geographic area, site specific analyses are not required, but may be included for areas of specific concern. . .*

*(4) The EIS's discussion of alternatives for a comprehensive plan, community plan, or other areawide zoning or for shoreline or land use plans shall be limited to a general discussion of the impacts of alternate proposals for policies contained in such plans, for land use or shoreline designations, and for implementation measures. The lead agency is not required under SEPA to examine all conceivable policies, designations, or implementation measures but should cover a range of such topics. The EIS content may be limited to a discussion of alternatives which have been formally proposed or which are, while not formally proposed, reasonably related to the proposed action."*

While the EIS will be nonproject and broad, there is available information on fish and wildlife habitat conservation areas that can be considered from county, state, and federal sources. The County has amended the original proposed scope (see the May 2014 Revised EIS Scope).

**Water Resources.** Commenters requested a review of water resources, ground and surface water, including water supply. The effects of growth under the alternatives to surface and groundwater resources including quality and quantity would be addressed in a broad manner in the EIS and would draw on information from local and state plans and studies.

**Air Quality and Climate Change.** Some commenters requested additional analysis of greenhouse gas emissions from land use in addition to vehicle miles travelled. The EIS will address at a nonproject level the implications of the alternative growth patterns on air quality and greenhouse gas emissions. The EIS would qualitatively compare the alternatives' potential to contribute to emissions, including greenhouse gas emissions, based on a comparison of projected vehicle miles traveled and estimates of emissions from other uses. A summary of current climate change programs applicable to the county or region would be summarized.

**Range of Alternatives.** Preliminary EIS Alternatives are described below and would include:

- The No Action / Current Comprehensive Plan with the 2029 growth extended to 2036. This alternative is a lower range alternative with an annual average growth rate (0.9%) similar to the lowest rates the County has experienced over the last five years during the recession and recovery (2008-2013, 0.8%, the only 5-year period with growth lower than the OFM Medium projection in the last 30 years).
- The OFM Medium projection which forecasts a slower annual average growth rate between 2013-2036 (1.3%) than was experienced over the past 20 years (2.3% annually between 1990-2010);
- The Multi-Jurisdictional Resolution representing City and County proposals as of March 2014 with an average annual growth rate of 1.4% still lower than the growth rate experienced in either the 2000-2010 period (1.9%) or the last 20 year period of 1990-2010 (2.3%);
- A Higher Growth alternative that is similar to the BERK High total growth<sup>1</sup>, but allocated similar to the Multi-Jurisdictional Resolution. This alternative while the higher end of the range to be studied is still well below the OFM High and its annual average growth rate of 1.5% is still less than the 10-year and 20-year average annual growth rates.

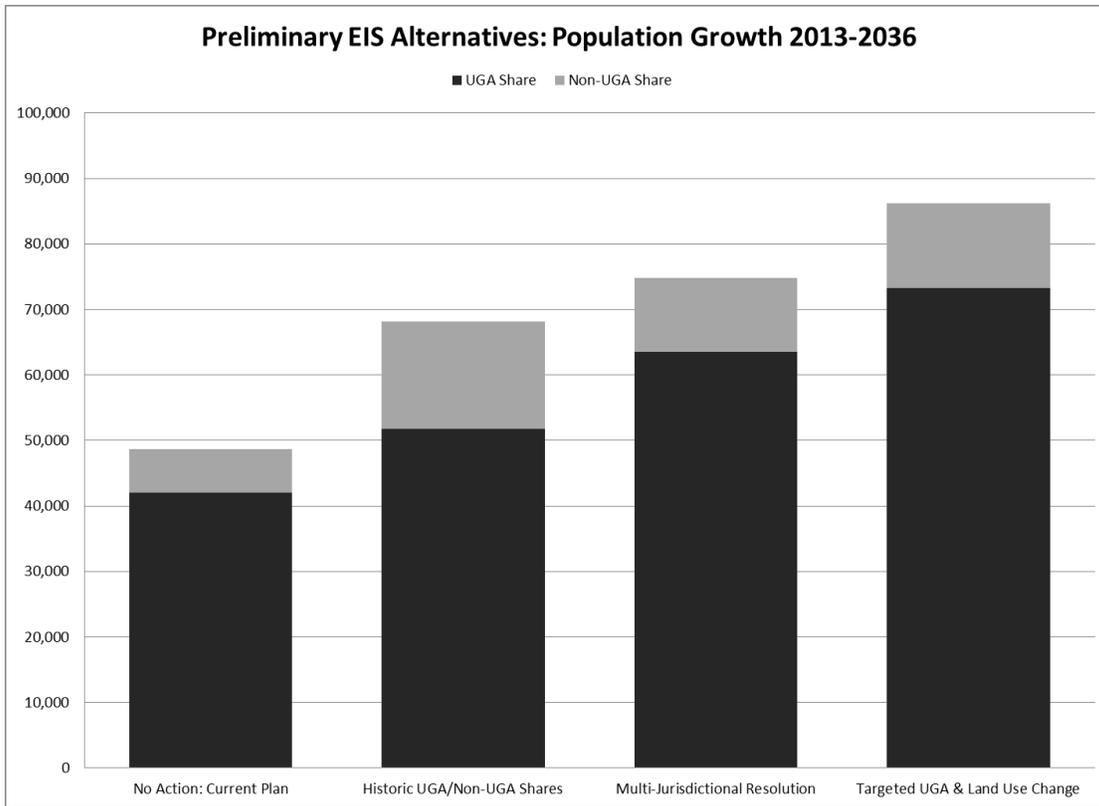
The preliminary employment growth options will also be varied.

The following graphs illustrate preliminary population and employment growth by alternative.

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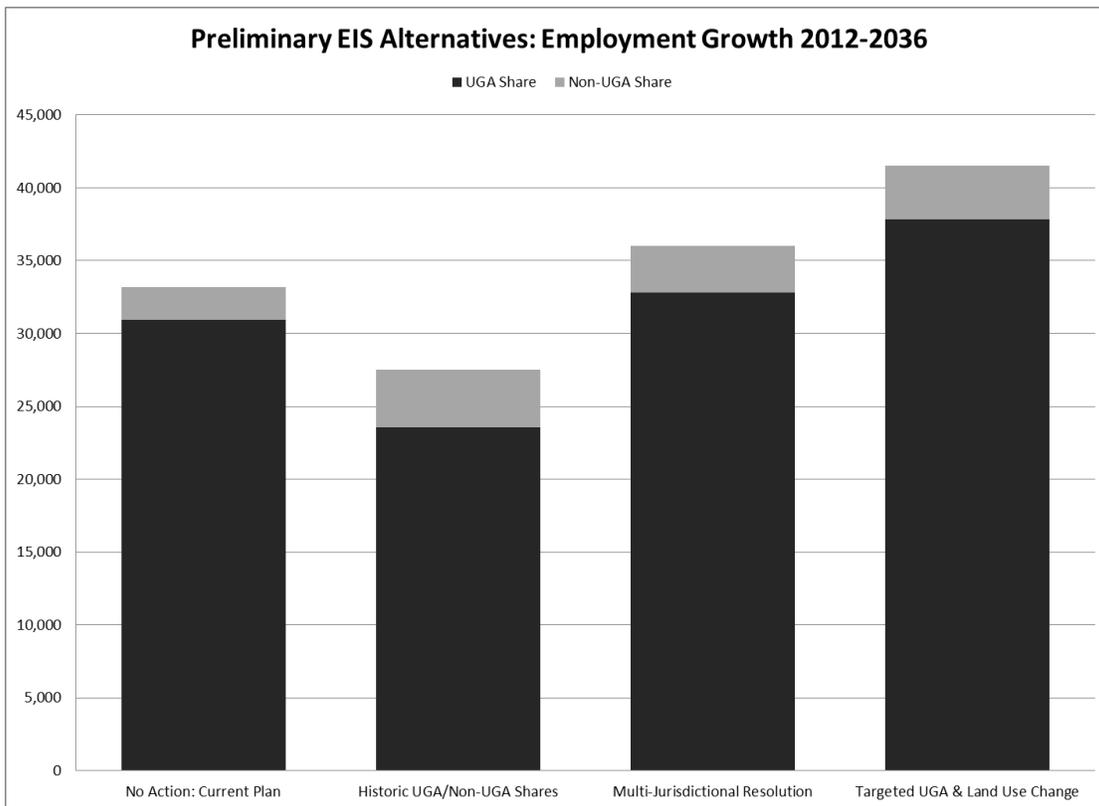
<sup>1</sup> *Whatcom County Population and Employment Projections and Urban Growth Area Allocations Phase I Technical Report*, BERK, November 1, 2013.

**Exhibit 3. Population Growth Range**



Source: BERK Consulting 2014

**Exhibit 4. Employment Growth Range**



Source: BERK Consulting 2014

Some alternatives considered but not carried forward include:

- OFM Low: While some commenters requested an alternative equal to the OFM Low projection, that scenario assumes growth rates much lower than historical averages. Over the past 30 years, there has not been a five-year period with an average annual growth rate as low as the rate OFM is projecting between 2013 and 2036 (0.4%).
- OFM High: Some commenters suggested OFM High or other high projection as an option. This would result in much more growth than local planning preferences would suggest with the Multi-Jurisdictional Resolution. The higher growth alternative described above was developed showing roughly 15% higher population than the Multi-Jurisdictional Resolution (and average annual growth rate of 1.5%). This provides some flexibility to study the potential natural and built environment effects if growth is more rapid than most likely conditions (OFM Medium).