

3.8 RELATIONSHIP TO PLANS AND POLICIES

This section evaluates the consistency of the Proposed Actions with relevant plans, policies and regulations. Key plans that are summarized and evaluated include the State Growth Management Act, State Shoreline Management Act, the Bellingham Bay Demonstration Pilot Project, Port of Bellingham Comprehensive Scheme of Harbor Improvements, Port and City Joint Planning Efforts, City of Bellingham Comprehensive Plan, the City of Bellingham Shoreline Master Program and the City of Bellingham Municipal Code. Descriptions of plans are limited to a summary of provisions relevant to the Proposed Actions.

3.8.1 State of Washington Plans and Policies

3.8.1.1 **Growth Management Act**

Summary: *The Growth Management Act (GMA) (RCW 36.70A), adopted in 1990 and subsequently amended, provides a comprehensive framework for managing growth and coordinating land use planning with the provision of infrastructure. The general goals of the GMA include, in part: directing growth to urban areas; reducing sprawl; encouraging economic development consistent with adopted comprehensive plans; protecting private property rights; providing efficient multi-modal transportation systems; encouraging a variety of housing types and densities affordable to all economic segments of the population; protecting the environment; and ensuring that public facilities and services necessary to support development meet locally established minimum standards at the time development is in place (RCW 36.70A.020).*

Jurisdictions subject to GMA must prepare and adopt: countywide planning policies; comprehensive plans containing policies with specific elements for land use, transportation, housing, capital facilities, utilities, rural lands, and economic development; and development regulations implementing those plans.

The Growth Management Act requires that each city and county in Washington comprehensively review and revise its comprehensive plan and development regulations, as necessary every seven years to ensure that they comply with the GMA .

Discussion: Consistent with the GMA, the City of Bellingham has adopted a Comprehensive Plan to guide future development and fulfill the City's responsibilities under GMA (latest update in 2006). The Proposed Actions and Alternatives, as identified in **Chapter 2** of this Draft EIS would encourage economic development and provide a variety of housing types and densities within the Urban Growth Boundary consistent with the GMA goals and policies outlined above. The relationship of the Proposed Actions and Alternatives to the City of Bellingham Comprehensive Plan is discussed in greater detail below, under City of Bellingham Comprehensive Plan.

The Port and the City have been working together to formulate a Master Development Plan (MDP) for the New Whatcom site. The MDP, along with Development Regulations, a Development Agreement between the Port and the City and other applicable standards, guidelines and regulations, if adopted, would guide long-term redevelopment of the site. Consistent with the GMA, the City would adopt the MDP as a Subarea Plan, specific to the New Whatcom site.

3.8.1.2 Shoreline Management Act

Summary: *The Shoreline Management Act (SMA) of 1971 (RCW 90.58) is intended to protect the public interest associated with shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. The primary implementing tool of the SMA is the adoption by local jurisdictions of Shoreline Master Programs, which must also be approved by the Department of Ecology (Ecology). The SMA establishes two basic categories of shoreline: “Shoreline of State-wide Significance,” which are identified in the SMA; and “shorelines,” which includes all of the water areas of the state and their associated wetlands, together with the lands underlying them. The Bellingham Bay shoreline is classified as a “Shoreline of State-wide Significance” under SMA (RCW 90.58.030).*

Discussion: The SMA is implemented in the City of Bellingham through the City of Bellingham Shoreline Master Program (SMP). The consistency of the Proposed Actions and Alternatives with the City of Bellingham SMP is discussed under **City of Bellingham Plans and Policies** below.

3.8.2 Whatcom County Plans and Policies

County-wide Planning Policies

Summary: *The Whatcom County Countywide Planning Policies (CPP) were developed and adopted by the Growth Management Planning Council in 1993 (and subsequently amended in 1997), consistent with GMA mandates to provide policies to guide development of jurisdictional comprehensive plans. The CPP includes guidance on topics such as citizen involvement, urban growth areas, affordable housing, open space, economic development and transportation. The CPP indicate that urban growth should be accommodated by a combination of infill within cities and by growth within designated municipal and non-municipal UGAs.*

Discussion: As mandated under GMA, the City of Bellingham’s Comprehensive Plan is consistent with the Countywide Planning Policies. The Comprehensive Plan includes policies to accommodate urban infill growth within designated “urban villages.” The portion of the site located north of the Whatcom Waterway is identified in the Comprehensive Plan as the Central Waterfront Urban Village and the portion of the site located south of the Whatcom Waterway is a part of the CBD Core Village. Thus, the Bellingham Comprehensive Plan designates the site to accommodate infill urban growth. See the discussion under **City of Bellingham Plans and Policies** for detail.

3.8.3 Port of Bellingham Plans and Policies

Port of Bellingham Comprehensive Scheme of Harbor Improvements for Squalicum Harbor

Summary: *Port districts in Washington are required (RCW 53.20) to prepare and update a comprehensive scheme (or comprehensive plan) of their proposed capital improvements. Comprehensive schemes include information about near, mid and long-term development of*

Port properties and facilities. A comprehensive scheme is intended to help implement the Port's long-term development goals and responsibilities under state law. These planning documents are conceptual or programmatic in nature and do not provide specific design details about individual projects. The purpose of this process is to provide enough information so that the general public can understand where Ports spend capital funds. Schemes are generally updated every 20 years, or sooner, in response to changing priorities within port districts and requirements from funding sources. The New Whatcom site is currently incorporated into the Port of Bellingham's Comprehensive Scheme of Harbor Improvements for Squalicum Harbor.

Discussion: The Port and the City of Bellingham (City) are working together to formulate and implement a Master Development Plan (MDP) that would, if approved and implemented, be intended to transform the New Whatcom site into a new neighborhood with residences, shops, offices, marine and light industry, institutional uses, as well as parks, trails and shoreline amenities along Bellingham Bay. The MDP would include substantial new opportunities for public access to the waterfront that do not exist under current conditions.

As part of its efforts to plan and redevelop the site, the Port would propose to designate the New Whatcom site as a new harbor planning area and adopt the MDP as a new *Comprehensive Scheme of Harbor Improvements for New Whatcom*. The *Comprehensive Scheme of Harbor Improvements for Squalicum Harbor* would be subsequently amended to remove the New Whatcom site from within its boundary.

3.8.4 Port and City Joint Planning Efforts

The Port and City have been collaborating with citizens groups, business groups, agencies and tribes to develop a new community vision and long-term plan to guide redevelopment of the New Whatcom site from an underutilized industrial area to a mixed-use neighborhood with public access to the waterfront. Key components of this visioning and planning process include: input from the Waterfront Futures Group regarding a redevelopment vision for the site; Interlocal Agreements between the Port and City defining steps and responsibilities to implement the redevelopment vision; engagement of the Waterfront Advisory Group to define a set of "Strategic Guidelines" to guide the master planning process; and, preparation of a "Draft Framework Plan" by the Port and City to assess long-term redevelopment options. These key components of the Port/City planning process are summarized below.

3.8.4.1 Waterfront Futures Group Vision

Summary: *In 2003, the Port and City established the Waterfront Futures Group (WFG) to obtain citizen input regarding a redevelopment vision for the New Whatcom site and a long-term plan for the entire Bellingham waterfront. The Port and City selected members of the community and the Lummi Nation to serve as WFG team members. Over an 18-month period, the WFG team developed the "Waterfront Vision and Framework Plan: Connecting Bellingham to the Bay" which articulated the group's vision, recommendations and guiding principles for future development of Bellingham's waterfront. The Waterfront Vision and Framework Plan provided a framework and citizen's vision for the future of the waterfront and guiding principles for managing future water-related development. Major guiding principles for site redevelopment included: improve waterfront access; restore the health of land and water; promote a healthy*

and dynamic waterfront economy; and, reinforce the inherent qualities of each place on the waterfront. The Waterfront Vision and Framework Plan also emphasized a commitment to: stimulate public cooperation and investment in the planning, acquisition and improvements at the waterfront; protect legal rights and responsibilities of all parties; and recognize the environmental, cultural and economic systems affecting Bellingham Bay. The Waterfront Vision and Framework Plan was finalized and presented to the City and Port in December of 2004. Vision Statements and 2004 Framework Policies of the WFG were adopted by the City and incorporated into the City's Comprehensive Plan in 2006.

Discussion: The New Whatcom Redevelopment Project is based on the past and ongoing public planning process, including guidance provided by the Waterfront Futures Group. Based on this public planning process, the redevelopment concept reflected in Alternatives 1 through 3 incorporates a mix of uses, including: job creating uses such as office, institutional and marine industrial; goods and services uses such as shops and restaurants; and, multifamily residential uses providing a range of housing opportunities. These elements are intended to create a healthy and dynamic waterfront economy. The redevelopment concept dedicates the majority of the site's waterfront to public access; over one mile of shoreline would be made available to the public. New public parks, trails and open spaces would be created. In addition, the proposed redevelopment would include the creation of new shoreline and in-water habitat features to restore the shoreline environment.

Based on the years of planning and environmental study focused on cleanup and potential subsequent use of the aerated stabilization basin (ASB) as a marina, a marina is planned to be developed by the Port of Bellingham within the remediated ASB, independent of redevelopment of the site with mixed uses. As part of Alternatives 1 through 3, the marina would be integrated with the mixed-use redevelopment, and would include park and trail features to link to other site amenities.

3.8.4.2 Interlocal Agreements

Summary: *On January 4, 2005, the Port and City entered into an Interlocal Agreement regarding the "New Whatcom Special Development Area" (New Whatcom site) that defined steps that would be undertaken to implement the redevelopment vision for the New Whatcom site. These steps include completion by the Port of a comprehensive environmental cleanup of the site and the adjoining waterways, as well as the development and maintenance of all public marine transportation infrastructure (including the marina, boat launch and transient moorage facilities), and construction by the City of new land-side infrastructure (roads, utilities, parks and trails). The infrastructure to be provided and the timing of that infrastructure investment are intended to be identified by the parties in a Development Agreement consistent with an approved Master Development Plan. The Interlocal Agreement outlined the process for more specific planning of the New Whatcom site, including the creation of a Development Agreement and Master Development Plan. The Interlocal Agreement also designated the Port as lead agency under SEPA for this EIS.*

A second Interlocal Agreement regarding implementation of the WFG recommendations for redevelopment of the waterfront and formulation of the ongoing Waterfront Advisory Group (WAG) was executed by the Port and City in January 2005. Subsequent amendments to the

Interlocal Agreements have been executed over the past two years regarding the ongoing New Whatcom master planning and EIS process.

Discussion: Consistent with the Interlocal Agreements, the Port and City continue to collaborate to define and implement the steps necessary to create a vibrant new neighborhood at the New Whatcom site. This includes identification and analysis of potential infrastructure improvements to support mixed-use redevelopment of the site. Based on previous planning efforts, including the Waterfront Future's Group Vision, the Strategic Guidelines, the Draft Framework Plan and ongoing input from the Waterfront Advisory Committee, the Port and City have defined alternatives for analysis in this EIS that encompass a broad range of redevelopment that the site can reasonably accommodate, while meeting the applicant's objectives (see **Section 2.4** of Chapter 2 for identification of the Applications Objectives). This Draft EIS is intended to address the probable significant adverse impacts that could occur as a result of the adoption of the Master Development Plan, Development Agreement and Development Regulations as well as potential future redevelopment activities on the site during the approximately 20-year build-out horizon. Mitigation measures applicable to such impacts are also addressed, including necessary road and other infrastructure improvements. Subject to issuance of the Final EIS, the City and Port intend to approve a joint Development Agreement for the site that would be consistent with the findings and recommendations of this EIS. The City intends to concurrently adopt the Master Development Plan (as a Subarea Plan), Development Regulations and an associated Planned Action Ordinance as the Proposed Actions required to redevelop the New Whatcom site and implement the community's vision for the New Whatcom site (see **Section 2.8.2** of Chapter 2 for more information on the EIS Alternatives).

3.8.4.3 Waterfront Advisory Group Strategic Guidelines

Summary: *Over the past two years, the Port and City have continued the planning process for the New Whatcom site and have engaged a citizen advisory committee, the Waterfront Advisory Group (WAG), (established in 2005) as well as state and federal agencies, tribes, the City Planning Commission, consultants, elected officials and the community in this process. In March 2006, a set of "Strategic Guidelines" was presented to the Port Commission and City Council. These guidelines were derived from and incorporated the WFG guiding principles based on four major goals, including:*

- 1. Improve waterfront access;*
- 2. Restore the health of land and water;*
- 3. Promote a healthy and dynamic waterfront economy; and*
- 4. Reinforce the inherent qualities of each place on the waterfront.*

Under each goal, a set of principles and implementation strategies were identified to guide the ongoing master planning process.

Discussion: The New Whatcom Redevelopment Project is based on the past and ongoing public master planning process, including guidance provided by the Waterfront Advisory Group as well as the Waterfront Futures Group. The Redevelopment Alternatives (Alternatives 1 through 3) evaluated in this EIS are intended to be consistent with the vision of the Waterfront

Future's Group as well as the recommended Strategic Guidelines defined by the Waterfront Advisory Committee.

1. Improve Waterfront Access: Little to no public access to the shoreline is currently available at the site. The proposed redevelopment concept would provide public access to the majority of the site's shoreline. Parks and trails along the shoreline would be developed to balance recreation and access with habitat restoration and protection.
2. Restore the Health of Land and Water: The New Whatcom Redevelopment would be conducted in coordination with Ecology's Bellingham Bay Demonstration Pilot (which is intended to guide remediation of contaminated sites around Bellingham Bay including seven sites on or adjacent to the New Whatcom site) and the recently issued Consent Decree and Cleanup Action Plan for the Whatcom Waterway. The Redevelopment Alternatives assume remediation of the ASB and conversion to a recreational marina facility. The design, permitting and construction of all cleanup actions, including within the Whatcom Waterway Cleanup site, will be implemented along with waterfront redevelopment activities to ensure coordination of activities. Following cleanup of all seven sites, institutional controls will be implemented to further ensure the long-term health of the surrounding land and water. The Redevelopment Alternatives also assume provision of new aquatic and shoreline habitat to restore the shoreline environment, and new infrastructure improvements to protect the adjacent aquatic area (i.e. stormwater quality treatment facilities).
3. Promote a healthy and dynamic waterfront economy: The redevelopment concept seeks to convert a "brownfields site" to a new mixed-use neighborhood including: providing job creating uses, institutional uses, residential uses and recreational uses to create the opportunity for a live-work-play environment. A substantial number and range of jobs would be created at the site. Opportunities for ongoing marine industrial uses would be provided. A diverse urban neighborhood would be created as an extension of the Central Business District.
4. Reinforce the inherent qualities of each place on the waterfront: The redevelopment concept seeks to transform the industrial site to a new, unique urban neighborhood that would: provide new employment, housing, learning and recreational opportunities and public access to the waterfront through an extensive network of public trails that would connect the site to other recreational amenities in the community; construct a new marina facility that would provide new water-oriented recreational opportunities; and preserve certain waterfront areas for marine-oriented light industry. Given the size and scale of the site, the waterfront would accommodate a range of experiences.

3.8.4.4 Draft Framework Plan

Summary: *As part of ongoing planning and public participation efforts, open houses, workshops and public meetings were held in 2006 and preliminary design concepts were formulated which were then presented to the public for comment. Various design concept proposals were submitted by a number of independent parties and numerous comments were provided by the public.*

In September 2006, a Draft Framework Plan was prepared by the Port and City based on the comments and recommendations received over the multi-year planning effort. The Draft Framework Plan generally consists of a redevelopment site plan illustrating concepts related to: roadway layout and connections to the City of Bellingham roadway grid; location and extent of

parks and open space; location of trail network, including provisions for public access to the waterfront; location of areas for mixed-use redevelopment; and, integration of the planned marina with mixed-use redevelopment. This Draft Framework Plan was used by the Port and City in their assessment of the potential financial implications of long-term redevelopment of the site.

Discussion: Over the past year, refinement of the assumptions contained in the Draft Framework Plan has occurred to arrive at various alternative concepts that are analyzed in this Draft EIS (see description of Alternatives in **Section 2.8** of Chapter 2). These Alternatives allow the evaluation of a range of road, parks, trail and open space networks on the site, as well as a range of redevelopment levels. Further evaluation and public input (via the EIS, ongoing master planning and ultimately the Port and City decision-making processes) will lead to consideration and potential adoption of a Master Development Plan for New Whatcom (see **Section 2.3** and **Figure 2.5** for more information on the anticipated approval and review process). The Master Development Plan could, among other things, establish specific parameters for site redevelopment including the square footage of new uses, site roadway system, extent of new parks and open space, and the extent of the new onsite trail system and public waterfront access.

3.8.5 City of Bellingham Plans and Policies

3.8.5.1 **Comprehensive Plan**

Summary: *The City of Bellingham Comprehensive Plan (adopted in 2006) was developed in compliance with GMA and the Whatcom County Countywide Planning Policies (CPP). The Plan establishes land use goals and policies which guide future land use and coordinate growth within the City and its planning area over a 20-year planning horizon. In particular, the Comprehensive Plan serves as a guideline for designating land uses, infrastructure development and community services; its policies serve as a foundation for the City's Development Regulations. In accordance with GMA, the Comprehensive Plan includes the required Land Use, Transportation, Housing, Capital Facilities and Utilities elements. Bellingham's Plan also includes a Framework Goals and Policies Element; Parks, Recreation and Open Space Element; Community Design Element and a Neighborhood Plans section.*

Policies most relevant to the Proposed Actions and Alternatives are highlighted below. For elements with a large number of relevant policies, relevant goals and policies are grouped topically and summarized, followed by a discussion of consistency with that group of goals and policies.

3.8.5.1a Comprehensive Plan: Framework Goals and Policies

Summary: *Bellingham's Comprehensive Plan reflects the long-term values and preferences held by the community. The Framework Goals and Policies Chapter expresses those values and preferences through: goals that summarize the intent of the Comprehensive Plan; visions that describe what the community will look like in 20 years if the goals are achieved; and framework policies that the City will use to achieve the goals and visions. Most of the framework goals were developed in the landmark 1992 **Visions for Bellingham** community*

planning process. Specific Framework goals and policies most relevant to the Proposed Actions are:

The Framework Goals and Policies define the way Bellingham will accommodate future growth: emphasizing infill and increasing density in urban areas (VB 2, VB 26), changing the previous pattern of primarily heavy industrial uses on the waterfront to include mixed-use development and a mix of water dependent uses and residential, recreational, professional, commercial and industrial uses (VB 54), making available a range of housing prices in new developments (VB 29), and stimulating economic growth by using public and private resources to increase economic diversity emphasizing renewable resources, clean and quiet industry, higher paying family wage jobs, small business, and home-based cottage industries (VB 19).

Discussion: The proposed New Whatcom Redevelopment Project represents the culmination of years of planning and study regarding the future of the New Whatcom site's role in Bellingham's future. This extensive public planning process integrated input from citizens groups, business groups, agencies and tribes. The result of this collaborative planning process was the vision of a waterfront mixed-use urban village that provides for a strong waterfront economy and public enjoyment of the waterfront. The 2006 Bellingham Comprehensive Plan reflects this vision by identifying the majority of the site as either "CBD Core Village" or "Central Waterfront District Village"; both of these urban villages are intended to accommodate dense urban infill growth (see the discussion below under Section 3.8.5.1b, **Land Use Element** for additional detail).

Consistent with the Bellingham Comprehensive Plan Framework goals and policies, the Proposed Actions represent conversion of a primarily vacant industrial waterfront site to a new urban mixed-use village. Proposed redevelopment is intended to accommodate a diverse mix of uses, including substantial new housing and employment opportunities in an urban infill location.

To provide the opportunity for the creation of a strong waterfront economy, the redevelopment concept incorporates a wide diversity of job creation uses such as office, institutional, marina-related and marine industrial; and goods and services uses such as shops and restaurants would also be provided. It is anticipated that mixed use redevelopment of the site would result in the creation of up to 8,700 new jobs (Alternative 1); approximately 7,200 to 5,300 new jobs would be anticipated to be created on the site under Alternatives 2 and 3, respectively.

Approval of the Proposed Actions would also create the opportunity for a range of housing types on the site, including multifamily units in various configurations (low, medium and highrise structures). It is anticipated that mixed-use redevelopment would result in the creation of up to 3,025 housing units resulting in a residential population onsite of approximately 5,800 people (Alternative 1). Approximately 2,350 housing units (resulting in a population of 4,500) to approximately 1,325 housing units (resulting in a population of 2,500) would be anticipated to be created on the site under Alternatives 2 and 3, respectively. Specific ratios of affordable housing to be provided on the New Whatcom site have not been determined at this time. The Port, in coordination with the City and Whatcom Housing Authority, would develop affordable housing guidelines for incorporation into the MDP for New Whatcom. Specific provisions for affordable housing would be contained in the Development Regulations for the New Whatcom site.

Framework Goals and Policies (continued)

Summary: *The Framework Goals and Policies define the vision for public access, parks, trails and open spaces in urban areas by recommending: providing parks and open space corridors and human-scale arrangements of mixed housing types in new neighborhoods that are integrated into the City's open space (VB 7, VB60), providing safe and pleasant pedestrian and bicycle friendly features in new development (VB 15), ensuring new development encourages walking, biking and transit use and allows people to live within walking distance of employment (VB 17), and improving public access to the waterfront and encourage new waterfront uses that emphasize water-related activities, waterfront access and views of the water from the community while maintaining a working waterfront and the safe operation of nearby light industrial uses (VB 8, VB 21, VB 55).*

Discussion: The Port's objectives for the New Whatcom Redevelopment Project, (as defined in Section 2.4 of **Chapter 2** of this Draft EIS) which are intended to be reflective of the ongoing public planning process conducted jointly by the City and Port, includes *"providing community benefits through the phased establishment of public open spaces and beaches, and identify opportunities to restore, enhance and create habitat along the waterfront environment within the context of creating an economically-viable redevelopment"*.

Consistent with the Bellingham Comprehensive Plan Framework goals and policies, the redevelopment concept for the site would dedicate the majority of the site's waterfront to public access; over one mile of shoreline would be made available to the public. Areas on the site dedicated to public parks, open space and trails, would be provided in a variety of configurations, allowing for a wide range of passive and active recreational uses; opportunities for recreational activities such as biking, walking, public gathering and viewing Bellingham Bay would be afforded.

Trails on the site, which would accommodate both pedestrians and bicycles, would provide connections throughout the site, as well as between the site and surrounding neighborhoods and existing trail systems. New trails on the site would complete links to Maritime Heritage Park and Whatcom Creek Trail to the east and the South Bay Trail and Boulevard Park to the south and west.

Mixed use redevelopment, including residential and employment uses, would be integrated with parks, trails and other open spaces, allowing new employment and residential populations to be located in proximity to park/trail amenities. This integrated mixed-use concept would provide the opportunity for a live-work-play community that allows people to live within walking distance of employment and recreation uses. The concept reflects the potential for the site to be a local and regional recreational destination, attracting visitors from the Bellingham area and from other parts of the region.

To provide the opportunity for the creation of a working waterfront economy, the redevelopment concept would incorporate a diversity of job creation uses such as office, institutional, marina-related and marine industrial. The retention of light industrial/marine employment is an element of the redevelopment concept, with the potential for such uses in Area 1 to remain on the site in new or reused industrial space; provision for up to 450,000 square feet of light/marine industrial use on the site is incorporated into the redevelopment concept for the site, as reflected in Alternatives 1 through 3.

Framework Goals and Policies (continued)

Summary: *The Waterfront Futures Group also developed “visions” for six planning areas along the Bellingham Bay waterfront that are incorporated into the Framework chapter of the Comprehensive Plan. The “vision” developed for the City Center Waterfront area, which includes the New Whatcom site, calls for the creation of a mixed-use neighborhood that combines commercial, institutional, educational, retail services and residential uses, providing new jobs and housing. It is envisioned as a neighborhood that complements the existing central business district. The plan specifies that the existing aeration stabilization basin (ASB) will be cleaned and opened up to accommodate either a new marina or new marine habitat combined with stormwater treatment, or some combination of those uses. Features to be provided within the development were visualized to include new infrastructure, public access, public/open space, trails, parks, transient moorage and habitat restoration.*

Discussion: The New Whatcom Redevelopment Project is based on the past and ongoing public master planning process, including guidance provided by the Waterfront Futures Group. Based on this public planning process, the redevelopment concept incorporates a mix of uses, including: job creating uses such as office, institutional and marine industrial; goods and services uses such as shops and restaurants; and, multifamily residential uses providing housing opportunities for a wide range of income levels. The redevelopment concept includes remediation of the ASB and subsequent conversion to a Marina with a boat launch and parking facilities. The redevelopment concept dedicates the majority of the site’s waterfront to public access; over one mile of shoreline would be made available to the public. See **Section 3.8.4.1** and **Section 3.8.4.3** for more detail on the Waterfront Futures Group and Framework Plan.

3.8.5.1b Comprehensive Plan: Land Use Element

Summary: *The Land Use Element defines land use city-wide and in specific use categories. The Land Use Element designates the proposed general distribution, location and extent of various land uses such as housing, commerce, industry, institutional uses, recreation, open spaces, public facilities and other uses. In the City of Bellingham Comprehensive Plan, 2006, the GMA requirement for a Land Use Element is fulfilled by the Land Use Element, the Parks/Recreation/Open Space Element and the Community Design Element. Specific Land Use Element visions, goals and policies most relevant to the Proposed Actions are provided below:*

Bellingham plans to accommodate future anticipated growth by: developing land use patterns that accommodate carefully planned levels of development that promotes efficient use of land, reduces sprawl, encourages alternative modes of transportation, safeguards the environment, promotes healthy neighborhoods, protects existing neighborhood character, and maintains Bellingham’s sense of community (FLU-2), Policy FLU-15 states that growth in Bellingham will be accommodated primarily in compact “urban growth centers” while preserving the character of existing single family neighborhoods (FLU-15), developing new City Center and waterfront parks and community gathering spaces (LU-84) and encouraging efficient parking arrangements to enable more intensive site development (LU-149).

Discussion: The Comprehensive Plan designates the site as being within either the “CBD Core Village” or the “Central Waterfront District”. To implement the City’s vision for the site, as expressed through the urban village designations, the Proposed Actions would allow for the

creation of a new dense urban mixed-use community. Redevelopment of the New Whatcom site would accommodate a diverse mix of uses, including substantial new housing and employment opportunities. This dense infill development would occur in an established urban area with readily available services, thus promoting the efficient utilization of services and potentially alleviating the pressure for growth in outlying areas (i.e. reducing the pressure for sprawl).

With proposed long-term redevelopment, New Whatcom would become a hub of new activity in the community and could foster a range of public amenities, including: a range of recreational resources; gathering places and a new waterfront destination for area residents and visitors; a place to work, learn, eat, recreate and live; a range of new employment opportunities for the broader community; and, a potential extension campus of Western Washington University that would allow a diverse setting for education and research.

In general, the types of uses would be similar to, and compatible with, uses in the areas surrounding the site, including the Central Business District, Lettered Streets, Sehome and South Hill neighborhoods. The existing single-family residential area to the northeast of Area 1 (Lettered Streets neighborhood) would not be anticipated to be significantly impacted by mixed-use redevelopment of the site. The redevelopment would be comparable with other surrounding neighborhoods and significant land use impacts would not result (refer to Section 3.5, **Land Use**, for detail on anticipated land use conditions with mixed use redevelopment of the site).

Land Use Element (continued)

Summary: *GMA requires that cities demonstrate that they have enough properly zoned, developable land area to accommodate the projected 20-year growth. The 2006 Comprehensive Plan estimates that the population of the City and UGA is expected to increase by 31,600 people and employment is expected to grow by 27,000 jobs between 2002 and 2022. It was estimated that approximately 16,000 new housing units would be needed between 2002 and 2022.*

In 2005, a Land Supply Study was conducted to inventory developed, partially developed and vacant residential land to determine the potential build-out capacity to meet future residential housing needs for the planning period of 2002 – 2022. The study concluded that a net supply of approximately 440 acres of developable land was available for housing. Under the current zoning and development trends, it was estimated this 440 acres could accommodate approximately 4,060 new housing units – far short of the forecasted demand of 16,000 new housing units needed by 2022.

The City identified nine methods to address this forecasted housing deficit including the following that pertain to the New Whatcom site:

- *Infill Strategy 1: Make more efficient use of the remaining City land supply*
- *Infill Strategy 2: Promote and facilitate continued development of the Central Business District Core Village and Fairhaven District Urban Village*
- *Infill Strategy 3: Promote and facilitate the development of six urban villages, including the Central Waterfront District Village.*

The Comprehensive Plan states that growth in Bellingham would be accommodated primarily in compact “urban growth centers”. The Comprehensive Plan also states that these urban growth centers would be developed as envisioned in the 2004 Community Growth Forum (FLU-16) which states:

The City Center and surrounding areas serve as the community’s primary financial, commercial, cultural and governmental center. High density housing will complement intensive commercial development. The City Center core area, along with adjacent Old Town and Central Waterfront areas may eventually include a total of 2,000 to 5,000 or more dwelling units.

The Land Supply Study also conducted an inventory of industrial and commercial land. The analysis found that 374 acres of vacant or redevelopable land was available for industrial development, including three acres within the Waterfront Mixed Use land use category (which is assumed to be within the New Whatcom site – the majority of the New Whatcom site was not identified as available industrial land due to its Industrial/Waterfront Mixed Use description and the contemplated transition to a mixed use neighborhood). The study determined that the 2002 – 2022 forecasted demand for industrial land would be 180 acres – less than the 374 acres available. The study indicated that sufficient industrial land was available to meet the projected demand.

For commercial land, the Land Supply Study found that 94 acres of vacant or redevelopable land was available for commercial development. The Study determined that the 2002-2022 forecasted demand for commercial land would be 514 acres – more than the 94 acres determined to be available within the City. To meet this shortfall in available commercial land, the Comprehensive Plan identified five areas within the Bellingham UGA that were suitable for commercial development. Adding these areas to the City of Bellingham would meet forecasted demand for commercial land through 2022.

Discussion: Under the Proposed Actions, and redevelopment under Alternatives 1 through 3, the utilization of the site within the Downtown Core and Central Waterfront District would substantially increase over existing conditions and compared to its potential under existing industrial zoning. For example, approval of the Proposed Actions would create the long-term capacity for between 1,325 to 3,025 new housing units on the New Whatcom site by full build-out in 2026 (note that the land supply analysis covered the planning period 2002-2022 and that the New Whatcom planning period extends to 2026). The high end of this range would exceed the City’s 2,546 housing units projected by 2022 for the Downtown Core and Central Waterfront Urban District. It should be noted that that the housing projections represent the amount of housing that the city should plan to accommodate by 2022, and do not specify maximum levels. The housing capacity provided on the site would be within the 2,000 to 5,000 dwelling unit range identified for the City Center Core area in policy FLU-16.

The provision of new housing opportunities on the site would help the city provide sufficient housing to accommodate future growth in the City of Bellingham and the region. Housing capacity on the site could reduce the pressure for housing development in outlying areas, including land outside of the City of Bellingham and the UGA Planning Areas.

As indicated above, the Comprehensive Plan does not include the New Whatcom site as part of the available industrial land supply, given the site’s current Industrial/Waterfront Mixed-Use designation and contemplated transition to a mixed-use neighborhood. Thus, redevelopment of

the site to a mixed-use urban village should not be considered a reduction in the industrial land supply. In addition, the Proposed Actions include the potential for retention of certain existing industrial uses on the site and provisions for up to 450,000 square feet of new light industrial/marine use. New industrial development would add to the city's supply of industrial land.

Mixed-use redevelopment of the site would provide available land in commercial use within the City of Bellingham that was not considered in the Comprehensive Plan Land Supply Study, thus, potentially reducing the pressure for annexation of new land to the city to accommodate future commercial land demand.

Land Use Element (continued)

Summary: *The Comprehensive Plan designates the New Whatcom site as Waterfront/Mixed Use which is described as follows under policy LU-126:*

This designation is intended to encourage the creation of intensely developed mixed-use areas where infrastructure, transit and other public facilities and services are available or can be provided. It is intended that mixed use areas provide significant job opportunities and a substantial amount of new housing, allowing people to choose to work, shop and recreate near where they live. Allowed uses in these areas may include offices; retail; water oriented commercial and light industrial uses; compatible high technology manufacturing; institutional and educational facilities; parks and other public gathering places; entertainment and cultural uses; and residential uses.

The zoning category that implements the mixed-use designation is Waterfront Mixed-use. The ultimate mix of land uses, appropriate densities, infrastructure requirements and other typical zoning, design and development standards should be established in a master plan that would be developed by the city and/or by property owners working with the city.

Discussion: Consistent with the intent of the Mixed Use designation, the Proposed Actions would allow for redevelopment of the site to a new dense, urban mixed-use village in the CBD and Central Waterfront Districts where infrastructure, transit and other public facilities and services are available. The intent of site redevelopment is to incorporate a mix of uses, including job creating uses (such as office, commercial and marine/light industrial), goods and services (such as shops and restaurants), institutional (potentially including Western Washington University), and multifamily residential. Integrated with these uses would be numerous public parks, trails and other open space amenities. This mix of uses would create the opportunity for the establishment of a live-work-play environment.

In order to implement the Waterfront/Mixed-Use zoning designation, a master plan must be formulated and approved. Consistent with policy LU-126, the City of Bellingham and the Port of Bellingham would adopt a Master Development Plan and Development Agreement for the New Whatcom Site that will identify land use regulations (i.e. zoning and design standards), infrastructure requirements, phasing and other regulations pertinent to long-term redevelopment of the site (refer to **Chapter 2** and Section 3.7, **Land Use**, for more information on the Master Development Plan and zoning issues).

Land Use Element (continued)

Summary: *Relevant policies regarding the protection of the environment include: protect and enhance the quality of the natural environment by protecting and restoring important critical areas such as streams, wetlands, lakes and Bellingham Bay, and by retaining significant trees and other natural resources (FLU-6), encourage energy-efficient site and building designs to increase efficiency and preserve natural resources (LU-33), site buildings and vegetation so that views and designated view corridors are not blocked (LU-53), preserve scenic vistas of important natural features such as the Cascade Mountains, Lake Whatcom, Bellingham Bay, Chuckanut Bay, the San Juan Islands and the hills that provide the natural backdrop to the City (LU-55), promote and encourage the use of “Built Green” and/or “LEEDS” principles in all new housing developments (LU-106), shorelines should be protected or impacts mitigated in accordance with adopted standards (LU-127), water and/or air quality should be maintained and/or enhanced through the development and/or enforcement of environmental regulations (LU-129) and enhance anadromous fish resources (LU-146).*

Discussion: An objective of the New Whatcom Redevelopment Project, as identified by the Port (based on the past and ongoing master planning process) is to “identify opportunities to restore, enhance and create habitat along the waterfront environment within the context of creating an economically-viable redevelopment”. Consistent with this objective, a major element of Redevelopment Alternatives (Alternatives 1 through 3) is the removal of existing over-water bulkhead/wharf structures that provide little or no aquatic habitat, and establishment of new aquatic habitat features, including: restoration of a natural shoreline, soft beach and marine habitat area along the southern edge of the Whatcom Waterway; new beach habitat at the head of the I & J Waterway; provision of new beach and marsh habitat along the shoreline of the log pond; beach and marsh habitat along the shoreline west of the terminus of Cornwall Avenue; and, creation of new aquatic habitat within and adjacent to the remediated ASB as an element of a new marina. In total, up to approximately 31 acres of new or enhanced aquatic habitat would be provided with mixed use redevelopment of the site. The near-shore and in-water habitat enhancement would result in substantial improvements to anadromous fish conditions at the site and in the area (refer to Section 3.4, **Plants and Animals**, for more information on aquatic habitat conditions).

The redevelopment concept would include the provision of low-impact design strategies. For example, the Port has been selected by the US Green building council to participate in the LEED Neighborhood Development Pilot Program, which seeks to integrate the principles of smart growth, urbanism and green building into the first national standard for neighborhood green design. This jointly funded initiative by the City and Port, would seek to achieve, among other things, the LEED Neighborhood Development Program guidelines for brownfield redevelopment, reduced automobile dependence, housing and jobs proximity, compact development, walkable streets, and innovation and design process points for a clean ocean marina and stormwater design to minimize impervious surfaces and provide innovative water quality treatment techniques. The redevelopment concept also would allow the opportunity for the potential adaptive reuse of existing former Georgia-Pacific buildings, particularly the brick-clad buildings in Areas 2, 3 and 4 of the site, if deemed feasible.

There are no designated view corridors across the site. However, the redevelopment concept includes features that would preserve certain views. For example, the Master Development Plan could incorporate design standards that would define maximum building heights, encourage use of building modulation and upper level setbacks, and provide a substantial parks

and open space network. These design standards would help to establish the visual character of the site. In addition, the Master Development Plan could include provisions for establishing key view corridors on the site.

Whatcom County is currently designated in an “attainment” area by EPA and Ecology, indicating that the air quality in the County is within the limits of established ambient air quality standards. Redevelopment of the site would result in increased emissions associated with vehicle traffic. However, air emissions associated with redevelopment would not exceed standards for any pollutants. The mixed use concept for site redevelopment calls for a mix of homes, jobs and services on the site which provides the opportunity for people to walk or bike between uses, thus limiting automobile trips and associated emissions. See Section 3.2, **Air Quality**, for more details.

The site currently contains only limited stormwater control systems, with little or no water quality treatment. Redevelopment of the site would include new permanent stormwater control and treatment systems designed and constructed in compliance with Ecology’s *2005 Stormwater Management Manual for Western Washington*. Under the Redevelopment Alternatives, the overall quality of stormwater discharged to Bellingham Bay would be improved over existing conditions. See Section 3.3, **Water Resources**, for more information on the existing and proposed stormwater system and water quality analysis results.

Land Use Element (continued)

Summary: *The Land Use element policies relevant to affordable housing call for: setting densities to provide for an affordable housing stock that includes a range of housing types that meets the needs of all segments of the community (LU-25) and encouraging development of a mix of housing choices for all income levels in and adjacent to the city center (LU-79).*

Discussion: As identified as an objective of the New Whatcom Redevelopment Project, the Port intends to “work with non-profit organizations and developers to provide opportunities for a mix of housing products affordable to a range of employees on the site”.

Specific ratios of affordable housing to be provided on the New Whatcom site have not been determined at this time. The Port, in coordination with the City and Whatcom Housing Authority, would develop affordable housing guidelines for incorporation into the Master Development Plan for New Whatcom. Specific provisions for affordable housing would be contained in the Development Regulations for the New Whatcom site. It is possible that the Whatcom Housing Authority would monitor housing on the site relative to the affordable housing standards (refer to Section 3.9, **Population, Employment and Housing**, of Chapter 3 of this Draft EIS for more information).

Land Use Element (continued)

Summary: *The Land Use element also discusses other economic drivers for land use decisions: protect and enhance the current tax base represented in private investment in the City Center and other waterfront areas (LU-95), new urban development should be allowed only where the full range of urban facilities exists or can be provided (LU-102), encourage institutions like WWU to locate satellite facilities in the central waterfront area (LU-74).*

Discussion: To provide the opportunity for the creation of a strong and dynamic waterfront economy, the redevelopment concept would incorporate a mix of uses, including job creating, uses such as: office, institutional (including the opportunity for the establishment of a satellite campus of WWU), commercial, and goods and services. The Proposed Actions would thus provide the opportunity to expand and diversify the tax base of the City of Bellingham.

Mixed use redevelopment of the site would result in the creation of a new dense, urban village in downtown Bellingham, an area with available services and utilities; such infill redevelopment would be consistent with policies that seek to limit the potential for sprawl in outlying areas, where growth could be less efficient relative to the provision of services.

3.8.5.1c Comprehensive Plan: Transportation Element

The intent of the Transportation Element is to create an efficient and safe transportation system within, through and around Bellingham, that provides mobility for future motorists, pedestrians, bicyclists and transit patrons. Specific Transportation Element visions, goals and policies most relevant to the Proposed Actions are:

Summary: *Community-wide transportation systems policies and goals are: support development patterns that enable people to live within walking distance of employment, shopping and entertainment (TV-2, TG-32), ensure a system of local arterial streets that is functional and accommodates the growth anticipated by the Comprehensive Plan (TG-9), emphasize multiple transportation modes and linkages (TV-7, TG-10), provide truck access to industrial and commercial areas while minimizing the negative impacts through design standards and location (TG-13), and promote energy efficient transportation that reduces reliance of fossil fuels (TG-6). The City also set city-wide transportation mode target goals of: 75% automobile, 6% transit, 6% bicycle and 13% pedestrian by 2022.*

The Comprehensive Plan establishes a priority of developing and maintaining non-motorized transportation facilities to lessen impacts on the environment and reduce energy consumption. Relevant goals and policies in addition to those described above include: providing a safe, well-connected and convenient bicycle and pedestrian circulation network (TG-19, TP-50, TP-61), including facilities for bicycle and pedestrian travel in all roadway improvement projects, where feasible (TP-63), promoting a pedestrian environment in areas of heavy pedestrian usage (TP-64), developing pedestrian circulation plans for commercial and large multi-family buildings (TP-73), separating sidewalks from streets by vegetation or other LID technique, when feasible; sidewalks should be a minimum of eight feet wide in the central business district (TP-75), pedestrian crossing safety should be improved where pedestrian routes traverse busy streets (TP-78), improve air quality by providing alternatives to single occupancy vehicles (TP-31).

Other relevant transportation policies are: support the expansion of public transportation service connecting residential neighborhoods and other employment centers (TP-82) and the Port should develop multi-modal facilities including boat launches to provide safe access to and from Port properties, adjacent areas and Bellingham Bay (TP-124).

Discussion: Redevelopment Alternatives 1 through 3 assume dense infill development on the site with a mix of housing, employment, recreational, and institutional uses integrated with a marina and a system of public trails and open space. This type of dense, mixed use development would provide opportunities to live, work and recreate within the new

neighborhood as well as opportunities to walk or bike between uses, thus reducing automobile trips. The redevelopment concept for the site would provide a pedestrian and bicycle system intended to support the added pedestrian, bicycle, and vehicular activity on and offsite. The concept would foster opportunities for alternatives to single-occupant vehicles

As part of Alternatives 1 through 3, a substantial new onsite road network and connections to the offsite network are assumed. The range of infrastructure improvements would improve access to and circulation within the site, and would link the site to the adjacent CBD and surrounding neighborhoods. Some of these improvements would be implemented early in the redevelopment process, while others would be phased along with redevelopment over the long-term. Included within the range of improvements would be truck access improvements, particularly in Area 1 where ongoing and new industrial uses would be located (see Section 3.12, **Transportation**, for more information on the assumed roadway network.)

All Alternatives also assume construction of a new marina facility at the site of the current ASB. This new facility would provide additional marine multi-modal facilities including permanent and temporary recreational boat moorage and boat launches that would add new infrastructure and capacity to provide landside and waterside safe access to and from Bellingham Bay. The Redevelopment Alternatives (Alternatives 1-3) assume construction of up to 460 boat slips compared with up to 600 boat slips under the No Action Alternative. The marina facility would also include other amenities including: a 280-space parking lot for marina users, a five to eight lane boat launch ramp (this boat launch would replace the Port of Bellingham's existing four lane boat launch located within the Squalicum Harbor), a 90-stall upland boat trailer parking area, 40-space marina loading zone and short-term parking area.

Mixed use redevelopment would include a substantial park, trail and open space system connecting all areas of the site. In addition, pedestrian and trail amenities could include a pedestrian bridge over the Whatcom Waterway from Area 1 to Areas 2 through 10 which would provide an additional connection to further facilitate walking and biking within the site. A pedestrian bridge from Hilton Avenue over Roeder Avenue and the railroad tracks connecting to Broadway Street (Alternative 1) would complete the connection between the onsite trail system along Hilton Avenue and the existing Squalicum Harbor Trail. (See Section 3.13, **Public Services**, for additional information).

Similar to what currently exists in downtown, mixed use redevelopment would include wide sidewalks and pedestrian crossings to create a pedestrian-friendly environment. Access to downtown, Western Washington University (WWU), and other offsite locations would be facilitated by up to five connections: Central Avenue, Bay Street, Cornwall Avenue, Laurel Street, and Wharf Street. All locations would provide sidewalks and pedestrian crossings.

It is anticipated that redevelopment would create added demand on the Whatcom Transit Authority transit system. Over the long-term, growth in ridership will require expanded capacity, with or without New Whatcom redevelopment.

Summary: *Policies regarding street design and traffic standards are: right-of-way and pavement widths shall be the minimum necessary to provide for the safe use by vehicles, public transit, bicycles and pedestrians (TP-58), provide Peak Hour LOS E or better for arterial streets during peak hours or provide for Alternative Peak Hour LOS F for arterial streets for which there are no feasible mitigating measures (TP-48), implement stormwater management measures*

(including LID techniques when possible) for all new roads and right-of-way improvements to minimize the level of pollutants entering surface and groundwater resources (TP-27, 35).

The Comprehensive Plan provides a list of specific considerations for the New Whatcom Redevelopment project. They include:

Public street connections will need to be made between the former Georgia-Pacific site, downtown Bellingham and Old Town area. Specific improvement requirements for the following streets will be developed as the master plan for this site is created. Bicycle and pedestrian facilities will be included wherever possible:

- *South Cornwall Avenue*
- *Beale Street*
- *Laurel Street*
- *Central Entry*
- *C Street*
- *F Street*
- *Hilton*
- *West Chestnut Street*
- *West Maple Street*
- *Mill Town Loop*
- *Laurel Connector*
- *GP/BST Connector*
- *Pine Avenue Entry*
- *Mid Point Entry*
- *Cornwall Avenue*
- *Commercial Street*
- *Bay-Chestnut Streets*

Discussion: The Port's objectives for the New Whatcom redevelopment include "connect the New Whatcom Redevelopment project with surrounding neighborhoods including the CBD by ensuring an integrated new roadway system." To provide vehicular connections with surrounding neighborhoods, including the CBD, the redevelopment concept assumes numerous roadway improvements. For example, all EIS Alternatives assume upgrades to the existing Hilton Avenue, F Street, and C Street, as well as provision of new connector streets (Maple Street and Chestnut Street) to serve traffic. In addition, the Redevelopment Alternatives would upgrade Laurel Street onsite from Central Avenue to Cornwall Avenue and Cornwall Avenue would be extended into Area 10. Other potential road improvements would include improvements at Central Avenue to allow access to Chestnut Street, new bridge connections at Bay Street, Commercial Street, Cornwall Avenue, Laurel Street and a new fly-over at Wharf Street to provide connection to the intersection of N State and N Forest Street. Extensions of the primary site access points (listed above) into the site, along with other internal roadway improvements, would be provided to support access to/from the site and internal site vehicle circulation, as well as connections to the existing City network. See Section 3.12, **Transportation**, for details on the assumed street improvements.

Redevelopment of the New Whatcom site would result in increased demands on the on and offsite street system and non-motorized facilities in the vicinity of the site potentially resulting in

increased delays at several area intersections and roadways and conflicts between vehicular and non-motorized travel. In addition to the improvements assumed under the Redevelopment Alternatives, other offsite road and transportation system improvements would be required to meet the City's LOS standard and to support increased pedestrian and bicycle use. These could include roadway and intersection improvements along Roeder Avenue adjacent to the site, and along the State Street/Forest Street corridor, as well as non-motorized improvements along Bay Street, Central Avenue, Wharf Street and Laurel Street (see Section 3.12, **Transportation**, for details).

Stormwater treatment options have been developed and evaluated in this Draft EIS; these include the potential for biofiltration facilities to be provided in conjunction with onsite roadways. Through the Master Development Plan process, road system concepts and street standards for the onsite system would be defined and adopted.

3.8.5.1d Comprehensive Plan: Housing Element

Summary: *The Housing Element provides further policies regarding the residential uses called for in the Land Use Element and defines how the City should preserve, improve and develop housing that accommodates housing unit growth, encourages diversity and quality of housing types and maintains housing affordability. Relevant goals and policies call for: increasing housing opportunities for a broad range of income levels (HG-3, HP-9, HP-13), encouraging housing programs which facilitate home ownership for all economic segments of the population, including lower income households (HP-11), encouraging a balanced distribution of affordable housing throughout the city (HP-13), encouraging live-work development as a way of minimizing housing costs and commuter traffic (HG-5), promoting better utilization of land (HP-5), promoting development of housing compatible with surrounding land uses, traffic patterns, public infrastructure and environmentally sensitive areas (HP-6), encouraging infill development on land which remains vacant or underutilized (HP-20), and promotion of new high density residential development within or near Urban villages (HP-23).*

Discussion: The New Whatcom site was historically utilized for heavy maritime industrial purposes but now stands generally vacant. Redevelopment of the site provides the opportunity to increase housing capacity on the site by up to 3,075 units under Alternative 1 with lower levels of housing under Alternatives 2, 2A and 3. The residential units would include a range of configurations (low, medium and highrise structures) and would add to the diversity of housing stock available in the City. Redevelopment of the New Whatcom site would accommodate a portion of the housing growth projected for the City over the next 20 years.

The type, character and pattern of land uses on the site would change substantially from a mostly vacant industrial area, to an overall character reflecting a dense urban village, featuring a broad range of uses, site amenities, public access and connections to the surrounding community. This change in land use character would be consistent with City goals for increased density in portions of the City with available services and utilities. Dense infill development at the site would provide opportunities to live, work and recreate within the new neighborhood potentially reducing commuter traffic and alleviating pressure for growth in outlying areas at the fringe of the UGA.

Specific ratios of affordable housing to be provided on the New Whatcom site have not been determined at this time. The Port, in coordination with the City and Whatcom Housing Authority,

would develop affordable housing guidelines for incorporation into the MDP for New Whatcom. Specific provisions for affordable housing would be contained in the Development Regulations for the New Whatcom site. It is possible that the Whatcom Housing Authority would monitor housing on the site relative to the affordable housing standards.

3.8.5.1e Comprehensive Plan: Park, Recreation and Open Space Plan

Summary: *The Park, Recreation and Open Space Plan was issued in 2002, updated in 2005 and amended in 2007. The Plan contains the City's vision and policies for the acquisition, development and management of parks and recreational facilities, and addresses open space, park and recreation facilities and addresses open space, park and recreation services for 10 to 20 year time frame, as well as distribution guidelines for park and recreation facilities. The Plan includes policies guiding the stewardship of park resources, and distribution guidelines for open space, park, recreational facilities and community centers. Relevant policies guiding development and management of parks and programs call for:*

- *Preserve, protect and provide public access to significant environmental features including shorelines and waterfronts and other characteristics that support wildlife and reflect Bellingham's resource heritage (8.1).*
- *Develop a high quality, diversified park system that preserves and enhances significant environmental resources and features. Cooperate with other public and private agencies, and with private landowners to set-aside land and resources necessary to provide high quality, convenient park, recreation, and open space facilities before the most suitable sites are lost to development. Preserve unique environmental features or areas in future land developments and increase public use and access. Cooperate with other public and private agencies, and with private landowners to set aside unique features or areas as publicly accessible resources (8.2)*
- *Develop a high quality system of multipurpose park trails and corridors that access significant environmental features, public facilities and developed local neighborhoods and business districts. Create a comprehensive system of multipurpose off-road trails using alignments through Whatcom County, Port of Bellingham, and WSDOT landholdings as well as cooperating private properties where appropriate. Create a comprehensive system of on-road bicycle routes for commuter, recreational, and touring enthusiasts using scenic, collector, and local road rights-of-way and alignments through and around Bellingham. (8.4)*
- *Cooperate with Whatcom County, Port of Bellingham, the Washington State Department of Fish & Wildlife, and other public and private agencies to acquire and preserve additional shoreline access for waterfront fishing, wading, swimming, and other related recreational activities and pursuits. Develop a mixture of watercraft access opportunities including canoe, kayak, and other non-power boating activities on Lake Whatcom, Lake Padden, and Bellingham Bay.(8.5)*
- *Where appropriate, initiate joint planning and operating programs with other public and private agencies to determine and provide for special activities like golf, water parks and marinas, and camping on a regional basis. (8.6)*
- *Create a comprehensive, balanced park, recreation, and open space system that integrates Bellingham facilities and services with resources available from Bellingham School District, Whatcom County, and other state, federal, and private park and recreational lands and facilities in a manner that will best serve and provide for resident area interests (8.10).*

Discussion: The Port's objectives for the New Whatcom Redevelopment (as defined in Section 2.4 of Chapter 2 of this Draft EIS) include "providing community benefits through the phased construction of public open spaces and beaches" and "identifying opportunities to restore, enhance and create habitat along the waterfront environment within the context of creating an economically viable redevelopment."

Consistent with these objectives and the goals and policies of the Parks, Recreation and Open Space Plan, Alternatives 1 through 3 would dedicate the majority of the site's shoreline waterfront to public access. The concept includes area reserved for public parks, open space and trails, in a variety of configurations, allowing for a wide range of passive and active uses; opportunities for recreational activities such as biking, walking, picnicking, public gathering (including opportunities for festivals, plays etc.) and viewing Bellingham Bay would be afforded. The parks and open space concept dedicates a substantial portion of the site to public parks and open space (33 acres to 15 acres would be in parks and open space under Alternatives 1 and 3, respectively). Additional open space area would likely be provided via courtyards, gardens and landscape area associated with redevelopment.

The New Whatcom park and open space concept is intended to fulfill the vision of the site as a regional resource, serving the greater Bellingham community as well as the residents and employees at the site. The concept reflects the potential for the site to be a local and regional recreational destination, attracting visitors from the surrounding Bellingham area as well as from more distant areas. The parks and open space concept seeks to recognize the public value of waterfront parks and open space by dedicating the majority of the linear shoreline to public access and amenities, as well as providing linkages to the existing (and developing) regional system of trails (refer to Section 3.13, **Public Services**, for more information on parks and trails).

New trails on the site would provide a linkage between the Whatcom Creek Trail to the east and the South Bay Trail to the south and west, thus providing an uninterrupted trail system from the western end of the Bellingham CBD to Boulevard Park and beyond to the south and west. The new trail system on the site would also link with the Harbor Loop Trail around the Squalicum Inner Harbor to the north.

Under all Alternatives, the ASB would be redeveloped to accommodate a new marina. The marina design under the Redevelopment Alternatives (Marina Concept A) would differ from the marina planned to be developed under the No Action Alternative (Marina Concept B). Both marina concepts would provide features such as boat slips, marina parking, boat launches, boat trailer parking and dry dock storage. Marina Concept A would include new habitat features including: the addition of approximately 28 acres of new habitat area in proximity to salmon spawning habitat associated with the Whatcom Creek estuary; creation of shallow habitat benches (utilized by young salmon to escape predators); and, provision of salmon passage tunnels to provide additional connection between the newly established marina habitat and the Whatcom Creek estuary (refer to Section 3.4, **Plants and Animals**, Chapter 3 of this Draft EIS for more information). Marina Concept A would also provide 3.17 acres of additional parks, trails and open space as well as 4.7 acres of new intertidal and shallow subtidal habitat inside the basin along the inner edge of the breakwater.

3.8.5.1f Comprehensive Plan: Capital Facilities Element

Summary: *GMA calls for Comprehensive Plans to include a Capital Facilities Element that is consistent with the Land Use Element(s) so that anticipated growth can be adequately served by infrastructure. This element guides general government financial policies, strategic investment, the siting of capital facilities and the City's Capital Improvement Program. Such services should be provided in a manner that maximizes public safety and minimizes adverse environmental impacts. Relevant policies call for: developing parks and trails that are integrated into the city's open space system (CFV-9), providing adequate public facilities and community gathering spaces within urban villages and ensuring upgrades and extensions are accomplished in a coordinated manner (CFG-2, CFP-37), within Urban Growth Areas, development should be consistent with major transportation, utility and greenway corridors (CFP-7) consider sites for public parking structures to serve Urban Villages (CFG-25), utilizing low-impact development strategies for stormwater system design when feasible (CFG-6, CFP-41, CFP-50), developing stormwater system designs to improve water quality, minimize runoff and protect fisheries and habitat (CFG-7 -11, CFP-40, CFP-44), including enclosed storm drains within all new arterial street improvements (CFP-43).*

Discussion: Consistent with the Capital Facilities Element of the Comprehensive Plan, mixed use redevelopment would include a system of parks, trails and roadways that are integrated into the City's systems. The redevelopment concept includes substantial areas dedicated to public parks, open space, public gathering places and trails. Trails on the site would accommodate both pedestrians and bicycles, would provide connections through the site, and would provide connections with surrounding neighborhoods and existing offsite trails. New trails on the site would complete links to the Maritime Heritage Park, Whatcom Creek Trail and the South Bay Trail.

Mixed use redevelopment would provide between 8,500 to 16,000 parking spaces, depending on the alternative, in both structured garages and surface lots. The majority of these parking spaces would be available to the public.

All stormwater on the site would be collected, treated and conveyed to Bellingham Bay or Whatcom Waterway via new outfalls and would be designed and constructed according to the 2005 Ecology Stormwater Manual and applicable City of Bellingham requirements. The stormwater system would utilize Best Management Practices and meet or exceed the Basic Treatment criteria from the Ecology 2005 Stormwater Management Manual.

In addition, the Port anticipates participating in the LEED for Neighborhood Development (LEED-ND) Pilot Program. LEED-ND is a rating system that integrates the principles of smart growth, new urbanism, and green building into the first national standard for neighborhood design. The LEED-ND includes guidelines for walkable streets and stormwater design to minimize impervious surfaces and provide innovative water quality treatment techniques. The Port would work with agencies, businesses and organizations regarding potential incorporation of feasible low impact development strategies into specific redevelopment projects.

3.8.5.1g Comprehensive Plan: Private Utilities and Services

Summary: *The Utilities Element includes goals and policy objectives concerning the provision of electricity, domestic water, natural gas, communications, drainage and solid waste services and regarding service, infrastructure, capital expenditures, and environmental stewardship. Relevant policies and goals call for: maintaining adequate facilities to meet the service needs of Bellingham (PUG-1), considering public input and environmental impacts when siting new utilities (PUG-2, PUG-3, PUG-4, PUG-5), encouraging the provision of equitable, reliable, and affordable private utilities to residents of Bellingham promoting the placement of utilities underground and minimizing utility impacts on shorelines and environmentally sensitive areas (PUP-12, PUP-14), and supporting energy efficient construction codes and encouraging energy conservation practices throughout Bellingham (PUP-18, PUP-19, PUP-20, PUP-21).*

Discussion: Water and sewer service is currently provided to the New Whatcom site by the City of Bellingham Public Works Department. Electrical service is currently provided to the site by Puget Sound Energy. Natural gas service is currently provided to the site by Cascade Natural Gas.

Development under Alternatives 1 through 4 would include new and relocated electricity, domestic water, sanitary sewer and natural gas utilities on the site to be designed and constructed per City, Puget Sound Energy and Cascade Natural Gas standards. Utility corridors are assumed to follow the future road alignment. All long-term utility demands generated by redevelopment under Alternatives 1 through 4 could be accommodated by the utility providers with implementation of utility improvements and extensions (refer to Section 3.14, **Utilities**, for details).

Solid waste collection and recycling service would be provided by the Sanitary Service Company. Solid waste collection routes and operations would be expanded to serve future redevelopment at the New Whatcom site.

3.8.5.1h Comprehensive Plan: Community Design Element

Summary: *The Community Design element outlines goals and policies related to the form, function and appearance of Bellingham's built environment. The goals and policies seek to build on Bellingham's unique character, to create distinctive and attractive neighborhoods and to provide livable, pedestrian friendly streets with a clear and coherent circulation pattern for all transportation modes. This element is intended to ensure that residential neighborhoods are protected from undue adverse impacts associated with incompatible land uses or transportation facilities including, but not limited to noise, air and water pollution, glare, excessive traffic, and inadequate on-site parking. The goals and policies of the Community Design Element most applicable to the proposal are:*

Community-based goals regarding neighborhood design and development include: promote improvement in the quality of public, residential, commercial and industrial development and ensure that new construction and development meets high standards (CDG-1), successfully integrate mixed use development in urban villages (CDG-4), provide safe, pleasant multi-family housing with convenience access to services and recreation (CDG-15), ensure neighborhoods are compatible with the scale and character of the surrounding neighborhood and provide a focal point for commercial, civic and recreational activities within the neighborhood (CDG-17,

18), buildings in transitional areas between residential and non-residential uses should consider the context of both areas (CDP-1), adequate landscaping and screening should be provided in new commercial, industrial and multi-family projects (CDP-7), views of the Bay from the Central Business District should be optimized (CDP-16), energy efficient designs should be given proper consideration in all residential structures (CDP-58).

Discussion: Redevelopment of the site is intended to create a new urban village that integrates the unique waterfront setting with a mix of uses including residential, office, institutional, marine industrial and parks/trails/open space. This mix of uses would provide the opportunity to create unique neighborhoods connected by roadways and trails; this mixed-use concept would provide the opportunity for a live-work-play community where residents can walk to jobs and services. This mixed-use village would occur in an established urban area with available services. The redevelopment would provide extensive public parks and trails that would be accessible to the public and could serve as a destination and focal point for the area.

Although significant impacts in regards to incompatibility of assumed land uses on the site are not anticipated, the large size of the site provides the flexibility to consider location aspects to increase compatibility between onsite uses. For example residential and industrial uses within Area 1 could be separated by some distance or intervening buildings.

It is anticipated that the Master Development Plan (MDP) would be adopted by the City and Port to guide future redevelopment of the site. The MDP could include development and design standards to assure compatibility of design, high quality materials, energy efficiency and sufficient landscaping.

Community Design Element (continued)

Summary: Plans and policies regarding the provision of public amenities include: create safe, appropriate arterial and neighborhood streets (CDG-21, 22), encourage pedestrian activity on city streets by providing features such as bike lanes, landscaping, rain gardens and setback sidewalks (CDG-23), encourage land uses that promote public access to the Bellingham Bay waterfront (CDG-9), development of additional public moorage for visitors on the waterfront should be encouraged (CDP-31), urban villages should be designed to incorporate parks, open spaces, greens or plazas (CDP-6), develop an integrated network of trails, parks and open spaces and incorporate landscaping in new developments (CDG-2), encourage the inclusion of bicycle lanes, setback sidewalks and planting strips on all new and retrofitted secondary and collector arterials (CDP 64, 65), and neighborhoods are designed to promote reduced dependency on automobiles and provide opportunities for increased pedestrian, bicycle, and public transit access (CDG-19, CDP-59).

Discussion: The Port's objectives for the New Whatcom Redevelopment Project (as defined in Section 2.4 of **Chapter 2** of this Draft EIS) includes "connect the New Whatcom Redevelopment project with surrounding neighborhoods including the CBD by ensuring an integrated new roadway system", "increase public access to the waterfront by developing pedestrian, bicycle and vehicular connections to/from the site", and "encourage use of non-motorized transportation modes."

Consistent with these objectives, Redevelopment Alternatives 1 through 3 include various new roadway connections that extend the city road grid to the site and waterfront. New roadways

would include facilities to accommodate bicycles and pedestrians. Trails on the site, that would also accommodate both pedestrians and bicycles, would provide connections throughout the site and to the waterfront, as well as between the site and surrounding neighborhoods. These pedestrian and bicycle facilities would help to reduce dependency on automobiles by providing the opportunity to walk or bike between uses on the site (including jobs and homes) or between the site and surrounding areas. Site residents and employees would also increase ridership of WTA, which provides transit service throughout the area.

3.8.5.1i Comprehensive Plan: Neighborhood Plans

Summary: *Bellingham's 23 neighborhood plans are adopted as a component of the Comprehensive Plan. As such, the plans are covered by the annual amendment and public participation requirements of the GMA. The plans are tools that help to maintain neighborhood character and define the "vision" of the neighborhood in the future. Elements considered in the Neighborhood Plans include neighborhood character, infrastructure requirements, and city-wide and neighborhood specific goals and policies*

The Plan includes goals (visions) for the City Center (consisting of the New Whatcom site) as defined by the Waterfront Futures Group (WFG). The WFG visions for the City Center include: create a mixed use neighborhood; provide a place where people can live, work, study and spend leisure time; maintain deep water moorage; convert the ASB into a new marina or marine habitat; and improve public access.

The neighborhood plans are periodically updated to ensure that the plans are consistent with, and implement the comprehensive plan. Ideally, neighborhood plans should be fully updated at least every 10 years. The neighborhood plan update process is conducted with the cooperation and contributions of all interested parties, including residents, property owners, business owners, neighborhood groups, institutions and others. The Planning Commission reviews neighborhood plan changes and makes findings and recommendations that are sent to the City Council for final decision.

Discussion: The New Whatcom site is located within the boundaries of the Central Business District (CBD) Neighborhood Plan area. The CBD Neighborhood Plan, which divides the planning area into 22 subareas, provides zoning and special regulations for each of the subareas. The Plan identifies the New Whatcom site as subareas 2B, 4, 11, 15, 17, 20 and 21. The zoning designation for all subareas comprising the site is Industrial/Waterfront Mixed-Use. The special regulation identified for all subareas comprising the site states, "the heavy industrial designation is in effect until a Master Development Plan (MDP) is adopted. Once the MDP is adopted, area zoning will be Waterfront Mixed-Use. The MDP will provide permitted mixed-uses, infrastructure requirements and phasing, public access requirements and other zoning, design and development standards."

As indicated in the requirements of the CBD Neighborhood Plan, a MDP is intended to be adopted by the City and Port to guide future redevelopment of the site. The MDP, along with the development regulations, development agreement and Planned Action Ordinance, will include the establishment of permitted uses, as well as requirements for infrastructure phasing, public access, and design and development standards.

Consistent with the vision of the WFG, as expressed through the CBD Neighborhood Plan, the redevelopment concept for the site is to create a mixed use village with residential, employment and institutional (potentially Western Washington University) uses integrated with parks, trails and other open spaces and providing public access to the waterfront. This integrated mixed use concept would provide the opportunity for a live-work-play community. The remediated ASB would be converted into a new marina incorporating parks, trail and in-water habitat in conjunction with mixed use redevelopment. Opportunities for continuation of certain existing operations, potentially including certain industrial uses in Area 1 and deep moorage associated with the Shipping Terminal in Area 9, would be maintained.

3.8.5.2 City of Bellingham Shoreline Master Program

The City of Bellingham Shoreline Master Program (SMP or the Program) is a result of Washington State legislation requiring all jurisdictions to adequately manage and protect Shorelines of the state.

The Shoreline Master Program (SMP) for the City of Bellingham establishes goals and guidelines for uses within 200 feet of the Ordinary High Water Mark (OHWM); this 200-foot wide area is termed the “shoreline jurisdiction”. The SMP goals relate to use, restoration, conservation, economic development, public access, recreation, history/culture/education and water quality within the shoreline jurisdiction.

Summary: 2008 SMP Update

The City of Bellingham is currently updating its SMP, with City Council adoption of the SMP update anticipated in 2008. The Draft SMP update designates the shoreline jurisdiction of the site as the “New Whatcom Designation” in order to implement “Special Area Planning”, to address the current New Whatcom master planning process, incorporate public input and comply with the State of Washington Shoreline Management Act. “Special Area Planning” is a regulatory tool used to allow governments to address shoreline management issues on complicated sites where a range of issues must be addressed.

Alternative staff recommendations to the development regulations for the New Whatcom Shoreline Designation include standards for permitted uses, buffers and setbacks, height and public access. Recommended regulations include: no setbacks from the OHWM for water-dependent uses and a 50-foot setback for water-related uses; maximum building height of 35 feet with potential for 50 feet depending upon the results of a required view analysis; and, provisions for public access to the shoreline.

The Draft SMP is currently being considered by the Bellingham City Council, with adoption slated for 2008. Upon adoption by the City and Ecology, these designations and development regulations, including permitted uses, setbacks and buffer requirements, allowable heights, etc. will govern redevelopment of that portion of the site within the shoreline management jurisdiction area.

Discussion: The site is currently vacant and contains underutilized industrial uses, with little or no public access to the waterfront. Accordingly, the Port’s objectives for the site include: “identifying opportunities to restore, enhance and create habitat along the waterfront

environment within the context of creating an economically-viable redevelopment” and “increase public access to the waterfront by developing pedestrian, bicycle and vehicular connections.”

As indicated above, the City of Bellingham is currently in the process of updating the SMP. The concept for redevelopment within the shoreline jurisdiction, as expressed through Alternatives 1 through 3, is intended to be consistent with regulations defined in the Shoreline Master Program, 22.11.30F – New Whatcom Development Regulation Matrix (Alternative Staff Recommendations).

Uses within the shoreline jurisdiction would include area in park, trails and buildings. All Redevelopment Alternatives would dedicate the majority of the shoreline to public access via minimum 25-foot wide shoreline buffers and trail areas. However, the amount of associated shoreline park areas would differ by alternative, with Alternative 1 providing the greatest amount of shoreline park area and Alternative 3 providing the least. Consistent with the City of Bellingham draft Shoreline Master Program (staff recommendations), building development within the shoreline jurisdiction could be located adjacent to the OHWM for water dependent uses and could be located to within 50 feet of the OHWM for non-water dependent uses. All buildings within the shoreline jurisdiction would be allowed an outright maximum height of 35 feet, and could be granted a maximum height of up to 50 feet depending upon the results of a required view analysis depicting potential impacts to surrounding properties. Public access opportunities to the waterfront would be provided throughout the site.

The amount of future building development within the shoreline jurisdiction would be dependent on the amount of shoreline area assumed to be dedicated to park and open space. Because Alternative 1 assumes that the majority of the shoreline area would be in park use, the potential for building development within the shoreline jurisdiction would be less than under Alternative 3, which assumes the least amount of park/open space uses of the Redevelopment Alternatives.

Any redevelopment on the site (with the exception of the marina which is regulated under the existing SMP – see below) would be assumed to be consistent with future applicable City of Bellingham SMP regulations.

Summary: 1989 Existing SMP

The existing SMP, adopted in 1989, will remain in effect until the updated SMP regulations are adopted. For purposes of this Draft EIS, it is assumed that the updated SMP regulations would be adopted prior to commencement of New Whatcom redevelopment activities in the shoreline area, except for the development of the marina at the remediated ASB and associated facilities (i.e., boat launch, parking areas, gatehouse). Because a complete Shoreline Substantial Development permit application for the marina has been submitted by the Port to the City, it is assumed that the marina development would occur subject to the existing shoreline regulations.

The existing SMP designates the shoreline of the site as an “Urban Maritime Environment” due to its location “proximate to navigable waters and suitability for waterborne commerce or other water dependent use.” The purpose of the Urban Maritime Environment designation is to reserve areas for land use activities that require proximity to navigable waters. Permitted uses in Urban Maritime Environments include publicly-owned, waterfront recreational uses which make use of a unique shoreline resource.

The existing SMP includes policies for activities at marinas. Policies relevant to the development of a marina include: marinas should be designed to minimize the adverse effects on water habitat; marinas should be designed to be aesthetically compatible with the shoreline area; viewpoints should be provided which would allow the general public to view marina activity; marinas should be designed in conformance with federal, state and local regulations; and upland parking areas for boat launch facilities should provide adequate parking relative to the size of the facility.

The existing SMP also includes regulations for activities at marinas. Regulations relevant to marinas include: the placement of breakwaters, jetties, groins, bulkheads, landfills and dredging activities associated with marina construction shall comply with SMP regulations; marinas shall be designed to allow sufficient circulation and flushing of the marina enclosure; marinas shall be supplied with adequate restroom and solid waste receptacles to accommodate marina users; discharge of solid waste, sewage, fish, shellfish, cleaning wastes, scrap fish, viscera or unused bait into water bodies is prohibited; marinas shall have hazardous materials management plans and spill response plans; marinas shall provide space and utility capability for managing sewage contained on boats or vessels; launch ramps shall have a minimum of 25,000 square feet of adjacent upland area which includes parking for 30 cars/trailers per launch ramp; marinas shall provide viewpoints of marina activities which are accessible to the general public; and all marina applications shall be reviewed by the Bellingham Arts Commission and the Interdisciplinary Advisory Committee.

Discussion: As indicated above, the Port has submitted a complete Shoreline Substantial Development permit application to the City that is consistent with Marina Concept A and is intended to support mixed-use redevelopment of the site. This application is subject to the existing SMP regulations. If the Proposed Actions permitting mixed-use redevelopment of the site are not approved, the Port could withdraw the current application and submit a revised application for a marina that is consistent with Marina Concept B.

Consistent with the Urban Maritime Environment designation, the Port proposes to remediate and redevelop the former industrial wastewater lagoon as a marina facility including up to 460 boat slips, up to 280 parking spaces, a 90-space boat launch parking area, a 40-space marina loading zone and short-term parking area, and a five to eight lane boat launch ramp. Parking facilities provided in support of the marina and boat launch ramps would be consistent with applicable shoreline regulations. Development of a marina facility at this site would create new opportunities for public enjoyment, access and recreational opportunities within the New Whatcom shoreline area.

In compliance with existing SMP policies and regulations, Marina Concept A would provide approximately 3.17 acres of new open space/park area along the western edge of Area 1 (adjacent to the proposed marina) and along the breakwater. Publicly accessible view points and open space areas would be included. Marina Concept A would provide 28 acres of new marine habitat area in proximity to salmon spawning habitat associated with the Whatcom Creek estuary. Marina Concept A would also include the creation of shallow habitat benches and provision of salmon passage tunnels to provide additional connections between the newly established marina habitat and the Whatcom Creek estuary. Marina Concept A includes provision of onsite restroom and sewage handling (waste pumpout) facilities. The marina also includes adequate parking circulation area for boat launch operations. Marina Concept A would comply with the SMP in regards to placement of marina-related structures and circulation/flushing within the marina enclosure, including designing the depths and bathymetry

of the marina to enable natural flushing and circulation. Other marina features would include measures to monitor water quality, limit live-aboards, provide educational materials on clean boating practices, and providing recycling facilities and disposal sites for waste oil. Marina Concept A has been designed to be in compliance with applicable local, state and federal laws.

Consistent with SMP regulations related to discharge of pollutants to waters, the marina would be operated consistent with the guidelines found in the *Ecology Resource Manual for Pollution Prevention in Marinas*. These guidelines focus on reducing pollution (such as discharge of oil products) establishment of spill prevention/response plans, and preventing the introduction of exotic species.

3.8.5.3 City of Bellingham Land Use Code

Summary: *According to the City of Bellingham Land Use Code (Title 20 of the Bellingham Municipal Code), the New Whatcom site is currently zoned as Industrial/Waterfront Mixed Use but is governed by Special Regulations. The Special Regulations state that the previous zoning for the site (Marine Industrial for a portion of Area 1 and all of Areas 9 and 10, Light Industrial for Areas 6 and 7, and Heavy Industrial for the remainder of the site) will remain in effect until a Master Development Plan for New Whatcom is adopted by the City. As part of the MDP, permitted mixed uses, infrastructure requirements and phasing, public access requirements, other zoning, design and development standards will be defined.*

The Industrial/Waterfront Mixed Use designation is intended to accommodate a compatible mix of residential, commercial, light industrial, public, and institutional land uses. Waterfront mixed use areas may include a compatible mix of personal, professional and corporate offices; retail and other services; light and water-oriented industrial uses; institutional and public/educational facilities; parks and other public gathering places and areas for public use and enjoyment of the waterfront; entertainment and cultural uses; and residential uses.

Discussion: For purposes of environmental review, a set of assumptions related to uses, level of development, building heights, parking ratios, etc. has been formulated; these assumptions are based on the prior public planning process undertaken for the New Whatcom site. Subsequent to the completion of the EIS process and consistent with the requirements of the Bellingham Land Use Code Industrial/Waterfront Mixed Use designation, a Master Development Plan (MDP) is intended to be adopted by the City and Port to guide future redevelopment of the site. The MDP will include the establishment of permitted uses, as well as requirements for infrastructure phasing, public access, and design and development standards.

It is assumed that the intent of the MDP will be to provide the opportunity to transform the New Whatcom site into a new mixed-use neighborhood with residential, commercial, light industrial and institutional uses, as well as parks, trails and shoreline amenities along Bellingham Bay. The MDP would include substantial new opportunities for public access to the waterfront that do not exist under current conditions.

3.8.5.4 City of Bellingham Critical Areas Ordinance

Summary: *Washington State's Growth Management Act (Chapter 36.70A RCW) requires all cities and counties to identify critical areas within their jurisdictions and to formulate*

development regulations for their protection. The City defines and identifies geologically hazardous areas in its Environmental Critical Areas Ordinance (BMC 16.55.410-.460) and has developed a folio of maps of geologically hazardous areas.

Environmentally critical areas include steep slopes, areas of potential landslide hazard, areas of potential liquefaction hazard, critical aquifer recharge areas, abandoned landfills, flood prone areas, riparian corridors, wetland and fish and wildlife habitat conservation areas.

The site includes areas classified as steep slopes, potential landslide hazards, liquefaction hazards, erosion hazards, coal mine hazards and abandoned landfills.

- *Steep slopes and potential landslide areas are located along the bluff on the southern side of Area 7 and 10. Some steeper unsupported areas of the shoreline may also pose a landslide hazard.*
- *Most of the New Whatcom site contains surficial fill materials and native deposits that could potentially be subject to liquefaction.*
- *A mapped coal mine hazard area is located in the southeastern corner of Areas 5 and 7.*
- *The abandoned Roeder Avenue Landfill is located in Area 1 and the abandoned Cornwall Avenue Landfill is located in Area 10.*
- *A potential wetland area is located off-site adjacent to Areas 7 and 10.*

In general, before development is allowed in or immediately adjacent to mapped critical areas, detailed geotechnical studies must be conducted as part of the permit process to address specific standards relating to site geology and soils, seismic hazards, and facility design. Any proposal to alter any Critical Area and/or required buffer is required to submit a Critical Area permit unless expressly exempted (16.55.070). If a proposed project is within, adjacent to, or is likely to impact a critical area, a critical area report that conforms to the requirements and performance standards of BMC 16.55 must be prepared based on best available science, submitted by the applicant to the City and approved by the Director (BMC 16.55.090). Proposals involving structural redevelopment of 5,000 sq. ft. of land or more are only required to provide minimum erosion or landslide hazard buffers (16.55.130).

Discussion: In compliance with BMC 16.55.070, any potential redevelopment construction activities conducted in the vicinity of a potential critical area would be reviewed to determine if a Critical Area permit is required (at the time of permit application submittal). If required, site-specific studies and evaluations would be conducted in accordance with the BMC and the provisions of the most recent version of the International Building Code (IBC), including conducting site-specific seismic analyses when appropriate.

Based on the results of this Draft EIS analysis, standard design and construction methods are available to ensure that significant impacts to critical areas would not result from redevelopment under any of the EIS Alternatives. For redevelopment within fill material that could be subject to liquefaction, a number of mitigation measures have been identified including ground improvement and use of deep foundations. Because construction or excavation is not anticipated to occur at the steep slope adjacent to Areas 7 and 10, impacts to this area would not be anticipated. The potential effects of long-term settlement, migration of methane gas from the prior landfills and other landfill-related issues would be addressed as part of the site-specific design and permit process for new buildings and infrastructure in Areas 1 and 10 of the site. For redevelopment within the coal mine area, site specific ground improvement and foundation modifications could be implemented, if determined to be necessary through a coal mine hazards

analysis conducted at the design and permit stage in accordance with City requirements (refer to Section 3.1, **Earth**, for detail on mitigation measures related to critical areas). Site redevelopment would not be anticipated to directly or indirectly affect the potential wetland area to the south; any runoff from this potential wetland reaching the site would be accommodated by the proposed site stormwater system (refer to Section 3.4, **Plants and Animals**, for detail.)

3.8.6 OTHER PLANS

Bellingham Bay Demonstration Pilot

Summary: *Bellingham Bay was selected in 1996 by state and federal agencies as the site of a demonstration pilot to develop sediment cleanup and habitat restoration priorities in an urban embayment of Puget Sound. Agencies, tribes, local government and businesses – the Pilot Team - worked collaboratively to develop an approach for source control, sediment cleanup and associated habitat restoration in Bellingham Bay. The Pilot Team developed a Comprehensive Strategy for the bay-wide program focused on cleanup and disposal of contaminated sediments, control of pollution sources, restoration of habitat, and in-water and shoreline land uses for priority sediment cleanup sites within Bellingham Bay. Several of the sites analyzed in the Comprehensive Strategy are adjacent to or within the New Whatcom site including the I & J Waterway, the ASB, the Whatcom Waterway, the Log Pond area, Georgia-Pacific operations area and the Cornwall Avenue Landfill. The goals of the Bellingham Bay Demonstration Pilot are to:*

- 1. Implement actions that will enhance the protection of human health.*
- 2. Implement actions that will protect and improve the ecological health of the Bay.*
- 3. Implement actions that will protect, restore or enhance habitat components making up the Bay's ecosystem.*
- 4. Implement actions that are consistent with or enhance cultural and social uses in the Bay and surrounding vicinity.*
- 5. Maximize material re-use in implementing sediment cleanup actions, minimize the use of renewable resources, and take advantage of existing infrastructure where possible instead of creating new infrastructure.*
- 6. Implement actions that are more expedient and more cost-effective, through approaches that achieve multiple objectives.*

Ecology is implementing the Model Toxics Control Act (MTCA) process which governs how existing contamination is to be investigated and remediated at several sites within and adjacent to the New Whatcom site. Ecology serves as the lead agency under SEPA for remediation projects subject to MTCA.

*Environmental review under SEPA was recently completed for the Whatcom Waterway Cleanup project, a component of the Bellingham Bay Demonstration Pilot program described above. The Whatcom Waterway SEIS identified cleanup actions for various areas in or near the Whatcom Waterway, including the ASB, Outer Whatcom Waterway, Inner Whatcom Waterway, Bellingham Bay Shipping Terminal and Log Pond (see Section 3.5, **Environmental Health**, for more information on the cleanup process in relation to New Whatcom Redevelopment Project). Final decisions on specific cleanup actions will be made by Ecology as part of the final Cleanup Action Plan. The Final SEIS was issued by Ecology in September 2007.*

Discussion: Ecology's decision-making processes under MTCA and SEPA are being performed with the recognition that the New Whatcom site could undergo a transition from industrial use to a mixed use/commercial area. This New Whatcom Redevelopment Project Draft EIS incorporates Ecology's SEPA review of the *Comprehensive Strategy for Bellingham Bay* by reference, including the supplemental review for the Whatcom Waterway site, in order to ensure appropriate and necessary integration of site cleanup of the ASB and the waterway under MTCA and its future redevelopment as a marina. Final decisions on specific cleanup actions were made by Ecology as part of the final Consent Decree and Cleanup Action Plan issued in September 2007.

This EIS is being conducted in coordination with the evaluation of environmental impacts and benefits associated with the remediation of seven different MTCA sites within the project area. These sites include the Whatcom Waterway, Chlor-Alkali Facility, Pulp & Tissue Mill, Central Waterfront, I&J Waterway, Cornwall Avenue Landfill, and the R.G. Haley site. Cleanup actions performed at the various upland cleanup sites will be completed in phases, with the early construction phase of all cleanups expected to be complete by 2016. Subsurface soil removals, soil and groundwater treatment, installation of groundwater diversion barriers and containment structures and other invasive cleanup activities will be conducted during the early construction phase of the cleanup actions. Following this early phase of work, an institutional controls plan will be implemented at each cleanup site, defining specific requirements for how final site actions will be implemented in coordination with redevelopment.

The design, permitting and construction of cleanup actions within the Whatcom Waterway site will be implemented along with proposed waterfront redevelopment activities (assuming the necessary approval and permits are secured) to ensure coordination of activities, provide for holistic environmental review, and minimize construction impacts to juvenile salmonids and sensitive aquatic organisms. In particular the cleanout and marina development planned for the ASB (under either the No Action Alternative or as part of Redevelopment Alternatives 1-3), and the dredging, capping and shoreline stabilization and dock/float construction activities proposed for the Waterway will be conducted as one integrated project. Following construction activities, an institutional controls plan will be implemented at the Whatcom Waterway site, defining any subsequent use restrictions and other institutional control requirements associated with mixed-use site redevelopment.