

**Concerned Neighbors of Lake Samish**

C/o Mark Herrenkohl  
321 Summerland Road  
Bellingham, WA 98229

April 6, 2009

Gary Davis, Senior Planner  
Whatcom County Planning & Development Services  
Northwest Annex  
5280 Northwest Road  
Bellingham, WA 98226-9097

Subject: **Revised Comments** on LAMIRD Designation for Lake Samish

Dear Mr. Davis:

The Concerned Neighbors of Lake Samish (CNLS) would like to provide revised comments and recommend changes to the proposed Limited Areas of More Intense Rural Development (LAMIRD) designation for Lake Samish. Since our letter to you on March 10, Whatcom County has added the “Proposed Whatcom County LAMIRD Designation and Boundary Criteria” dated March 26, 2009, in accordance with Washington State law (RCQ 36.70A.070(5)(d)), to guide the determination and designation of LAMIRD’s in the County. Based on review of the designation and boundary criteria, we believe Lake Samish should be designated Rural in accordance with the Growth Management Act (GMA) and not designated as a LAMIRD.

In particular, I would like to highlight and provide input on the additional designation criteria (B) under the Type 1 LAMIRD as it applies to Lake Samish:

- (2) *The area is subject to critical areas constraints that result in substantial development restrictions.*

In 2005, the County provided a Water Resource Protection Overlay District (WCC Chapter 20.71) in the Lake Samish watershed to impose additional controls and protection to this unique water resource. The Overlay includes development restrictions in the watershed. Additional restrictions for Lake Samish are provided in the Water Resource Special Management Area (WCC Chapter 20.80.735), Stormwater Special District (WCC Chapter 20.80.635), 1992 Critical Areas Ordinance, and 2008 Shoreline Management Plan.

- (4) *The area has environmental constraints on water and sewer/septic (based on availability of utilities, and/or water supply of sufficient quality/quantity and soils appropriate for septic/drainfield systems.*

The primary drinking source for residents is surface water from Lake Samish. The use of surface water is unacceptable under current zoning requirements. Specifically, under current County standards for drinking water, the Health Department will not approve private surface water, sea water, or rainwater as a source for a proposed short division, long division, or binding site plan. Lake Samish is a viable source of drinking water for only a limited number of homes. Additional development within a LAMIRD will lead to the collapse of this source.

- (5) *Urban government services are not available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control.*

As mentioned in response to (4) above, there is inadequate potable water for additional development under a LAMIRD. There may also be inadequate sewage disposal service for increased development since the Samish Water District has limited capacity within their agreement with the City of Burlington. In addition, the current roads are inadequate to support additional build-out and the County lacks the funding to widen and improve these roads.

- (6) *The area is not planned for more intensive development in the local subarea plan.*

The designation of a LAMIRD in the Lake Samish watershed would not be consistent with at least 13 goals and policies under the County's Comprehensive Plan including Goals 2CC, 11A, 11A-4, 11E, 11E-2, 11F, 11F-1, 11-F2, 11F-3, 11G, 11G-1, 11G-2, 11G-3, and 11G-8. Lake Samish is a rural area and zoning in the area should be designated as such.

With these designation criteria in mind, the CNLS does not support a LAMIRD designation for Lake Samish. The County should designate the entire area as Rural (minimum R5 zoning) under the GMA.

On behalf of the CNLS, we appreciate the opportunity to comment on the proposed LAMIRD for Lake Samish. If you have any questions, please contact me at 360-647-6980 or mherrenkohl@hotmail.com.

Sincerely,

A handwritten signature in black ink that reads "Mark J. Herrenkohl". The signature is written in a cursive style with a large, stylized 'M' and 'H'.

Mark J. Herrenkohl, President  
Concerned Neighbors of Lake Samish

Cc Steve Harper, Vice-President  
Kathy Ploeger, Treasurer  
Barbara Vaughan, Secretary

*Our Mission Statement:*

*We are a non-profit corporation whose purpose is to educate citizens of issues which may affect the health and water quality of the Lake, to ensure that development in the area is compatible with the existing unique character of the community and to see that development is in strict compliance with applicable rules and regulations.*