

Whidbey Environmental Action Network  
PO Box 293, Langley, WA 98260

Submitted to Island County via email Tuesday, January 13 2026

**Feedback on the Draft Natural Resources Element: Please continue strengthening protections**

*Please include these comments in the official public record regarding the Natural Resources Element of the 2025 Comprehensive Plan update. These comments are submitted pursuant to the public participation requirements of the Growth Management Act (RCW 36.70A). I request that these comments be included in the final record of adoption and that I be notified of all future hearings, work sessions, and final actions regarding this matter.*

The 2025 Draft Natural Resources Element of the Island County Comprehensive Plan represents a significant shift from passive conservation toward active resilience and restoration, largely adopting a proactive hierarchy as community members have recommended. Thank you for your robust work on this element, which we trust can be reflected by improvements to the Land Use Element to reconcile and bring consistency.

I thought I'd start by sharing a table of successes I see within the document:

<b>Feature</b>	<b>2016 Adopted Element</b>	<b>2025 Draft Element</b>	<b>Status</b>
Mitigation Goal	Focus on "minimizing detrimental effects" of development.	Shifts to "Avoid, minimize, and mitigate to achieve net gain" for affected environments.	More Protective

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Science Basis	Mentions Best Available Science (BAS) but lacks clear enforcement mechanisms.	Mandates rigorous application and continuous updating of BAS for all land-use decisions.	More Protective
Forest Management	Emphasized extractive value and timber production as "resource lands."	De-emphasizes extraction; recognizes rural forests for climate resilience and ecosystem services.	More Protective
Infrastructure	Primarily traditional grey infrastructure; limited mention of natural systems.	Explicitly promotes "green infrastructure" and nature-based solutions (e.g., living shorelines).	More Protective
Enforcement	Lacks strong language on monitoring compliance or addressing violations.	Integrates language for regular monitoring, clear penalties, and staffing/funding for enforcement.	More Protective

### **State Law & GMA Compliance**

The 2025 Draft is specifically designed to meet new state requirements that did not exist or were less defined in 2016.

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- **A success:** Compliance with HB 1181 (Climate Commitment Act). The draft successfully incorporates a Resilience sub-element that prioritizes environmental justice and climate adaptation. It effectively shifts the definition of "resource lands" to include ecosystem functions, which aligns with modern interpretations of the Growth Management Act (GMA).
- **Room for improvement:** While the 2025 Draft successfully adopts the language of 'net ecological gain,' it remains a hollow standard unless the County explicitly bridges the gap between high-level policy and development regulations (ICC 17.02B). To avoid the 'passive' pitfalls of the 2016 plan, the County should mandate a strict mitigation hierarchy—prioritizing avoidance above all else—and ensure that development codes are not just 'consistent' with the Plan, but are the primary vehicle for its enforcement. Without a robust, transparent mechanism to apply Best Available Science (BAS) to land-use decisions, the transition to 'net gain' will fail, leaving the County vulnerable to GMA non-compliance.

## **Ecosystems, Habitat, and Aquifer Protection**

### **Where the draft succeeds:**

- **Aquifer Recharge:** The draft Natural Resources Element moves toward protecting our sole-source aquifer through mandatory water conservation and low-impact development (LID). It acknowledges the role of large tracts of land in assisting aquifer recharge.
- **Climate Refugia:** The draft includes policies for identifying and protecting climate refugia—areas naturally buffered from climate impacts—which is a sophisticated addition for habitat preservation.
- **Shorelines:** There is a clear shift toward living shorelines and planning for tidal inundation, which better protects species and habitats vulnerable to sea-level rise.
- **Shift in Hierarchy:** We appreciate that with this draft, the County is moving from "Minimize" to "Avoid, Minimize, and Mitigate for Net Gain."

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- **Green Infrastructure:** The draft explicitly promotes nature-based solutions for flood and sea-level rise protection.
- **Climate Refugia:** The draft includes language to identify and protect these critical areas.
- **Native Plants:** The draft promotes native and climate-adapted species for restoration and roadside management.

**Where the draft can improve:**

- **Economic Valuation:** While the draft mentions ecosystem services, it has not yet fully committed to funding a specific economic study of these services in Island County, as WEAN and Commissioner Johnson supported. Without hard data, conservation goals may still be weighed less heavily than traditional "economic development." The Economic Development Element (Goal 4) correctly identifies natural assets as economic drivers but fails to provide the data necessary to protect them. To ensure the 'Net Ecological Gain' mandated in the Natural Resources Element is achievable, the Economic Development Element must include a commitment to fund an economic study of ecosystem services. Without quantifying the financial value of aquifer recharge, carbon sequestration, and storm-surge protection, the County cannot accurately weigh the long-term economic cost of environmental degradation against short-term development gains.
- **Connectivity:** While "wildlife corridors" are mentioned, the draft could be more specific about the acquisition and restoration of these corridors to prevent habitat fragmentation.
- **Guarantee No Net Loss:** The County needs a robust, transparent mechanism to apply Best Available Science (BAS) to land-use decisions including mandatory and rigorously enforced mitigation sequencing.

**Strengthening Protections for Preserves**

The draft leaves out important protections for wildlife preserves such as Deer Lagoon, which has been neglected and harmed by residents' treatment of it as a recreational park despite the binding grant agreement that mandates Island County

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steward it as a Preserve. Additional comments on this subject will follow in our review of the Parks and Recreation Element, but we recommend these additions to your Natural Resources policies in Fish and Wildlife Habitat Conservation Areas" or "Land Use" sections of the Natural Resources Element:

- **Policy: Designation of County-Owned Preserves**

The County shall officially designate specific ecologically sensitive properties, such as the County-owned portion of Deer Lagoon, as 'Preserves.' Unlike general-purpose parks, the primary management objective for Preserves is the protection and restoration of sensitive habitats, species, and culturally and/or ecologically significant sites.

- **Policy: Limiting Access to Sensitive Habitats**

To prevent the degradation of sensitive ecosystems, the County shall restrict or prohibit public beach and water access within designated Preserves where such access poses a risk to wildlife, promotes the trampling of sensitive vegetation, or encroaches upon ecologically and/or culturally significant areas.

- **Policy: Mapping Accuracy and Resource Protection**

County planning maps shall be updated to remove 'public access' or 'recreation' indicators from designated Preserves where no legal or environmentally sustainable access exists. Mapping shall prioritize the depiction of habitat boundaries and conservation status over recreational utility.

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**Line-by-Line errors, omissions, corrections, and opportunities in Natural Resources Element**

6.2 Needs an unambiguous statement that on-site conditions are determinative, regardless of mapping:

"The actual presence or absence of critical areas determines regulation, whether or not the area is mapped as a critical area."

It is widely recognized that one of the purposes that factors into determining enforcement penalties is to discourage other potential violations. The final paragraph in this section needs to say that:

"Effective enforcement is an important component of any critical areas protection program. The enforcement action and severity of any penalty must be proportionate to the nature and circumstances of the violation, the damage or risk to private and public resources, and the need to discourage other violations. When wetlands or fish and wildlife habitat conservation areas are damaged in violation of the law, restoration to at least pre-existing functional condition will be required.

There needs to be an overarching recitation of GMA's "no net loss" requirements and 6.2 is the place for it. Use the last sentence in the ¶:

The Growth Management Act requires that there be no net loss of critical area function and value. Whenever wetland alteration is permitted, compensatory mitigation will account for the function lost while the mitigation matures.

The last two paragraphs of 6.2.1 need to be struck or significantly revised. This highly theoretical conflict between development of two different types of critical areas is not consistent with GMA's "no net loss" standard in that it seems to allow a net loss of critical area function.

Strike the whole ¶.

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The 1st two sentences of the final paragraph are wrong. Every single portion of the 1984 regulations was found to violate GMA (especially Best Available Science and No Net Loss requirements) in our protracted litigation from 1999-2007.

Retain only the final two sentences of that last paragraph, or correct the content to reflect the above facts. Add, at the end of the final sentence, “ . . . no practical alternative. However, mitigation sufficient to prevent a net loss of functions and values is required.”

PFAS are conspicuously absent from the aquifer recharge passage. The county should consistently advocate for residents to pressure the Navy to do the right thing to address poisoning from these forever chemicals.

In 6.2.3 in the first sentence, prairies are rare, not abundant. Replace the word “abundant” with “mix of”.

In the second sentence, correct typo County’s to counties.

In the second paragraph in this section, the list needs to include Natural Heritage and DNR.

In 6.2.4 you are conspicuously missing discussion of the interaction of climate chaos (SLR, increased magnitude and frequency of storms) and flooding. This needs to recognize that coastal areas are being subject to these effects and some areas are not defensible for human habitation over time and will be abandoned.

In 6.2.5, are the chapters cited the County’s Geo-Haz critical area regulations? This needs to clearly say so. Same problem with CARAs.

At the end of 6.4.2, you write “ definition of Natural Resource lands, which the state clearly defines as based on soil types.” Incorrect. See GMA definitions.

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At the end of 6.4.3.1 you write, "However, there are several reasons forestry should be protected in Island County. It is important to the economy of Island County and can offer a local source of lumber to residents thereby reducing transportation impacts on the environment of obtaining lumber elsewhere. Timberlands, although they may be too disruptive for permanent wildlife habitat, may provide corridors for wildlife travel and migration. Preserving timber lands also prevents further development which has larger environmental impacts." This description omits carbon sequestration. Forested land has far greater carbon stocks than ag land, and provides stormwater and climate amelioration. Please add these functions here.

The sentence about timber production being important to our local economy is not substantiated by data. There are only a few small portable mills on the islands. Almost all logs are transported off island to be milled. Lumber sold here comes from all over. Based on the most recent Quarterly Census of Employment and Wages (QCEW) and data from the Washington Employment Security Department (ESD), logging supports approximately 10 jobs. Tourism-related employment, which is largely dependent upon scenic and healthy landscapes, is roughly 225 times larger. Forests are important to the economy. Timber production is not.

6.4.3.3 ends with two sentences that violate GMA's no net loss mandate. All wetlands must be protected (i.e., no net loss). Protection must be sufficient to provide no net loss overall. All wetlands are a "priority" for protection. Please correct.

Re: 6.4.3.4, GMA §160 also requires identification of open space corridors within UGAs and cities, not just between.

If, in 6.4.4.1, you are referring to specific areas (i.e. Coupeville/ Central Whidbey) please say so.

In this section, be more direct in your language. Replace, "In light of the existing

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pattern of rural development in Island County, the County must find ways to protect farms large and small from increasing development pressures." With "The county will act to protect . . . "

Right to farm measures HAVE been adopted. Replace "must".

In 6.4.4.2, We need inclusion of small scale and conservation forestry via the open space tax program and we need discussion of the economic costs of industrial forestry.

In 6.5.1, in the fourth sentence, you state, "the County will require" . The county already does require.

In 6.6. Goals and Policies, these are all pretty general. Conspicuously missing is any specific mention of a comprehensive approach using the open space tax program for small scale and conservation forestry, regenerative ag, enlarged critical area buffers and connecting corridors, etc.

Here is a clearer and more appropriate goal:

The County will use the Open Space Tax program to:

- help conserve lands dedicated to conservation and climate smart forestry and regenerative agriculture;
- enlarge wetland and stream buffers;
- provide corridors between wetlands, streams, fish and wildlife habitat areas, forests, and other natural areas.

## **Conclusion**

The 2025 Draft represents a vital shift from passive conservation toward active resilience. We applaud the move toward 'Net Ecological Gain', the inclusion of Climate Refugia, and the recognition of Living Shorelines. These are sophisticated, necessary updates for Island County's future.

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However, 'Net Gain' remains a hollow standard without two things:

1. Strict Enforcement: We must mandate a mitigation hierarchy that prioritizes avoidance above all else. Development codes must be the primary vehicle for enforcement, not just a suggestion.
2. Economic Valuation: We urge the County to fund a specific study of ecosystem services. Without quantifying the financial value of our aquifer recharge and carbon sequestration, conservation will always lose to short-term development.

We must formally designate ecologically sensitive sites like Deer Lagoon as 'Preserves,' not just parks. This includes updating maps to restrict public access where it threatens sensitive habitat. Additionally, the plan must address PFAS in our aquifer protections and recognize that prairies are rare, not abundant.

Finally, we must prioritize Carbon Sequestration in our forests. Data shows that tourism—which relies on healthy landscapes—is 225 times more vital to our economy than timber extraction. Let's ensure our Open Space Tax program reflects this.

Thank you for working toward net gain of ecosystem function in Island County for our collective health, climate resilience, and equity.