

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Tuesday, April 2, 1991

9:30 a.m. - 10:30 a.m. Department of Planning and Community Development - Scott Kirkpatrick,
Director:

- 1) Presentation - Don Tubbs of GeoEngineers.
- 2) Hearing Examiner Agenda Report.
- 3) Enforcement Report Update.
- 4) Miscellaneous.

10:30 a.m. - 11:00 a.m. Public Comment Period.

7:00 p.m. - 9:00 p.m. Public Meeting - Drainage and Flood Control.

The Skagit County Board of Commissioners met on Tuesday, April 2, 1991, in regular session with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

- 1) Presentation - Don Tubbs of GeoEngineers.

Mr. Kirkpatrick introduced Don Tubbs, Senior Geologist with GeoEngineers, a firm employed by Skagit County to provide a geologic reconnaissance and EIS review of the Marine Drive and Rosario Road area with respect to present and future residential development. Mr. Kirkpatrick stated that geological factors effecting the pending approval of Seaview Division 3 and the potential approval of Seaview Division 4, residential developments of San-Juan/Fidalgo Properties, will be addressed in a third party consultant contract with Parametrics, an independent consultant.

Mr. Kirkpatrick provided a copy of the GeoEngineers report to each Board member and several audience members, offering to provide additional copies to those who wished them.

Mr. Tubbs gave a review of the geological make up of Fidalgo Island, and particularly of the island bluffs. He explained that water, as it infiltrates the environment through precipitation, is removed from an area in three different ways:

- evaporation or evapotranspiration from trees and vegetation.
- surface runoff
- groundwater recharge

He stated that an integrated drainage system theoretically increases surface runoff through storm sewers and tight lines, and decreases groundwater recharge. The Seaview development, in the bench area, has a geological make up consisting of an upper layer of sand and gravel which allows water to seep quickly into the ground instead of running off the surface. Development of an area decreases the tree and vegetation coverage of an area, thereby decreasing the evapotranspiration component of the water budget equation and increasing the amount of water that is present in surface runoff and groundwater recharge. Groundwater recharge is further increased by the presence of impervious surfaces such as roads, driveways and homes in new developments.

The effects of an increase in groundwater recharge on the bluffs of Fidalgo Island can include an increase in the frequency of landslides because of slope saturation. Seepage of groundwater along the bluffs can

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cause an increase in the retreat rates of the bluff. Conversely, using storm drains and tight lines to dry out the bluff can starve local water supplies which depend upon the groundwater supply to fill wells and water systems.

Mr. Tubbs concluded that, in order to stabilize the area's water budget, development of the area should balance groundwater recharge by the use of some tightlining, and development should be encouraged to occur away from unstable areas.

2) Hearing Examiner Agenda Report.

In accordance with discussions held last week, Mr. Kirkpatrick provided a timeline listing of the Hearing Examiner's schedule of preliminary plat, variance and special use applications for the remainder of the year. Next week, a schedule will be produced showing how the addition of reviews of plats with greater than 10 lots referred from the Planning Commission will effect the Hearing Examiner's schedule.

Mr. Kirkpatrick also indicated that he will be drafting a policy to address permits that have been in the permit review system for a number of months without activity. He further explained that although a permit is considered "vested" when the application is complete, some incomplete permits remain in the system for long periods of time awaiting further information from the applicant. Currently there is no policy which would allow a permit to be quashed after it has been in the system without activity for a long period of time.

Bob Scofield, the Hearing Examiner, offered to take over the advertising and scheduling of his public hearings to relieve some of the burden on the Planning Department staff.

3) Enforcement Report Update.

An enforcement report was provided.

4) Miscellaneous.

A. The Board approved for signature an extension to the rental agreement with the Skagit Valley Mall for one additional month to house the Small Business Administration's flood relief office. Rent for the additional month was fixed at \$375.00.

B. In accordance with action previously taken, the Board approved for signature a resolution approving variance request #V-90-035 of Deanne Crook. (Resolution # 12927)

PUBLIC MEETING - DRAINAGE AND FLOOD CONTROL (ANACORTES CITY HALL).

The Board convened at the Anacortes City Hall for a public meeting the purpose of which was to present a proposal for the formation of a county-wide drainage utility, and to gather public opinion on the proposal. Approximately 30 people attended.

Chairman Vaux introduced Mark Spahr, Public Works Director, and Dave Brookings, Flood Control Engineer.

Mr. Brookings reviewed drainage and flooding issues, beginning in the far eastern reaches of the County and extending westward to Fidalgo Island. He then reviewed the revenues available for flood and drainage improvements and maintenance of flood and drainage facilities. Twelve dike districts and 13 drainage districts produce revenues through taxes in amounts from \$6,000 to \$35,000 annually to address the dike and drainage facilities in their respective areas. Nine sub-flood control zones, for which the Board of County

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Commissioners acts as administrators, also produce revenues through taxes to address flood and drainage issues in their respective areas. The county-wide drainage utility would respect the role these districts play in flood and drainage control, and would not disturb their functions. The County Road Fund allots \$240,000 for drainage maintenance necessary to protect County Roads and is applied to projects outside the perimeter of the roads. The River Improvement Fund provides \$20,000 which is apportioned to the dike, drainage and sub-flood control districts through a grant program. One person, Mr. Brookings, makes up the staff of the Flood Control Division.

Mr. Spahr reviewed the components necessary to a comprehensive drainage program. Planning and studies should include the following steps:

- identify issues and solutions
- clarify jurisdictional roles
- develop a system to evaluate and prioritize projects
- identify maintenance needs
- facilitate compliance with Department of Ecology regulations
- set appropriate fees

Mr. Spahr explained that the staff has reviewed ways in which to fund this study and has the following options:

- sub-flood control zones and diking and drainage districts to cover the entire County. Does not deal with regional issues, but does compel everyone to participate.
- River Improvement Fund raised by a county-wide vote to exceed tax limit.
- Mitigation fees. These cannot alone provide a solution to water problems, as they can be used only to benefit whatever development pays them.
- Federal and State grants. These require matching funds of up to \$0.50 on each dollar raised through grant applications.
- County-wide drainage utility.

Mr. Spahr reviewed the State law pertaining to the County-wide drainage utility, which is being recommended as the option to pursue. The County-wide drainage utility can be formed by a vote of the Board of Commissioners. Initial assessments would fund the drainage study. The study would then identify how assessments should be made to fund future construction and maintenance projects based on the land use activity on the property. An initial assessment of \$10.00 per parcel has been suggested.

Finally, Mr. Spahr reviewed a timeline for planning and implementation.

Commissioner Wylie then explained how the Army Corps of Engineers, the Federal Emergency Management Agency and the Soil Conservation Service funded the November flooding disaster recovery.

The meeting was opened to public comment.

Chris Knutsen asked if the Swinomish Indian Reservation would be included in the utility. Chairman Vaux replied that no entity would be intentionally excluded, and Mr. Knutsen pointed out that there are many private dikes on the reservation that are in need of work. Mr. Knutsen was concerned with the ability of the County to properly operate a drainage utility in view of the manner in which the County's Planning Department operates. He also pointed out problems with drainage which exist on Telegraph Slough.

Bill Roozen was in favor of the proposal. He indicated that drainage improvements will protect agricultural

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land and help tie the dike and drainage districts together.

Jim Morrow, a Del Mar resident, was also in favor of the proposal. He stated that homeowners associations are presently responsible for the drainage facilities in his neighborhood, and some residents have refused to participate in the association; therefore, all users are not paying their share.

Alan Bush asked that the Board use the power of the Washington State Association of Counties to pressure the Puget Sound Water Quality Authority, an arm of the Department of Ecology, to allot grant monies to help counties comply with their new regulations.

Chairman Vaux pointed out that, although Initiative 65 says that the legislature cannot hand down rules which do not provide funding to help counties comply, it is constantly ignored. WASAC has discussed challenging the legislature on their noncompliance with the Initiative.

Mr. Bush then encouraged the Board to support Senate Bill 5411, which addresses flood control.

Clee Richardson was in favor of the proposal and offered his help.

Martin Corin made the point that other counties contribute to our drainage problems, but do not pay. He supported a county-wide assessment.

Ross Barnes, 104 Harbor Lane, Guemes Island, recommended that the drainage utility be fully integrated with land use planning; however, he was concerned with the utility's association with the County's Planning Department. He was also concerned that the study would be general in nature and would probably allocate all available funds to large, general projects with none left over for smaller projects that crop up later.

Chairman Vaux likened the way the funding allocations would be decided to the way the County plans their six-year road program, with opportunity to rearrange priorities as changes occur.

Mr. Barnes encouraged that the study not be performed with preconceived plans. For example, he stated, a decision that an Avon bypass should not be made an intrinsic part of the study. Mr. Barnes felt that forest practices, since they contribute to sedimentation, should be assessed accordingly; however, he pointed out, significant tax increases may adversely effect private contractors' ability to continue logging.

Dick Threat indicated that a citizens' advisory committee should be consulted early on and offered to serve on the committee. He also felt that the drainage utility should be related to the Planning Department.

Max Benjamin was concerned that the study would expand beyond the matter of drainage into areas where it had no control.

Chairman Vaux indicated that it is probable that issues will occur in the future which are related to water, although not directly related to drainage, for which funds may have to be appropriated.

Mr. Benjamin then attacked a statement recorded in the Skagit Valley Herald which indicated that one half of the tax revenues would be spent on construction and one half on maintenance, engineering and administration. He felt that this was too great an amount for administration and engineering.

Mr. Spahr corrected the newspaper article, stating that administration will account for only at 5% to 10% of the total revenues.

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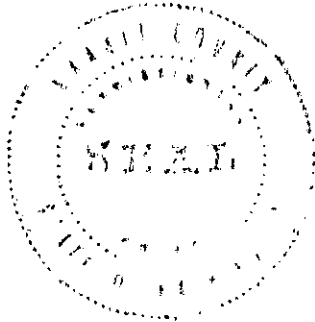
Mr. Knutsen asked to speak again and indicated he felt that the money raised by the initial assessment should be parceled out to the existing sub-flood control zones and new sub-flood control zones created to encompass the unprotected portion of the County.

Gay Aschbach questioned whether the cities would be included in the assessments, and Chairman Vaux answered that the Board is undecided on this issue.

ADJOURNMENT:

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Robinson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman

Robby Robinson

Robby Robinson, Commissioner

Ruth Wylie

Ruth Wylie, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners