

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

**Tuesday, December 15, 1992**

9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Dave Hough, Director:

- 1) Signature - LaConner Harbor Line Relocation.
- 2) Signature - Samish River Watershed Action Plan.
- 3) Discussion - Supplemental Draft EIS for Proposed Swinomish Marina.
- 4) Comprehensive Plan Progress Report.
- 5) Code Enforcement Activity Report.

10:00 a.m. - 11:00 a.m. Hearing Examiner Recommendations:

- 1) Approval - Open Space Application #OS-92-004 of Mike and Carolyn Mathews located on Chuckanut Mountain.
- 2) Approval - Open Space Application #OS-91-017 of Tom Hicks, 1482 Colony Road, Bow.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 15, 1992, with Commissioners W. W. Vaux and Robby Robinson present. Commissioner Ruth Wylie's absence was excused.

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - DAVE HOUGH DIRECTOR:**

- 1) Signature - LaConner Harbor Line Relocation.

A redraft of a letter provided to the Board at last week's meeting by Zoe Pfahl, Shorelines Administrator, was provided to the Board for review.

The Board reviewed the letter and approved its submittal to the Department of Natural Resources, which is seeking comments regarding a proposed harbor line relocation.

- 2) Signature - Samish River Watershed Action Plan.

Jim Freeman provided the final grant agreement from the Department of Ecology for the Samish River Watershed Action Plan. This comes as a result of an application sanctioned by the Board last January. This is the third watershed plan that has been undertaken using DOE grants within Skagit County. This will fulfill the State guidelines for completing three watershed management plans by 1996. The watershed plan will cover all of the land draining into Samish Bay. The plan will be completed in 1994. The grant total is \$225,000, of which Skagit County must provide \$65,000, or 25%.

The Board approved the grant agreement for signature. (Contract #001496)

- 3) Supplemental EIS - Swinomish Marina.

Dave Hough updated the Board on the status of the SEPA process. He stated that the draft has been provided to several departments and entities and many comments have been received.

Zoe Pfahl, Shorelines Administrator, provided a packet summarizing the main points of the EIS.

Oscar Graham, Shorelines Administrator, explained that Skagit County is charged with protecting the ecosystem of Padilla Bay; however, the proposal is to be constructed on Tribal land, where the Swinomish

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Tribe has sovereign jurisdiction. However, any project requiring Federal permitting, as this does through Corps of Engineers hydraulics permitting, is subject to Department of Ecology review. Although Skagit County has little jurisdiction in this matter, it does not prevent the County from commenting on the protection of the estuary itself. The main comments of note are that Padilla Bay is recognized by local, State and Federal agencies as a natural estuarine reserve, and that habitats associated with old dredge sites have become valuable as wildlife habitats for a number of species. The dredging proposed to build the marina would certainly bring water quality and turbidity problems to some of these habitats. Although the Tribe has planned to create an intertidal wetland just off of the channel to mitigate the impacts of the proposed dredging, there is concern for destroying an established habitat in favor of establishing a new, man-made wetland.

In addition to the comments of the Shorelines Administrator, comments were received from the Public Works Department regarding traffic impacts and drainage/erosion/sedimentation control during the construction phase.

The Board reviewed the letter that Mr. Graham plans to send, over the Board's signature, to the Tribe containing comments on the EIS that has been submitted for the marina project. The Board approved the letter and it was signed.

4) Comprehensive Plan Progress Report.

Mr. Hough stated that henceforth the Planning Department will provide regular updates on the status of Comprehensive Planning. He called on Gary Christensen, Senior Planner, to provide the first update.

Mr. Christensen reported that the Citizen Advisory Committees (CAC's) are operating, with about 75 citizens involved. All of the committees have met at least once. Meeting schedules have been provided to the media and other interested citizens. Initially, the committees are involved in identifying issues that each committee feels are important to address within their committee. Rural, Housing, Minerals, Utility, Forestry and Agricultural committees are currently operative. Starting at the first of the year, the committees will meet every other week, with a goal of having draft policies prepared for public review in April, 1993.

The Board discussed with Mr. Christensen the progress of the Rural CAC.

5) Code Enforcement Report.

The Code Enforcement Report was provided for review.

6) Miscellaneous.

- A. Oscar Graham updated the Board on the Planning Commission's meeting regarding revisions to the County's Shoreline Master Plan pertaining to aquaculture activities. He stated that the Planning Commission, following much public testimony, voted to continue the hearing to January 11, 1993. He noted that the moratorium on fish net pen applications will expire on December 31, 1992.
- B. Bob Taylor, Administrative Officer, presented a resolution for consideration which authorizes a waiver of bid requirements for the emergency removal and repair of a ceiling and asbestos wrapping around water pipes where a severe roof leak has occurred in the County Courthouse building, third

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floor.

Commissioner Vaux motioned to approve the resolution. Chairman Robinson seconded the motion, which carried and was so ordered. (Resolution #14672)

**HEARING EXAMINER RECOMMENDATIONS:**

1) Application - Open Space Application #OS92-004 of Mike and Carolyn Mathews located on Chuckanut Mountain.

Grace Roeder, Associate Planner, explained that the Mathews property is part of a larger subdivision created last year before new regulations governing 20-acre lot subdivisions was adopted. It is located off of Chuckanut Drive on a newly constructed access road 2 miles north of the Oyster Creek Inn. The property is zoned forestry and the total area around the site is forested.

The applicant has submitted a timber management plan, and has included the entire 20 acres in the application. He has not chosen to delete any acreage for construction of a home, Ms. Roeder explained. She stated that both the Planning Department and the Hearing Examiner have recommended approval of this request.

Commissioner Vaux motioned to accept the resolution approving a Timber Open Space Application #OS-92-004 of Michael and Carolyn Mathews. Chairman Robinson seconded the motion, which carried and was so ordered. (Resolution #14673)

2) Approval - Open Space Application #OS-91-017 of Tom Hicks, 1482 Colony Road, Bow.

Ms. Roeder provided an Assessor's map with the property highlighted. The Hicks property is approximately 15 acres in size, located on Colony Mountain. Mr. Hicks would like to include 12 of his 15 acres in the Timber Open Space Program. Three acres contain his house and outbuildings. The property is in a rural/residential area with a variety of parcel sizes with and without homes.

The Planning Department has recommended approval of the request, conditioning it on the applicant's preparing a timber management plan. The Hearing Examiner concurs, including the Planning Department's condition, as well as a condition that the applicant prepare a legal description with the help of a title company.

Commissioner Vaux motioned approval of the resolution granting Timber Open Space Application #OS-91-017 of Tom Hicks. Chairman Robinson seconded the motion, which carried and was so ordered. (Resolution #14674)

**MISCELLANEOUS ITEMS.**

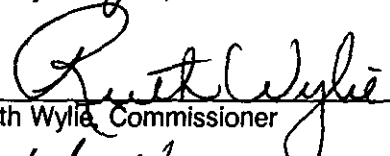
A. Commissioner Vaux motioned to hold a public hearing on Tuesday, December 29, 1992, at 10:00 a.m. to consider the extension of a moratorium on the submittal of applications for fish net pen facilities. Chairman Robinson seconded the motion, which carried and was so ordered.

**ADJOURNMENT:**

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


BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
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Robby Robinson, Chairman

  
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Ruth Wylie, Commissioner

  
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W. W. Vaux, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners

