

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

**Tuesday, March 9, 1993:**

- 9:00 a.m. - 10:00 a.m.            Department of Planning and Community Development - Dave Hough, Acting Director:
- 1) Discussion - Proposed Interlocal Agreement with Department of Natural Resources on Review of Forest Practice Applications.
  - 2) Code Enforcement Report.
  - 3) Miscellaneous.
- 10:00 a.m. - 11:00 a.m.            Hearing Examiner Recommendation - Approval - Howard Taylor Agricultural Variance - East and Adjacent to 1902 F&S Grade Road, Sedro Woolley.
- 11:00 a.m. - 11:30 a.m.            Orientation - Community Advocacy Network (CAN-DO) Program.

The Skagit County Board of Commissioners met on Tuesday, March 9, 1993, with Commissioner's Hart, Wolden, and Robinson present.

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

- 1) Discussion - Proposed Interlocal Agreement with Department of Natural Resources on Review of Forest Practice Applications.

Jim Cahill, Associate Planner, reviewed issues regarding the review of Forest Practices Applications (FPAS). The Department of Natural Resources (DNR) is responsible for issuing permits for logging on private lands, and the County has the authority to review and condition those permits where the land is being converted. When a forest practices permit is submitted to the DNR, it then submits the applications to the County. If a conversion is declared, the County can condition the Permit. By current County Code the County can require a temporary erosion control plan, a fill and grade permit, and a SEPA checklist. Verification of compliance with requirements and site inspections are not performed, as there is not staff available.

Dan Tolliver, Flood and Drainage Department, stated that there is a Public Works Inspector position being filled that will be able to assist the Planning Department with the review and inspection process.

Mr. Cahill continued, stating that several problems exist with the current permitting process. Impacts to resources from logging for conversions are increasing as are complaints from the public, and enforcement actions by DNR. County fill and grade requirements are designed for structural developments, the County cannot condition for "pre-development" logging activities, uniform standards do not exist for effective mitigation of impacts regarding unstable slopes and other critical areas, and SEPA can be involved only under specific circumstances.

The creation of a Memorandum of Agreement (MOA) between Skagit County and DNR would formalize the review of logging activities on lands being converted, and the review process and jurisdictional authority of Skagit County would be clearly defined. Mr. Cahill expressed that an MOA would be beneficial as it would allow the County to have authority to condition Class IV General Conversions. An MOA would be necessary should the County adopt a clear and grade ordinance; it would define the level of involvement and authority for each agency; provide for a conversion option harvest plan and collection of permit fees; require the formation of teams to inspect timber harvesting; include conversion option harvest plans; and establish a process for lands likely to convert.

Mr. Cahill stated that King and Snohomish Counties are currently in the process of developing MOAs. He said that he has been using Snohomish County's draft MOA to aid in developing a draft MOA for Skagit County.

Mr. Cahill reviewed new Washington Administrative Code 222-20-040 (3) (D) and (E) regarding conditioning FPA applications.

Chairman Hart stated that there needs to be a tracking system for those people who are trying to circumvent current regulations, and at the same time, protect those who are trying to follow the regulations.

Mr. Hough stated that the development of an MOA will require permitting regulations. The rules will be outlined for the applicant at the beginning of the application procedure so they will know everything that will be expected of them. He said that a model MOA will not be ready for a few months.

Mr. Bill Vaux, Port Gardner Timber, addressed the Board. Mr. Vaux encouraged the Board, and the Planning Department, to discover whether Island County has an MOA with DNR. He felt that if the County is going to use another County's MOA to pattern Skagit County's, Island County's would be closer related. He said that King County will disallow logging operations in the near future, and Snohomish County is heading that direction also. Timber income means nothing to King and Snohomish Counties, but is vital to Skagit County. He said that it was his understanding that since July of 1992, the County can invoke SEPA on any permit application. The County can become the lead agency if they do not approve of what DNR is doing. Mr. Vaux felt that an MOA may not be necessary.

Mr. Joe Blazik, DNR, stated that at the present the DNR has no MOA with any County. He said that the creation of an MOA is in an attempt to make it easier for DNR and Counties to work together on conversions and class permits.

Mr. Vaux stated that he participated in the Sustainable Forestry Round Table meetings which were intended to discuss only conversion issues. Many meetings were held but did not continue. He said that during the meetings that did take place, DNR was obviously reluctant to allow Counties to have land use control. Mr. Vaux said that technically the Counties have control, and felt it would be detrimental to lose any of that control. He felt that land use control belongs under the jurisdiction of the Board of County Commissioners.

Mr. Hough will continue to work on the project and bring more information to the Board as it is available.

2) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

3) Miscellaneous.

No Planning and Community Development items were presented at this time.

Steve Colby, Parks and Recreation, presented for the Board's approval and signature, a Statement of Willingness to assume Financial Responsibility for property extending from mile post 22.00 near Sedro-Woolley to mile post 33.42 near Hamilton, a distance of 11.42 miles. The right-of-way is part of a line proposed for abandonment in Docket AB-6 (Sub-no. 341X) before the Interstate Commerce Commission. He said that the agreement had been reviewed and signed by John Moffat, Chief Civil Deputy Prosecuting

10:00 a.m. - 11:00 a.m.

**HEARING EXAMINER RECOMMENDATION - APPROVAL - HOWARD TAYLOR AGRICULTURAL VARIANCE - EAST AND ADJACENT TO 1902 F&S GRADE ROAD, SEDRO WOOLLEY.**

Grace Roeder, Associate Planner, submitted an assessors map and a copy of an Aerial photograph of the subject property for the Board to review. She said that Mr. and Mrs. Taylor have approximately 60 acres of property of which they are requesting an agricultural variance in order to subdivide 10 acres from the total acreage. The 10 acres portion fronts on F & S Grade Road. The area requested to be divided is separated from the remaining property by Thomas Creek, is rocky and not good farming land. The Hearing Examiner has recommended approval with the following conditions: a short subdivision shall be submitted and approved by the Skagit County Department of Planning and Community Development prior to conveyance of the subject property; and the subdivision is limited to the subject ten acre parcel. Any further subdivision shall require the appropriate land use approvals.

Ms. Roeder read a letter from the Thomas's into the record supporting their request for subdivision.

Commissioner Robinson motioned to approve Agricultural Variance AGV 92-072 of Howard Taylor as submitted. Commissioner Wolden seconded the motion, which carried unanimously. (Resolution #14770).

**ORIENTATION - COMMUNITY ADVOCACY NETWORK (CAN-DO) PROGRAM.**

Dewey Desler, Executive Director of Northwest Regional Council, and Tim Holloran, Director of the Skagit County Senior Services Department, explained that the CAN-DO program, which stands for "Community Advocacy Network - Dial Olympia", is a mechanism for older or disabled Americans to have a voice in the legislature. Sponsored by the Northwest Washington Aging Network, the program introduces a telephone network that allows senior citizens to call with comments on bills and issues pending before the State Legislature. The program is operated by citizens from Island, San Juan, Skagit and Whatcom Counties. The first layer of telephone network volunteers are called by the four-county network coordinator. They in turn call people from their area, who pass the word to their respective organizations. Individual organization members are then contacted to telephone their Legislative Hot-Line or Senior Lobby Hot-Line as instructed. The majority of messages to be sent originate from the Senior Lobby, which tracks legislation and determines when network calls can be most effective. There is no charge for participating in the network, and members receive a two hour training session on key legislative issues effecting seniors.

Mr. Desler and Mr. Holloran asked that the Board co-sponsor a meeting at which information about the CAN-DO program and applications for membership could be disseminated, and the Board agreed.

ADJOURNMENT

Commissioner Wolden motioned to adjourn the proceedings. Commissioner Robinson seconded the motion which carried unanimously.

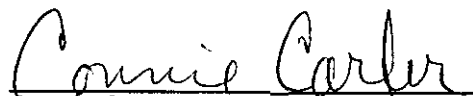
BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
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Robert Hart, Chairman

  
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Harvey Wolden, Commissioner

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Robby Robinson, Commissioner

ATTEST:

  
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Connie Carter, Clerk of the Board

