

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Thursday, March 15, 2001**

3:00 p.m. – 3:30 p.m.

Decision in the Appeal by Dike Districts 1 and 12 of the Hearing Examiner's Decision regarding the Skagit County Non-Motorized Transportation Plan Determination of Non-Significance (AP-00-0685)

The Skagit County Board of Commissioners met in special session on Thursday, March 15, 2001, with Commissioners Ted W. Anderson and Don Munks present. Commissioner Kenneth A. Dahlstedt's absence was excused.

DECISION IN THE APPEAL BY DIKE DISTRICTS 1 AND 12 OF THE HEARING EXAMINER'S DECISION REGARDING THE SKAGIT COUNTY NON-MOTORIZED TRANSPORTATION PLAN DETERMINATION OF NON-SIGNIFICANCE (AP-00-0685)

Chairman Anderson announced that Commissioner Dahlstedt was not in attendance at this session due to a funeral. He expressed Commissioner Dahlstedt's apologies for his absence to those assembled.

Commissioner Munks indicated that this is an issue that has had much discussion and public input. He stated that the testimony received regarding the Non-Motorized Transportation Plan has made it clear to the Board that the dike district commissioners need to be involved when decisions are made about placing a trail on their dikes, while staying within the guidelines of the Growth Management Act. Consequently, Commissioner Munks moved to uphold the Hearing Examiner's decision and directed Tom Karsh, Director of the Planning and Permit Center, to withdraw the existing SEPA Determination of Non-Significance and to work with the dike districts and their attorneys to insert language for a mitigated Determination of Non-Significance.

Chairman Anderson clarified that the mitigated DNS would occur when and if an actual project was formally proposed. He indicated that the proposed motion would allow participation by the dike district commissioners when actual trails are proposed for such dike districts.

Tom Karsh, Planning Department Director, stated that the goal of working with the dike districts would be to make it clear to the public that future trails on dikes would involve the level of environmental review that would be appropriate. Issues of specific projects would need to be considered. The DNS itself is for the entire Non-Motorized Transportation Plan.

Commissioner Munks reiterated that the Board wanted to make sure that the districts are involved in the process if there are proposed specific projects.

Mr. Karsh expressed to the need to incorporate in the DNS the issues brought forward in the Feasibility Study.

The motion was seconded by Commissioner Anderson at this point. He commented that this is the only way to "get there from here." He stated that if the Board remanded this matter back to the Hearing Examiner, it is most likely that the same result would be ascertained.

Chairman Anderson clarified that the motion before the Board was to uphold the Hearing Examiner, and direct Tom Karsh to withdraw the termination of non-significance (DNS), and to work with the dike districts on the preparation of a mitigated DNS as projects are brought forward.

RECORD OF THE PROCEEDINGS

Thursday, March 15, 2001

Page #2

Mr. Karsh reviewed that the Board was directing him to work with the dike districts to formulate mitigated DNS language for the plan and that language would make it clear that there would be additional environmental review for any specific project proposed in keeping with the issues raised by the Dike District Commissioners.

Upon call for the question, the motion passed unanimously. **(Resolution to be provided by Staff at a later date)**.

MISCELLANEOUS.

On behalf of the Department of Emergency Management, Staff presented an Emergency Declaration declaring that an emergency exists within Skagit County as a result of the earthquake that occurred on February 28, 2001. Commissioner Munks moved to approve the Resolution as presented by Staff. Chairman Anderson seconded the motion, which passed unanimously. **(Resolution No. 18190)**

ADJOURNMENT.

Chairman Anderson made a motion to adjourn the proceedings. Commissioner Munks seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners