

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 10, 2002**

- 8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/District Maintenance Supervisors
- *T** 9:00 a.m. – 10:00 a.m. **Public Works Department – Chal Martin, Director**
1. Discussion/Possible Signature – Personal Services Agreement with Economic & Engineering Services – Samish Basin 2514 Instream Flow Agreement
 2. Discussion – Skagit Water Rights for Rural Citizens
 3. Update – FERC Relicensing Process, Baker Project
 4. Update – Skagit River Flood Protection/Salmon Restoration Project
 5. Miscellaneous
- 10:00 a.m. – 10:30 a.m. Discussion/Possible Adoption – Natural Resources Policy Analyst/Coordinator Within the Department of Administrative Services
- 10:30 a.m. – 11:00 a.m. Discussion and Determination – Whether to Invoke the Washington State Boundary Review Board for Skagit County to Consider the Annexation Petition of Fire Protection District #5 (Oyster Creek Lane)
- *T** 3:00 p.m. – 3:30 p.m. Presentation – 2002 Skagit Marine Resources Committee Accomplishments

The Skagit County Board of Commissioners met in regular session on Tuesday, December 10, 2002 with Commissioners Don Munks, Kenneth A. Dahlstedt, and Ted W. Anderson present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director

1. Discussion/Possible Signature – Personal Services Agreement with Economic & Engineering Services – Samish Basin 2514 Instream Flow Agreement.

Chal Martin, Public Works Director, presented a Professional Services Agreement with Economic & Engineering Services (EES). The agreement would provide consulting services regarding the development of a Samish Basin 2514 Instream Flow Agreement.

Mr. Martin stated that Skagit County is currently involved in the establishment of a State adopted instream flow rule for the Samish River Basin. A Watershed Management Plan needs to be developed that meets both instream and out-of-stream needs. He said he was unsure whether an agreement could be accomplished with the services of EES, however, it would at least help the process continue. This is an unbudgeted item that would need to be paid out of reserves. Mr. Martin will be speaking to Brad Whaley, Finance Director, regarding this issue.

A discussion ensued with each Commissioner expressing their opinions on this matter.

Commissioner Dahlstedt said he feels the County needs to have a consultant working for us to determine what the needs for property owners and ag users are. Those are concerns that haven't been put on the table and clearly identified.

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Chairman Munks said the County pulled out of the Samish talks as they weren't going anywhere. He said he is in favor of hiring EES to begin the first phase of the proposal in order to begin discussions.

Commissioner Anderson said he feels the County would be in a better position to let the Department of Ecology set the instream flow for the Samish River. It would then be necessary for them to conduct an economic analysis.

Commissioner Dahlstedt motioned to approve the Professional Services Agreement with Economic & Engineering Services, as outlined by Mr. Martin. Commissioner Munks seconded the motion, which was carried. Commissioner Anderson voted against the proposal.

2. Discussion – Skagit Water Rights for Rural Citizens.

Mr. Martin next discussed Skagit water rights for rural citizens and said these rights have nothing to do with the rights for the Samish Basin. He said Joe Mentor put together an outline pursuant to the 1996 Memorandum of Understanding and he then reviewed Mr. Mentor's draft of the Upper Skagit River Domestic Water Supply Proposal.

Skagit County, the Skagit Public Utilities District, the City of Anacortes and the Skagit Systems Cooperative are working together to provide a continuous, reliable water supply for rural residents of Skagit County, in a manner that does not adversely affect instream flows in the upper Skagit River and its tributaries. Mr. Martin indicated that the parties have not yet reached agreement on a plan, however, Mr. Mentor has outlined the proposal that is under discussion.

3. Update – FERC Relicensing Process, Baker Project.

Dave Brookings, Public Works Administrator, provided an update regarding the on-going Federal Energy Regulatory Commission (FERC) relicensing process for Puget Sound Energy's Baker River Project.

In 1956, the FERC issued Puget Sound Energy (PSE) a 50-year license to operate the Baker River Project. Before the original license expires in 2006, PSE must undergo a re-evaluation process, known as relicensing. By 2004, PSE will file a new license application with FERC as part of the process. They are hoping to set up another 50-year agreement, however, many of the resource and environmental agencies would prefer a 20-year agreement.

Mr. Brookings said the Baker Dam has saved Skagit County millions of dollars in flood damage. This is a significant issue that is critical to the County with flood control being the number one relicensing issue.

After much discussion, the Board agreed that they need to move forward in asking for an additional 26,000 acre feet for flood control.

4. Update – Skagit River Flood Protection/Salmon Restoration Project.

Mr. Brookings next gave a brief update relating to the Skagit River Flood Damage Reduction and Ecosystem Restoration Feasibility Study. He then provided a summary report to the Board for their perusal.

5. Miscellaneous.

Mr. Martin said he had a few miscellaneous items, however, due to time constraints, they will be brought before the Board next week.

**DISCUSSION/POSSIBLE ADOPTION – NATURAL RESOURCES POLICY
ANALYST/COORDINATOR WITHIN THE DEPARTMENT OF ADMINISTRATIVE
SERVICES.**

Gary Rowe, County Administrator, stated that per the direction of the Board, he put together a job description for a Natural Resources Policy Administrator. The title has been changed to a Natural Resources Policy Analyst/Coordinator. Tom Karsh, Director for the Planning and Permit Center, has been asked to assume the new role. He will be resigning from his current position and Assistant Planning & Permit Center Director, Gary Christensen, will serve as Interim Director until that position is filled.

Mr. Karsh will be responsible for organizing, managing, and coordinating natural resources policies and strategies on behalf of the Board of Commissioners. He will serve as manager for assigned projects focusing on policies associated with critical areas, water resources, agriculture and fish protection, plus drainage and on-site sewage issues.

Chairman Munks said Skagit County has some very serious issues on the table and someone of Tom's caliber is needed to coordinate our efforts. He indicated that the money being spent for this position would normally be paid to contractors, consultants, and attorneys when researching those issues. He also said Mr. Karsh would be responsible for establishing working relationships between Skagit County departments, other agencies, participation with citizen advisory groups, property owners, and other interests.

Commissioner Dahlstedt made a motion to approve the hiring of Mr. Karsh for the newly created position, as outlined by Mr. Rowe. Commissioner Anderson seconded the motion, which passed with a unanimous vote.

Mr. Karsh stated that he is very excited about this new position and he can now focus on his interests and background.

The Board thanked Mr. Karsh for all he has done in the Planning & Permit Center.

**DISCUSSION AND DETERMINATION – WHETHER TO INVOKE THE
WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SKAGIT COUNTY TO
CONSIDER THE ANNEXATION PETITION OF FIRE PROTECTION DISTRICT #5
(OYSTER CREEK LANE).**

Mr. Rowe discussed the need for procedures in order for the Administrative office to begin handling Boundary Review Board annexation requests. Staff will begin working together to put a process in place that will be beneficial to all.

Gary Christensen provided a map of the precise location of the proposed annexation petition for Fire Protection District No. 5. It is situated on and around Oyster Creek Lane and is accessible from Chuckanut Drive, SR-11, between mile post 10 and 11, Skagit County. He explained that the 40 acre site is currently zoned industrial forest.

Commissioner Anderson motioned to invoke the Washington State Boundary Review Board on File No. 02-02, Skagit County Fire Protection District No. 5 annexation. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

**PRESENTATION – 2002 SKAGIT MARINE RESOURCES COMMITTEE
ACCOMPLISHMENTS.**

Commissioner Anderson was not present for this presentation.

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Ric Boge, Public Works Department, stated that Skagit County established the Skagit Marine Resources Committee (MRC) on May 4, 1999. The mission of the MRC is to "...address local marine issues, recommend remedial actions to local authorities and build local awareness of the issues and support for remedies consistent with the Benchmarks for Performance as established by the August 20, 1998 Report to the Conveners by the Murray-Metcalf Northwest Straits Citizens Advisory Commission..." Mr. Boge indicated that the MRC is still seeking someone with a commercial fishing interest, as well as recreational boaters to fill a couple of vacant positions.

Several members of the 2002 Skagit Marine Resources Committee were present and reported on a variety of programs conducted and accomplished in 2002.

Mr. Boge thanked those present for being so dedicated and said he was extremely proud to be associated with them.

MISCELLANEOUS.

Commissioner Anderson was not present for the following miscellaneous items:

1. The Board approved payroll warrant numbers 113845 through 114720 in the total dollar amount of \$910,365.08 (Transmittal No. P-48-02).
2. Ray Sizemore, Mayor Pro-Tem of the City of Anacortes, spoke to the Board about a fund raising event for the Anacortes Boys and Girls Club. He challenged the Commissioners to participate in a pie baking contest. The pies will be auctioned off on KLKI Radio at 10:00 a.m., Saturday, December 14, with proceeds going to the Anacortes Boys & Girls Club. He indicated that the Mayor of Anacortes, Dean Maxwell, and several Anacortes City Council Members will be participating in the event.

ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Munks seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

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ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners