

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
WEDNESDAY, JULY 27, 2005**

7:00 p.m.

Public Hearing – Bayview Ridge Subarea Plan

The Skagit County Board of Commissioners met in regular session on Wednesday, July 27, 2005, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

The following is a transcript of the Record of Proceedings was recorded by Likkell and Associates.

COMMISSIONER MUNKS: Good evening. I welcome all of you to this, the Bay View Ridge subarea plan public hearing. It is Wednesday, July 27th, 2005, and it is a little after 7:00 p.m. We're here for this public hearing. There are still a couple more seats up front, if anybody wants to come up front and sit.

AUDIENCE MEMBER: Like school. Nobody wants to be up front.

COMMISSIONER MUNKS: I realize all the Baptists don't want to be up front. What I will lay out is some parameters. This is a public hearing to take testimony on the Bay View Ridge, about how you all feel about the Bay View Ridge project that's been proposed and put out for public comment.

We will accept testimony, written form, through Monday, this next Monday until 4:30 p.m. in the afternoon. If you can, bring it into the commissioner's office. It is the same as if you were here, speaking tonight. What is transcribed tonight is the oral portion thereof, and we will have that available for the commissioners to take a look at that. Also, any written testimony that comes forward we will also have available for us to look at. So if you're not comfortable with coming forward and talking, what I would suggest is that you bring some written form before Monday at 4:30 to us, to have on the record for us to review. As people come forward to give testimony as they're called -- and there was a signup sheet in the back of the room -- I would ask that you come over to the microphone on the south side of the building, and state your name and address for the record so we have that on record and then give us your testimony.

There are a number of people that have signed in. I would ask that you keep those comments brief, and in doing so, if you have additional comments and you don't have time to tell us, please submit it in writing so we have a written record of what is brought forward.

COMMISSIONER DAHLSTEDT: Mr. Munks, was that Bay View with one word or two words?

COMMISSIONER MUNKS: Two words: B-A-Y V-I-E-W.

COMMISSIONER DAHLSTEDT: Thank you.

COMMISSIONER MUNKS: Want to make sure we clarified that. And with that, we will go ahead and -- Gary, do you have an opening statement you want to make?

MR. CHRISTENSEN: Sure. I'm Gary Christensen, Skagit County Planning and Development Services director. I'm going to turn to my colleague, Jeroldine Hallberg, who has a brief opening statement prior to having your public testimony.

Jeroldine.

MS. HALLBERG: Thank you. The board is considering tonight your comments on a proposal to create a small urban area called a non-municipal urban growth area at Bay View Ridge, which would accommodate about 2,000 of the future residents that are forecast to live in Skagit County over the next 20 or so years. The size of this non-municipal urban growth area is about 3,600 acres and is part of the slightly larger Bay View Ridge subarea. It's located in the Skagit valley, approximately one mile west of the city of Burlington on the ridge. And for anybody who might be watching, the vicinity map is posted at the back of the room, showing where it's located west of Burlington. The subarea includes the Skagit regional airport and a mix of existing urban levels of commercial, industrial, and residential properties, plus rural residences and some farms. The remaining undeveloped properties are generally large, providing an opportunity for multiple uses and master site planning. The proposed plan anticipates that by 2015, as many as 3,700 residents may live in the subarea total. A citizen advisory committee worked with the county to prepare the plan. It was then forwarded to the planning commission. The planning commission focused on many key issues; such as, airport compatibility, appropriate scale of land use in the various airport safety zones, and they paid special attention to the infrastructure necessary to support this Urban Growth Area, especially storm water management. They were concerned that the storm water management plan be sufficient to protect downstream farms. They looked at water provision, sewer, parks, transportation, schools, and emergency services. The draft under consideration by the board is the version recommended by the planning commission. Thank you.

COMMISSIONER MUNKS: Okay. With that, what we're going to do is allow each individual as they're called up to approximately three minutes to give us your comments. Again, as we stated before, if you have additional comments that you want to present to the commissioners, please present them to the commissioner's office before 4:30 on Monday. I also need to make note that Commissioner Anderson is

not here tonight. He is in Washington, D.C. on business for the county, so what he will do is refer to the written record that is kept. Our clerk of the board, Joanne, will keep a written record of everything that is transponded before us tonight. And so we'll have that to take a look at along with the written record that is submitted to us. So with that, we will start the public hearing notice issues.

MS. GIESBRECHT: Did you say three minutes?

COMMISSIONER MUNKS: Three minutes. What we will do is we have a timer up here that will give you some notice as to how much time from the time you start, give you a record --

MS. GIESBRECHT: When the yellow light goes on, they'll have one minute to wrap up.

COMMISSIONER MUNKS: When the yellow light goes on, you'll have one minute to wrap up what you are presenting before us. Don't feel threatened by that. Again, we are taking testimony through Monday, which gives you the weekend. If you hear some things here tonight that you hadn't anticipated, that will give you a chance to communicate to us on the written record before that time. So Monday, closing of the office day, 4:30, is when we'll accept written testimony. And we will review all written testimony. We will review it as much as the oral testimony that is given here today. So, Commissioner Dahlstedt.

COMMISSIONER DAHLSTEDT: I'll do my best on all of your names. Some of them I may just give the first name and the address, just to make sure I don't do anything harmful to your last name. First we have Frank and Nancy Krook. Nancy, do you want to let Frank speak? Frank, don't worry; I won't embarrass you by saying you were my eighth-grade teacher.

MR. KROOK: And I'm younger than you, just as a matter of clarification.

COMMISSIONER MUNKS: Please state your name and address.

MR. KROOK: Frank Krook, 11065 View Ridge Drive, Burlington, 98233. The board designated rural reserve along the Josh Wilson Road. Just curious what the status of that is in the future. And then also, the part that's Bay View Ridge residential, why was the line drawn there. And with the part designated Bay View Ridge urban reserve, why that was left out of that whole system, because the ridge runs along there with the same type of ground, the same type of -- for future use, is what I'm -- because it would seem to me it would be hard to get that land out of Bay View Ridge urban reserve at future times unless we know exactly what the designation is and what the requirements will be. So just curious if those

people were contacted and in what way -- what input they had as to whether they wanted to leave themselves in the urban reserve area or in the Bay View Ridge residential.

COMMISSIONER MUNKS: Okay. Thank you.

COMMISSIONER DAHLSTEDT: Vicki Cox.

MS. COX: My name is Vicki Cox, and we live at 12536 Wedgewood Drive, on the edge of the area in the country club that is zoned light industrial. I have several issues, and there's several people in our area that asked me to address these issues on their behalf as well. Those issues are noise buffers, buffers for privacy and security, noise and air pollution, the community center zoning, future parks, our street access, and why residents along Eagle Drive and in some areas were not notified about a zoning change from residential to light industrial. The big thing that we are concerned about up in the northwest corner of the country club area is that since the land is being cleared between us and the airport -- and there's only -- there's less than a half a mile between some of our homes and the end of the runway -- the noise impact from the airport has increased a lot. It's very -- It's impacted -- I think it's going to impact our property values in the future. Is there a requirement in any of this zoning change in any of the future development that's going to require the property owners to put any kind of buffer to protect us from noise and pollution of any sort? I'm also concerned that there are two new helicopter training schools that have come into the airport in the last two years. Their increased activity is over an area that is not shown on this map. It is over the area that is going to be zoned or is zoned currently for residential, both on the north side of Peterson Road and on the south side of Peterson Road, cutting over the northwest corner of the country club area. These helicopters are irritating. They're like little pests. They come in every four minutes when they're doing touch and goes. It is becoming a real issue for the people who already reside there, and for that future development it's going to be terrible. We have people who live on the north side of Peterson Road who have animals. There's Alpacas. There's horses. These helicopters are really impacting the quality of life for these animals as well. We tried to talk to these people. I called last week and I got a very nasty phone call back, and then during the next hour they flew over ten times. As far as privacy and security, the concern about the community center designation, I thought, and I think a lot of people would think that would mean maybe ball fields or things like that. In conversation today I found out that, no, that means things like possibly 7-Elevens, gas stations, and those things. These are located just behind the seventh green of the country club, and I'm certain that the country club would not be too

happy to have people that could wander onto the course at any time, as well as the neighbors in that area. So I would like to see if there's going to be any buffer fencing or anything else that is going to be along that area. Also, the people along Eagle Drive that are further south, that whole area, their backyards are only about 20 feet deep. You've got a home that's for sale up there for \$555,000 right now with a 20-foot backyard that could back up to a parking lot eventually. Noise and air pollution. Already we are only half a mile from industry already in the airport area that is creating a lot of noise. There's a truss building company up there that is hammering at all hours of the night. We can also hear on a clear night people having conversations in these areas since that area has been cleared between our homes and the airport. That is why another -- another reason why we really need to make sure that there's going to be a noise buffer. The community center zoning, I would -- I mean, I wouldn't mind having ball fields or parks or anything like that up there, but none of this zoning is in -- Is there anything for the community as far as the children that are going to live up there in the future, that I can see, as far as parks or green spaces or play fields. And another question that I have and concern is the country club on Eagle Drive, one area of Eagle Drive, the corner butts right up to this area. Is there any future plan or is there any way to make sure that in the future, that the county does not connect Eagle Drive into any of this development so that we don't have a lot more traffic through the country club area. I think that concludes most of my comments, and I will leave a written comment here on this.

COMMISSIONER MUNKS: And you can leave the comments with Joanne, our clerk of the board, tonight, if you wish, or just submit them before closing of Monday. Thank you.

MS. COX: Oh, I forgot one thing. One of the issues too, with light industrial that most of our neighbors did not realize, is that it's the same designation as the airport, and already there are companies up there that are building boats and fiberglass, and so the air pollution and the odors and smells that can come from any businesses located in that designation is an important factor too.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: Ken Guernsey. And after Ken, it will be Charles Bennett.

MR. GUERNSEY: Ken Guernsey, 12557 Wedgewood Drive. I'm Vickie's neighbor over there, and if I didn't speak tonight, I might as well move, so that's why I'm here. She covered seven of the eight items that I had to speak about tonight, and I want to reiterate what she's talking about. The noise buffer is more important to me than the site buffer in that area. And the designation of what those two areas

concern, what they really mean light industrial or community centers, I'm not sure what's there and what it will do. And there's also one area that I'm concerned about. There's a road -- access road called the Terrace and Pipeline Road that goes next to that property over there. Will there be other roads developed into that area that may cut into the country club area? I'm not sure of that as well, so some of those things need to be clarified. And if there is going to be a buffer of any kind whatsoever, it would be nice if that buffer would be in a written format, rather than builders saying, "Yeah, we'll do that sort of thing for you." Basically that's what I had to say. Thank you.

COMMISSIONER DAHLSTEDT: Chuck. After Chuck Bennett it will be Bill Knutzen.

MR. BENNETT: Chuck Bennett, Skagit County Dike and Drainage District Number 12, here to speak on drainage issues. I'll just give you guys some pictures there. This was -- These are some pictures that we took last November, heavy rain during the Thanksgiving Day storm, and it kind of lets you see what the effects of the development that are up there now. Specifically, our two biggest offenders, unfortunately, is Paccar and a housing development, Ridgeview Estates. Ridgeview is on Bay View-Edison Road, which between Bay View Road and Mary Hugh Road has no less than nine culverts dumping water down onto the district below and flooding the fields and overwhelming the drainage infrastructure. Districts 14, 19, and our district surround Bay View Hill about three quarters of the way around the hill, and with all of the development that's there now and what is planned, it's necessary, we feel, that the drainage be addressed before any further development is allowed. We don't want to see what we call the Wimpy syndrome where Wimpy used to say to Popeye, I'll gladly pay you Tuesday for a hamburger today. And the developers are kind of asking well, we'll address drainage on Tuesday if you let us develop today. And as we well know, Tuesday and tomorrow are a couple of days that seem to never really come. Another issue that the districts are facing is going to be not only quantity but quality with the storm water management manual in phase 2 and discharge permits. So, we're going to be -- DOE's going to be on us for all the stuff that's coming down into the district that we're not at fault nor responsible for. So when the developments go in -- I mean, they do all the stuff like power, water, sewer, roads, all that stuff, and we feel drainage needs to be addressed. It's every much as important, if not more so, because you put in all your utilities and everything's fine; you don't address drainage, and it causes a lot of problems and damage and expense later on. Two more photos I have here kind of depict typical down there. We have gone through the month before and cleaned out the drainage ditch along the dike, and when we had this,

the ditch is full, it's flooded the fields, and right up on the hill behind it is all the nice development houses, so we deem it cause and effect. So I'll let you have these. (Tenders documents.)

COMMISSIONER DAHLSTEDT: After Bill Knutzen we have Judy Bedard.

MR. Knutzen: My name is Bill Knutzen. I live at 11790 Avon Allen Road in Burlington. I'm part owner, along with other family members, of 60 acres of land presently being considered as part of the Bay View Ridge Urban Growth Area. With the exception of the time I spent in the Air Force, I've lived my entire life on the ridge. I was a member of the Bay View Ridge citizen's advisory committee, and I've been working on this project continuously for the last seven years. The time has come to approve the project. My family has owned this property since my great-grandparents moved here in 1891. They built their homes and all of the farm buildings on the hill because they realized the best use for this property was for homes, not farmland. That best use hasn't changed in the last 100-plus years. The present owners of the undeveloped land proposed for the Bay View Ridge Urban Growth Area recognize that water runoff problems need to be addressed. These homes built on the hill prior to the mid-1990s still have no provision for storm water retention. The runoff from these homes either drains into open land or surface ditches and then dumps directly into the Drainage District 14 and 19 systems. As you well know, Skagit County since that time has developed regulations that require storm water retention systems. Skagit County Public Works Department is at the present time preparing a storm water management plan for Bay View Ridge. That plan should be completed in September of 2005, two months from now. Preliminary findings of this plan show that some of the present system of ditches in Drainage District 14 and 19 are not sufficient now. The development which occurs in the proposed Bay View Ridge Urban Growth Area will not affect the present system as existing county storm water regulations will be followed. The flooding in the present system of ditches in Drainage District 14 and 19 needs to be addressed. Such solutions to that problem will only be resolved -- or will be resolved in the Bay View watershed storm water management plan. The cost of upgrading an existing system should not be the responsibility of only the new residents of the proposed Bay View Ridge Urban Growth Area but must be shared by all of us who benefit by an updated system. The Bay View Ridge Urban Growth Area has been one of the most studied proposals in Skagit County history. It has satisfied the concerns of almost all those involved, governing organizations, in the county and state. Nearly all have endorsed the plan. Everyone has had an

opportunity to voice their opinions in the past seven years. It's time to act. I urge the board of Skagit County commissioners to adopt this plan.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: After Judy, we have Roger Knutzen.

MS. BEDARD: I'm Judy Bedard. I live at 12047 Jacquelyn Drive. My main concern -- I've looked at the development and I'm not very happy with it, but a concern I have right now is the traffic on Peterson Road. And if you're going to move another 2,000 people off Peterson Road, where are they going to drive? Right now we have big trucks, dump trucks, truss trucks, all of these trucks coming down Peterson Road. Exit 230 is a backup every single day. Part of the problem is the trucks going to Anacortes, going out Peterson Road and that area, and I think we're going to have a big problem when we add more population to that area. My solution is to make trucks go Exit 231. They can go have a straight shot out Josh Wilson. They can go 50 miles an hour, legally, all the way out to the industrial area. And that would relieve a lot of congestion off of Exit 230 and on Peterson Road. I would enter a plan to expand Peterson Road if you're going to add this many people. What about schools? Can schools be built that close to the airport? We have a lot of concerns here that are going to raise our taxes because there's just no other way around it. And I think these things -- As far as children go, 2,000 families, you're going to have kids. There's a lot of things to think about with taxes and who's going to pay for all this. So that's -- My main comment is: I'm worried about the traffic, because I don't like it now; it's a real headache. I hear them starting at 5:00 o'clock in the morning when I get up and they go bumping over the storm drains. And they're not going 30. So that's one concern I have right now.

COMMISSIONER DAHLSTEDT: After Roger we have Lou Ann Knutzen.

MR. Knutzen: Mr. Dahlstedt, if it's okay, my words are going to take about four minutes. My good wife has indicated she will submit hers, and I'd like to use her time if possible.

COMMISSIONER MUNKS: Okay.

MR. Knutzen: My name is Roger Knutzen. I live at 1489 Peterson Road. I'm here today to try to preserve the hundred-year-old farm and ag in general, because what happens in Bay View Ridge subarea plan will happen to the rest of Skagit County agriculture in the near future. We are setting precedents for future growth. It serves no purpose to save ag land by developing on the hill if we lose it to encroachment and drainage problems. I'd like to speak briefly on four items: drainage in Knutzen Farms, Drainage

District 14, setbacks, and residential density. Drainage on Knutzen properties. Rainwater that falls on grass-covered hill ground now comes off in many places and is slowly absorbed by the many swales and low spots. After development, the total amount of rainwater, lawn watering, car washing, and so forth will be piped to the bottom of the hill in one location within the hour. This water must pass through three-quarters of a mile of private ditch before entering Drainage District 14. This morning, I was on site with a county-paid person that explained that the computer model of the water management plan only covers district ditches. Their main concern was how much water this private ditch could carry without overflowing. This private open ditch is the main artery of a very elaborate underground tile system developed over four generations of farmers. If this ditch is allowed to hold water above the tile level, the system works in reverse and floods the entire farm from the underside up. This, to me, would be classified as an environmental impact that is not yet resolved. Drainage District 14. As you know, 25 percent of Drainage District 14's drainage basin lies outside of the taxing district. We take the water, but the revenue is collected from landowners and kept by the county. Commercial and heavy industrial districts established by Skagit County ordinance 17938 and 18264 and many other developments have been allowed to build without this area -- or in this area with no contact or concern about impacts to drainage districts that are required to take the water away. You have copies of letters written by every agricultural group in Skagit County, requesting that you not pass the Bay View Ridge subarea plan until the water issues are solved to the satisfaction of the landowners and the drainage districts affected. Past county Commissioner Arnold Hanson was credited for saving agriculture from overtaxation. The three county commissioners have the similar opportunity to make a stand and require hill ground development to be responsible for the drainage impact it causes the land below. Because Skagit County is surrounded by hill ground, drainage issues are as important to the future of farming as the tax issues were. Rather than trying to solve water runoff problems as a community effort, it has turned into a developer versus agriculture. Just one of the many examples: Who's contacted a local attorney to represent us on the drainage issue, the answer was given it could not because of pressure being applied by the developing group. In my opinion, developers have one thing in mind: Profits for themselves. Ag supports the concept of development on the hill but not at the expense of the destruction of our fine agriculture land. Setbacks. Residential next to commercial or industrial seems to be covered very well by setbacks and vegetative plantings. We all know that agriculture has many of the same inherent problems -- noise, dust,

odors, operations that go early in the morning and late in the evening. Skagit County code 1416-810 gives a residential developer the right to waive a setback next to ag land. Why would we treat agriculture any different than commercial? Residential density. This is my view as part owner of Knutzen properties in the MGA. The Bay View Ridge subarea plan calls for an average of four to six homes per acre. This is not consistent with adjoining property. We have 60 acres at the figure of four homes per acre, would be 240 homes. After removing the pipeline easement, required play areas, roads, and hopefully some water retention, the 60 acres turns into 40 acres usable. If you divide the 40 acres into 240 homes required, you are back to six homes per acre, or 7,200 square feet per home. Two sides of this property is already developed with the smallest lot having the county's past requirement of 43,000 square feet. It was explained that half-acre lots could be done if you put condos and apartments in the back row. The back row of the Knutzen property is the front, with a view of many existing homes. The Knutzen family has owned this land for more than a century. We have paid our taxes for 115 years with hopes that someday if developed would allow this beautifully sloped new property to be the pride of everyone. I am hoping that my valid points will be heard and the desires and dreams set forth by prior generations will become a reality.

(Applause.)

COMMISSIONER DAHLSTEDT: I'm going to read the first name of the next two people and their addresses. Joyce at 12647 Eagle Drive.

AUDIENCE MEMBER: I will defer to Vicki Cox if she has anything else that she wanted to add.

MS. COX: No.

COMMISSIONER DAHLSTEDT: Karen at 12714 Eagle Road.

AUDIENCE MEMBER: I will defer to Vicki as well.

COMMISSIONER DAHLSTEDT: Okay. Bill Henry. And after Bill we have Louie Requa.

MR. HENRY: My name is Bill Henry. I live at 11811 Sunrise Lane, just off of Peterson Road. I guess that's the north side of Peterson Road. I was on the citizen's advisory committee. I own probably the smallest chunk of property of anyone that was on this citizen's advisory committee, and I was kind of the negative side of things. I at first thought that having residential, you know, kind of packed between agriculture and the airport didn't make a lot of sense because there was a lot of Bay View Ridge left to the north that was out of the airport environ. But we have noticed as well industrial noise, and I've come to

believe that the residential component of this plan will probably buffer quite a bit of that noise. It might get other noises, but -- So I no longer oppose the plan. I would hope that knowing that the county itself, this is the only urban growth area that they have, and it would certainly be a good tax generation, I would suspect, for, you know, the county. So I guess I'm saying I'm for the passage of this as long as -- as Roger Knutzen indicated, that, you know, the farmland is not impacted negatively. Thank you.

COMMISSIONER DAHLSTEDT: Louie Requa, followed by Ray Jensen.

MR. REQUA: My name is Louie Requa, 806 Metcalf, Sedro Woolley, Skagit Surveyors and Engineers. I'm here representing Mr. Ray Jensen, and Ray would like me to use a minute or two of his time because what I have to present would take about four or five minutes, if I may. And in the interest of time, I'm going to read a letter that I submitted to you folks earlier. I gave it to Mr. Gary Christensen. "Dear County Commissioners: On behalf of Ray Jensen, I've prepared a list of realities which Mr. Jensen believes should warrant his approximate 70-acre parcel of land to have the proposed zoning of BR-R." And on the map, his property lies just south of Josh Wilson Road, between Kabalo Heights and the road that's proposed as a connector road from Peterson to Josh Wilson "Mr. Jensen's property is included within the boundaries of the Bay View Ridge subarea plan and is only being proposed as termed URB, or urban reserve. The density associated with the proposed zoning is no different than the current underlying zoning of RRv, rural reserve, which is one residence per ten acres, or two per ten acres, if you drew a CaRD development. "This is only a density allowance of one home per five acres. This is a far cry from the adjacent BR-R zoning of approximately four to six units per acre. One home per five acres is far from urban, which is what is being proposed for his property, urban reserve, UR-V. "Mr. Jensen requests reconsideration be given to his property so as to be given the same development opportunities that others will have once this plan is adopted. "It should be noted that the properties Mr. Jensen is requesting to be BR-R zoning are not agricultural zoned properties at this time. They are properties that lay on the sloping hillsides and they have, in fact, been included within the boundaries of the subarea plan. "Also, Mr. Jensen's properties are intended to be included at the urban densities of the beginning of this subarea plan but now have been reduced to rural level densities even though they are actually within the urban boundaries of the plan. "To say to Mr. Jensen that even though he is included within the subarea plan boundaries is discriminatory and that he must wait until other landowners complete their developments - before he may be afforded the same opportunity. "It is a long-range speculation that the full build-out

scenario will occur as currently projected, for some owners within the urban growth areas who are afforded the higher densities now may, in fact, elect to not develop as per the time frame, leaving Mr. Jensen no choice but to develop at rural density levels on properties that are intended to be developed at urban densities. "The following are the realities of why Mr. Jensen should be BR-R. Higher density development already exists adjacent to Mr. Jensen's east boundary; i.e., Kabalo Heights. "Mr. Jensen's south boundary line is adjacent to the BR-R zone of four per six. The nature of Mr. Jensen's gently sloping terrain is ideal for higher density development. A major new collector road is planned to run from Josh Wilson Road south to Ovenell Road, running directly adjacent to Mr. Jensen's west property line for one-half mile. "In considering all these realities, it is a prudent move to include Mr. Jensen's properties in the proposed BR-R zoning. "It doesn't make good economic sense for a major collector to be passing through an entire one-half mile of URV and with Mr. Jensen currently holding a portion of easement rights for the private road he's on -- he would be more than willing to dedicate his interest to the county for the major collector. If he would be granted a development density at the BR-R level, Mr. Jensen could even build that portion of the major -- to the county's standards. "Therefore, it would help him out a great deal in the monetary amount of money that it takes to build that system as long as he had the lots amortized for the cost of that; i.e., urban densities." I won't go on and read the rest of it. You can read the rest of that. It indicates in the letter that there are currently -- There is currently situations existing right now -- Over the last four or five months, we at Skagit Surveyors and other businesses like us have the most vastly increased amount of workload. The big developers and home builders are coming into Skagit County as we speak in big numbers. They've run out of land south of us and they're going to start developing here. We're going to see some dramatic changes in Skagit County in the next five to ten years. With that, I'll leave with this item here. Can anybody understand what that is? And what do we want to do with this item rather than look at it and see it there on the ground. We want to be able to manage it. And my view of managing this on the Bay View Ridge is to allow people like Mr. Jensen to be included in the urban Bay View Ridge with the urban densities so that we have the opportunities that we're going to need right now in the future, the very near future, to fulfill the need for the building lots that we need and keep this from being out in the ag land and up in the natural resource lands. Thank you.

COMMISSIONER MUNKS: Ma'am, you have a question?

AUDIENCE MEMBER: I don't understand his terminology because I don't know what BR-R is and BR-E and all of those things that --

COMMISSIONER MUNKS: Louie, you want to answer the question, please?

MR. REQUA: BR-R is Bay View Ridge residential and BR -- Bay View Ridge urban reserve. BR-R and URV, those are the two terms that I used. Urban R-V is nothing more than the same rural density that's designated for this property right now. For instance, if she does a -- The increased density allowance for, like, doing a long card, he can develop at one house for five acres. Directly south of him is the BR-R, which has a density allowance of four to six per acre, a substantial difference. As long as his property is included in an urban setting, why are we still developing at one per five when we're on the ridge and we need the room to develop now based upon the figures we're seeing in the increase in interest in Skagit County, which is going to continue.

COMMISSIONER MUNKS: Does that answer your question?

AUDIENCE MEMBER: Sort of. I'm a little bit confused about it now.

COMMISSIONER MUNKS: Anybody that has questions is more than free to come and talk to our planning department after we're done with the public hearing.

AUDIENCE MEMBER: Ray Jensen, 11223 Jensen Lane, Burlington. I'm the owner of the property that Louie just talked about. I am here to ask again to be included in this BR-R designation. Looking at the map, it shows that you've taken in all the other housing districts but you left out Kabalo Heights, which I don't understand, and you leave out my property. If my property would be developed, we would put in this proposed road that would be the collector road on the west side of my property, and it would go half a mile back, and there would be another half a mile to Peterson Road and beyond, which would be the fire station and the community center. So if you had a fire, it would go down and take care of the people on Josh Wilson Road, up Josh Wilson Road, very quickly. Also -- and I think this is very important to the people of Peterson Road -- if this collector road is put in, it would take care of a lot of your problems because that traffic then could go out to Josh Wilson Road and go either direction. Thank you.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: John Sitkin and then Kim Johnson.

MR. SITKIN: Thank you, Commissioners. John Sitkin, 1500 Railroad Avenue. I'm going to change my presentation tonight. I'm going to respond to some of the questions that were raised. I represent John Bouslog and his family, and they are one of the major landowners on the ridge. The issue that the commissioners have isn't if the planning for urban development and urban residential would occur on the ridge; it's how, because the county-wide planning policies that have been endorsed by the Growth Hearings Board already allocate the urban population to the ridge, and that has to occur at no less than four units per acre. We have to balance that with the airport overlay zone, which has limitations on density. We have to balance that with where the infrastructure exists and is planned to exist on how you map the locations. So in factoring all those issues is how you come up with the area for the Bay View Ridge-R and the URV, the urban reserve. The urban reserve was anticipated to be a -- receiving zone for transferred development rights to take more density that may exist in cultural areas and locate up there or for future populations as the county gets updated numbers from the state and has more population to account for, as Mr. Requa was addressing. But I think a lot of the questions and concerns that were raised earlier are addressed in the planning document, and everyone should know that by passing this document and the development standards does not allow a large scale development to go forward. The development standards as proposed limit developments today at four units or less. The theory being that better planning comes through coordinated planning, coordinated development, particularly the opportunity with large scale lots. The planned unit development ordinance would have to be adopted by the county to implement these goals and policies prior to a large scale development occurring. We think that is a safeguard to the concerns of drainage because you're not going to see a large scale development. We also support the planning commission recommendation that you don't -- you require the adoption of Bay View Ridge watershed management plan. We're also not opposed to the commissioners' delaying action on this plan until you have that watershed management plan, but we'd ask that you'd only delay that through the end of this year. As to the buffering issue that was raised, there is policies and language in this plan and in the development standards that are proposed to require landscape buffers between industrial areas and the residential. And I spoke with John today -- he said he'd be here today -- and he said he would, upon adoption, he'd plant that landscaping now, far in advance of any development, so that it could start to achieve maturity in advance and bloom so that buffer can exist and be established along those areas. We're trying to respond to some of those issues. The concept that developers want to develop and occur

now and deal with drainage later, I, frankly, took a little offense at that because I think for the ten years or so we've been involved in this project, the developers here who own this property say, We will be on the front end of these issues. They've supported the drainage plan process and supported -- including the requirements. The policies that are proposed include -- were proposed and have been supported all along, require all development to comply with the Bay View watershed storm water management plan. They presume that's going to be in place before development occurs. That's Policy 2-A 32. So the developers have not been advocating, "Let us develop, and we'll worry about drainage later." We understand that's going to be addressed on the front end of the development phase. In Bill Knutzen's comments, a lot of the existing development doesn't have storm water drainage that needs to be addressed. The schools were addressed and modified by the planning commission to say not just that you can expand the Bay View schools, but you can have other schools in other locations that are appropriate in Zones 6 around the airport. Parks are provided for. It's required to have trail systems that are interconnecting and existing in the future residential areas with the community center. Zone -- You have to have one per five acres in Zone 4 of the airport overlay, and that is a finger that stretches out into BR-R. That can't have a higher density because that's through a flight path. The design of the goals and policies, that's a park area. Because that's a large area, that can build two or three large ball fields. And a policy to create a plan that says you link that trail system through the residential trail system and the existing residential neighborhoods and the community center to try to bring those benefits for pedestrians, bicyclists, and the enjoyment of people who live there. There are design requirements that were -- required by growth management to try to build a community character and enhancing on the existing community character to design chapters and design goals, and that's the policy in this plan. The county has seen a lot of presentations in the last year on new urbanism, new design techniques and a variety of things like that. All of which is what is being contemplated when you look at the opportunities with large landholds. You don't have existing parceled up into either ten- or 20-acre chunks and say, "Oh, I own 20 acres. I want to do a development." You have large landholders here. That creates an opportunity for a comprehensive plan and development. That's why we said, "Don't allow us to go forward now. You should require a PUD. You should require more thoughtful planning that can bring in these features that would not otherwise exist with development on existing, smaller parcels." I have a letter that touches on a variety of issues I'll submit.

COMMISSIONER MUNKS: Thank you.

AUDIENCE MEMBER: What's his address? What's your address?

MR. SITKIN: 1500 Railroad, Bellingham.

AUDIENCE MEMBER: Did you hear that? Bellingham.

COMMISSIONER MUNKS: 1500 Railroad is his address. Bellingham.

MS. JOHNSON: My name is Kim Johnson. I live at 16837 Peterson Road. That all sounds wonderful. Mr. Sitkin seems to have all the answers here as far as how this thing is going to be played out. Beginning with what he said, he pretty much said it's going through no matter what anybody says because this was done seven years ago. I was a fly on the wall at the citizens advisory committee, where I just attended, didn't say anything. The citizen's advisory committee was made up of developers and their attorneys and only one man lived within the designated area that we're speaking about tonight. Only one man of this crowd that was on there. I've spoken three times. I've spoken twice in front of the planning commission, once here with you, and I've spoken about the concerns that I have. I just think it's kind of ludicrous we're talking about having 3,600 people living within a one-mile radius of a working, growing airport. When it comes down to it, that's what this is. We are going to have the size of Burlington living within a one-mile section of -- within the airport. We can't have schools there because -- or gas stations or proper grocery stores. We are all going to be going down Peterson Road for proper grocery business, to buy clothing, to buy anything we need. We're going to be on Peterson Road, driving down to get the things we need. We might have a 7-Eleven up there, but that's all we're going to have. It's not going to be anything more than milk, bread, and eggs that we're going to be able to get out there. The school -- I'm a mother. The schools -- the whole situation with the schools, how convenient it is for the developers not to have to worry about where a school is going to go. There's not a school allowed within this airport environs within this place, so our children are going to have to be bussed elsewhere, which is a very expensive thing to do. I was surprised to hear that this thing was going on for seven years. I heard about this at the very beginning, when the citizen's advisory committee was formed. If it's been going on before that, then it's been awfully sneaky because that's the first time I ever heard about it and I made myself very involved at that time, the very first time I ever heard about it. So that thing is not correct. I have flood pictures as well of the five days that it flooded during Thanksgiving that I would be happy to share with Mr. Bennett and with you. He talked about managing with a little circle. I just wonder how we're

going to manage this with four to six homes per acre. Bay View is three homes per acre, and I just wonder how we're going to manage it with four to six homes per acre with not proper schools, grocery, traffic, everything else. It just seems like a nightmare, and it's probably not someplace that I'd want to live, which would probably make a lot of people happy, but thank you for your time.

(Applause.)

COMMISSIONER DAHLSTEDT: Gordon Smith, and after that it will be Randy Good.

MR. SMITH: My name is Gordon Smith, 16805 Peterson Road. Two concerns I have. This is not the first time this project's come up and other commissions have turned it down because of proximity to the airport. Seems pretty simple. Mrs. Cox, she's already complaining. 800 houses? You're going to get a lot of complaints. And they should. You shouldn't build that many houses that close to an airport. And another thing, yesterday's papers said you guys were in a budget crunch and you're going to build roads infrastructures for these developers like you have been doing for the taxpayers? I mean, I don't understand that. How you can build roads and put infrastructure in for these projects, for these developers, are beyond me. You're not in a budget crunch if you can do that. Thank you.

COMMISSIONER DAHLSTEDT: After Randy Good it will be Alison Studley.

MR. GOOD: Randy Good, 25512 Meka Road, Sedro Woolley. First I have a letter to read from the Skagit County Cattlemen's Association. "Honorable Skagit County Commissioners: It has come to the Skagit County Cattlemen's attention that drainage issue still remained unresolved as part of the Bay View Ridge subarea plan. Efforts by the drainage district commissioners, the Skagit County agricultural advisory board, and others has not resulted in positive results to address these important issues. "We all know how essential agriculture is to the economy and well-being of Skagit County's future. Farmland directly affected by runoff from this subarea plan would result in prime agricultural land being rendered not farmable. "We encourage development of a drainage plan before adoption of the Bay View Ridge subarea plan to benefit both the subarea development and the neighboring farm community: Signed by Janet McRae, president, who couldn't be here tonight. Some personal comments from myself dealing with the Bay View watershed management plan. Due to the complexity of drainage issues, the large land mass involved here, many areas with poor permeability, threat to saturate the farmland, increased density, threat of the West Nile from open retention ponds, and no public involvement, specifically input dealing with drainage issues. I realize that this drainage plan has just started within the last month or so. A little

bit late to start. Presently, during a major rain event, Drainage District 19 drainage water received from the Higgins Road and Ovenell Road areas is already causing Higgins slough to run at full capacity in front of my mom's property. As one of the main drainage sources from this subarea plan, this issue must be addressed or current farmland will be unfarmable. I feel a real necessity that a qualified watershed expert is brought on board and public participation and input becomes part of the process to help complete the drainage plan. Without public input, the drainage needs will not be known or addressed. I encourage the commissioners that a completed Bay View watershed storm water management plan with public input and with a knowledgeable, qualified expert be completed prior to adoption of the Bay View Ridge subarea plan. Thank you.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: After Alison we have Bob Helton.

MS. STUDLEY: I'm Alison Studley, and I live at 11405 Bay View Edison Road. I think Bay View and Padilla Bay are very important and unique places in Skagit County, Washington State, and our nation's coastal waters. There's a national estuary research preserve there -- threatened and endangered species as well as sensitive species: bald eagles, blue herons, all types of hawks and birds of prey. There's fantastic recreation opportunities there for the community -- shore trail and park. It's not just for our community but for communities that come to visit. In 1988, the Bay View, Padilla Bay watershed was ranked as the second highest priority in the county for addressing pollution, and some of these waters in these watersheds are on the Department of Ecology's 303 D list, which means that they're violating the Clean Water Act water quality standards. And some of these streams are violated for temperature, dissolved oxygen, turbidity, and fecal coliform, just to name some of them. There's been a lot of folks here that have already talked about the importance of the increasing of impervious surfaces and how that exacerbates the drainage problem in the Bay View area. And I guess I also wanted to address the other impacts that storm water has. I agree that the drainage issue is a huge issue, but since people have already addressed that I don't want to talk about that tonight. In addition to exacerbating the drainage issue, storm water runoff also degrades water quality. The storm water runoff picks up pollutants on all of the streams and rooftops and out of our gardens and yards and things and carries them straight into our waterways and our bays, which then degrades habitat for fish and wildlife and the community. In addition to picking up pollutants, this flashy storm water system that we have, when you increase the

impervious surfaces also increases sedimentation and increases erosion of ditches and streams, which also degrades our water quality. Last year I participated on a citizen's advisory committee with the Skagit Conservation District to prepare a feasibility study for the No Name Watershed, and the Bay View Ridge area overlaps with that No Name Watershed, so I think there's a lot of recommendations and things that are useful in this document and I know that -- Don McMoran of the Skagit Conservation District urged me to suggest that you review that document, which is available at the Skagit Conservation District's website. And one of the recommendations in that document includes a drainage incentive program so that giving out drainage tax credits to the folks that go over and above what the storm water regulations are. So while developers may be required to have certain storm water retention and detention facilities in place, providing some kind of incentive to encourage them to go above and beyond those storm water regulations could help to improve both drainage and water quality for our community and our fishing and wildlife habitats. I'd also encourage -- it's not specifically listed in this document -- if there's some way to incorporate incentives for specifically the low impact development, recommendations that the Puget Sound Water Quality Action Team has -- substantial recommendations on to somehow make it so that we can give credit to those who are doing good and try to improve our drainage and our water quality.

Thanks.

COMMISSIONER DAHLSTEDT: After Bob Hilton we have Bob Rose.

MR. HILTON: Bob Hilton, 21032 Little Mountain Road. As a little history here, I had the opportunity to examine the impending traffic mess with Wal-Mart on Freeway Drive and College Way. And one of the little municipal stratagems for allowing that to happen was exempting that basic intersection from a level of service requirement. Now, the county has level of service requirements on its roads, and I would hope that when more people come into the county, and especially Bay View Ridge, that you won't use the excuse, "Well, we'll exempt that intersection now from our level of service because there's not much we can do about it." You need to plan ahead and decide how many people are going to be on these roads and do a good job of simulation so that the people that move in out there aren't going to be simulated to death with traffic jams and long service waits. Now, the thing that is also a basic problem that I believe in this county is the growth management act says that you can have a six-year concurrency period before you have to have the probable money to serve the new population. Now, the project is always probable. The infrastructure development is much less probable by the time everybody gets in. So

I would like to suggest that the county seriously consider reducing that six-year concurrency the GMA requires down to three years so that the people who move in here don't have to suffer for any more than three years. Thank you.

COMMISSIONER DAHLSTEDT: After Bob Rose we have John Schultz.

MR. ROSE: Thank you, Commissioners. My name is Bob Rose, Box 2405, representing Skagitonians to Preserve Farmland. We previously submitted comments on the Bay View Ridge plan in the context of our organization's desires to protect the farmland of the county and to assure the development of adjacent areas does not negatively affect the ability of current and future farm operators to continue their business. The core of our comments in the past have been addressed by Mr. Knutzen and Mr. Good, and so rather than take more time, I won't go over those. But clearly the issue of water quality and water quantity must be addressed in terms of any development on Bay View Ridge. And in the context of this plan being in development stage for seven years, and the fact that the planning commission submitted their recommendation to you but held back on requiring that a drainage plan be in place beforehand, we would urge you to defer approval of this plan until the storm water management plan is reviewed and in place; otherwise, we're concerned that the -- even the small developments that are being approved on Bay View Ridge now cumulatively have their effect and we think it would be most responsible for you to defer approval of this plan until a storm water management plan is in place and approved and addresses the issues that have been brought forth by a number of folks in the farming community and others who have testified. Thank you.

COMMISSIONER DAHLSTEDT: After John we have Mike Shelby.

MR. SCHULTZ: Yes. Thank you, Commissioners. My name is John Schultz, my office is 160 Cascade Place in Burlington. I'm an attorney for Skagit County Dike and Drainage District Number 12. It feels good to be an attorney here and not represent a developer. Having said that, I think I'd like to -- I mean, we've heard a lot of discussion about drainage and it really brought to mind how really simple this problem is. The fact is, it boils down to basically four factors. Number 1, if we put 700 homes out there, there's going to be excessive surface water. There's no getting around that. Number 2, it will destroy farmland. It will destroy some residences unless the drainage is taken care of. Number 3, as far as surface water and drainage waters, you can't deal with those after the flooding or the drainage has already happened. You've got to deal with them up front because you never know how much excessive water is

going to come down; you don't know about high tides; you don't know about other things. It has to be dealt with up front. And the actual solution to this is to wait, wait for a decision on the subarea plan until the storm water drainage plan is discussed and approved. Now, I understand that may take until September, maybe October, maybe the end of the year, but there doesn't seem to be any harm in waiting that additional time, to hold off on the subarea plan until the drainage issues are resolved. Now, Skagit County Dike District Number 12 has an interest out there because they recently have taken over Drainage District Number 8. Drainage District Number 8 had real minimal financing, real minimal funding. There wasn't a whole lot they could do out there to protect drainage. Skagit County Dike District Number 12 is a different story. They have substantial property and tax revenues from Burlington. They have the wherewithal, they have the ability, and you heard Chuck Bennett speak earlier -- he's the commissioner for Skagit County Drain Dike 12 -- he has a vast amount of experience on levy issues, drainage issues, thing of that nature. So in a sense, it's a good thing that Skagit County Dike 12 has taken over the area out there because things can get done now. But there are some impediments to that. Dike 12 has a primary interest in drainage, of course. They have an interest in protecting farms downstream, protecting properties downstream. The drainage issue is really a primary issue. In fact, it's probably one of the greatest issues in this entire plan. The plan doesn't really adequately provide for drainage. It doesn't provide solutions. We have a number of problems here. Like I said, the drainage issues have to be worked out up front. You can't wait for October or November or high tides because it's too late then. You have to do it up front. There are a number of properties -- There are about 300 downstream properties now below the subarea plan which are actually in jeopardy at the present point. In fact, I'll point to one piece of property. It's the -- It's down near the Bay View trail. It's the old McMoran Property. Now, without any development at all, that property has withstood huge impacts. It used to be that you could plant crops there in March. You can't do it now until May or June. There's a huge impact. And that's before we've even gotten to any development at all. Putting 700 houses in there is going to be a huge impact. Dike 12, we have been dealing with the county, with the public works in terms of putting together interlocal agreements. There are a number of things that Dike 12 would like to see. Number 1, they would like to see involvement between Dike 12 and builders. It just makes sense. The builders, before they get a permit, they should have to submit a drainage plan. It should be approved by Dike District 12. There's nobody in a better position to determine drainage issues than Dike District 12. It should also be

mandatory that builders provide drainage plans before they get a permit. It should be required that the subarea plan deal with residential and commercial. At this point it only deals with residential. And there should be mitigation as far as some of the drainage issues. Now, you can identify drainage problems out there. You can identify surface water, but what do you do about them? It's going to take some money to fix some of those problems. Dike 12 would prefer to have some money to put in extra pumps if they need to, widen ditches, clean out ditches, things of that nature. So the cost has to be addressed. With builders, give them a permit you have to address possible impact fees. Now, I hate impact fees, but as you and I know, what developers do is raise the cost of their structures or whatever to fund the impact fees. There might be tax breaks. There might be tax incentives that could be used. And then, finally, we would have interlocal agreements between the county in terms of taking care of liability, taking care of who's responsible for what, because I guarantee you, if we have a lot of water being taken down from below and if we don't provide for it now, there's going to be a problem. There's going to be flooding. The county's going to get sued like they did in the last go-around that went for many years on the dike district and flooding lawsuits. We're just inviting another disaster unless we make accounts for these things before they happen. We have the Bay View Ridge storm water management plan, and Chuck used a good example, you know: I'll pay you next Tuesday for a hamburger today. The problem is, Tuesday doesn't seem to happen, or Tuesday might turn into Thursday or the following Monday or the following Sunday. In the meantime, the developer gets his hamburger and he hasn't provided for some of the issues that are going to happen later. Is the developer holding the bag? No. He sells his property, makes his profit and he takes off. The county and the dike districts will be holding the bag because of the lawsuits from the disgruntled property owners. We would request that the subarea plan be delayed for a while, until September, October, the end of the year, whatever is necessary to approve the storm water management plan. It's the only common sense way to do it. Here's an example of some of the defects in the current plan. The current plan says that five acres -- five residential units or more cannot be developed until the storm water management plan is put in effect. So what that says is, if you build five units there's going to be storm water impact. If you build four units it's not going to be, and plus it doesn't apply to commercial structures. So we think that all development should be held up until that storm water management plan is taken care of and approved. And the storm water management plan has a lot of the components that I've mentioned: detention ponds, possible impact fees -- I think that's in there -- interlocal agreements.

So the solution is right there. It's in front of us. And I think just waiting a little bit longer is not going to do any harm and can do a great deal of good.

COMMISSIONER MUNKS: Can you wrap up, please?

MR. SCHULTZ: Yes. I think I'm pretty much done. I will be submitting some written comments, and Chuck has some photographs which I think are fairly -- because a picture speaks a thousand words. So we would urge you to wait before approving this plan.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: Mike Shelby is the last one that had checked in to...

AUDIENCE MEMBER: You skipped me. I signed before Randy Good.

AUDIENCE MEMBER: You skipped several of us, but maybe we didn't check something.

COMMISSIONER DAHLSTEDT: Ellen, you didn't check that you wanted to speak.

AUDIENCE MEMBER: Is there an opportunity for open commentary?

COMMISSIONER MUNKS: Let's get through who has signed in, and we'll see what time permits.

Again, I will reiterate that we will -- You don't necessarily have to have public comment. Written comment will suffice as far as what we will take into consideration.

AUDIENCE MEMBER: I have one specific issue I'd like to --

COMMISSIONER MUNKS: We'll see when everybody's done.

MR. SHELBY: Thank you. For the record, my name is Mike Shelby, 17322 Beaver Marsh Road, Mount Vernon. You've heard a lot of good comments here today. I think we've heard a wide variety of comments, but I think we also heard a general theme in here of concern about moving ahead with the plan without adequately dealing with, especially, storm water issues. If I may, I'd like to read a letter on behalf of the Western Washington Agricultural Association. "The Western Washington Ag Association membership is made up of farmers and allied industry members throughout Western Washington; however, the majority of our members are farmers who farm within the confines of the Skagit County dike drainage and irrigation districts. "I am writing to register the Western Washington Ag Association's opposition to the Bay View Ridge subarea plan approval until a comprehensive drainage plan is approved that includes interlocal agreements with the effect of dike drainage in irrigation districts. "The dike drainage and irrigation districts have all expressed their concerns and desires to achieve a satisfactory resolution to long-term storm water management. "Storm water management is just as important and

critical to future developments as our roads, sewer, power, fire protection, and schools. To allow the plan to go forward without finalizing a drainage plan is unacceptable. No further permits should be allowed for any development, whether residential, commercial, or industrial, until these issues are resolved. "The drainage and protection of agricultural lands around Bay View Ridge as well as all other lands is critically important to the future of this great valley. We have been working very hard to manage and protect all of the valley's resources through careful collaborative processes that bring all affected stakeholders to find successful solutions. Please allow this process to work here before final approval is made." I end it by saying "I appreciate the efforts that you gentlemen have to go through in trying to balance the needs of all of the constituents of this county, and the work you're doing is appreciated." Thank you.

COMMISSIONER MUNKS: Thank you.

AUDIENCE MEMBER: There's a list back here.

COMMISSIONER MUNKS: Is there another list?

MS. BYNUM: Ellen Bynum, and I'm the director of Friends of Skagit County, Post Box 2632, Mount Vernon. I have a written submission to you guys, but I basically wanted to say, just for the record, that the mission of Friends of Skagit County is to preserve the rural character of Skagit County, to protect the environment, and to support sustainable resource-based economies and to promote livable urban communities for now and for future generations. And that's really hard to do, and we know that you guys work hard and the citizen's advisory committee has worked very hard to try and do a plan that's thoughtful, that works for everybody. But putting 50,000 people into the community is going to be really difficult; doesn't matter how you cut it. The cities are going to have to take more population, and we know that. So this is only a piece of the puzzle. The plan for Bay View Ridge is only a piece of the puzzle. In general, Friends supports the plan because the growth is here and it's coming. You can't put your head in the sand and say Oh, go away, or lock the doors like Bob Hilton suggested we do from time to time. Nice idea, but we can't do it. So if the cities can't handle urban allocation or they can't get up to speed in time and we have the demand, the county doesn't have to do it in a way that's going to jeopardize not just the ag lands but any other open space, any other recreational area, any other space that we value as a part of our culture. So we know that people have spoken at length about the drainage and the infrastructure, and we're more concerned about how the county is going to pay for the \$19 million in infrastructure that is listed in the plan. We know that we need to seriously consider impact fees. I actually don't hate impact

fees. I kind of like them. I think people who are building things ought to pay for what they're building and their fair share, and their fair share is a portion of the cost of improvements. We might need to look at a surface water tax to pay for storm water management, and we might need to have additional fees to pay for school impact. The impact fees need to be at the level that it actually costs to provide the service. For example, I understand that Mount Vernon's cost for people is probably \$12,000 per kid and we're charging \$2,000 impact fee in Mount Vernon. So we want to pay equally and we want to pay proportionate to the cost so that the taxpayer doesn't pick up all of the burden. Friends supports the planning commission's recommendation to require the storm water management plan be completed before developments are allowed and we would like to put some more recommendations in here. We would like to reiterate that doing things in sequence costs less in the long run and a lot of people have lived here for a long time a lot of us want to live here for a long time and we'd like the quality of what we experience on a day-to-day basis not to deteriorate. So we don't mind saying it's going to cost, but the costs have to be fairly allocated. So, thank you.

COMMISSIONER DAHLSTEDT: Penny Lohman.

MS. LOHMAN: Hi. I'm wearing two hats: one for the ag advisory board for the county and the other for the Skagit County Farm Bureau. First I'd like to read what the Skagit County ag advisory board says about the ridge. "We would like to register our objection to the Bay View Ridge subarea plan until such a time as a comprehensive drainage plan is accepted for implementation by the affected drainage districts. "Previously, comments by the planning commission members also suggest that they have concerns about approving the Bay View subarea plan contingent on the future adequacy of the watershed drainage plan. This was said at the Skagit County Planning and Development Services Report of February 18th, 2005. "This concern is reflected in the commission's finding that the subarea plan and development regulations require that both the Bay View watershed storm water management plan and the planned residential development zoning regulations be adopted prior to construction of any new residential project containing five or more dwellings or any new residential land division creating five or more lots. "While the Skagit County planning commission has recommended that significant residential development be delayed until the Bay View Ridge watershed storm water management plan is adopted, we do not feel that adequately addresses the issue. Experience has demonstrated that even such a delaying action does not preclude development activity or its consequences. "Allowing the development

of all projects aside from residential projects containing five or more dwelling units only encourages the creep of development that we have already experienced on the valley floor. The cumulative effect of small projects can have as much detrimental impact as one large one. "All aspects of this proposed plan need to be addressed before it comes to you for final approval. The plan itself states in Policy 2A-3.2, emphasis is added, require all new development to comply with the Bay View watershed storm water management plan. Not only does the drainage plan need to be developed and accepted by the drainage districts that will have to contend with the runoff, it needs to be ready for implementation prior to the issuance of any new permits for development activity on Bay View Ridge. "It is therefore the unanimous opinion of the agricultural advisory board appointed by the board of county commissioners to address agricultural issues that the Bay View watershed storm water management plan must be finalized and ready for adoption prior to the adoption of the Bay View Ridge subarea plan. "The Skagit County agricultural advisory board appreciates the opportunity to serve the county commissioners, agricultural community, and citizens of Skagit County. Thank you for your consideration of our comments on this proposal." And now for the other half -- And I'm also a farmer, and I forgot to give my address. I live at 15283 Sunset Road, Bow, Washington. This was the same letter that I submitted June 15th to you kind of informally, so now I'm formally submitting it. "The Skagit County farm bureau board is concerned with the Bay View Ridge subarea plan receiving final permitting and approval before the drainage impacts and drainage plan are fully planned and implemented. "The county has a history of permitting development before all the key elements related to a development plan are adequately taken care of. This practice has resulted in the development activity never including and finishing the open-ended or missing elements to the development plan; thus, leaving key elements to be dealt with later is a poor -- thus, leaving key elements to be dealt with later is a poor land use planning decision and it reduces control of the impacts of development projects. "Numerous upland developments have taken place without regard to their drainage impact to the affected neighboring drainage districts. The increase of development particularly on these uphill slopes has been needed to be addressed for some time but has largely fallen on deaf ears. "This project, the Bay View sub area plan, just by its sheer size makes addressing these impact agriculture and drainage of vital importance and will finally set a mechanism for dealing with this kind of impact. "We understand that there will be a proposed moratorium for residential development beyond a certain number of houses only until there is resolution of the drainage issue. This is absolutely inadequate for

seeking a remedy for the very significant impact the Bay View Ridge subarea plan that it will have on the surrounding agricultural properties and their associated drainage districts; mainly, drainage and irrigation Districts 12, 14, 19. "Piecemealing the development of Bay View Ridge to stay below the moratorium levels will, over time, result in the same impacts that we're worried about, furthermore, the impacts are no less from commercial development than they are from residential development. It is the scope and the overall developed area that collectively and individually create serious impacts. "The drainage component is of equal stature to the other utilities and public services; such as, schools, sewer, water, power, transportation. All those are equal and drainage is as important. Proceeding without the drainage component to the plan also flies in the face of the county's own comprehensive plan, which states that adjacent uses cannot interfere with agricultural activities. Should they have a negative impact, then they must mitigate or buffer those impacts." And I've cited several places in the Skagit County comp plan under the natural resource conservation element. Element Number 5A-6.2 says, "Anticipated conflicts between a proposed new or modified land use and existing agricultural activities shall be mitigated by the newer use or application." 5A-6.1: "Apply the provisions of a right to manage natural resource lands ordinance to all lands designated agriculture consistent with the right to manage natural resource land policies under Goal E of this chapter: 5A-6.2: "Anticipated conflicts between a proposed new or modified land use and existing agricultural activity shall be mitigated by the newer use or application." I repeated that, I guess I thought it was so important. 5A-6.4: "Well-defined buffer areas shall be required as part of new agricultural development proposals which are located adjacent to agricultural land uses. These buffer areas shall be of sufficient size to protect agriculture from the impacts of incompatible development and to mitigate against the effects of agricultural operations on the adjacent land uses and shall be credited as open space." 5A-6.5: "Agricultural operations shall be protected by requiring a buffer between the agricultural land use and any new land use adjacent to lands designated as agriculture. The buffer shall occur on the non-agricultural parcel for which the permit is sought and shall favor protection of the maximum amount of farmable land." 5A-6.6: "Residential land divisions shall be sited with sufficient distance from agricultural activities to minimize future nuisance complaints." And finally, 5A-10.1: "Drainage and site design criteria shall be established to mitigate impacts which may affect agricultural land, criteria for evaluating impacts from storm water runoff on agriculture." We urge you to require the

drainage plan to be fully developed, permitted, and implemented before the final adoption of this plan.

COMMISSIONER MUNKS: Thank you.

COMMISSIONER DAHLSTEDT: Jeanne Wright.

MS. WRIGHT: My name is Jeanne Wright, and I reside at 12063 Bayhill Drive. One of the things -- One of the really important things I'd like to address is -- one of my careers in the past has been as a cabin attendant for Trans World Airlines. I'm very much aware of the impact of -- or the airport can have on a surrounding area. In 1992, when I moved up here, I was considering where I wanted to live, and so I did a lot of checking into the area in which I now live to find out the possibility of what could happen if I moved near an airport. I talked to an official back then and she was required to not be -- to make only objective statements in regards to what could happen in the future development of the airport. So she could not be direct as far as giving me the kind of information I was seeking. So I presented the question to her as to whether or not she would buy a specific home at a specific area located near the airport if she were planning to live there for the rest of her life or whatever. And her response at that point was no. The reason being -- I then asked her, "Is there a possibility that at some point in the future we may be landing large aircraft at that airport?" and she said, "Yes, depending on certain developments and what changes might occur in the future." At that present time, in 1992, there were some issues such as environmental impact which were of higher priority at that time, but as we've seen, those have changed, so that the airport development into a much larger space is most likely to happen as many more people move into the county. As an airline cabin attendant, I know that the most crucial danger period during airline travel is takeoff and landing. I myself have been involved in numerous near -- serious near accidents right over an airport due to small aircraft and large aircraft getting mixed signals from the tower and so forth. Things -- Stuff happens. And our airports grow by trial and error, just as every other parts of the community. I'm seriously concerned about that. With this kind of population moving toward the airport, there can be no buffer in terms of the noise that that will generate. The wildlife habitat will be extremely affected. We'll be paving more farmlands and paving more environment over, which Skagit County has opposed since I first started learning about it. When I lived in Los Angeles for 15 years, I subscribed to the Skagit County Herald just for the specific purpose of watching how the citizens protect and safeguard this area. At that time, I think Trillium was trying to move in and turn the county into a Knott's Berry Farm sort of development and I also watched as the citizens attempted to protect the area from a tire incinerator,

which would have simply destroyed the air pollution -- or contributed to the air pollution. I haven't heard the issue of garbage mentioned in this meeting either. I mean, the addition of so many more people in this area is going to -- there's going to be a huge amount of garbage. More garbage trucks. More noise. So on and so forth. Children in my neighborhood -- We have a little 20-mile-per-hour sign right off of Peterson Road. And the road is -- There are little basketball hoops and all kinds of things like that right inside the development where I live, Bay Hill Village. And these kids are out in the road, the dogs and the cats and the play activities. There's no playground, so they play in the road. And it seems relatively safe at this point. But with the increase of all of the noise, pollution, traffic -- and I don't see anything that will really sufficiently address the traffic, especially at the turnoff beneath the freeway onto Peterson Road. There were just some major repairs done to that turnoff, and in order to access Peterson Road, there needs to be more lanes of traffic next to the airport so that people can turn freely onto Peterson Road, and that doesn't exist, just after they approved it.

COMMISSIONER MUNKS: You need to wrap up, please.

MS. WRIGHT: Okay. One last comment. It seems like there are so many issues that have not been addressed in terms of allowing the citizens who are impacted by this development -- It seems to me that the citizens have to have equal or more input than simply the developers who are serving the profit-making part of it. And, also, the cost to the county for all of the infrastructure necessary to support it, I just don't see that it's a reasonable thing to do at all.

COMMISSIONER MUNKS: Thank you. Is there anybody else that would like to say something? Carol. Again, I'd like to reiterate while Carol's coming up that if you haven't had an opportunity and don't want to take the opportunity to speak before us in person, we do accept written comment and we will accept that through Monday at 4:30, and we do view that input as much as we view any public comment that comes up before us.

MS. EHLERS: I'm Carol Ehlers. I live on Windcrest Lane over on Fidalgo Island, and I've come because in one sense I want to defend my vote to this plan. It was based on the fact that there would be a drainage plan and in recognition that the drainage districts have to deal not only with the water off of the Bay View Ridge plan, but all the rest of Bay View Ridge, the majority of which is not in this plan. And that those drainage districts also have to deal with the storm water that comes down from the Skagit River that

doesn't quite make it around the curve. They have to deal with the flood tides. They have to deal with fish and wildlife. They have to deal with a certain tribe that is interested more in fish than they are in farmland. They have to coordinate all of this -- It's a sophisticated process. If you can get it done by Christmas, Godspeed. But the basic problem with subarea planning in Skagit County is that you don't start with drainage. Drainage is what comes after. You were supposed to do drainage with the Fidalgo plan. You're not even going to do it at all. You're going to do it parcel by parcel. Drainage on this plan started long after the CAC started and long after the first hearings and long after the EIS was started. That's not the way in which you do things in a sequential, expedited way. There is money in the drainage utility for exactly that purpose. The drainage utility was created because of the horrible problems in 1990, 1991 on Bay View Ridge and on Fidalgo Island and in other upland parts of the county. There is money. That Bay View Ridge money is paid for by the people who live within the drainage utility district. Each house pays per house. Each commercial plan lot pays according to the impervious surface. Anyone who is going to build a commercial or industrial project within the drainage utility up on Bay View might well be charged the cost from the beginning of the project; that is, that year that they start, rather than after the year the project is finished. That might be one way to deal with some of the costs. When the new roads that the federal requirement have in that area are put in, you will get a lot of money from them, from the federal government. You must charge the cost of drainage to the federal government because it will contribute to the problem down below; it will contribute to the problem on the hill, so you might as well see what you can do in terms of that kind of funding. Since that area in Bay View Ridge has been designated urban, there isn't much question as to what to do and of whether to do it; it's a question of what to do, and that is part of how you do it. If the feds are going to tell you what you have to do, then you're going to need Ted back in Washington a lot to make sure they pay for it, since that isn't how the federal government operates. But the principle remains. You start planning for drainage at the beginning of a set of problems, not after person after person after person writes letters, organizations, and there's an enormous amount of pressure put. That's not how to do it. Two other things that are completely different. I understand that there is language now in the plan dealing with trees, the tree height. That way you can at least avoid in your budget problems legal suits from everybody you can think of, including the FAA, which mandates that you cut trees in the Bay View Ridge plan and outside, which leads me to something further that I have talked to Don about. If you look at this map that's out here, you have the

colored part which is Bay View Ridge and you have a series of dotted lines which is the airport environ area. It doesn't do any good for planning purposes if you adopt the airport as part of the Bay View Ridge because that does not legally make it clear that outside of the Bay View Ridge you have to pay attention to it. You follow me? And if you only have the airport environs within the context of this plan, the permitting department and public works will never understand what the consequences are because there won't be any legal thing tying them to it. So you need two motions: One dealing with the airport environs, which you can do tomorrow because there's no opposition to it. There's no grounds for opposition. People might not like it, but it's mandated. And then the Bay View Ridge plan, which I think you really do need to do the drainage, because the way things actually operate, you have to do things before you agree to it more, because otherwise it doesn't get done.

COMMISSIONER MUNKS: Thank you.

MS. EHLERS: Thank you.

(Applause.)

COMMISSIONER MUNKS: Anybody else that wants to submit testimony? Again, I will reiterate that we do take written testimony up through Monday at 4:30. That can be turned in to the commissioners' office and we do view that as critical as we do the input that was given here tonight. So with that, I do want to thank everybody for attending. I do appreciate the interest in what we're trying to accomplish. Thank you all for coming. With that, we are going to adjourn.

(END OF PROCEEDINGS.)

C E R T I F I C A T E

STATE OF WASHINGTON) I, JENNIFER L. CALDWELL, CCR,
) a Notary Public in and for
COUNTY OF ISLAND) the State of Washington,
 residing at Coupeville in
 said county and state, do
 hereby certify:

That the foregoing public hearing and testimony was taken before me and completed on July 27, 2005, and thereafter transcribed under my direction; that the transcript is a full, true, and accurate translation of the testimony of said people to the best of my ability; That I am not a relative, employee, attorney, or counsel of any party to the action or a relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That I am herewith securely sealing the transcript and delivering same to Ms. Pam Andrews, Project Manager,

Trillium Corporation, 4350 Cordata Parkway, Bellingham, Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of March, 2005.

JENNIFER L. CALDWELL
Notary Public in and for the
State of Washington, residing at
Coupeville. Expiration date,
May 19, 2007.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

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