

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JUNE 21, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 21, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Wesen called the proceedings to order at 8:31 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Wesen led the gallery in the salute to the flag.

III. AGENDA:

- a) 8:30 a.m. - 9:30 a.m. Planning and Development Services - Gary Christensen, Director:

Gary Christensen, Director, was present to introduce the agenda items and answer any questions.

1. Discussion/Possible Action: Plat Modification Request (PL11-0021)  
Submitted by Mack and Juanita Judd

Marge Swint, Senior Planner, explained that this was a modification to Short Plat PL08-0035 to change the dedicated open space on the recorded plat map (AF#20088130042) from Lot 4 to Lot 3. The plat was recorded in August 2008, developed approximately 20 acres into a one 15.92 acre lot with one acre designated for development and the remaining 14.9 acres designated as Open Space-Rural Open. Onsite sewage and individual wells serve the property. She stated that with the initial land division, the undeveloped land (open space) was part of Lot#4. The proposed modification would adjust the dedicated open space to Lot #3. The subject property was designated as Rural Reserve on the Skagit County Zoning and Comprehensive Plan maps.

Ms. Swint indicated that the property was located at 33501 Hamilton Cemetery Road, Sedro Woolley, WA: Lots 3 & 4 of Short CaRD PL08-0035; within a portion of the W 1/2 of the NW 1/4 of the SE1/4 Section 10, Township 35 North, Range 06 East, W.M. Skagit County.

Ms. Swint stated that the Planning & Development Services Department recommended approval.

Commissioner Dahlstedt suggested that the intention of the CaRD Program was to consolidate homes so that they were closer to roads so that there would be more open space.

Ms. Swint explained that the building areas were located next to the road. She went on to say that the plat modification request does not change the

amount of open space on the property, it shifts the dedicated open space from Lot #4 to Lot #3.

Commissioner Dillon asked why the modification request was necessary.

Bruce Lisser of Lisser & Associates, stated that he represented the applicants, Mack and Juanita Judd. Mr. Lisser explained that the applicants' daughter was going to purchase and live on Lot #4, but had changed her mind and wanted to live on Lot #3. He said that the applicants' intent was to have the open space in their daughter's name, thus the modification was required for that reason.

A motion was made by Commissioner Dillon to approve Plat Modification Request PL11-0021 for Short CaRD PL08-0035 submitted by Mack and Juanita Judd. **(Resolution No. R20110202)** Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

2. Discussion: Envision Skagit 2060 - Project Update

Kirk Johnson, Senior Planner, spoke about the Envision Skagit 2060 Citizen Committees' open house, which was held on Thursday, June 16, 2011, at Northwest Washington Pipe Trades Apprenticeship Building in Burlington. Mr. Johnson stated that the Citizen Committee presented their draft recommendations to the audience and did a great job in answering the participants' questions. He estimated that there were approximately 120 people present during the meeting. He said that he would be available to provide information to the cities, towns and any other interested groups in the County.

Commissioner Dillon stated that the Citizens' Committee had worked hard to provide the draft recommendations. She said it was important for the County to plan for growth.

Commissioner Dahlstedt indicated that the challenge was that the only way to do more with less financial resources was through consolidation. He stated that consolidation would cut costs, lessen taxes and provide more efficiency for the County.

Chairman Wesen thanked the Mr. Johnson and Citizens' Advisory Committee. He said that the tax sharing between the cities and the county was a good idea.

3. Discussion: Shoreline Master Plan - Program Project Update

Betsy Stevenson, Senior Planner, listed the Shoreline Master Plan (SMP) accomplishments to date. She said the draft shoreline jurisdictional maps have been completed; the draft map folios have been completed and would be available on the website in the near future; the public participation plan had been completed; the draft shoreline analysis and characterization report would be out for public review by early in the summer or early in the fall; the citizens' advisory committee held their first meeting, and they would begin

their work in September; the SMP website could be accessed at <http://skagitcounty.net/SMP>.

Ms. Stevenson said that in order to accommodate the schedules of people on Fidalgo and Guemes Islands, an additional public workshop had been scheduled for Wednesday, July 13, 2011, at the Anacortes City Hall from 4:00 p.m. to 6:00 p.m.

Mr. Christensen stated that the Planning and Development Services would provide periodic updates to the Planning Commission and the Board of County Commissioners regarding the progress of the Shoreline Master Program.

Commissioner Dillon stated that she was impressed with the public participation at the Lyman and Concrete meetings.

Commissioner Dahlstedt said that the SMP update was an important issue that needed to be addressed. He encouraged Planning and Development Services to ensure that any changes made to the SMP would be consistent with the rules in the Skagit County Code. He went on to discuss the importance of involving the Skagit County Agricultural Advisory Board and the Forest Advisory Board in the update process.

Commissioner Wesen asked Ms. Stevenson to provide some background information on why the SMP update was being done and the process.

Ms. Stevenson said that the Shoreline Master Program (SMP) was a combination of rules and planning practices developed by local governments to guide the development of stream, lake, and marine shorelines in accordance with the State Shoreline Management Act. She indicated the County was required by State law to update the SMP by the year 2013. Ms. Stevenson said the County had received grant funding from the Department of Ecology to update the SMP.

4. Discussion: National Marine Fisheries Service (NMFS) and Federal Emergency Management Agency (FEMA) Biological Opinion - Project Update

Mr. Christensen explained that in 2008, the National Marine Fisheries Service (NMFS) issued a Biological Opinion pursuant to the Endangered Species Act regarding the Federal Emergency Management Agency (FEMA) administration of the National Flood Insurance Program (NFIA). He explained that as a result of the Biological Opinion, FEMA, through the NFIA had an additional role to protect salmon and orca whales. Mr. Christensen explained that there were 122 communities throughout the Puget Sound who must draft new codes, regulations and rules for development in flood hazard areas. He indicated that the development activities could create no harm, or adverse effects on endangered salmon and whales.

Mr. Christensen said that under the Biological Opinion that local governments had three options in developing the new rules. He went on to explain that Skagit County had chosen the second option and had a draft proposal prepared, which would address the requirements in the Biological

Opinion. He indicated that the draft proposal would be presented to the Planning Commission at their meeting on Tuesday, June 28, 2011; it would then be released for public review and comment; the Planning Commission have a public hearing scheduled for Tuesday, July 19, 2011, to consider testimony on the draft proposal; and in August the Planning Commission would deliberate on the proposal. He went on to state that after the Planning Commission deliberated, they would forward a recommendation to the Board of County Commissioners for their review and action. Mr. Christensen pointed out that local governments are required to be in compliance with requirements of the Biological Opinion by September 22, 2011.

Chairman Wesen pointed out the three options available to local governments were 1) adopt a one size fits all model federal ordinance; 2) enact regulations that allow development that meet with the criteria specific in the Biological Opinion; or 3) show compliance by submitting every permit to the federal government for review and consultation.

5. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

- b) 9:30 a.m. - 10:30 a.m. Presentation/Update: Puget Sound Partnership - Gerry O'Keefe, Executive Director, and Martha Kongsgaard, Chair Leadership Council

Chairman Wesen reconvened the proceedings at 9:32 a.m.

Gerry O'Keefe, Executive Director of the Puget Sound Partnership, and Martha Kongsgaard, Chair of the Leadership Council were present to thank the Board of County Commissioners for the work they were able to accomplish in the Samish Basin despite declining revenues.

Ms. Kongsgaard thanked Skagit County's liaison Rebecca Ponzio, who was present in the gallery. She thanked Commissioner Dahlstedt and Chairman Wesen for their work and involvement in the Salmon Recovery Council and the Ecosystem Coordination Board.

Gerry O'Keefe acknowledged Steve Sakuma for his participation with the Puget Sound Leadership Council. Mr. O'Keefe stated that the Leadership Council had adopted 14 ecosystem recovery targets, which would help to guide the region in restoring the health of the Puget Sound.

Commissioner Dahlstedt said he appreciated that Mr. O'Keefe and Ms. Kongsgaard took the time to visit Skagit County. He noted that the challenge to accomplishing the cleanup of the Samish Basin would be to get the partners from local governments, and citizens to come to a consensus and to find the financial resources to accomplish the goals.

Commissioner Dillon said she appreciated that Mr. O'Keefe and Ms. Kongsgaard took the time to visit Skagit County and for their work with local governments.

Chairman Wesen spoke about his work on the Puget Sound Partnership Ecosystem Coordination Board. He also thanked Puget Sound Partnership with their work on

the Clean Samish Initiative.

Chairman Wesen recessed the proceedings at 10:03 a.m.

- c) 11:00 a.m. - 11:30 a.m. Presentation: Farmland Legacy Program Strategic Plan

Chairman Wesen reconvened the proceedings at 11:00 a.m.

Kendra Smith, Natural Resources Lands Policy Coordinator, stated that the Farmland Legacy Program received a grant in 2010 for \$20,000 from the Washington State Office of Farmland Protection to facilitate a Strategic Plan for the Farmland Legacy Program. Ms. Smith stated that the strategic plan would be developed in coordination with the Conservation Futures Advisory Commission, the Skagit Conservation District and the American Farmland Trust. She introduced the Chair of the Conservation Futures Advisory Committee Carolyn Kelly.

Ms. Kelly noted the Conversation Futures Advisory Committee included Scott DeGraw, David Hedlin, Mike Hulbert, Alan Merritt, Keith Wiggers, and Andrea Xaver. She went on to thank staff from American Farmland Trust Dennis Canty, Don Stuart, and consultant Sarah Brace. Ms. Kelly indicated that the process had been supported by staff from Skagit County Kendra Smith, Linda Christensen and Planning and Development Director Gary Christensen.

American Farmland Trust Regional Director Dennis Canty provided the Commissioners with a report paper entitled, *Recommendations Regarding the Skagit County Farmland Legacy Program*, which was prepared by the Conservation Futures Advisory Committee with the assistance of the American Farmland Trust.

Mr. Canty stated that the Farmland Legacy Program had been very successful at preserving farmland. He pointed out that the report paper recommended several changes to the program to keep it current and effective. The recommendations were to retain the current dedication of Conservation Futures Tax funding to farmland preservation; supplement funding for the purchase of development rights on farmland; select projects using two review and selection rounds per year; modify the proposal scoring system to better address program principles; modify the treatment of financial considerations in scoring proposals; eliminate use of the scoring process to define the price for the purchase of development rights; and review and revise procedures following the two 2011-12 selection rounds.

Allen Rozema, Executive Director of Skagitonians to Preserve Farmland (SPF), spoke in acknowledgment of the amount of work that was involved to bring forward the recommendations. He stated that his Board of Executives strongly supported the recommendations and looked forward to fundraising to support the program.

Chairman Wesen asked whether the proposed changes to the program would affect the amount federal funding that the program received. Ms. Smith indicated that it could possibly affect the funding.

Commissioner Dillon discussed whether the Committee had a specific strategic plan for protecting certain targeted areas of farmland. Ms. Kelly said that the Committee used priority points, such as areas that were near the urban growth areas, and used

a balanced approached to projects that came into the program.

Commissioner Dahlstedt said that he thought the program was successful and discussed the challenges of increasing taxes to fund the program.

Chairman Wesen recessed the proceedings at 11:36 a.m.

d) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Wesen reconvened the proceedings at 11:42 a.m.

Ed Stauffer of 17160 Barrel Springs Lane, Bellingham, said he was discouraged that more people do not speak at the Board of County Commissioners public comment period. Mr. Stauffer commented on how impressed he had been when he went to a candidate's forum in 1999 and asked the candidates if they had any knowledge of the Growth Management Act. He indicated that Commissioner Dahlstedt was the only candidate who acknowledged that he knew anything about the Growth Management Act. Mr. Staffer further expressed his concerns about the destabilization of rural county.

Seeing no further public comment forthcoming, Chairman Wesen closed the public comment at 11:50 a.m.

The Commissioners encouraged the public to come to the public comment period, which is held every Tuesday at 11:30 a.m. in the Commissioners' Hearing Room.

IV. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 11:51 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ron Wesen, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board