

**Agricultural Advisory Board
Review of Draft 2025 Comprehensive Plan
March 12, 2025**

Board Members: Michael Hughes, Chair
Kraig Knutzen, Vice Chair (absent)
Terry Sapp, Vice Chair Pro Tem
Cindy Kleinhuizen (via Zoom)
Don McMoran
Justin Hayton
Steve Wright
Kim Mower
Nels Lagerlund
Matt Steinman

Guests: Annie Lohman
Mikala Staples Hughes
Lora Claus
Owen Peth

County Staff: Tara Satushek, Senior Planner
Malia Agpawa, Permit Technician/Receptionist

Cindy Kleinhuizen: Yes, Cindy Kleinhuizen, Double O Ranch, Concrete.

Chairman Michael Hughes: Okay. Welcome, everyone. I'll start with a handful of guests. _____. I would like to make a couple public comments before we dive into the meat of the meeting, not related to ___ on ___.

Okay, for the ___, we did not have a quorum in February so we're going back to our January meeting minutes to approve and _____. Nels' motion to approve the January minutes as presented, seconded by Justin. All in favor?

Multiple Board Members: Aye.

Chair Hughes: Any opposed?

(silence)

Chair Hughes: Great. So thank you. Okay, so the meat of today's meeting will be the 2025 Comprehensive Plan. We're fortunate to have Tara from your Planning Department – correct? – with us. Jack is out sick tonight so Tara's here to help us with questions. Hope you're prepared!

So I've asked the natural resource and ag resource sections _____ to be presented. There's a lot more which I was hoping people would write in their emails. Here I've got 400 pages out though,

again because we already have the first draft of them. So Tara, do you mind telling us just kind of where we're at? I know there's a comment period that closes tomorrow and where it goes from there.

Tara Satushek: Yeah. So the first complete draft – so background. We – the Department has issued out elements of the Plan in phases. This one specifically was done, I think, back in September?, October? I apologize if I don't remember straight off. And now it's compiling all of those – the comments received before the first draft. It was just some language cleanup and then meeting state code. Now this draft is work that has been done by the consultants and staff input, and first draft for public comment. Public comment that is received will then also go into reformulating it to the draft that will go before the Board of County Commissioners.

We did have a public hearing yesterday and it was brought to our attention about how some of the language, grammar, is – may have made the language less strong. So we are meeting next week to review the edits as a staff to strengthen that language. But we'd encourage any and all written comments that would help guide us to know what specifically to put in, because as staff and with the consultants, we made the best decisions that we think we can but really rely on you as the experts to really guide us correctly. So it appeared we missed the mark with this draft and we want to make it so that it actually suits the community better. So, again, the written comments does end tomorrow at 4:30 but I encourage you even until Monday to get us comments if you're able to as a board or as individuals. These policies are implementable and that they're actionable and that they can be understood by the community but also used by staff when _____ the special use permit.

So that's kind of the overview. And then I believe there's a draft policies put out. If you haven't had a chance to look at them – I know it's a lot. I'd be happy to answer any questions on behalf of the departments. Again, I may have to defer some because I don't know because I'm one of many on this project, but I definitely will try to answer any questions you have.

Annie Lohman: You said the comment period is officially over tomorrow at 4:30 but that you'd accept it till Monday? Is that – having been slapped for going past – is that for sure?

Ms. Satushek: I should clarify it: As the Advisory Board. Yeah, so like a written comment – oh, I'm sorry. Thank you for bringing that to my attention. But, yeah, the public comment period ends at 4:30 but with the Advisory Board – again, as a body – I know that there may not have been enough time because the Boards meet once a month. We do have to get the comments published next week but I spoke to management today and just giving that a little bit of wiggle room because we really want to get this right, instead of just making the deadline. So as an advisory board, I mean, if you could tomorrow morning's fantastic. I know that's a short turnaround.

Chair Hughes: We appreciate that because it was released after the last meeting then –

Ms. Satushek: Yes.

Chair Hughes: – due the day after this one, so it's been pretty quick. So does the Board have any questions or – I did put together kind of a draft after talking with people around the community – a draft letter on a few things that I've heard so we have a _____. And one of the things that effort is, like, you had mentioned the strength of some of the language and some of the protections. So a couple things that I've heard concerns about is in the old language the needs of designating resource lands. Just – it seems clumsy, and there's concern about making it too easy to be designated resource lands. It needs to have a very strict reason to do it.

Ms. Lohman: Mr. Chair?

Chair Hughes: Yes, go ahead, Annie.

Ms. Lohman: On that section, it's right at the beginning; it's got little b.4.1 – 4A.1. So on the second page of your ___ or 131. Because later on in 4.3 you talk about the plan policy talks about de-designating, and it lists of criteria that's in the WAC. And so all of a sudden you're talking about designating ag lands and then on (E) all of a sudden you shift gears in that 4.1 and talk about *de*-designating. Where in 4.3 it talks about *de*-designating, and I think that if you kept all the language together it would read smoother. And we make the suggestion that de-designating is a possibility for somebody to take on.

Ms. Satushek: Okay, so if I can just start with what I think I heard. So for section E, either strike that or make that language tighter?

Ms. Lohman: No, move it to 4.3. Because I did look up the RCW and the WAC – WAC 365-190-040. And the way this policy is written, if you look at the title it's Ag Land Designation Criteria. Then when you get to 4.3, it's Preserve Ag Land Base and Use and 4.3.1 is Designate ___ Commercial Use, and then it talks about the de-designating and what the criteria might be to do it. Does that make sense?

Ms. Satushek: Yes, thank you.

Ms. Lohman: It's the draft.

Chair Hughes: Yeah. ____.

Terry Sapp: I'd like to encourage us to think about the orderly way to manage our discussion.

Chair Hughes: Mm-hmm.

Mr. Sapp: I know that you received comment from outside of our board and that people are here who may have studied this in ways they would like to share with us?

Chair Hughes: Mm-hmm.

Mr. Sapp: And I wonder if you could call on anybody here who has comments specifically about these materials to speak and let us have the advantage of knowing some of their thoughts – if anybody is willing to do so. Now that's a suggestion. I'm not saying that's – that would be your choice. But I would love to hear from people who are here with ideas.

Chair Hughes: Okay.

Mr. Sapp: To share with us.

Chair Hughes: Okay. I think I'll start – does anyone on the Board have anything they want to share first? And then we can – I think that's a good idea, because I know there's quite a few people who have dove into this.

Mr. Sapp: Well, yes, and just to remind the Board – so now this won't be specific. I think people here can share some very specific comments with us for us to consider, but I want to remind the Board that we did do some work on this Comprehensive Plan earlier and we did some writing on

it, which is in the record. I have here comments from this Board for September 11th of last year. And then, I believe, Michael, you asked the Economic Development Committee, chaired by Don, to do some additional survey work, and your committee did meet and we did have some comments. And then additionally we have commented to the Department here in our Board meetings previously, but the challenge for us has been to keep track of the changes. Because what we see tonight is significantly adjusted from what we have worked on over this period of time. So we're challenged by this task of trying to be current and, indeed – so those comments just as a bit of background may be a refresher for Board members, and I'll stop there.

Chair Hughes: And so – Don, do you have something?

Don McMoran: I'm thinking more that it's a question.

Chair Hughes: Uh-huh?

Mr. McMoran: I'm just curious why Policy 4A.2.13, ___ Education, has gotten scratched from the Comp Plan. Things like educating youth is pretty important if they're going to be the next generation to _____ for the land base here in Skagit County. The education might be ___.

Ms. Satushek: I'm sorry – that was 4.2-14?

Mr. McMoran: 4A-2.13 on page 130.

Mr. Sapp: Which page, please?

Mr. McMoran: 135.

(unintelligible female voice)

Mr. McMoran: There's a number of scratches for those first sections.

Female: _____ rationale for that is on the table.

Chair Hughes: Yeah. We want to get back to the ____.

Female: Better act now _____ on 210 to 315.

(long silence on recording)

Male: Page 47.

Chair Hughes: Yeah it says, "As ___ language is not a policy, it provides policy to do the next ___"

Ms. Satushek: I don't know off the top of my head, honestly, why that was taken out. But I am going to note this and bring it to the team because we are going to go through why some of these were scratched. Again, _____. There were a lot of hands in _____. There were a lot of moving pieces and _____ we're going to go back and try to see what was removed and why just to get a better understanding. I think part of it was the goal was to make it more concise and analytical but at the same time it appears as not necessarily the best direction moving forward because....

Male: Just alteration on 134 where the 4A2.8. It says encourage _____ agency's response to _____. That's new? _____ then? I think that replacement for that would go there.

Ms. Satushek: I'm sorry. Could you please repeat that number?

Male: The 4A2.8. I was just wondering if that replaced –

Chair Hughes: Yeah, it looks like it.

Ms. Kleinhuizen: Michael, could I share on that one?

Chair Hughes: Yes.

Ms. Kleinhuizen: So 2.8 is not a replacement? The previous was – this goes back to the financial and state planning for farmers, and that's just restating that, but it removes the ___ around that previous provision. And so it's not replacing it. It's replacing what was listed as financial and estate planning specifically. But in the previous one that was removed as it pertains to education, that's much more general in how it prescribes education be provided specific to agriculture.

Chair Hughes: Okay.

Ms. Kleinhuizen: And so that was essentially saying "Are we losing?"

Male: Yeah, 2.8 is more direct towards financial planning and producer estate planning and that stuff. What's there is more general.

Mikala Staples Hughes: Exactly. Yeah. And I would just point that the 4A2.10 through 2.13 are all very general policies that have supported various activities in the county, and those are all being struck. So promoting sustainable agriculture practices, promoting agricultural products, promoting public awareness, and promoting education. All of those sections were struck.

Chair Hughes: And this Board has felt for a long time that promoting public awareness of what the agricultural community in the county does is very important to maintaining agriculture as a county.

Female: Would it be helpful – all of these struck elements have kind of a common theme – if they had a title? And then put them under the title because if that's the title to bring them all together. I can see where somebody might _____. Where we who understand it because we – this is our business so we get it. Why we would feel the way we do. But somebody outside wouldn't because they don't have the context.

Male: I think what the committee feeling on that is if not in the Comp Plan, where would stuff – that type of information be – as a guiding principle for county to help promote the education of agriculture?

Mr. McMoran: And this group's well aware that Skagit County is a major supporter of our _____ program. _____ Extension. They have 340 to 75 leaders. They're very active in our community and so just education for those that are in planning, that's in place and the ag community doesn't want that to go away.

Ms. Satushek: Okay.

Ms. Lohman: And even besides that, just the Master Gardeners and all the other programs that are run through WSU at the research center makes sense.

Mr. McMoran: Extension.

Female: Extension – that we all know because we know.

Chair Hughes: Great. I make good notes so I can imagine my thoughts! I appreciate it. I think _____. Anyone else on the Board have something? I would like to hear from some of these other groups so we can form our opinion for the second half of this part of it. Lora?

Lora Claus: I've got a question. Forgive me if this ground already got covered. I'll just _____ and _____. The removal of those terms _____ happened and replaced with just specific ____ that upgraded? ____ and Ag Advisory Board can _____.

Ms. Satushek: Yes. When I was doing my research for this meeting and see what I needed a fact for, I didn't see it in our stuff. But in our meeting I will make a note of that so I can see why that was taken out. And, again, if the Board would prefer to keep that previous wording – just ____ direct – that would be helpful. But I apologize I don't know.

Ms. Claus: Sure, but (garbled and recording skips words)

Ms. Satushek: Thank you.

Ms. Claus: Sure.

Female: When I was researching this, it appears that there isn't a farmer _____ and so possibly the consultant saw the committee for deciding certain properties as an eligible property, that – oh, there's a committee. Whereas the Farmland Legacy Program does more than just that because they're also the program that receives grant funding and et cetera, et cetera. And it kind of administrates the whole thing, correct?

Male: The committee is the Conservation Futures Advisory Committee.

Female: But the Farmland Legacy Program is what – yeah, _____, isn't it?

Ms. Satushek: I think it also falls under the _____.

Ms. Lohman: Because there's been grants for RCO and some other –

Chair Hughes: I would look at the founding document

Ms. Lohman: Because I went on their website.

Chair Hughes: On the Farmland Legacy website, there is a founding document that it probably describes this more than some of the wording here.

(long silence on recording)

Chair Hughes: Sorry to hear something else on there.
(incomprehensible female voice)

Chair Hughes: Yeah.

Female: Okay.

Chair Hughes: ____?

Ms. Staples Hughes: Yeah, I have some. So I would just draw everyone's attention to the data file that has the reasons for the changes, and we'll all know this throughout all of these changes. This is the most extensively changed section within any of the land use types. So for some reason agriculture has been selected to be heavily edited, more so than any other section of the Comp Plan. And so throughout the ____ you'll see the reasoning. And in nearly every case it's for the purpose of being more concise and for administrative cleanups. And I would just – you all know this, but I would remind everyone that the reason Skagit County has what we have is because we *aren't* the same as other comp plans. We have principles and guiding documents that have made us different.

I'm really concerned about the enforceability of the changes. So, for example, even as it pertains to the Agricultural Advisory Board, in 4A2.1 you'll see where currently it says "the Agricultural Advisory Board shall represent agricultural producers" and their advised language now says "Ensure the Agricultural Advisory Board represents the agricultural community." And I know, you know, just reading the ____ it might feel like it's the same message, but from a legality standpoint it's not. It's not enforceable, it's not a directive. And so I really encourage the Board and the broader community that we ensure the language is directive and that it has action behind it and it's measurable and it's objective.

The other component is, for example, as it pertains to the Farmland Legacy Program, in 4A2.5 it says "Skagit County, through the Farmland Legacy Program, shall prepare a periodic report on the state of Skagit County agriculture." The revised section says, "Prepare a periodic report on the state of Skagit agriculture." And that might sound similar, but again anyone who's involved in writing policy, the importance of words like "shall" and "must" are critical in having enforceability. And so throughout the entire document, you know, I cited in the comments submitted on behalf of Western Washington Ag, there's roughly six strong examples that I cited, but there's examples throughout.

Another one that was really concerning is in deed restrictions in 4A5.2. And so again this is referring to ensuring that new land or property owners receive _____. And so historically it said, you know, all real estate transactions involving residential development on or within _____ agricultural resource lands *shall* contain recorded documentation. And in the revised section it says "require recorded documentation of residential owners' acknowledgment" yadda yadda yadda ya, right? And that "shall" is gone. And so time and time again the ways that we've maintained what we have is because of things like the right to farm ordinance being provided with deeds because of, you know, agricultural production being prioritized. But without that "shall," that is no longer enforceable and we're at risk of weakening those ____ that we had.

And then the other just last two things, inconsistency with the Growth Management Act. So Annie pointed to this at the beginning – but in 4A1.1E, where it's talking about de-designation, the GMA already specifies _____ that comes as follows for de-designating existing lands from Ag-NRL status. And, again, I urge the County to have reference to that RCW and WAC standard that

establishes the process. And so that process is already in state law and so I'd make sure that we reference that process. It's not just a vague, countywide analysis.

And then lastly, as Lora pointed out, the inconsistent terminology of the Farmland Legacy Program. For me it's more the concern of the value that the community has about the Farmland Legacy Program. And by removing that ___ entirely I'm concerned that people won't know what we're talking about. But I also think, you know, as far as there's a lot of value in ensuring that that program is prioritized for farming. And so I'm concerned that that opens a program like that to other uses. And I pulled the numbers today and right now 7.44% of all of our county's land base is actively being farmed, and that's it. And so that's a really good reminder of why that enforceability is so critical.

So those are my comments. Thank you for letting me share, Michael.

Chair Hughes: (incomprehensible) Owen?

Owen Peth: The only – thank you – the only big one I notice, beside from everybody else's comment, is page 137, 4A4.6. The language has changed just a little bit. We would allow – and this is in the Allowable Uses section, Allowable Land Uses section. And it says "permit habitat restoration projects on agricultural lands." And it used to say "are a *permitted* use." So does this mean we are now allowing?

Chair Hughes: Mm-hmm.

Mr. Peth: We're changing – we're going from requiring a permit to no longer requiring a permit. That's a drastic change from an allowable use to – from a permitted use to allowable use. I would advocate that they remain permitted so there is some level of oversight.

Chair Hughes: Mm-hmm. I've got your comments on that one.

Mr. Peth: That's all I've got.

Ms. Staples Hughes: 4A4.5. That's a way of working out special events and activities ___. So it goes from "special events and activities on agricultural lands shall be conducted in ways..." and instead it says "conduct special events and activities on agricultural lands." So again, the devil's in the details there.

Ms. Lohman: So can we just say it then – that we want the original language?

(several people speaking at once)

Ms. Lohman: Say we just say we recommend reverting back to the original ___ in those last few?

Chair Hughes: I think we can. One of the comments I've gotten on the 4.6 – and I think I included it in that second paragraph of the letter – potentially is to require a special use permit for habitat restorations.

Ms. Lohman: But that being said, there are some habitat projects that don't even require a County permit and there is ___ push to even eliminate that. So it isn't *every* project that is going to require a permit but the ones that do – I don't know whether it's already a special use permit?

(incomprehensible speaker)

Ms. Satushek: I could look at the code fairly quickly. I honestly don't know it from heart. _____.

Justin Hayton: Well, it says in the language "through project review." _____. I guess they give it some review of the project.

Ms. Lohman: I know that the site does not put on when – I was on the Ag Advisory a million years ago, and the reason was because there was some projects that were done without any supervision, or when the project was completed there was nobody responsible for the projects. And so if they had an adverse impact there was no recourse for any of the adjacent properties that were damaged or being damaged. So it was a –

Mr. Hayton: One of those has been right next to my farm and it affects my farm. I mean, that's why I – I remember Dad was on the Board then and that was one of his things – was to get the County to make that a permit so it goes through a process that shows that they're not going to destroy what's the farmland that's surrounding it. And there's stories about – around the county –

Ms. Lohman: All over.

Chair Hughes: Is that it?

Ms. Satushek: Just really quickly. So right now – so, "Habitat enhancement restoration projects fall under the Hearing Examiner's Special Uses permit except for mitigation banks and other projects involving offsite compensatory mitigation."

Male: Why wouldn't those be included?

Female: I think it's to avoid converting farmland into mitigation sites, the way I interpret the code. But I would definitely want to wait _____. You know, people rush. But from my first reading of it, this is not.

Chair Hughes: I know there's a lot of work trying basically – to protect farmlands, we can't just become a dumping ground for these offsite mitigation stuff, and so I'm just making sure there's nothing contradictory to that as well. I suppose if _____ it's 27 pointing in the same directions ____.

Ms. Lohman: As written, it kind of creates that ambiguity.

Male: Yeah.

Ms. Satushek: Okay. Are we going to go –

Male: I know you're getting off of the Comp Plan there but...(laughs)

Ms. Satushek: Could you please reference that policy again?

Male: Policy 4A-4.6.

Ms. Satushek: Okay, thank you.

Male: Yeah.

Ms. Lohman: Another one is 4A5.6, Drainage Plans. Drainage Plans got scratched. But the red new language changes what was scratched because the old language was referring to if there was a development that happened that its drainage issues needed to be assessed in the permitting so that they didn't negatively affect the ag drainage.

Male: Mm-hmm.

Ms. Lohman: Well, the *new* language is completely different. Now it potentially could be the drainage system itself could be subject to adaptive drainage infrastructure, approved culverts, et cetera, et cetera. It's kind of like a total change in what that was originally.

(long silence)

Ms. Satushek: Okay, so the concern with the plan is the adaptive drain infrastructure?

Female: This is from my notes. _____.

Ms. Lohman: Well, the consultant's comments for change is "It promotes proper drainage on ag lands to mitigate extreme precipitation." But that's *not* what this was about. It was yes, we want to minimize and mitigate flooding and drainage impacts on ag land, but it also was specific about criteria ___ development proposals and *their* drainage impacts to make sure that things that were built in the ag zone, even if it was an ag support structure, didn't impact the drainage infrastructure.

Chair Hughes: It needs to encompass more than just agricultural lands.

Male: Is that what you're –

Ms. Lohman: This fricking language is "review development proposals."

Female: What page is that?

Ms. Lohman: On the chart it's the last page of your handout.

(inaudible comments)

Ms. Lohman: We need to see the "stricken."

Female: Tell me if I'm correct: The initial policy was developed in order to prevent drainage from neighboring development affecting agricultural lands?

Ms. Lohman: We want to minimize – we ag lands are the flood control plan for this county. So that's why we have all these drainage districts because you can't have a dike without drainage districts. That being said, we also handle the stormwater and any rainfall runoff. So the new language is going way beyond that. Now it's talking about potentially putting more onus on the infrastructure itself, which improves culverts, ditches, water retention systems to prevent flooding and water _____. It's going, to me, way off beyond. And I know that the drainage consortium is going to be commenting on that. Because I'm afraid that you could potentially make our drainage infrastructure vulnerable if this policy was taken out of context and tried to implement as written.

Male: Yeah. I think part of the problem with that section is there is no duty placed in there. _____ what is the duty or what is asked of in the section. And the problem is that we shouldn't

be asking more of the ag lands. The point of the section is to ask more of surrounding impacts to ag lands.

Male: So the development that's occurring isn't just pushing their problem onto ag lands. Yeah.

Steve Wright: You approve other areas above you ___ water rights ___ to you.

Male: Yeah, I think they could weigh that.

Ms. Lohman: Because it's talking about minimizing and mitigating flooding and drainage impacts in ag land. But the language written doesn't – to me – do that. It seems like it puts the onus back on the ag lands infrastructure, which is all drainage. That's how *I'm* reading it. And I may not – maybe I'm being paranoid!

Ms. Satushek: No, that's helpful, because, you know, when we write these things around staff and consultants we're not the experts in this and so we're going on, like, what we read. But maybe that's, like – that's not obviously the right fit for a county. So I appreciate that lens because I don't have that.

Mr. Peth: One more just to dive one more step on that. I believe the problem is in the second sentence of the paragraph, the first sentence in there. "Mitigate the projected impacts of extreme precipitation intensity *on* agricultural lands." The "on" is the problem there. It should be something different. It's putting the onus on the ag lands, not the impacts to the ag lands. The grammar's just changing the use ___ there.

Kim Mower: I'm afraid _____ the consultants _____. It could really be interpreted.

Chair Hughes: All right. I want to thank our guests for those comments. I got notes to add this stuff. Going back to our Board after hearing some of the public comments on that, which one of those – they all seem important – any particular ones to focus on or any additional ones that that was provoking towards?

Ms. Lohman: There's one more.

Chair Hughes: Yeah. Okay, Annie.

Ms. Lohman: Ag Support Services, 4A4.2. It isn't a ___ nuisance for nearly residences that generate large _____. When you go and look at the RCW and wonder what exactly is a nuisance, it specifically says there's a right to farm at the state level and protection for ag from being considered a nuisance just because we're vulnerable to being a nuisance. And this basically opens that door and says that it might be a nuisance.

Chair Hughes: Mm-hmm, I think it's too broad – the use of "nuisance" is.

Ms. Lohman: I think the last part needs to be struck, that it "cause nuisances."

(long silence)

Chair Hughes: Justin?

Mr. Hayton: It seems like that's answering a different – it's like that's almost a agritourism thing versus a ag support thing, which some of you have. _____.

Chair Hughes: And again, the way I did draw that one out in the letter, if people have gotten that far, a true ag support services business needs to have the freedom to operate as needed to provide that value _____.

Mr. Hayton: I don't know what ag support service is going to have. I don't know.

Chair Hughes: Mm-hmm. Yeah, I think in that section it doesn't call out processing and that type of stuff. Okay. Nels?

Nels Lagerlund: This just came out after the last meeting?

Chair Hughes: Yes. I forwarded the whole thing to everyone. It was a couple days after but, you know, emails are hard to get through and all that. Somebody else said something, too, that I missed. ____?

Mr. Sapp: Pardon me?

Chair Hughes: Any thoughts?

Mr. Sapp: _____. Too many thoughts.

Chair Hughes: Right?

Matt Steinman: It seems really fast.

Chair Hughes: Yes.

Mr. Steinman: This has been going on for years and then suddenly it's going to get released and then approved within a month. That seems – what are we missing, what's being slid in underneath the rug?

Chair Hughes: We've been working on this. It's been not quite a year, I suppose. Wasn't it? ____ summer when this got started?

Female: Yeah.

Chair Hughes: Yeah, so we saw each section get – there were two sections at a time, kind of every six weeks, it seemed like, until New Year's, or December-ish or November-ish?

Female: Yeah. Blame it on the County. _____.

Chair Hughes: Yeah. And so all those come – each of those sections had comment periods when they came out and all got compiled to create not just this section but the whole document that's out for – correct?

Ms. Satushek: Yeah.

Chair Hughes: Yeah.

Mr. Lagerlund: I don't know. I'm sitting there. I'm just – I'm trying to decide what I think about 4A2.6.

Male: I was just looking at this period and I'm trying to figure what that ____ part. I mean because _____.

Male: I was setting up ____ between critical areas, ____ resources that threaten the Endangered Species Act. But I support it. _____. So before it was on _____ viability of agriculture and now it says establish parity.

(incomprehensible comment)

Male: _____ sit here and talk about parity. Equal. It just struck me odd to see that right there.

Ms. Mower: You're right. It does look a little – I saw that and thought, What are we talking about parity like that? And what does this really mean when _____. Just exactly what are they talking about here? Natural resource lands are and other critical areas _____ threaten endangered species. You know, what are we trying to say here? _____ again because we have been exposed to it for so many times. How is that – does that take away – is that some wording that's going to get in place that will take away our voluntary participation in protecting these critical areas? Become compulsory?

Mr. Lagerlund: Well, it's parity, isn't it?

Ms. Mower: _____. Well, that whole thing there looks more like something we should be aware of. Discussion ____: What's in it for me?

(incomprehensible comments)

Mr. McMoran: Last Wednesday we had a meeting at the - _____ ag leaders' breakfast. _____ talk about the Chamberlain property, La Conner, Dodge Valley. And the – it makes a lot of sense that this kind of language would be in there based off of those conversations.

Mr. Sapp: Can you expand on that?

Mr. McMoran: You know, the County's interested in purchasing a very substantial piece of agricultural property, and with that there will be agreements set in place that will supposedly create a win-win for agriculture so that, you know, they will flood 60 or 70 acres of land and in return then, put in new infrastructure and new pump station onsite. And that supposedly solves the problem. And this isn't the only one. There are several that are downwind of this one. So, yeah, _____.

Mr. Sapp: Then are you suggesting the changed language here in the –

Mr. McMoran: It sets up an opportunity for the County to move forward – in my opinion.

Mr. Wright: So are they taking over from the drainage district that covers that area?

Mr. McMoran: In cooperation.

Mr. Wright: That'll still fall under the drainage district to monitor.

Mr. McMoran: One that would be active _____.

Chair Hughes: The whole idea is the County gets control of the restoration projects and coordinate with the infrastructure _____.

Mr. Lagerlund: So then that would be giving parity to ag land based on –

Male: Well, in the proposal then –

Mr. McMoran: A plan to donate some land to the tribe that's of great significance to them. I think that's where your parity comes into play.

Ms. Lohman: But the comment ___ the reasoning is to believe deleted language is not a policy and ___ the policy be more consistent, when this is basically _____.

Mr. Peth: Two things. First would be on the topic of the larger restoration picture. Has this body been presented the presentation by Mr. Honea?

Chair Hughes: We have not officially.

Mr. Peth: And the second would be creating a parity where there currently isn't one. _____. At the moment there's no ___ fish industry. There's no integrated plan. There is – there's no framework for this parity they're talking about. So by creating it here leads to things that may not be in the best incentive of agriculture.

Ms. Lohman: Under the heading of "Agriculture Support Programs," which arguably the stricken language that included the Voluntary Stewardship Program and the critical areas ordinance for ag that we have stood for – I just think it's not consistent with what the original policy was.

Ms. Satushek: Is that a 2.7, 4A.7?

Ms. Lohman: 2.6 it was.

Mr. Lagerlund: _____ bothers me.

(incomprehensible male speaker)

Mr. Lagerlund: That's a big change right there.

Male: Uh-huh.

Chair Hughes: That's a big one.

Mr. Wright: I'll try and figure that one out _____. If we do keep the Voluntary Stewardship –

Chair Hughes: Terry, do you have any input on the why those changes, other what's in the current piece that has some explanations in it?

Ms. Satushek: Yeah. I think piggybacking what John was saying is that Will Honea has been – or the County – working towards integrated plan concept. I'm honestly not too familiar with it but I know there was a few that were suggested by the Prosecutor's Office – Honea. I'm assuming that's one of them. I don't know _____, but I thought – that's my just very cursory understanding of why not ____ and then affirm the preservation incentives. I honestly don't know off the top of my head but I'm liking these. And then if I'm miss any, I believe the Board's letter will capture –

Chair Hughes: Yeah, well, original 2.6 is completely struck and there's nothing there anymore.

Male: There's nothing that's close _____.

(inaudible male speaker)

Male: Yeah, well, the one that we're talking used to be 2.7 but it got condensed probably.

Chair Hughes: Okay.

Ms. Staples Hughes: Michael, could I ask one last thing? Sorry.

Chair Hughes: Sure.

Ms. Staples Hughes: Something just for the Board to consider, that I found it easier to go through and actually pick the things that would be worth keeping from the changes and to restore the original language than to go through and select, Oh, don't change this, don't change that. Because the original language is so strong there're very few things that have been revised that are worth keeping. And that might be an easier way to go about it instead of stop going through and trying to figure out which of the changes need to be changed again. Go back to the original and just highlight what changes are actually helping us.

Chair Hughes: Yeah.

Ms. Staples Hughes: That's a much easier task because a lot of the other things are not going to be useful in any way. They're only going to be to our detriment.

Chair Hughes: Oh.

Ms. Staples Hughes: Otherwise it's overwhelming.

(laughter)

Ms. Staples Hughes: I've been working on it for multiple hours today. It's very overwhelming.

Chair Hughes: All right, so what I propose we do as a Board is I would like to make a comment on this – thankfully until Monday. I have a rough draft with a bunch of additions I need to make and clean it up a little bit. And then in addition, I would like the – actually – the Land Use Committee just to join and be able to look at the whole document in a way that we could make further comments to the – our Commissioners as needed – with spring racing up on us and calving season _____.

Mr. Sapp: _____, if that's possible. Yeah. So speaking generally, I believe we've unearthed a number of issues here that are specific and essential, and I'm not sure exactly how to capture

comments. Maybe we have our recording or something. But so you're suggesting a direction that we take to move forward by putting this on the Land Use Committee and trying to have a meaningful response by Monday. I'm part of the Land Committee.

Chair Hughes: No, I'm not saying that that Land Use Committee needs to do that by then. I'm going to put it on myself, if the Board so chooses, to write this initial letter on comments that come from tonight. And I'll expand on this, and then if we have anything further then we can still make comments to the Planning Department and the County Commissioners. As we ___ it we see further concerns, but I do think time is of the relative essence.

Mr. McMoran: Terry proposed a meeting for the Friday the 21st in my office.

Mr. Sapp: Fine. But that would not satisfy the schedule suggested here, right?

Mr. McMoran: But we can, if we choose to.

Mr. Sapp: That would be fine here, putting that together.

Mr. McMoran: Okay. I'll put it in my calendar then.

Ms. Lohman: Does the County have a hard date for production?

Ms. Satushek: Yes, June 31st, 30th, – the last of June, because that's when the planning for this ends. But this is for the Planning Commission and there will be another draft available for the Board of County Commissioners with another public comment period. So I just want to – this isn't like the end-all. This is not Findings of the final draft being proposed.

Chair Hughes: Do you have an idea when that commentary may be for the Commissioners?

Ms. Satushek: We're hoping – I think we're still kind of working with the Board to see what the schedule is and depending on the feedback we get.

Chair Hughes: You know how it comes through the Planning Commission?

Ms. Satushek: Yeah. May is what we're looking at.

Chair Hughes: Okay. So I would think is if the Planning Committee, as Don suggested, could discuss that – you know, so it's – what day is it? March? That would be April they could come to us with some of those findings and we could work on a letter of comment for the Planning – County Commissioners on that upcoming thing. Just _____ whole thing. But here we could comment specifically with these agricultural land use things.

Mr. Sapp: Well, I think it's essential. I would point out, as you offered for the record, that we did make some very specific recommendations early on. This paper I'm holding has six of them. They were specific citations. Not necessarily the same set that we're discussing this evening, but some overlap. And I would observe that it didn't have any influence whatsoever. So I don't know how encouraging I can be for the belief that we would be heard. I mean, but we have a job; we need to do our job and I support soldiering on. But –

Male: That's the spirit!

Mr. Sapp: Hear this one out.

Ms. Lohman: There's a reason why we're the only one left standing on this side of the mountains. And this language has been massaged over the years quite a bit. And while somebody doesn't understand the journey we've been on might seem to think that, Oh, we could strike this and strike that. or that's just narrative. There's a reason why that narrative's in there. It's context. And people that come here, they find us and they want to stay because we do have this ____ ag. And you've gotta remember I-5 goes right through it (and) so does Highway 20 and Cook Road and others, so we're highly *visible* and it looks like a *lot*, but it's not a lot. And it *is* beautiful, but part of the reason it is is because of this language here. When you start chipping away at it, it's just another death by a thousand cuts.

Mr. Lagerlund: I think it's pretty much over when it comes down to it.

Ms. Lohman: I want to be a little more optimistic than you!

Mr. Lagerlund: Well, the Planning Department isn't going to listen to us. The Planning Commission, you know, sides with us on something. The Commissioners don't hear it. I mean, we're just down at the wall bouncing back at it.

Ms. Lohman: But I spent my whole life ____ and I don't want to give up.

Mr. Sapp: Mm-hmm. I'm not saying give up. I'm just saying it's pretty discouraging what's happening here. _____. Would it be my ____ – pardon me. I'm going to follow up on Don's suggestion that we have a meeting and the date set – afternoon sometime – or what –

Mr. McMoran: Sure, one o'clock?

Mr. Sapp: So there is a date and a time to work on this further to try to assemble something we can perhaps put into a good form. Try to be specific. I would ask Don – I think I'm kind of steering this role here in a way maybe – but could we ask that some of our guests here tonight join us? Could we reach out and ask for more participation? There's been a lot of input from people who have put their nose to the grindstone and –

Chair Hughes: I feel that that's the purpose of the committee: just to ask for that input from other groups _____ and then bring it back to the whole group at the next meeting. Right?

(several people speaking at the same time)

Mr. Sapp: Mikala, Lora, Annie, would you write that date down maybe and join us? You're invited.

Mr. McMoran: Malia, would it be possible to get a half-dozen or so copies of the entire plan?

Malia Agpawa: Yes. Yes, sure.

Chair Hughes: So you can put it in all caps and red letters? Would the committee like the clean version or the red line version?

Ms. Lohman: I think we need to see the stricken language.

Chair Hughes: See the stricken language, yeah. And then maybe just communicate with me and I can get that picked up and I can give that to Don here once that's ready, if that works. Okay.

Female: I think Cindy ___.

Chair Hughes: Cindy?

Ms. Kleinhuizen: Yeah, can I confirm the date and the time for the meeting? And that's Friday?

Chair Hughes: Yeah, Friday, March 21st, at WSU Northwest – or WSU Skagit County Extension. Address is 11768 Westar Lane, Suite A, Burlington, Washington.

Ms. Kleinhuizen: Okay. I should be able to make that and get the cows fed. I'm just looking at some of this too and for the first time I've – this last month – I only have seven of 94 cows left to calve. So some days I didn't even know what day of the week it was. So I haven't had a chance to look at this. And it's amazing what looks like it's been stricken and not included and so I'd love to go through it more now that I have a little more time and help with that and make that meeting. So it should work.

Chair Hughes: Great. Thank you, Don. Thank you, Terry. Okay, so that's sorted. In addition –

Male: Are you going to send a letter?

Chair Hughes: I need a motion to expand on this letter and to send.

Mr. Hayton: We'll second.

Chair Hughes: Motion to send an expanded version of the letter presented to the Planning Commission? Or is it the ___?

(incomprehensible comments)

Chair Hughes: Okay.

Ms. Satushek: They're _____. Let me know.

Chair Hughes: Yeah. I just forgot what – those two. Seconded by Justin. And I will get that put together tomorrow and return it to the whole Board to mull over for a couple days. Any discussion on that?

Mr. Sapp: Yeah. I really appreciate your work on this, and everybody who's working on this. This is difficult because there is so much detail. and so much material. Regarding your letter, Michael, and other such letters, without – as is the case in your letter – without giving context or more substance to references to policies by number, a reader without having something as reference in hand while reading, it almost becomes – it's very difficult to understand what is intended, to understand the context. Now I write, as you all know, at too much length, but I don't know how to get around it when trying to write so that a reader has the context and knows what the issue is as they read for the intended purpose.

Chair Hughes: Okay.

Mr. Sapp: So I mean, if I can help you or if I can join in in some way I'd be happy to try to make that job easier. But just a comment: It's hard to tell what the issue is sufficiently to know how the comment would bear on it.

Chair Hughes: Okay.

Ms. Mower: Needs to be fleshed out a little more.

Mr. Sapp: Yes, but I – you know, I run the risk of writing a five-page letter. Two paragraphs is what is the right size.

Chair Hughes: (inaudible)

Mr. Sapp: Pardon?

Chair Hughes: (inaudible)

Mr. Sapp: Well, I – and anyway, maybe if you will add those citations you have made and consider whether a reader has context.

Chair Hughes: Okay. Lora?

Ms. Claus: _____ Planning Committee describe _____ because the consultant's at fault. Do they do a first pass and kind of aggregate them all, at least speak to a little bit if you have knowledge of how that part works. Because that might help us better frame our messaging.

Ms. Satushek: Yeah. So in the past, the first round was – there was a lot of comment for themes so we would _____ themes to the consultant and that's how it would be kind of massaged into the language. At Planning Commission, however, with specific comments for this round the Planning Commission has asked that we really specifically answer the comments that were provided because they were a little bit more detailed. And some of them did fall into themes. You know, there was, like, a lot of – there was requests for certain things that have gone forward, and those comments will be published next week. That's why we need the – you know, the letters we could put as a body of work.

But like, for example, we had a comment yesterday about the open space plan and concerns about that, so we're going to dive into that specifically. And so the first pass was kind of like a generalized, topical area and obviously, like where there was like specific language, you know, from staff or consultants put in. But we're going to be more fine-tuned as it starts moving forward, especially at the request of the Planning Commission, to _____ deliberations from them or the staff report findings of facts. And then response to comments received and how they were, you know, how they will be or, you know, how they will be used basically – like, Will they be included in the draft and how so and what section? Kind of a more descriptive way of how this will be used. And that's all will be published as well once that deliberation stage happens on April – a Tuesday. Let me just look at my calendar.

(several people talking at the same time)

Ms. Satushek: Yeah, we'll just be – we consolidate them. I mean, we blow them up. We have a SharePoint site so they kind of read them at the same time, but we try to not do much work as we get piecemealed in just so that it doesn't skew the comments – that they're all being collectively

– at least the first draft with this we haven't given them to consultants yet, as we're compiling them.

Ms. Lohman: That's helpful. Thank you.

Chair Hughes: Or any other discussion on the motion on the floor?

Ms. Mower: Well, I would like to – I just don't understand why the language needs to be changed, say, for example, on page 132 ____, Policy 4A-2.1. What was written seems to be specific and appropriate, but for some reason we want to juggle some words around there which I don't see the need for. Because what we've written seems to me to be quite sound, unless somebody else can reflect on to me what the advantage for the change.

Chair Hughes: Yeah.

Mr. Sapp: Kim, that particular item is not in Michael's letter. So –

Ms. Mower: But that's what we were talking about. I beg your pardon.

Chair Hughes: I have some notes on that. I think I will include that because in this Board's ____ documents it does call out production or cultural producers as ____.

Ms. Mower: I said – all right.

Chair Hughes: I will include that in there in case. Okay? __? Okay, I want to close discussion on the motion. All in favor of expanding on the letter presented and sending it to the Planning Commission?

Multiple Board Members: Aye.

Chair Hughes: Any opposed?

(silence)

Chair Hughes: Great. I will – I'll try to – I'm going to try really hard to get that done tomorrow morning. We'll get it to you guys tomorrow and then we can review it so that Monday morning, I suppose – if that works, Tara – so tomorrow –

Mr. Sapp: ____ take further comments on your letter after we see the next draft?

Chair Hughes: Yes. Or grammatical – that type of stuff _____. We'll get it turned around. So thank you. Any final comments from the Board on this Comp Plan stuff? I think that we'll do the next topic.

(silence)

Chair Hughes: Okay. Thank you. So I want to hand out the app tonight. I appreciate the help I've had from the Board – starting of five responses to the agritourism questions on the remand. Tara, do you – I was going to ask Jack this tonight but he's not here. Do you know if that committee has been formed yet from stakeholders?

Ms. Satushek: To my knowledge, it has not been formed.

Chair Hughes: Okay.

Ms. Satushek: The Department is in the process of entering contracts with _____ and the _____ is not finalized yet.

Chair Hughes: And then they're going to form the committee?

Ms. Satushek: Correct.

Chair Hughes: So I'm just trying to get ahead on this one. Take some time to review it. Graciously I appreciate **Harry**, who helped me expand my thoughts that I had last month on this. And that way, once that process happens we're ready to go on that. Anyone have any questions on that at this point? We need to put it _____ today.

(incomprehensible comment)

Chair Hughes: Okay. Good. We'll hold onto that and see how that goes. I'll keep in touch with Jack on when that's happening.

Okay, the other thing I have is I wanted to – since January I brought up a couple of state legislature things that –

Mr. Sapp: Wait. Oh, maybe you're going to state legislature there?

Chair Hughes: Yeah.

Mr. Sapp: There still is legislation regarding agritourism.

Chair Hughes: Yes, that is in this as well. Kraig actually just sent me something on that. So we'll start with the agritourism one, Senate Bill – which is now Substituted Senate Bill – 5055. It passed the Senate before that cutoff day. It's currently in committee in the House. And the note that I got today is it was originally pushed by Republicans but they have lost control of it. But there's not a current update on what that's going to be yet. So I haven't seen any new language out on that yet, but that's the update I got today.

Mr. Sapp: On that point, I want to speak out to say that the language – the last language I saw, which I think was the Substitute Bill that was proposed for passage – maybe passed. A very significant piece of that, or to everyone's knowledge, is that it authorizes – I think directs – the Alcoholic Beverages Commission – whatever the name of that thing is – to grant onsite and offsite adult beverage permits for such agritourism facilities in barns that would not be required to have building code standards – meet building code standards. So barns, building codes, _____, hosting events, and whatnot. The very big part of that, the immense change to our landscape would be to allow adult beverage sales onsite and offsite in any such facility. And I think that sort of turns our barns into taverns. "Barns to Bars" is what I've been thinking. I just don't think we –
(several people talking at the same time)

Ms. Staples Hughes: Yeah, I've been meeting with Senator Warnick on the bill actually. The component about alcohol *has* been struck.

Mr. Sapp: The bill?

Ms. Staples Hughes: Yeah, that's struck out of the bill that passed the Senate.

Mr. Sapp: _____ for taking your time.

Ms. Staples Hughes: No, it's good.

Chair Hughes: Do you know, now that it's in the House, if that's changed? Or –

Ms. Staples Hughes: No, they're still working on it. We have been talking with Senator Lovelette, who's on the Senate side but Senate Democrats, and she was working – trying to work the GMA side better for us.

Chair Hughes: Okay.

Ms. Staples Hughes: The challenge – the wall I hit when I got in the meeting with Senator Warnick and the two farmers who are pushing this bill – one's in Walla Walla, one's in Ellensburg – is Ellensburg and Walla Walla both have zero tolerance for any form of agritourism, even for soil-dependent agritourism. And so that's where this bill's coming from, is from these two producers who are being shut down for farmstands, for any sort of even soil-dependent agritourism that otherwise may be supported here in Skagit County.

The main concern with the revised bill is that it would prohibit – or it would allow, it would permit, use of ag buildings for agritourism activity for six months without any building code inspection. And my concern was with the silos that can occur, how do you have verification the activities occurring within those facilities during that six-month period are truly compatible uses?

And so it's really long. I can send it to you and you could distribute the revised bill. It's really long. Up-down, but still it's – that's the concern, is that it allows kind of free rein without any oversight probably.

Chair Hughes: Roughly six months?

Ms. Staples Hughes: Yeah, for the six months.

Chair Hughes: Thank you, Mikala.

Ms. Staples Hughes: Yeah. And I'll ask for an update _____ the House and I can send you an email that you could forward.

Chair Hughes: Okay, I appreciate that.

Mr. Sapp: Got sort of an "anything goes" if you operate six months or less.

Ms. Staples Hughes: Well, it's supposed to be, so _____. It's supposed to be within the GMA regulations of what agritourism is. But we know how that can be.

Male: See, that's the possibility.

Ms. Staples Hughes: Yes, and without that – without the County, you know, having that oversight how do you ever control it? It's, like, to Senator Warnick.

Mr. Sapp: Thank you.

Ms. Staples Hughes: And I'll say the main person that rewrote the bill is Paul Jewell, who's the policy advisor for the Association of Counties.

Chair Hughes: Okay. Great. I will share that with everyone when I get that.

Okay, so another one that I brought up, Senate Bill 5155. Its companion is House Bill 1208. It was the one to streamline environmental permitting processes for salmon recovery. And near as I can tell, it looks like it appeared in committees in both sides so it shouldn't be going any farther this session. That's the one that the County had opposed – if I can think of the right word.

Ms. Staples Hughes: Did it leave the committee?

Chair Hughes: It never left committee.

Ms. Staples Hughes: Okay.

Chair Hughes: In either chamber. So that's what the website said at 5:15 tonight.

Ms. Staples Hughes: But they're still there.

Chair Hughes: Yeah. I mean, they're still floating there but...

Ms. Staples Hughes: I mean, ____.

Chair Hughes: Yeah. I mean technically if it wasn't out of committee you could go over something that shouldn't, but they can still pull stuff out.

The next one that I was looking at was Senate Bill 5360, which was Environmental Crimes, which could have made you criminally liable for spraying, the way people are reading it. There's a new substitute bill that passed the Senate at the end of February. It's in committee in the House. There's a public comment period that's open tomorrow. I did not look at that one. I'm not sure what that one's standing is but it's still floating out there.

And then the last one I think that would have really impacted especially the potato industry here in the county, Senate Bill 4338/House Bill 1462, which would require refrigeration – the refrigerant and all the coolants to meet certain standards, which would have required basically all new systems in pretty much every potato shed in the state, onion shed. It had a March 7th reading in the Senate but it didn't have any notes after that, so I've got to do some digging. Sorry about the updates on those but, like I said, I did _____. That's it. Yeah, Kraig had sent on the agritourism one. Thank you, Mikala, for the other details. Keep an eye on some of those. Okay. ____ business.

Male: I don't have any, unless there's something you want me to add there. _____.

Chair Hughes: Economic Development Report?

Mr. McMoran: Yeah, so, the other day Kraig Knutzen was unloading the last of his ___ from Skagit Malting, and so I haven't heard much on how they intend to rebuild. The rumor has it the new owners are working on it but not a whole lot moving there. So I'll keep you apprised as I know more. I can tell you there's going to be several new airport hangars built at our airport. And I can tell you that IGFC just appears to be going gangbusters. I peeked my head across the road today and there was, like, 15 cars in the parking lot and a lot of things moving and shaking there. So that's really good work.

And I talked a little bit about the Howard Chamberlain property that the County is interested in, so that would be some ___ activity.

Anything that I'm missing?

(silence)

Mr. Sapp: I thought it was notable that the article I read in the *Skagit Valley Herald* about federal grants and Viva Farms was sort of discouraging. Maybe you could expand on that.

Mr. McMoran: Certainly. So 70% of the funding that comes into Viva Farms comes to us from the federal government, and they are shut down currently. They find out their fate on the 18th of March whether or not they're unable to be released or held back. So that will put them in a precarious state. I do have one ___ with them and so I have to find the funds in order to pay the employees that have already worked on it now within the past two months. But I think I can be able to pull that off with some of my savings. Anyways, yeah, stay tuned.

Chair Hughes: Anything else? ___?

Male: May I use Tara – in additional to –

Mr. Sapp: Yeah, ___. The report Don that already gave about the ___ Farm property. It is a land use thing that – his farmland's going to be estuary again and that's the way it seems to be going. The County is a proponent of this or a central player and I understand how – I think I grasp – Don, thank you for hosting the meeting where this was discussed and Will Honea presented it, but –

(no sound – dead air for the last three minutes of the recording)