



Skagit County Facility Management

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Supplemental Staff Report

Responses to Planning Commissioner Inquiries, Responses to Public Comments, and Proposed Changes

From: Kaci Radcliffe, Facilities & Sustainability Coordinator

Re: Capital Facilities Plan 2014

Date: October 29, 2013

Responses to Planning Commissioner Inquiries

Planning Commissioners asked for additional information at the October 15 public hearing.

What are the revisions from previous plans?

As the staff report describes, the draft 2014 plan is structured significantly differently from previous plans. The goal of the restructuring is to make it easier to standardize the way information is presented and to make it easier to update that information in the future, especially the information for non-county service providers. The County has to make contact with more than 50 independent special purpose districts each year to request updated inventory and needs information; not all districts respond to the first request. Where the previous CFP included every district's information in a separate table, this year's draft consolidates every like district into one or two tables. The unified-table format forces the districts to provide the required data, and makes it easy to identify missing data.

This year's plan draft does not attach as appendices the capital facilities plans of the various school districts or water utilities; instead, it incorporates them by reference and summarizes their capacity data in an easy-to-read table. The County maintains the CFPs of each of these districts on the CFP webpage.

Why aren't 2013 projects included?

Projects that will be completed this year are not included in the inventory (because they are not yet capitalized or functioning capital facilities), and they are also not included in the 2014-2019 project list (because they will not be under construction in 2014). They will be included in the inventory in the next revision of the plan. Not including these new projects helps ensure the CFP syncs with the county's accounting of capitalized projects.

What are the funding sources?

GMA requires the County to identify reasonably-certain sources of funding for listed projects, which it does by listing various funds in the CFP. The Drainage Utility is funded by a drainage assessment levied on properties outside of drainage district. The Road Fund is funded primarily by the road levy and also

includes grants, motor vehicle fuel tax, tax from timber sales, and other formulaically distributed revenues. The General Fund is property tax, sales tax, and other fees and revenue sources. The County routinely seeks state and federal grant opportunities, and will use them to supplement or replace local dollars if they become available.

Why are we using old population projections?

The Capital Facilities Plan is part of the Comprehensive Plan. GMA requires that all parts of the Comprehensive Plan be internally consistent. Because the Comprehensive Plan is based on population projections that have been adopted by the County (and cities) as part of the Countywide Planning Policies and the Comprehensive Plan, the Capital Facilities Plan must continue to use those population projections until new ones are adopted and the entire Comprehensive Plan is updated.

Where is the summary financing data?

The final pages in the draft 2014 CFP contain the overall revenue and capacity analysis, which was previously included in Chapter 1 of the 2012 CFP. The two documents contain the same information, but the draft 2014 CFP does not include the summary tables because they are not required by GMA, and because the summary tables are not particularly useful, especially given how few general government projects are in the 2014 CFP.

Item	2012 CFP	draft 2014 CFP
Population Growth Assumptions	page 2	page 58
Summary of Costs	page 2	page 15, 21, 24, 29, 31
Summary of Revenue Sources	page 3	included with costs, above
Overall Capacity Analysis	page 4	page 59

Where can one find the TIP?

A hyperlink to the Transportation Improvement Program is already included in the document on page 5 where it is first mentioned and on page 31 where it is incorporated by reference.

Responses to Public Comments

The County received two comments at the public hearing. The County received no written comments during the initial written comment period. The Planning Commission asked that the written comment period be extended for a week. The Planning Department extended the comment period and advertised the extension via the PDS email list, press releases, and county website. The County additional written comments during the extension.

Carol Ehlers (public hearing testimony and written comment)

Ms. Ehlers requests the addition of two drainage projects (Burrows Bay and Lake Chiquita) on South Fidalgo Island.

The Burrows Bay facility *is* included in the CFP and states the physical location of the project. Ms. Ehlers requests that the location be changed to “Rosario Road,” but GMA requires that the physical location of facilities be identified, and Burrows Bay is more accurate.

The Lake Chiquita structure is *not* included in the CFP. The Lake Chiquita bypass is not a publicly-owned capital facility; rather it is privately owned and managed. It is therefore not included on the County CFP.

The Drainage Utility has also responded to Ms. Elhers's concerns about the inventory and maintenance program in the attached letter.

Cheryl Palmer (public hearing testimony and written comment)

Ms. Palmer requests the Lake Chiquita drainage project be included on the Drainage Utility's maintenance project list. See staff response above regarding the Lake Chiquita project.

Shawn Maricich (written comment)

Mr. Maricich requests the Lake Chiquita drainage project be included on the Drainage Utility's maintenance project list. See staff response above regarding the Lake Chiquita project.

Randy Good (public hearing testimony and written exhibits)

Mr. Good requests the County remove the language on pages 10 and 31 that notes that "Parks and Recreation Department capital projects for trails that are intended for recreation rather than transportation must be included in the CFP, but need not be included in the TIP."

This distinction is correct and appropriate. RCW 36.81.121 requires that the TIP describe how the County will expend its money for nonmotorized transportation purposes. Some trails, such as those wholly inside a park, are only usable for recreation and are clearly not for the purpose of nonmotorized transportation, and the language in the draft CFP attempts to make that distinction clear to avoid these conflicts in the future.

The purpose of both the CFP and TIP is that capital needs are identified, projects are financially planned for, and the public has an opportunity to review and comment . That purpose is accomplished whether the project is included in the CFP or the TIP, as both are associated with written comment periods, public hearings, and legislative adoption by the Board of Commissioners. The CFP actually enjoys *greater* review than the TIP, because it is also reviewed by the Planning Commission.

Mr. Good's concern arose in the context of the Cascade Trail paving project, for which the Board of Commissioners approved a contract earlier this year. The Cascade Trail project is strongly supported by a diverse profile of the community. Parks and Recreation received letters of support from:

- Sedro-Woolley School District
- Sedro-Woolley Rotary Club
- United General Hospital
- Janicki Industries
- Lemley Chapel
- City of Burlington
- Sedro-Woolley Mayor , Fire Chief, Police Chief, Planning Director, and Public Works Director
- Skagit County Parks Board
- Skagit County Physical Activity Coalition
- Dr. Philip Mihelic of Clear Lake
- Doreen Gentry of Sedro-Woolley

To attempt to further clarify to staff how to distinguish between projects that need to be listed in the TIP versus directly in the CFP, the County Administrator has issued the attached memo. The memo would result in future Cascade Trail projects being included in the TIP. Staff proposes new language for pages 10 and 31, described below, to be consistent with the County Administrator's directives.

The memo also describes a new process, to begin next year, for better integration of the TIP and CFP into the budget process—a process by which the Planning Commission would have the opportunity to review the new TIP and issue a recommendation on it.

Ellen Bynum (written comment)

Ms. Bynum reiterates Mr. Good’s concern about trails in the TIP vs. CFP, which is addressed above.

Ms. Bynum requests that information about the Bayview Ridge Subarea be included in the CFP. Staff believes that it makes the most sense at this time to leave the capital facilities planning for the Bayview Ridge Subarea in the Bayview Ridge Subarea Plan Capital Facilities chapter. Because Bayview Ridge is an urban growth area, there is significantly-more detailed planning for that area than other areas of the county. Changes to the capital facilities planning for Bayview Ridge are most appropriately addressed in the context of the Subarea Plan.

Rita Ordóñez (written comment)

Ms. Ordóñez requests additional information about any possible improvements to the Concrete Food Bank. The Concrete Food Bank is currently under review but no definite capital improvements are planned and/or funded. When and if any improvement project is proposed, it will be listed in the CFP.

Proposed Changes from the Public Release Draft

1. The schools summary table on page 53 indicates that “BEHS” has 41 portable classrooms. That should read “BESD.”
2. The water utilities summary table on page 57 has missing data. Staff is still awaiting current water system plans from the Swinomish and Upper Skagit Tribes and will provide an updated table as soon as possible.
3. Staff propose new language for the paragraph on page 10:

Because the County’s Transportation Systems Plan (“TSP”), which includes an inventory, and the six-year Transportation Improvement Program (“TIP”), which includes a financing plan, are incorporated by reference, roads and non-motorized transportation projects that are included in those plans need not appear in the text of this CFP. Accordingly, trail projects ~~for the purpose of recreation, not transportation, may be included in the CFP rather than the TIP.~~ other than those contained wholly within a park must be included in the TIP.

4. Staff propose new language for the paragraph on page 31:

The Board of County Commissioners has directed through Skagit County Comprehensive Plan Transportation Element policy 8A-6.3 that the TIP fully comply with the statute by including any capital project anticipated in the next six years that is for a trail intended for non-motorized transportation. Parks and Recreation Department capital projects for trails ~~that are intended for recreation rather than transportation,~~ other than those wholly within a park, must be included in the CFP, ~~but need not be included in the TIP.~~

Memorandum

To: Public Works, PDS, Parks, Facilities
From: Tim Holloran
Date: October 24, 2013
Re: Transportation Improvement Program integration with Capital Facilities Plan and Budget

Several questions have arisen this year about what the County's Transportation Improvement Program needs to contain and the process for adopting it, and how that process interacts with the Capital Facilities Plan and budget processes. Because the Board desires greater integration and consolidation of our capital planning, I'm sending you this memo to adjust our procedure.

The Board expects the contents of the TIP to change immediately. The 2014-2019 TIP that Public Works presents to the Board this year must contain these components. I've also included an amended process for use starting next year. You are encouraged to send me feedback on the schedule before we implement it.

Contents of Transportation Improvement Program ("TIP")

The TIP must be consistent with and implements the county's adopted comprehensive growth management plan and should include all the elements described in RCW 36.81.121:

- proposed road and bridge construction work and other transportation facilities and programs **deemed appropriate**, and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities
- **any** new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) [the Comprehensive Plan's Transportation Element] or other applicable changes that promote nonmotorized transit **[in addition, and in accordance with WAC 136-15-010, all trail projects meeting the definition of capital facility must be included in the TIP, except those contained wholly within a park, which should be listed as parks projects in the CFP]**
- how the county will expend its moneys, including funds made available pursuant to chapter 47.30 RCW (e.g. Special Pathways funds), for nonmotorized transportation purposes
- information as to how the county will act to preserve railroad right-of-way in the event the railroad ceases to operate in the county's jurisdiction

Integration of TIP into Capital Facilities Plan ("CFP")

As it is in this year's Capital Facilities Plan, the CFP will be structured to incorporate the TIP by including an explicit statement that the six-year financing plan for county roads is fulfilled through the TIP, and a specified version of the TIP (or the version to be adopted concurrently with the CFP), is incorporated by reference.

Integration of TIP and CFP into the Budget Process

RCW 36.70A.130(2)(a)(iv) specifically provides that the CFP may be adopted into the Comprehensive Plan concurrent with adoption of the county budget. Although the TIP does not have to be adopted simultaneous with the budget, it makes sense to integrate the CFP, TIP, and budget processes.

The TIP and CFP should therefore be considered by the Board simultaneously. The projects within the TIP should inform the Public Works Department's budget request, so it should be made available by the time budget requests are due and provided to PDS/Facilities for release alongside the draft CFP. The TIP and CFP will go out for public comment together, public comments will be handled by PDS, and both documents will be reviewed by the Planning Commission for recommendation to the Board.

Mid-Year Amendments to the TIP

If the need arises to amend the TIP during the year, Public Works can request a public hearing before the Board of County Commissioners, after which the Board can amend the TIP.

Preparation and Adoption Schedule

Deadline	Task
January 31	PDS receives concurrency data from service providers. SCC 14.28.110(2)
July 1	Public Works submits annual concurrency report to PDS. SCC 14.28.110(1)
Before budget process begins	PDS issues determination on concurrency data consistent prior to the start of the budget process. SCC 14.28.110(3)(a)
August 15	All departments provide capital facilities data to PDS/Facilities
September 1	Public Works releases draft Transportation Improvement Program to PDS
October 1	PDS releases draft Capital Facilities Plan for public comment
November 15	Planning Commission holds public hearing and issues recommendation to Board of County Commissioners on both the Capital Facilities Plan and Transportation Improvement Program
First Monday in December	Board of County Commissioners public hearing(s) on the budget, CFP, and TIP
End of Year	Board of County Commissioners adopts simultaneously: <ul style="list-style-type: none">• County Budget• Capital Facilities Plan• Transportation Improvement Program



SKAGIT COUNTY PUBLIC WORKS DEPARTMENT

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October 25, 2013

Ms. Carol Ehlers
3998 Wind Crest Lane
Anacortes, WA 98221

Dear Carol,

I received your letter to the Planning Commission, which details your concerns with inclusion of several South Fidalgo Island stormwater facilities in the County Capital Facilities Plan (CFP). I would like to address the issues in the order outlined in your letter.

Paragraph 1:

As the public on Burrows Bay understand it, there are four major drainage sites on the main north-south roads of west Fidalgo Island -Marine Drive and Rosario Road. Two of these, designed and constructed by the Public Works Dept., are listed in the Drainage Utility Inventory: South Burrows Bay and Sunset Lane. Two of these, mandated to be designed and constructed by developers as condition for platting with later maintenance within the plats by the owners and on public property by the County, are not listed -White Cap Lane and the Lake Chiquita By-pass.

White Cap Lane is the third item on the CFP. The Lake Chiquita project, however, was considered a responsibility of the plat developer. The County did not take over ownership of the project.

Plats are usually required to design and construct stormwater management systems, and to provide for operations and maintenance of the plat systems. The Lake Chiquita bypass is not a County capital facility; rather it is privately owned and managed. It is therefore not included on the County CFP.

Paragraph 2:

We are told that, in the case of the Bay View PUD, the developer must design and construct a drainage system to be later maintained by the Drainage Utility.

The developers in the Bay View PUD are responsible for designing their own stormwater control system in compliance with the *Stormwater Management Manual for Western Washington*. The Manual also requires the developer provide Operations and Maintenance procedures. The stormwater control facilities will remain the responsibility of the development.

Paragraph 3:

As became the standard, plat drainage was to be managed by owners on private land, and road drainage managed by Public Works (PW) on public land. In this case, there are public and private roads, private collection ponds, and a public pipeline that runs under Marine Drive, down the cliff via 2 private easements, and continues through a 190' public owned parcel well into the Bay. As is all too common, Public Works engineering approved the plans without PW operations agreement that it could maintain the public part as designed. For example, PW maintains ditches with a backhoe or a vac-sweeper. A concrete lined trough cannot be cleaned with either. Dirt and plant debris blow in with seeds~ as there is a constant supply of water, plants grow and cannot be poisoned; their roots grow through the concrete, and the ability of the ditch to control water is compromised.

I agree with the statement that “plat drainage was to be managed by owners on private land, and road drainage managed by Public Works (PW) on public land”. However, I want to address the statement that “Public Works engineering approved the plans without PW operations agreement that it could maintain the public part as designed”. PW Development Review staff review the plans to ensure that PW requirements are met, including design standards and maintenance requirements.

Paragraph 4:

While those of us who have records and understanding still live and own property around these 4 sites, please let us regularize the process of maintaining, and recognizing PW responsibilities. Please start by listing the four correctly in the inventory and correcting the county's records. Jan has offered to meet; I am one of those with records and certainly will cooperate. It would help Jan with authorizing time for her to work with the public, if PW inventory listings were expected to be consistent. See pages 8-4 through 8-6 from the 2010 South Fidalgo Island Stormwater Management Plan to see what PW has already agreed to as an inventory for west Fidalgo Island, as well as to read about the problem area of Lake Chiquita.

As I have explained above, the three projects are correctly included in the CFP; Lake Chiquita bypass is not a County stormwater capital facility. The North Del Mar Drive/Chiquita Lane Recommendation on pages 8-4 through 8-6 of the South Fidalgo Island Stormwater Management Plan identifies stormwater control facilities; however, these facilities are not all County capital facilities. Page 7-3 of the Plan includes the following statement:

An initial inventory of drainage system infrastructure in the South Fidalgo Island area has been created. Skagit County should continue to build on this database by creating a complete stormwater outfall inventory, collecting design and as-built drawings for all drainage projects as they are proposed and constructed by private developer or Public Works, and updating the database with additions and corrections.

Ms. Ehlers
October 25, 2013
Pg. 3

The stormwater facilities identified in the Plan consists of both private and county facilities. In order for the County to take ownership of a private facility, we would first need a drainage easement. We have no such easement in the case of many of the South Fidalgo Island stormwater systems, and no such easement for the Lake Chiquita bypass.

I hope this letter helps to clarify the Drainage Utility portion of the Capital Facilities Plan. As we discussed, while the County does not have ownership of many stormwater control facilities, the Drainage Utility does work on private facilities located on private property, including both maintenance and construction. If you have particular drainage concerns, please come in and discuss them with me and Nikki Davis of my staff. The Drainage Utility has a good record of correcting drainage problems.

Sincerely,



Janice Flagan
Surface Water Section Manager

JF/mm

cc: Planning Commission
Dan Berentson, Interim Public Works Director
Ryan Walters, Prosecuting Attorney's Office
Kaci Radcliffe, Facilities Management
DU File
Correspondence File