



# Planning & Development Services

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## Memorandum

### *Skagit County Board of Commissioners Public Hearing*

*Supplemental Staff report concerning the Comprehensive Update and the Periodic Review of the Shoreline Master Program*

To: Skagit County Board of Commissioners  
From: Peter Gill, Long Range Planning Manager  
Re: Shoreline Master Program Update Public Hearing and Comment Period  
Date: February 15, 2022

### Summary

The Board of County Commissioners (Board) is holding a public hearing to receive comments on an updated Shoreline Master Program (SMP) on March 1, 2022. A February 15, 2022 Board public hearing draft SMP has been developed following the Board's review of the Planning Commission recorded motion, public comments, and staff input. Following the closure of the public review period on March 1, 2022, the Board will deliberate on the comments and take action. The decision, along with the approved SMP, will be forwarded to the State Department of Ecology for review. This report supplements previous staff reports and memos with a description of work done by the Board since Planning Commission review. The following sections describe the updated draft SMP, public comment and hearing details.

### Background

Shoreline Master Programs are required by the state Shoreline Management Act (RCW 90.58), which was approved by Washington voters in a 1972 referendum. The SMP is a combined planning and regulatory document that contains policies, goals, and specific land-use regulations for shorelines, and shoreline environment designation maps. The SMP is intended to be a cooperative program between local government and the state. The Skagit County Shoreline Master Program jurisdiction includes all marine waters, rivers with a flow 20 cubic feet per second or greater, lakes 20 acres or larger, upland areas within 200 feet of these water bodies and portions of the floodplains and wetlands associated with these shorelines. The

Skagit County SMP only applies to lands outside cities and towns, in unincorporated areas of the county.

This update includes amendments relative to the required Comprehensive Update and Periodic Review of the SMP. The SMP update is intended to satisfy the statutory requirements of RCW 90.58.080(2)(a)(iv) to comprehensively update the County's SMP and the statutory requirements of RCW 90.58.080(4)(b)(ii) to take action to review and, if necessary, revise the County's SMP.

The April 2021 public release draft SMP was the subject of a public hearing and comment period by the Skagit County Planning Commission in the summer of 2021, which adopted a [recorded motion on November 30, 2021](#). This recorded motion contains the Planning Commission's recommendations for changes to include in the comprehensive update and periodic review of the SMP.

The recorded motion, public comments, and supporting documents were forwarded to the Board on December 14, 2021. These documents were the subject of a work session with the Board on January 25, 2022. On February 7, 2022, the Board reviewed the Planning Commission recommendations and the department's recommendations to decide which changes to incorporate into a February 2022 Board public hearing draft SMP. The Board proceeded to pass resolution [R20220024](#) calling for a public hearing on the updated draft.

Comments received during this public review period will supplement the 98 public comments received in response to the public release draft SMP (April 2021). All the comments from the 2021 comment period have been submitted to the Board for consideration. The full record of these public comments can be viewed at the following link:  
[https://www.skagitcounty.net/PlanningAndPermit/Documents/SMP/comments/Skagit%20SMP%20Public%20Comments\\_all%20comments%207-27-21.pdf](https://www.skagitcounty.net/PlanningAndPermit/Documents/SMP/comments/Skagit%20SMP%20Public%20Comments_all%20comments%207-27-21.pdf)

## **2022 Draft Shoreline Master Program**

An updated public hearing draft SMP (February 15, 2022) has been developed for public review. This draft incorporates edits and comments found in the April 2021 public review draft SMP, changes accepted by Board pursuant to the Planning Commission recorded motion (November 30, 2021), public comments, and Planning and Development Services recommendations. These recommendations are described in the Board Work Session 2 Memo prepared for the Board of Commissioners work session on February 7, 2022.

The changes accepted by the Board are tracked in the Board public hearing draft SMP (February 15, 2022), including the source of the changes, as referenced back to [Appendix 1 of the BoCC Work Session 2 Memo](#).

Local approval includes the Shoreline Master Program, Appendix 1 List of Lakes, Streams and Rivers in Shoreline Jurisdiction, Shoreline Designation Maps, and the Shoreline Restoration Plan. These and supporting documents including the Shoreline Characterization Report, No Net Loss report, Cumulative Impacts Analysis report, and others are available at:  
<https://www.skagitcounty.net/SMP>

## Notices and Public Comment Period

Skagit County is accepting comments on the SMP Comprehensive Update and Periodic Review. See RCW 90.58.080, WAC 173-26-090 and WAC 173-26-100 (Shoreline Management Act and Guidelines), RCW 36.70A.480 (GMA), RCW 36.32.120, and Skagit County Code 14.26 and 14.08.

Notice was given on February 10 and February 17, 2022 in the local newspaper of record. Further notice was provided to subscribers of the PDS email listserv and parties of record on February 15, 2022.

Written comments are being accepted **February 10, 2022 through March 1, 2022, 4:30 pm.**

Option 1: Email comments are preferred and must be sent to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) with the proposal name ("Skagit County's Shoreline Master Program Update") in the subject line. Include your comments in the body of your email message rather than as attachments.

Option 2: Paper comments must be printed on 8½x11 paper and mailed or delivered to:

Planning and Development Services  
Comments on "Skagit County's Shoreline Master Program Update"  
1800 Continental Place  
Mount Vernon WA 98273

All comments must be received by the deadline referenced above and include your full name and mailing address. Comments not meeting these requirements will not be considered.

Option 3: Public Hearing

You may also comment in verbally. Due to the COVID-19 pandemic Proclamations currently in place, the hearing will be held as a remote meeting. Residents who would like to sign up to provide public testimony must call the clerk of the Board at (360) 416-1300 before the meeting is scheduled to start. The Clerk will need each resident's name and the town or city where they reside. Once the public meeting is opened, those who signed up will be called on one-at-a-time to provide public testimony for up to 3 minutes.

Participation in the hearing, will be through remote access public via Zoom. To participate in the public hearing call (253) 215-8782, Meeting ID: 871 8000 1980, Passcode: 14357, or join from your computer, tablet, or smartphone by following the Zoom link on <https://us06web.zoom.us/j/87180001980?pwd=eEVGUGkxZ3NkQkhYSnhBMEo2RTQrdz09>.

Anyone who plans to attend the public hearing and has special needs or disabilities should contact Planning and Development Services at (360) 416-1320 at least 96 hours before the hearing to discuss and arrange any special accommodations.

## **Next Steps**

Following the Public hearing and comment period, Planning and Development Services will compile and respond to the comments. These will be made available for the Board to consider during deliberation.

Following deliberation, staff will make the edits the Board authorizes to the draft SMP. Then, the Board can adopt a resolution attaching the SMP documents the County intends to adopt. This resolution will accompany the remainder of the submittal package that is required by the Department of Ecology (Ecology).

Ecology will then determine if the submittal is complete. Once Ecology has completed its public comment period and review, they will then issue a letter (usually a conditional approval letter), outlining required and recommended changes to the SMP submittal packet. At that time, the County will determine what is necessary to complete the adoption process.

The policies and regulations of the proposed SMP are not effective until the state and local adoption process is complete.