



PLANNING & DEVELOPMENT SERVICES

DALE PERNULA, AICP, DIRECTOR

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February 4, 2013

Mr. Bob Fritzen, Project Officer
WA State Department of Ecology
BFO – 1440 10th Street, Suite 102
Bellingham, WA 98225

REGARDING: Submittal of Skagit County, Lyman, and Hamilton SMP working draft

Dear Mr. Fritzen:

We have attached a copy of Skagit County's preliminary working draft of our Shoreline Master Program update. We are submitting this draft to you, pursuant to the requirement in our grant agreement, for your preliminary comments. This is by no means a final draft; we will continue to refine and revise this document both in response to internal review and public comment over the next several months.

Drafting Process

Our Shoreline Advisory Committee (SAC) has been meeting since June 2011, reviewing, editing, and rewriting sections of the draft document provided by our consultant. As the SAC completed sections of the draft, we presented those sections to the Planning Commission at several study sessions between May and December 2012, including two SAC-PC joint meetings. This working draft has been revised to reflect their edits, comments, and concerns, all of which are hopefully captured in this working draft SMP.

About this Draft

There are a few sections in this draft where we have included notes that the text or table is still in development. In a couple of instances we have provided draft language, but we are still working to simplify the text and conduct additional research. In one section, Aquaculture, we have not yet included text. The SAC has formed a subcommittee (Bill Dewey of Taylor Shellfish, Tim Hyatt of Skagit River System Cooperative, and Kevin Bright of Icicle Seafoods) that has been working diligently to craft language that would fairly evaluate aquaculture proposals, without duplicating regulatory efforts of other permitting authorities. We hope to have draft language back to the SAC in February and present it to the Planning Commission in March.

In order to address the concerns of residential landowners within shoreline jurisdiction, Skagit County has developed an administrative variance process, adapted from the critical areas ordinance. Providing landowners with options and choices has proven to be very positive in the development review process. As part of the integration of critical area protections into the SMP, we hope you will be supportive of this new process. It allows for flexibility, provides options for landowners in the design of their proposed development and also offers a method for site specific features to be considered and protected, as necessary. This concept was

strongly supported by the SAC, even though the regulation language was not complete during their review. We have been doing it with our critical areas review for several years.

You will also find a new shoreline environment designation proposed for Skagit County. “Rural Conservancy-Skagit Floodway” has been added to address shoreline areas that are within the floodway of the Skagit River. Because development and use of lands within the floodway are more restricted, it was important to differentiate those areas so that property owners do not get a sense that they may be able to develop in a manner that is not consistent with Skagit County Code Chapter 14.34, Flood Damage Prevention. The SAC and Planning Commission provided extensive feedback on this topic.

Because our grant agreement tasks us with also preparing the SMP updates for the towns of Hamilton and Lyman, we have included a separate document titled “Substitute Tables and Code Provisions for Hamilton and Lyman” with tables that are applicable to those jurisdictions.

Next Steps

There are several additional work items that we intend to complete for the draft document over the next couple of months:

- Coordination for pre-designation of shoreline areas within urban growth areas has not yet occurred, although we will coordinate prior to finalization of the designation map.
- The restoration planning process is underway. Coordination with all the agencies, tribes and organizations involved in restoration work in Skagit County has begun and should be completed in March.
- The cumulative impacts analysis is being developed, but relies on information from the draft SMP, so it should be completed and submitted in March, too.
- Some additional work needs to be done to address items specific to the towns of Lyman and Hamilton and give them a chance to review it again before we submit it for your review.

In anticipation of the amount of time involved, the number of people participating in the public process and providing comments, and the level of detail necessary to complete the local adoption process, Skagit County respectfully requests that you share this working draft SMP with as many Ecology reviewers as possible at this stage. If Paul Anderson or other staff will be providing comments, we would like to get them during this review, so they can be considered and addressed prior to the release of the draft SMP for the local adoption process. The more items and issues that can be addressed before the public hearing process begins, hopefully, the less time will be spent having to go through that process again because of substantial changes proposed or required by Ecology’s final review and written response.

Once comments are received from Ecology’s preliminary review, the County will schedule another round of public open houses to share the information that has been developed to date, to help landowners understand what, if any, changes are proposed for their property and to gather comments and information from attendees to incorporate into the draft SMP that would then be released for the formal, public local adoption process.

Some of the concepts proposed are different and more complicated than what exists in the current SMP, so the County anticipates attending various meetings and doing as much outreach as necessary to help people understand what is in the SMP as well as how they can provide their thoughts and comments. There is quite a bit of interest here, so it is imperative that we give the public adequate time to review and understand what is being proposed before they are expected to provide comments. We anticipate having the adoption draft completed by the end of our grant period, but we do not believe that we will have completed the local adoption process by then. The County intends to provide whatever amount of time is needed for the public to get through the entire new SMP. We want to ensure that people feel they were given adequate time to prepare comments and that those comments were given the consideration that they deserve.

Once you have a chance to go through this working draft, we would welcome the opportunity to meet with you to go over it and explain any areas that are unclear or confusing, or receive any cursory comments that you may have early in your review. Thank you for your patience as we worked through development of this draft. We look forward to collaborating as we move forward. If you have any questions as you review the document, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Betsy Stevenson". The signature is written in a cursive, flowing style.

Betsy Stevenson, AICP, Senior Planner
Project Manager