

UPDATE

Board of County Commissioners Work Session

PLANNING & DEVELOPMENT SERVICES

JANUARY 25, 2022

www.skagitcounty.net/SMP



Outline

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- Process: 2016 & 2021 Updates
- Changes to SMP
- Public Comments
- Planning Commission Recorded Motion
- Next Steps

SMP Update Process

2011

May - July – Visioning Workshops

Sep –Dec - Shoreline Advisory Committee

2012

Jan- June - Shoreline Advisory Committee

Mar –Dec - Planning Commission

May - First SMP Working Draft Released

May – Joint SAC and PC meeting

June – Informal comment period



SMP Update Process (continued)

2013

Feb – SMP draft Ecology preliminary review released

Mar – July – Planning Commission

May – June 2013 Open Houses

2014

Jan - July – Planning Commission

Staff work on PC recommendations

2015

Mar – June – Planning Commission

Staff work on revisions for final PC review



SMP Update Process (continued)

2016

Planning Commission study sessions

Revised SMP draft released

PC held public hearing

Comment period ended

PC deliberations

PC issues recommendations on SMP

PC recommendations presented to Board of
County Commissioners



SMP Update Process

Part 2

2021

Complete SMP draft

Online Open House website

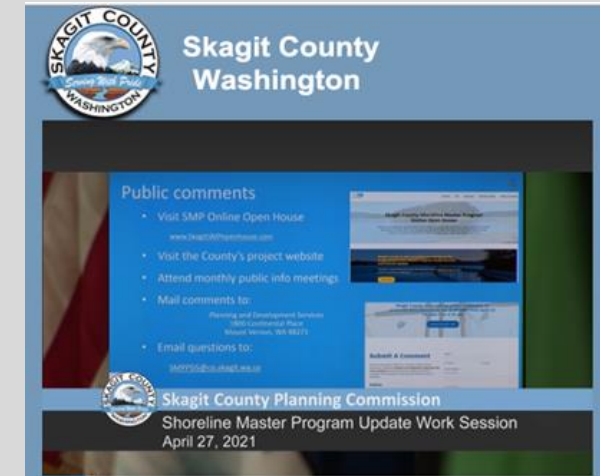
Monthly online public meetings held

Planning Commission study sessions

Working DRAFT SMP available

SMP PC and public review draft out for public comment

PC held public hearing



SMP Update Process

Part 2

2021 (continued)

Response to comments prepared and presented

Planning Commission study sessions

Planning Commission deliberations

Recommendations and recorded motion

Transmitted to the Board of County Commissioners

SKAGIT COUNTY SHORELINE MASTER PROGRAM UPDATE

Skagit County Planning and Development Services
Shoreline Master Program Periodic Review 2020-2021

Planning Commission Public Comment Matrix
SUMMARY AND RESPONSE

Issue Ref. No.	Summary of Concern See attached comment matrix below for full comments.	Comment Number(s)	Department Response
1	Lake Cavanaugh		
a.	Boatlift canopies - requirement of light permeable fabric for boat covers would result in damage to boats.	14, 27, 92	Change not recommended. Overwater cover provided by in- and above-water structures such as docks and boatlift canopies shades the aquatic area, providing potential habitat for predators of juvenile salmon as well as inhibiting growth of aquatic plants. Requiring boat lift canopies to be of light permeable fabric is known to minimize the impact of solid structures similar to the use of grated decking on docks.
b.	Dock height - 1.5-foot clearance above the OHWL should not apply to Lake Cavanaugh since the water height varies so much.	15, 83, 96	Change not recommended. The commenters were specifically focused on Lake Cavanaugh conditions and the effects of a highly fluctuating annual hydrograph on dock use. However, per Figure 14.26.420-1 of the SMP, the dock may include a floating segment. The SMP only specifies that the fixed-pile pier portion be at least 1.5 feet above the OHWM. Therefore, in the case of Lake Cavanaugh, a floating dock segment can be used over the majority of the water, which would alleviate this concern.
c.	Dock width - 4 feet dock width is too restrictive and poses safety issues.	15, 83, 25, 26, 96	Change not recommended. See the response to item 1.e below regarding concerns about dock width requirements surrounding anadromous fish vs. non-anadromous fish use. The dappled shade from vegetation overhanging the water is a natural shading which provides cover for juvenile salmon that use the nearshore environment for predator avoidance, rest etc., plus the overhanging branches drop insects and debris which make up the diet of juvenile salmon and other small aquatic species. Grated decking mimics the 40% light transmittance, similar to native vegetation. In contrast, shading provided by solid overwater coverage, such as a dock, provides sharp edges and cover for predators of salmon and causes salmon migration paths to be diverted around docks into deeper water where there tend to be more predators present.
d.	Objection to dock grating standards.	25, 27, 83	Change not recommended. See the response to items 1.c above and 1.e below.
e.	No anadromous fish in Lake Cavanaugh, therefore the same	15, 83, 96	Change recommended.

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Changes to the SMP - Highlights

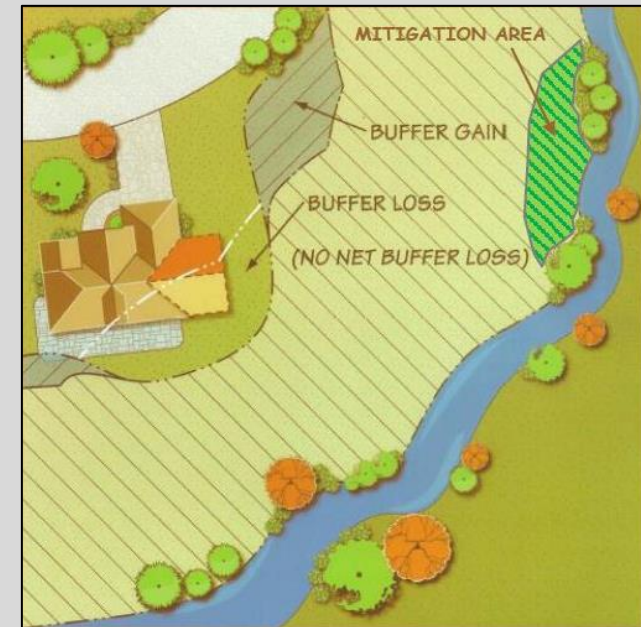
Key changes to the SMP

- Consistency with State laws
 - Definitions, exemptions, uses, administration
- Integration of critical areas regulations
 - Consistent with most recently adopted CAO
 - 2018 Ecology wetland guidance incorporated



Key changes to the SMP, cont.

- Flexibility for pre-existing uses and structures
 - Allows repair, replacement, and minor expansion
- Administrative approval process
 - Administrative buffer reduction and administrative variance are included
- Exemptions for existing agriculture
 - Consistent with existing State law and Voluntary Stewardship Program



Key changes to the SMP, cont.

- Dock standards for new structures, flexibility for existing structures
 - Standards for new structures are consistent with State law
 - Flexibility for existing structures to modify size and shape
- Shoreline environment designation mapping improvements
 - Overall improvements to mapping to the parcel level
 - Removed Judy Reservoir from jurisdiction per PUD/Ecology agreement
 - Revised Guemes Island and Upper Skagit floodway per PC recommendation



Public Comments



From Guemes to Cypress
Photo Leah Forbes

Comments received

Online open
house portal

Verbal at
virtual public
hearing

Written hard
copy mailed

Comments received

87 written comments received electronically through the Online Open House portal and via hard copy

11 verbal comments received during the virtual public hearing



Skagit County is accepting public comments on proposed amendments to the draft SMP from April 22 to June 7 at 4:30 pm

[REVIEW THE DRAFT SMP](#)

Submit A Comment

There are many ways to submit your comments. Please read the instructions carefully as **comments not meeting these requirements will not be considered**. All comments become public records and, if requested, will be disclosed as required by the Public Records Act 42.56.RCW.

Online

Use the form on the right to submit your comments online. You may either type up your comments in the designated text box, or you may attach your comments in a document.

Name *

First Name

Last Name

Home Address *

Street Address 1

Street Address 2

City *

Comments received

Comment topics generally included:

- Lake Cavanaugh – docks and setbacks
- Aquaculture - net pens
- Climate change and sea level rise
- Shoreline buffers
- Shoreline stabilization
- Vegetation conservation
- No net loss
- Variances
- Drinking water impacts
- Tribal treaty rights
- Public access
- Flood hazards





Baker River
Photo: Gill

Planning Commission Recommendation

Final action on November 30, 2021

Recorded Motion

Adopted unanimously on November 30, 2021

Findings – Reasons for action and record of process

- Importance of aquaculture, natural resource industries, Diking & Drainage Districts to Skagit County
- Respect for private property, local stewardship and knowledge of the land
- Boat lift canopies and dock safety
- Floating homes as an option for future housing
- Redevelopment of lawfully established structures
- Process – dates, materials, meetings, public participation, etc.

Record Motion (Continued)

Recommendations

- Remove the Open Space Concept Plan from the SMP Public Access Plan
- Dike and drainage district authority
- Eliminate permeable boat lift canopies and allow 6' dock widths
- No substantial development permit for low impact roads to access forest practices
- Less than 25% buffer reduction would not be reviewed as a Shoreline Variance
- Prohibition of nonnative finfish net pen aquaculture
- Sign lighting should be directed away from critical areas
- Minimizing lot coverage to 10 percent in the Rural Conservancy environment on new lots
- Early involvement of state and tribal authorities regarding archaeological resources
- Extending the review distance for critical area indicators



Ferry Terminal
Photo: Gill

Next Steps in Review

Local Adoption

Board Review

- Work Sessions, Deliberation and Possible Action*
- Scheduled Meetings: January 25, February 7, and March 1
- Substantive changes outside the scope of the public review draft it may require new comment period (SCC 14.08.090)

County sends locally approved SMP along with all required submittal materials to Ecology for review and action.

* New SMP is not in effect until State approval

State Review and Adoption

- Department of Ecology will review the local submittal
- Once complete, Ecology will provide a 30-day comment period/public hearing
- Skagit County will provide response to the comments, as requested by Ecology
- Ecology will then issue a conditional approval letter, that will outline required and recommended changes to the SMP submittal packet

Skagit County will consider the options moving forward and

- Agree to the proposed Ecology changes by written notice; or
- Submit an alternate proposal to Ecology for consideration

SKAGIT
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PROGRAM

UPDATE



Questions and Answer

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