

**Skagit County Planning Commission
Work Session: Shoreline Master Program Update
March 23, 2021**

Planning

Commissioners: Kathy Mitchell
Mark Knutzen
Amy Hughes
Tim Raschko, Chair
Joe Woodmansee
Tammy Candler, Vice Chair
Martha Rose
Joseph Shea

Staff:

Hal Hart, Planning Director
Michael Cerbone, Assistant Planning Director
Peter Gill, Long Range Planning Manager
Betsy Stevenson, Senior Planner
Daniel Hasenoehrl, Planning Intern

Others:

Dan Nickel, Consultant (The Watershed Company)

Chair Tim Raschko: Good evening, everybody, and welcome to the March 23rd, 2021, meeting of the Skagit County Planning Commission. We'll start with the roll call of the Planning Commissioners. Commissioner Candler?

(silence)

Chair Raschko: I thought I saw her.

Peter Gill: She looks like she's working –

Vice Chair Tammy Candler: Sorry! Sorry, I was having trouble getting unmuted. I'm here.

Chair Raschko: Okay. Commissioner Hughes.

Commissioner Amy Hughes: Present.

Chair Raschko: Commissioner Knutzen.

Commissioner Mark Knutzen: Present.

Chair Raschko: Commissioner Mitchell.

Commissioner Kathy Mitchell: Present.

Chair Raschko: Commissioner Rose.

Commissioner Martha Rose: Here.

Chair Raschko: Commissioner Shea.

Commissioner Joseph Shea: Present.

Chair Raschko: And Commissioner Woodmansee.

Commissioner Joe Woodmansee: Here.

Chair Raschko: Okay, great. Thank you. It looks like we have everybody. Is there a motion to approve the minutes, please?

Commissioner Rose: So moved.

Commissioner Mitchell: Seconded.

Chair Raschko: Okay, so who made the motion, please?

Commissioner Rose: Martha. This is Commissioner Rose.

Chair Raschko: Thank you, and I believe it was seconded by Commissioner Candler?

Commissioner Mitchell: Mitchell.

Chair Raschko: Commissioner Mitchell. Okay, thank you. Is there any discussion of the minutes?

(silence)

Chair Raschko: If not, all in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: All right. Are there any opposed?

(silence)

Chair Raschko: So that passes. Thank you. Okay, we'll move to Public Remarks. Mr. Gill, have you had any requests from members of the public to speak?

Mr. Gill: Chair, I have not gotten any requests for Public Remarks tonight. But there are some folks on the meeting with us tonight.

Chair Raschko: Is there anybody who's part of the public that wishes to speak?

(silence)

Chair Raschko: Okay, hearing none, we will close Public Remarks and move on to our main topic tonight, which is the Shoreline Master Program Update Work Session. So, Mr. Gill, would you kindly introduce this?

Mr. Gill: Sure. Thank you. We are here tonight to continue a work session on the Shoreline Master Program Update. Tonight we have Betsy Stevenson of Planning and Development Services, as well as Dan Nickel from The Watershed Company, to walk us through what we've already covered as well as some other items that we haven't talked about yet tonight. And I believe Dan has got some slides to share with the group.

Betsy Stevenson: Am I putting those up? I just want to say this is Betsy. We're here to answer your questions tonight. We want to hear from you, okay? This is kind of your time. We're going to go away and do some work with Ecology and get some things done, but we really want to make sure that you're getting what you need out of these meetings. So speak up, please. We would appreciate it. Thank you.

Dan Nickel: Okay, thanks, Betsy. Yeah, I'll just kind of maybe just reiterate that a bit. The intent of tonight's meeting is to really provide you all an opportunity to ask questions, provide any clarification where you can on, like, our past discussion topics, which we'll talk about tonight. But, you know, and revisit a couple of areas that we want to bring to you for clarification, and then bring you up to speed on the public process. But really this is ideally an opportunity to – you know, for us to provide clarity to you and answer questions, so please, you know, feel free. I will pause as we go through these items to make sure that we are – you know, if there's any questions that pop up we'll cover them then, and we'll come back at the end for any additional questions and clarifications.

So, you know, tonight we have a number of topic areas that were mentioned during our prior meetings. You know, things such as CAO Integration. We talked about, you know, agricultural activities, mitigation performance standards, as well as no net loss requirements. These were some of the areas that were mentioned in the past. We've got a few things to talk about regarding the channel migration zone being one. I want to hit again on the environment designation map changes that will be coming out. And then we really – we do need to talk about the adoption process timeline and kind of make it clear to everybody involved kind of what our goals are for getting this in front of – to the public process as well as for adoption.

So I've got a few slides here. You've seen these before. I just want to hit on these again. We've been really actively engaging with the Department of Ecology. Misty Blair and Joe Burkhardt from the Department of Ecology have been very helpful in providing us early feedback. And I think, for the most part, that is really focused on consistency with the WAC, making sure that we have clarified language both in policies as well as in our regulatory language. And they've been very helpful. And so we are continuing to meet with them. We are trying to fine-tune that language and, you know, really to prepare ourselves for preparing a public review draft that will be coming up very soon.

We have been continuing with the virtual public – these monthly meetings to provide project updates to stakeholders and members of the public. We are holding another one on April 8th. That is the second Thursday of April. And, you know, we'll need to talk about, you know, if there's going to be further meetings. We have the option of holding additional meetings – these virtual monthly meetings – in May and June as well. They're currently not scheduled. But we've had some pretty good attendance at those so that's been really good to see – and some good dialogue.

And then, you know, we're really starting to prep for the public release of the draft. We do plan to run this for about a 45-day public comment period, and we'll have a Planning Commission public hearing. Right now we are still trying to coordinate that public hearing on April 27th before the

Planning Commission. That does mean that we need to have the public review draft noticed by, I think, April 6th, but we have some work cut out for us to do that.

And then I just also wanted to hit on our public involvement to date. You know, with the online open house still going there's a location for citizens and interested parties to go to as a resource. There isn't any new information that's on this. We haven't provided any updates. We do plan to provide this as a resource for public comments to be submitted by this online open house, and so there'll be a series of topic areas that are discussed here when the public release draft is noticed, and there'll be a notification that goes out to the email listserv as well. And it's also a place to – again – sign up for those monthly public information meetings. So the one coming up in April, if you haven't signed up already, you know, please go to the online open house at the skagitsmpopenhouse.com website and sign up. You can also sign up for the email listserv as well.

So our past Planning Commission meetings: We've had four prior meetings on the SMP. In this calendar year we did meet at the end of 2020, but really we started diving into the SMP topic areas beginning in late January and covered pretty much, you know, really the main topic areas that we wanted to touch on that – really focusing on the changes since 2016. That was the time period of the Planning Commission's recommendation to the Board and the recorded motion. And so there've been a number of changes here, most of those related to consistency with the Washington Administrative Code, making sure that we're up to date on our most recent legislative changes, and then also looking to provide as much improvement in the function of the overall document and readability as possible.

I want to just again spend some time kind of going back hitting on these four topics specifically. And I'll briefly go over the topic area and I'll pause and see if there's any questions or clarifications from the group. But first off with the CAO integration: If you recall, we are required under the Shoreline Management Act to address critical areas and critical area regulations that occur within shoreline jurisdiction. We need to handle that through the shoreline review process. And so to do that, there's a number of ways that the County could do this. We could actually adopt by reference the existing critical areas ordinance; we could integrate it into the SMP as an appendix; or we could actually integrate it through including it as part of the SMP itself. And the County, you know, had different approaches over the years. And based on further discussion, you know, including Ecology's input and just the usability of the overall documents, we have gone forward and integrated. We're in the process of integrating the critical areas regulations. That's Skagit County Code 14.24. And that will be included as Part V of the SMP. That's the critical areas section. They're already – you know, the existing copy that you have in front of you actually includes Part V, Critical Areas. That's the – the code section reference is 14.26.500 and then it goes through .585. I think it's on – starts on page 148 of your Planning Commission Review Draft. So what will come out in the public draft is going to look a little bit different just in terms of the body of the SMP is obviously going to get larger because the critical areas regulations are quite enumerated. And I think the message here, though, is for consistency. We're not changing the critical areas regulations. There are a few exclusions that we have to have. We are not allowed – for instance, we are not allowed to use any critical area exemptions or the – some of the exceptions that are in the critical areas ordinance, such as reasonable use. When it comes to these exemptions, you know, you're going to have to – any application's going to have to comply with a *shoreline* exemption. Those are already included in our Shoreline Program. And any reasonable use exception would actually have to qualify as a shoreline variance instead of a reasonable use exception. Very similar criteria when it comes to, like, reasonable use – the whole *concept* of reasonable use – but the shoreline rules actually stipulate that we *have* to go through a variance

process instead. So, you know, we're not allowed to include those portions of the critical areas ordinance as part of this Part V.

A couple other things: We are including a soft reference to the flood hazard regulations rather than including the complete Frequently Flooded Areas section. We've talked a bit about some of the edits that we do have. We have some in particular to the wetland buffer regulations. This comes from the Department of Ecology's 2018 guidance on their wetland buffers. If you recall, we did adjust some of the habitat scores related to wetland buffer ratings systems that does offer a slight improvement in terms of the regulatory constraints not being so much. And so we are moving those forward. They're, you know, considerably a small edit there, but for the most part most of the critical areas regulations are being brought forward into this section.

I will pause there. Is there anybody that has any questions specifically to this critical areas integration?

Commissioner Woodmansee: I have a question.

Chair Raschko: Go ahead. Who's this?

Commissioner Woodmansee: Woodmansee, Joe Woodmansee.

Chair Raschko: Go ahead, Joe, please.

Commissioner Woodmansee: So when it comes to buffers, when you say it includes an edit to wetland buffers, so there's a buffer that's different than what our critical areas ordinance says now? Is that right?

Mr. Nickel: Well, not exactly. The buffers themselves aren't changing, so the buffers are staying the same. What's happened is that the way that Ecology – and essentially the County – will regulate buffers is based on a wetland rating. And in the rating of wetlands there's a score for habitat value and it's those values that Ecology has actually changed their guidance on. And essentially what's happened is that the habitat scores have a range from anywhere from 3 to 9 for a wetland – okay, has a habitat value of 3 to 9 – and they put these values into certain ___. So a habitat value of 3 and 4 is considered a low functioning wetland. Anywhere from 5 to 7 was considered a moderate function in habitat's value, and then 8 and 9 was considered a high habitat value. Ecology's 2018 guidance, they did a bunch of calibration on their wetland review and they actually found that, you know, essentially a habitat score of 5, which was previously as a moderate value, actually corresponds more closely to habitat scores of 3 and 4. And so what that means is that if we take those category of wetlands or wetlands that have a habitat score of 5 and now instead of being a moderate value wetland, which may have a, say, you know, I'm just going to throw out a value here because its somewhat speculative – let's say it's 150 feet for a buffer. Now it's considered a low habitat score and it's going to have a lower buffer. Maybe it's 80 feet. I'm just throwing those numbers out. I'm not looking at the –

Commissioner Woodmansee: Yeah, right.

Mr. Nickel: Just for instance, just so you know what it's like. So what happens here is that, yes, it does equate to a lower buffer for those particular wetlands. Wetlands that score a habitat value of 5 – even though it's a fairly common score – because they happen to be a pretty moderate functioning wetland – which most wetlands are either low to moderate and very few that are high. So it does happen. And Ecology's review of all of this – which is really pretty interesting from them

– is that they reviewed all of this information and they actually concluded that by lowering the habitat value of the rating of these wetlands, they're actually not reducing the protection of these wetlands. Because in their mind in their review, by having a lower score or a lower buffer it's actually still meeting the protection requirements for those wetlands. And so Ecology is standing by that and it's something that's actually offered across the board to all jurisdictions to implement, and it allows a bit more development flexibility while not reducing protection standards. So it's one that's kind of welcomed – a welcomed edit.

Commissioner Woodmansee: So to follow up then, were there moderate scores that went to the opposite direction that went to a more severe buffer?

Mr. Nickel: No.

Commissioner Woodmansee: Okay.

Mr. Nickel: No, essentially what happened is that you took the value of 5 and moved it out of that moderate score. 6 and 7 values still stayed in that –

Commissioner Woodmansee: I see. Okay, great. Thank you.

Chair Raschko: Commissioner Mitchell, you have a question?

(silence)

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: There you go. Okay, sorry. This may not be a fair question for Dan and Betsy, but I'm hoping you guys can give people a picture in mind of what a 5 habitat might look like. You know, are there any pictorial examples that you can do for what a, you know, a 3 through 5 looks like, versus a 6 and a 7 versus an 8 and a 9?

Mr. Nickel: Boy, you're putting me on the spot!

Commissioner Mitchell: Yeah, I know, and if it's – I'm sorry – you can show us later.

Mr. Nickel: I can't show you offhand, but I can offer you some descriptions. If you think about the low – let's just start at the low end and work to the high end. If you have a low functioning in terms of habitat value it can be a wetland that probably does not have a lot of variety in terms of its vegetation – so a monoculture, a single – like a wetland that really only has one or two plant species in it, doesn't really provide a lot of habitat structure and variability. So you want to have, you know, emergent vegetation; you want to have shrubs and trees. That's a very higher quality wetland that might provide more habitat value. Is that going to give you a scale of, like, what 3 to 4 and you might have a new habitat score versus something that's in the 8 or 9 category. That vegetative component actually adds a lot of that habitat value. You also have things such as open water area versus, you know, fringe wetland that's vegetated that can increase habitat scores. It also pertains to kind of what species are known to be in the areas and use these wetlands as well. That's maybe less than a picture as it is understanding it.

Commissioner Mitchell: That sort of helps, but can you – what comes to mind is that there certainly must be urban wetland areas. What would one of those look like versus what a rural one?

Mr. Nickel: Yeah, good question. Oftentimes urban areas, just because of the impacts that they've encountered, there's many, many wetlands that are still present in urban areas, and actually they're very important mostly – maybe less so from a habitat perspective but more so from a water quality or a water retention function that wetlands also do. In the rural areas just because of space oftentimes that's where you'll find more of the higher quality wetlands – because they haven't been impacted so much, and there may be more space for them to be operating as more of a complex of wetland areas as opposed to being disjointed or isolated.

Commissioner Mitchell: Let me ask you this. This is again putting you on the spot, but I'm trying to formulate pictures in people's minds for what to look for. We spent a good 10 years in Minnesota – and as you might know, there's lakes everywhere – and there's also different degrees of development around those lakes from more urban, cabin-y – you know, the spectrum goes one extreme to the other. And yet I do know for a fact that – let's say that you've got a place where the cabins have been replaced. It's one of those lakes where now it's built up with houses all around it, and yet they're very well taken care of and the wetland still has a whole lot of variety to it. So I'm transporting that picture and those concepts and those ideas to what it looks like here – and I do see things like that here as well, where even though those functions – the wetland's functions are functioning well, there's good diversity between flora and fauna and, you know, fish, frogs, and everything, yet if you're just looking around you'd say, well, gee, this looks like a neighborhood around a lake, which it is but it's still fully functioning. How do we treat that here?

Mr. Nickel: There are plenty of examples of, like, a category 1 wetland, which is the highest wetland rating you can actually have in an overall rating. There's plenty of examples of category 1 wetlands in urban areas. They do exist, and actually they're really important for us to preserve. That's why they do end up having higher buffers and a lot more protection standards and significantly more impact mitigation that's required when it comes to impacting those wetlands. But they do occur, I mean, certainly in urban areas.

Chair Raschko: Okay, and does that satisfy your question, Commissioner Mitchell?

Commissioner Mitchell: It does for now. Thank you.

Chair Raschko: All right. So we had next Commissioner Rose, followed by Commissioner Woodmansee. So please go ahead.

Commissioner Rose: Thank you. So Commissioner Mitchell's question sort of triggered a situation that I've seen where a mandated storm system was later designated as a wetland. And it's my understanding that that's never supposed to happen, that if a storm system is installed – and obviously it's going to be bigger than for a single-family home. We're talking – this example was a nursery, so you could have something like that here. And I guess I want to know if that's addressed in this document and how is it looked at, and how – like I said, my understanding is that's not supposed to anywhere down the road be labelled a wetland even though it looks like a wetland and acts like a wetlands. So maybe you could just talk about that for a minute.

Mr. Nickel: Sure. And, Betsy, you can jump in too. But I think in that instance it really comes down to maintenance and maintaining these structures. As a stormwater facility, if it's maintained as a stormwater facility and it maintains that function over time, it will remain as such. I've seen many instances, though, where something like this was installed and forgotten, not maintained, and essentially you're not controlling, you know, inlet/outlet and the whole system doesn't work like it was functioning and it returns or moves towards essentially a ___ condition. This is over many, many years. And I've seen instances where this has happened, and it's no longer becoming a

stormwater facility and it's no longer maintained. So I guess to answer that, in my opinion is that it is somewhat dependent upon that, but I think it's essential that those facilities do get maintained, that their operations can function properly. And, Betsy, if you have anything to add there, feel free.

Commissioner Rose: I'd like to follow up on that, though. With the way we do storm work – at least on the projects I'm working on – we're trying to mimic the natural environment, and so I guess I'd like to argue a little bit about that idea that a storm system could end up looking like a wetland only if it's not maintained. I think that there's probably a lot of storm system facilities out there that may or may not need to be maintained but over time they're very similar in appearance to a wetlands. And so I guess the way I think about it is – and, you know, you might end up with a diversity of plants and you might end up with a lot of wildlife there. It seems to me that there should be some sort of way to cloud the title of the property and really call it out, because, like I said, I don't necessarily agree that it's due to lack of maintenance that it might evolve to look like a wetlands. That might be by design that it would eventually look like a wetlands – a natural one.

Mr. Nickel: Yeah, and I think that's a really good point because I think in many instances, you know, the goal of some of these systems, like you said, is to mimic the natural environment, and if that includes, you know, plants that are performing good quality functions, you know, we don't necessarily want it to inhibit that from occurring. And there is, you know, certain – these stormwater facilities would not qualify, especially if they're recorded in such a way, as a stormwater facility and specifically *not* a wetland. You know, if that's not done, if you just go out and create these things without any regulatory oversight you're going to – you know, that's a different story. But if you have built these structures with that regulatory approval and are – again – continue to maintain them as such, you know, even if they have these conditions in there they won't be regulated in the same way.

Chair Raschko: Okay. Commissioner Woodmansee.

Commissioner Woodmansee: Yeah, to follow up on Martha's comments, it would seem to me that the corrective action on a detention pond that became more like a wetland that was not necessarily designed to be that way would be to do the proper maintenance, whether it's delayed or not, and not to turn it into a wetland. We really should have something in our code somewhere that says that if the County has mandated a particular facility to be built that either by lack of maintenance or by design, either one, takes on the characteristic of a natural wetland, that the actual corrective action is just the necessary maintenance. Because otherwise if you were saying that that particular facility is not doing what it's supposed to do so now it's a wetland, you've eliminated the protection that you've required at the onset of the project. And so the reality of it is, the proper thing to do is to take care of the maintenance so that it actually is functioning properly, not to default to a wetland that now creates new buffers and stuff where they were never intended.

Mr. Nickel: Let me clarify. I was not trying to – I was trying to give an example of system that is walked away from as opposed to something that is just not maintained over a given period of time but is still active as a stormwater facility. I mean, if you have a system like that, you will be able to maintain it as such and maintain it as a stormwater facility. And back to Commissioner Rose's point about these being, you know, recognized as such facilities, from a regulatory standpoint it's very important – right? – to be able to continue to maintain those.

Commissioner Woodmansee: Yeah. Even if you lapsed on your maintenance for a few years and the characteristic changed in the meantime, I would think so. I mean, you know, the water treatment and all that is more important – and the storage and all that is more important, according to the ___ or the storm code, I guess. I guess the two codes might argue with each other over

what's more important. But anyway, so that's – I just want to get the point out there that, you know, once this required pond is built, that's really its function, and the idea of inter-designing characteristics like Martha was saying is fantastic and I like to see that happen. And so that's a benefit. That's a win-win there.

I did have just a point of clarification on variance. The exemptions and reasonable use exceptions, just to clarify: My understanding is that we're really just titling it differently and if the end result or net – the bottom line is that instead of calling it a reasonable use exception we're really just – now we're in a variance position, which ultimately in most cases would land us in the same position if a reasonable use exception was approved. It's just now a variance.

Ms. Stevenson: Yeah, that's true.

Mr. Nickel: That is true, yeah.

Ms. Stevenson: Yeah, and we can't have reasonable uses in the Shoreline Program. It has to be called a variance and since we already have the structure for a shoreline variance in the Shoreline Program when the critical areas stuff comes over the variance, how we handle it for just a critical areas variance becomes a shoreline variance even though you're looking at the same kind of standards – if that makes sense. You process it differently and you call it a shoreline variance.

Commissioner Woodmansee: Yeah. Yeah.

Ms. Stevenson: I guess to go back to Martha just briefly too, and this may not really affect what you were saying, but it sounds like maybe the issue, as Joe mentioned, was now all of a sudden they've got a wetland buffer where it was just supposedly handling stormwater. One of the things, too, when Dan was talking about the change in our code as we bring it over to upgrade to Ecology's rating system, the only thing that he was describing to paint a picture for Kathy's question was the habitat score. He wasn't talking about any of the functions and the values that wetlands have to also, by definition, meet to be a wetland. So he was just describing some of the things that would show you the range of different habitat scores, like what's happening at that site. I don't know what the situation was. I hope that didn't happen in Skagit County. We try to consider those things. But, on the other hand, if it's a system that's functioning really well and you want to keep it functioning really well, maybe that buffer around the edge of it keeps something else from happening that's going to impact your system and create more stormwater to come in to it than what you're expecting, or something like that, as well. So I think you're both right. It's not necessarily a bad thing but we certainly don't want to inadvertently start regulating something that that wasn't what its initial purpose was just because somehow it's been successful and it's doing what it's supposed to be doing.

Commissioner Rose: Tim, can I respond?

Chair Raschko: Commissioner Rose, I see you had another comment. Go ahead.

Commissioner Rose: I just wanted to clarify the example I was thinking of. It's a live example. It's in Seattle, it's six acres, and it's a nursery, and I was part of the construction team when we put in the storm system probably – I don't know – 20 or 30 years ago. And the City assured us that they would never designate it a wetlands, and it's not a pond. So we're not talking a pond here. We're talking a drainage system that was – the outfall was into a riparian corridor. And two decades passed and people, you know, came and went at the City, and they hired **Shannon and Wilson** to go around and document critical areas throughout the City of Seattle, and next thing we

know Swanson's Nursery has a wetland down there where their storm system is. And it's kind of water under the bridge right now because – but I just want to – it's not our issue here, but it's an example, and it just illustrates how these things happen. Like I said, it's not a pond but because there's a lot of water being disbursed down there now they're calling it the wetland. At any rate, I just don't want to see that type of thing happen. That's all.

Chair Raschko: Commissioner Mitchell.

Commissioner Mitchell: Yes, thank you. That brings to mind another situation of a few years ago. We had a – well, there were several tours set up, but a tour on Guemes Island and I think the person that was driving was telling us a lot of the history and they were driving around showing us some places where there'd been a battle – it was towards the center of the island where somebody had come in and done some assessment over wetlands during a very rainy, wet winter and somehow pastures became wetlands. And it ends up being all kinds of problems and issues later when it's really not a wetland yet somebody's come in and just designated it as that. I hope I'm not getting the details wrong. It's the best I can have from my recollection this many years later. But I thought that is – those kinds of situations along like what Commissioner Rose has just said are a reality, and it – I'd like to know what this County and the State can do when you do come into a situation like that where something has most likely been erroneously labelled as such and is being used as a hammer erroneously.

Mr. Nickel: I would think in that case, you know, the owner of the property, you know, they can put together a wetland study, a wetland delineation to evaluate the presence of critical areas. You know, if there's a development application that is, you know, pending or they're looking at that that would be part of a development application would be to review their site for the presence of critical areas, and if there are critical areas that are found they would need to be rated. So in a case where some other entity puts a wetland inventory together like the example related to the nursery in Seattle, that's similar to other inventories that are done. You know, Skagit County has inventories. There was a national wetland inventory, for instance, of, you know, that the County has access to. It's an *indicator*. It's not a catchall of where the boundaries are or even if a wetland is present. So it does come down to, like, when a development application is ready to be submitted there needs to be some documentation of whether or not there's critical areas on the site. And if there is a question, if there's an inventory out there that shows there are wetlands on the site or there *may* be wetlands on the site, it would be up to the property owner to, you know, do an assessment, evaluate that _____, and submit that to the County.

Commissioner Mitchell: Dan and/or Betsy, what kind of costs would that normally incur to a landowner? You know, it's sort of like when something like that happens to you it's certainly not expected. I don't care if you're a landowner, a business owner or whatever it's going to be, when you have to dig yourself out a hole that somebody else put you in when it's really not valid. But what kind of – when you put together – if you have to put together an inventory, what kind of costs would that be?

Mr. Nickel: Oh, for a – like a site evaluation?

Commissioner Mitchell: Yes.

Mr. Nickel: Yeah, I mean I don't know offhand, but you'd have to hire a wetland biologist. In that case, specifically to the wetland, you'd have to hire a wetland biologist to, you know – of some form or a qualified professional to make that assessment.

Commissioner Mitchell: Ouch. Thank you.

Mr. Nickel: And sometimes that can be, you know, as simple as a reconnaissance to show that there aren't critical areas present. In the case that there *are* wetlands present, then oftentimes if you have a development application you would need to perform a wetland delineation. That should show where those ___ boundaries are.

Mr. Gill: Chair, this is Peter Gill. I have a little bit of input on this with regards to the stormwater issue and facilities being mistaken for wetlands. As of – what? – 2017 in the recent stormwater update, we now require landowners to record the location of a stormwater facility on their property. And so hopefully that would go towards avoiding any potential confusion over, you know, whether this is natural feature or is this is a designed, engineered feature set up to manage a specific permit requirement. And so that is something that Skagit County now does and so hopefully that would/will help address some of the issues that Commissioner Rose brought up.

Chair Raschko: Any more questions?

(silence)

Chair Raschko: Okay.

Mr. Nickel: All right, I will move to the next slide.

(dead air)

Ms. Stevenson: Dan, we can't hear you. We lost you. You're muted somehow. There we go.

Mr. Nickel: Am I back?

Ms. Stevenson: Yeah.

Mr. Nickel: Okay. Sorry about that. So moving on, this is Agricultural Land Identification. It's in Part IV of the Shoreline Master Program. This is in section 14.26.410. That's on page 85, or *beginning* on page 85 of the Planning Commission review draft. And this is actually a flow chart that is in the very first section of your Applicability, and I'm just bringing this in as kind of a discussion topic. Because I think, you know, the discussion we had before is, you know, really _____. And the fact that we're bringing in the critical areas ordinance as the regulations in here into Part V of the SMP – which also has a section on ongoing agriculture – it's important that we understand kind of how these things work together. So this flow chart's very helpful. You know, if you have an agricultural activity, yes or no. How does this work? If it's not agricultural activity, compliance. If it's in shoreline jurisdiction, then compliance with the Shoreline Master Program is going to be required. If it *is* an agricultural activity, if it's an activity that existed prior to the date of the SMP – prior to the adoption date of the SMP – essentially I've got this circled here because the Agricultural section does not apply but the SMP – other parts of the Shoreline Master Program would apply. And then also, you know, Part V of the SMP, which is the critical areas section, applies in the Ongoing Agriculture section. Essentially there's an exception. For ongoing agriculture within shoreline jurisdiction, there's an exception for that. That can continue. You can change crops. You can change your agricultural practices. It's in areas if you're outside of the shoreline jurisdiction and you are in existing agriculture, the County's Voluntary Stewardship Program, the VSP, actually applies in those areas. It's when you're having new development, new agricultural development, is when compliance with the Shoreline Master Program – its *entire*

compliance with the Shoreline Master Program, including section .410, the Agricultural Activities section, would need to be – you'd need to comply with that.

And so it is confusing. I will not mince words. The critical areas ordinance and the Shoreline Master Program, you know, working together now within this section, because you have section .410 and you have the section in the critical areas ordinance which addresses ongoing agriculture. But I think it's – you know, the one thing that we can be clear on is if you have ongoing agricultural activities, those would be allowed to continue and you would not – you know, this Shoreline Master Program, specifically this ag section, would not be, you know, it would not be reviewed under those rules. But future development is a different story. That is, certainly future agricultural development.

So I'll pause there. If there's questions regarding this section particularly – how this is integrated. I'd be happy to provide some clarity if needed.

Chair Raschko: Commissioner Shea, please.

Commissioner Shea: Yeah, thank you. I guess I'll speak to this _____ I asked some questions on it earlier. I understand, I guess, the idea and everything of this. I just want to make sure that people who are maybe unsure if their – if any documentation of their agricultural activity prior to the adoption this paperwork for the Shoreline Master Program, that maybe they look into trying to get some sort of documentation just in case there's any issues arising if they wanted to do new development or new agricultural use buildings or anything like that. So I understand it all. It all makes sense here. Just I just wanted to make sure that if anyone did have a concern that their property isn't considered agricultural right now that they try to get some sort of documentation if they want to do projects down the road. So that's all I wanted to say.

Mr. Nickel: Yeah, I think I'll just add to that. I think – you know, Betsy brought up this at one of the last discussions, was that the County actually does have some very, very good aerials and historical aerials that do provide some of that level of information. So for property owners that have questions whether or not they can show that documented proof there might be some resources available by the County.

Chair Raschko: Okay, Commissioner Woodmansee.

Commissioner Woodmansee: So I have a hypothetical. If – let's say you have a piece of land that has fallen out of the agricultural use but that is capable of being used for agricultural purposes and it's adjacent to a shoreline and the neighbor has an existing use that has been maintained and perfected. When you go through the Shoreline Program, ultimately you could have two different parcels doing the same agricultural action but one having a different criteria as to, say, how close you could be to that shoreline, or some other development requirement of improvement or something. Could we have that kind of a situation happen? Let me know if you didn't understand my question.

Mr. Nickel: Yeah, I think I'm understanding. There is language in the Ongoing Agriculture section under Applicability that does speak to lands lying fallow. And I believe it's a five-year – let' see – I think it's been five years prior to the date of 1996. Am I reading that right? Betsy, do you know this offhand?

Ms. Stevenson: No, I'm just reading the definition for "agricultural activities."

Mr. Nickel: Oh.

Ms. Stevenson: You're looking for the .120? I've got that up here too. Let's see. I think I remember something about five years.

Mr. Nickel: Yeah, it reads here: "The provisions of this section shall not be interpreted to permit expansion of ongoing agriculture, including agricultural drainage infrastructure, into areas that did not meet the definition of ongoing agriculture on May 13, 1996, including lands that were fallow on that date but had not been in agricultural production within five years prior to that date."

Commissioner Woodmansee: Okay. That answers my question.

Commissioner Mitchell: Dan, could you – this is Commissioner Mitchell – could you repeat that one more time so it's crystal clear? So what you're – so for his example, Commissioner Woodmansee's example, then the two properties could be treated differently.

Mr. Nickel: Well, I guess it depends upon how long it's been out of production. But in that case, yes, I guess theoretically they could be treated differently.

Commissioner Mitchell: Okay, thank you.

Chair Raschko: Okay, Dan.

Mr. Nickel: Okay, I'll move on. The next section here is on – I just wanted to kind of jump back to this. This is on the mitigation plant survival performance standards. I think there was some questions early on during our discussion on these performance standards. And again, this is coming from a couple of sections in the Shoreline Master Program, specifically in section 14.26.475 on page 130. That's the Natural Systems and Enhancement section. And then also in, I think, the Shoreline Stabilization section, which is 14.26.480 on page 134. And the question here was – you know, we've got language in here about performance standards hitting a 100% survival standard for the first year of growth following installation. The target is no less than 80% survival at the end of the third year. And essentially the question kind of boils down to, Well, how do you achieve 100%? And I think I tried to answer this when we talked about it. I don't know if it was that clear but really there're several reasons here for this standard. There's one simple one, which is that it's consistent with other agencies. The Department of Fish and Wildlife, for instance; the Army Corps of Engineers. They all have these types of standards; however, it's just also important – I mean, the basis of this is just really trying to ensure that we meet these targets for survival. 100% is difficult to meet but it's not impossible. With proper maintenance of mitigation plantings it can be achieved; with proper irrigation; with proper control of weeds; and ensuring that they are successful. It's been documented that if that maintenance is done and the monitoring's performed, especially within the first year and two years and three years, that these mitigation sites are much more likely to succeed. If those things aren't done, it's a very, very low success rate for mitigation plantings. So it is something that, I think, keeping up with the standard across the board with other agencies that that's why we have this 100% survival standard. But it is intended to really try to protect the overall success of our mitigation plants.

Chair Raschko: Okay, Commissioner Mitchell?

Commissioner Mitchell: Yes, thank you. Quick question for you, Dan: What are the other agencies that pair up with that?

Mr. Nickel: Well, yes, Department of Fish and Wildlife. They do require mitigation planting. Department of Ecology will require mitigation that applies to wetlands. You know, Army Corps of Engineers will require this for impacts to water bodies as well as wetlands. Those are the primary entities.

Commissioner Mitchell: Are those nationally applied or are you discussing really only state-applied?

Mr. Nickel: Mostly state. I mean, the Army Corps of Engineers certainly applies federally across the board, but my experience has only been within Washington state in that sense.

Commissioner Mitchell: Okay, thank you.

Chair Raschko: Commissioner Knutzen?

Commissioner Knutzen: Yeah, I just have a comment on the 100% survival of the first year. Number one, I would respectfully disagree that that's achievable. I was a crop farmer for my whole life – 45 years. You always strive for 100% but I have yet to see it. One out of 1000 is not 100%. So my question is: I agree that's the goal. It's always the goal. What if the performance is not achieved? What's required?

Mr. Nickel: Generally in that sense if you're doing your monitoring and you're submitting the monitoring report (that) is showing that you're not achieving 100%, those really would be replacing those plants. Again, the goal here is by the end of the third year to achieve 80%, so you're really held to that first year of 100% survival. Again, through monitoring it if there's not 100% survival, replace those that didn't survive to get yourself back up to 100 so that the goal is to achieve 80% at the end of three years.

Commissioner Knutzen: So the first year if you were 100% it would be monitored, it would be documented but the real rubber meets the road at the third year when you need to have no less than 80%.

Mr. Nickel: That is correct.

Commissioner Knutzen: Yeah, okay. Okay, thank you.

Chair Raschko: Okay –

Mr. Nickel: One more? Okay, so moving on I just – the last minute discussion topic I wanted to hit on was the no net loss requirements. This is handled in Part III of the SMP under Environmental Protection. This is section 14.26.305 on page 56 of your review draft. And I just – there was some discussion on no net loss of ecological functions, and this is actually subsection (1) there. This is – it says here: "Uses and developments on Skagit County shorelines must be designed, located, sized, constructed, and maintained to achieve no net loss of shoreline ecological functions necessary to sustain shoreline natural resources." That is a statement that applies to all conditions. It's a general provision and it applies in all circumstances. The focus here (is) really to achieve no net loss. There's many mechanisms that are spelled out in the SMP but really the fallback basis is making sure that mitigation sequencing is used. And that's handled in subsection (4) of this section, is where mitigation sequencing is spelled out, and, you know, certainly it's going to help achieve no net loss because it goes through this order of sequence. When you're evaluating your potential development and the potential impact there, this order of sequence is

necessary: That you first avoid or try to avoid the impact. If you can't avoid it, then you minimize the impact. You rectify any near term impacts. You reduce those impacts and if you can't fully mitigate that way then you go into compensating for the impact, and that's your mitigation proposal. And then eventually there'll be monitoring the mitigation itself.

So, you know, it's a really important sequence to go through. It does ensure that we are trying and doing our best to minimize the overall impact on a site, both individually and cumulatively across the shoreline. If we do this properly, you know, one of the things that the Shoreline Master Program is required to do – what we're required to do in terms of our work – is to look at cumulative impacts of future development. And we certainly rely on this language to ensure that over time, you know, we'll be able to maintain our baseline ecological functions. It's not a catchall. You'll see on the figure on the right here – I think it's a pretty good figure. It can get kind of confusing, but this center line here where it says "No Net Loss" and "Current Baseline," if you think about it on the y-axis is the ecological functions from lower to higher. And if the center is our baseline, any development – I shouldn't say "any development," but ongoing development or existing development in degradation, shoreline violations, and then impacts from potential new development. All of these things can negatively impact ecological functions, and it's really a factor of providing mitigation and, in some sense, restoration even to get us back to maintaining the current baseline. It's really important for us to just continue to recognize that that mitigation sequence is important to just reduce the level of negative impact on ecological functions. So I bring this up because no net loss is something that is talked about a lot. It will keep coming up. It's a nuanced term but it is – it's an important one, especially since it is required in many aspects of the Shoreline Management Act.

So I'll pause there. If there's any questions on that or its implantation, I'd be happy to answer.

Chair Raschko: Commissioner Woodmansee, have you a question?

Commissioner Woodmansee: Yes. So my question is related to basically the score card on net loss, and if it's hypothetically I can hire a consultant or two different consultants for the same project, and one might give me a score of habitat of 5, one might give me a score of 4 possibly. So how do we regulate the process of that everybody's-playing-on-an-even-field as far as we're scoring the no net loss? Can you explain that process to us a little bit?

Mr. Nickel: I can try. I probably won't be able to do it very well because it's – I'd say it's complicated, to say the least. But you're absolutely right. I mean, the example you gave, I mean, happens actually quite frequently when you're just talking about a wetland evaluation. You can hire one consultant and they'll give you a different answer than, you know, the other consultant, and that's partly based on nuances in the rating system. It's based on professional judgments that are different. But so you can come up with different answers. But I'd say, you know, cumulatively when we look at all of our shoreline areas to maintain this baseline condition, it's really, really difficult for us to put our finger on what that is today and say, Here's our baseline, because there're just so many factors that you could weigh in. Its vegetation, its habitation structure, its water quality, its hydrology. It's a number of different things. But what the – what really needs to be looked at individually right now is, How do we evaluate individual projects? Are those required to go through mitigation sequencing to evaluate the level of impact that they're going to have on our environment? And does the SMP require enough mitigation to basically achieve a no net loss on an individual basis? And if we can do that, then we can be a little bit more rest assured that we can achieve it cumulatively.

I will add to this that, you know, the County has to show the likelihood of achieving no net loss over time right now in that cumulative impacts analysis. In the future down the road – and I don't know if specifically if it's going to be eight years from now or when it will be, but most jurisdictions, I would say, are going to be required to go through this analysis again and will need to document that yes, indeed, over time they did succeed in maintaining their baseline condition. And if actually they *didn't* maintain it, then further restrictions might need to take place. So how does the County do that? I would say there's a number of things to look at. One basic one might be vegetative cover. This great aerial imagery that you can evaluate now looking at vegetative cover over time. You can look at things like shoreline armoring. Changes in the extent of shoreline armoring, changes in vegetative cover. So those are kind of generalized landscape type of evaluations that might be employed later on years down the road to assess whether or not the County did achieve no net loss. But the only thing we can really do right now is to evaluate it on a site-specific basis, and so we need to look at things like mitigation sequencing to ensure, you know, yes, in fact, on an individual basis we can be, you know, rest assured that we actually are achieving that individually.

Commissioner Woodmansee: If I could follow up: So in our shoreline plan, is the County going to have a person that does that scoring on the project, or is it something that'll be hired out to a consultant, is one question. And – well, I guess obviously different consultants will come up with different plans and thoughts. So I'm curious how we're going to, like, site by site do our scoring, and if it's a consultant situation or if it is a staff person.

Ms. Stevenson: I guess I can answer that. Right now, as you're aware I'm sure, with our critical areas we require that landowners hire a consultant and then they, if it's needed, they do a site assessment. And part of what they look at would be all of those things, so they'd be reporting to us. But once the County goes through that and accepts it then that's us approving it – if that makes sense – so we will need to make sure that we're being consistent in what we're doing and how we're doing it. So they would probably go out on the ground and do the work and then, just like we do now, we'd evaluate it and get it to where we kind of agree with it and we think they're right. And even though each consultant may do it a little differently, it's up to us to make sure we're consistent in how we determine what that looks like on the ground. Have they achieved what they were supposed to? And it's been working out pretty well in the critical areas end of things, but we aren't required like we will be here. And I think it's only fair. People always ask: Well, so we're doing all this stuff; has anybody been keeping track? Is it successful? You know, do we need to look at something less or something more, or what's happening? So it'll be a good exercise and I think it's important. We actually at one point – The Watershed Company did do some work for us showing how with each permit we could mark down in some different fields and categories in our database, our permit database, of things and then kind of tally those up too to get a better sense cumulatively, if that makes sense. It kind of did when they did it; now that the software for permitting has gotten so much better, we're hoping to get something new and hopefully it'll be even slicker and it'll make it easier and we can do more stuff site-specific in terms of mapping and PCAs, and all that kind of stuff, and pay attention to the monitoring so we are having success rates that we need to have and not just assuming that it's happening. So, yes, it probably will be staff, and hopefully it will be more staff! Because we're spread pretty thin right now. But, yeah.

Commissioner Woodmansee: Okay, well, thank you. I just was curious if there was going to be a consultant thing or if it was staff. So at this point it'll be staff, as I understand it.

Ms. Stevenson: Taking what the consultant does and what we need out of it exactly. Yep.

Commissioner Woodmansee: Yes. Yes. It ultimately turns into a cooperative effort between the two.

Ms. Stevenson: Exactly. Yep. And as they learn what we're looking for, they'll do a better job, too. You know, we train each other so it works.

Commissioner Woodmansee: Sure. Okay.

Ms. Stevenson: Thanks.

Commissioner Woodmansee: Yeah, thank you.

Chair Raschko: We have a question from Commissioner Shea.

Commissioner Shea: Yes, thank you. This is Commissioner Shea. So I guess I just wanted to put this thought out there or get maybe a response to it, but it was brought to our attention that there is the Second Substitute House Bill 1117, and so it's talking about the net gain in ecological functions. And so I know this is the current language in our Shoreline Master Program that we're looking at currently, but how would that potentially affect this in the future, since I'm – the assumption being, or the thought in my head would be after this is adopted, if it's adopted, that the net gain ecological functions language would kind of be updated into this. Just maybe a comment on or some more explaining about how maybe that bill would affect this section with no loss requirements.

Ms. Stevenson: Over time I think it probably would. But it takes time after a bill is passed, if it passes. First it has to pass, and they've had something in there for at least the last couple years that I'm aware of. So first it'll have to pass, which it may, and that's fine. And then the responsible agencies will have to do what's called the "rule drafting," which takes time, and get something adopted into law and code. And then they usually come up with some guidelines for, Well, here's what the law says and now here's how we think you should try to do it. So I think it would still be over a period of time, but you're exactly right. It doesn't mean we get to hold the line. It means it has to be in the green always. So we're going to have to do more than what the development is driving to bring us down a little bit. We're going to have to go beyond that. So we're mitigating for impacts but we're also mitigating for past things and trying to make things better. So, yes, we would have to take a look at that again. I think that we'll do a better job of keeping track. I think the Shoreline Inventory and Characterization Analysis that The Watershed Company did at the beginning of the process, we would probably at some point – although I hate to think about it – have to come back and do that kind of work again. Because since that has been done, I know there's been a lot of restoration work and a lot of things that have happened in this county so I'm guessing that we're up, you know, from there in a lot of areas. And, you know, development hasn't been a real boom, at least in the county so much, at least out in the rural areas where it's impacting critical areas and vegetative buffers as much, if that makes sense. But, yeah, you're exactly right.

Commissioner Shea: Thank you.

Chair Raschko: Go ahead please, Dan.

Mr. Nickel: All right. Carrying on, there's a couple of topic areas we wanted to mention here. This relates to the Channel Migration Zone. So in the 2016 Planning Commission draft, there is reference to Channel Migration Zone mapping. We previously included reference to this. However, the mapping is not yet complete and, therefore, instead of referring to an incomplete

map which we don't have we're proposing to insert use of the 100-year floodplain as a regulatory proxy until that mapping is complete. And so there's a number of areas in the Shoreline Master Program – I've listed them out here below – that refer to that mapping, two policy sections in particular. One is under Dredge Disposal and the second under Instream Structures. And I reference the policy language here. For Dredge Disposal, it's Policy 6C-8 and in Instream Structures it's Policy 6C-11. And then in the regulations there's two areas that refer to CMZ – Channel Migration Zone – mapping. The first being in the General section, General Provisions for Debris Removal. That's actually section 14.26.330(12). And then the Flood Hazard Reduction section. That's 14.26.350. And in all of those cases, reference to the Channel Migration Zone has been removed and we're now using "floodplain." And by definition, the "floodplain" is the 100-year floodplain. So we're using that as a proxy. So I just wanted to bring that out because I think that's something that we're going to have to bring forward. It's not in the Planning Commission's draft right now. We've done it, but we're going to bring that forward for the public review draft that'll come out soon.

Any questions on that issue?

(silence)

Mr. Nickel: If there's not, I will continue moving on. I wanted to just – the next few slides are things you've seen before actually, so I just wanted to kind of hit on these again and see if there's any more questions. I don't think there are but.... We talked a bit about the changes we made to the Gumes Island maps, again for consistency. These changes were made based on the Planning Commission's 2016 recorded motion. There were five areas that we changed – actually changed then reverted them back to the original designations. We talked about those already.

The next one here is on Judy Reservoir, which we talked about last time. We are proposing to remove Judy Reservoir from the Shoreline Environment Designations. This is something that the Department of Ecology has also supported. We've had written documentation from Ecology on this. And so that is being removed from jurisdiction.

And then the last item, which I gave you some – we needed some further input – is related to the Rural Conservancy Skagit Floodway designation. And again, this is the designation along – currently it's the Skagit River between Highway 9 all the way upstream to the confluence with the Sauk River. In this area, which has a fairly extensive floodway, we have created a unique designation. It's very, very similar in terms of – it's identical to the Rural Conservancy designation in terms of its uses and modifications allowed, but we have designated it on the maps so that it's very clear when you're in or when you're outside of the floodway. And so you'll see this on this map here. This is the area shown in blue, all the way along in the darker blue along the Skagit River. Now in the 2016 Planning Commission review, the Planning Commission recommended extending the Rural Conservancy Skagit Floodway designation to cover all the Rural Conservancy upstream on the Sauk and the Upper Skagit to the limit of the FEMA floodway. And we mentioned this last time, but there's a lot of concern at staff level that the floodway in the Sauk River area's just not ___, and so it wouldn't be a good idea for us to show the Skagit River – the Rural Conservancy Skagit Floodway in that area; however, you know, if we were to do this in the Upper Skagit, that is a different story and I think that the County staff feels like we could move forward with that. And this is a blown up map of this upper section. So here at the lower left-hand corner is where the Sauk River comes in, and you'll see this area in kind of this light green – is the Floodway designation, and you'll see that it carries upstream on the Skagit for quite some way. And then we could bring that in as a Rural Conservancy Skagit Floodway designation, and that's currently what's being proposed in our maps.

So is there any question on any of these environment designation changes?

Chair Raschko: We have a question from Commissioner Candler.

Commissioner Candler: Yes. Thank you. What is the reason for the difference in the perceived map accuracy in those two sections, if that makes sense?

Mr. Nickel: Yeah.

Ms. Stevenson: I can answer that if you want me to.

Mr. Nickel: Go ahead, Betsy.

Ms. Stevenson: I have looked at the maps. We still have people come in and the maps are – when did they get adopted? In '86, I think, maybe. I'm recalling somewhere. It's been a long time ago. But if you open it up onto the Sauk, because the Sauk is such an active river and it moves so much, a lot of the area that shows up as land and has a floodway line is actually in the middle of the river now. I mean, it just doesn't reflect what's really going on on the ground because the river shifts around so much. So for us to add another layer of kind of inaccuracy by calling it floodway here is just really hard. And, like, people will come in and say, Hey, can I build on this property? And it's quite a ways above the elevation of the river out there along the Sauk in a lot of places, and so you'll see the lines on there. But you tell them, you say, Well, yeah, if you look at this map – and you can try to find a house or something to give a point of reference to them because it's not an aerial at all – where this line is is actually where the river is now, and so where you're talking about is, you know, we can't even apply it very well. It's very difficult and all we can do is tell people, This is a very active river and you need to be really careful. And we've had some people that thought, but.... If it's like, yeah, you probably don't even want to build something. You're better off with something on wheels so you can get it out of there quickly if you need to. It just – even though the floodplain and the floodway lines may not reflect a regulatory, we know that, Hey, not too long ago right up here we lost several houses, you know, in a very similar situation. So it's just way too active to try and add an overlay like this and have it be at all accurate. We've partnered with Snohomish County – it's been quite a while ago now, I guess – and did a study of the Sauk and the channel migration, and just viewing the historic aerials. I mean, if it's something that you're interested in and just where it's moved since the '30s, it's been all over the place. So it made a believer out of me for sure in just trying to deal with people asking questions and showing them on our flood maps what they show and what it really means in real life to them is just kind of an eye opener. So I would hate to add another layer of that. I think we just let sleeping dogs lie on that one and work with them individually as they ask us, rather than try to show something here.

Commissioner Candler: Interesting. Thank you.

Ms. Stevenson: Sure.

Chair Raschko: Okay, anybody else? Commissioner Woodmansee.

Commissioner Woodmansee: Can you explain to us and to the public what the practical difference is in adding this Conservancy on up the Skagit? Like, how does it affect somebody if they own property in that area? I actually really don't know the answer to this and so that's why I'm asking.

Ms. Stevenson: No, it's a really good question. Basically I was concerned if people came in and all they looked at was our Shoreline Program and they figured out what shoreline – Oh, we're in a Rural Conservancy shoreline designation so what does that mean? We want to build a house. Let's go over here and look at this. Oh, look at all these things. Great. They don't talk to anybody else or look to see that the property's also in the floodway, which has a whole other layer of regulations that are probably way more restrictive than the shoreline regulations. So it was just a way of saying, Yes, your designation for shoreline is Rural Conservancy but you're also in the floodway, so you need to look elsewhere into the flood code to see what other restrictions apply to you. It isn't more regulatory. It's more of just a way to give people another signal that, Hey, there are other things that will come into play on this property.

Commissioner Woodmansee: So to follow up, so we're not actually changing the designation. We're actually informing them of the balance of their designation basically.

Ms. Stevenson: Yeah, that for the Shoreline Program it's Rural Conservancy because that's where you fit. It's pretty rural property so you fit under that definition; however, in addition you also have this other overlay – basically an overlay because we're not regulating it any differently in the Shoreline Program – but you still need to go talk to somebody about the flood requirements and whether you can do what you want to do or not. Because we *have* had that happen before where people come in and talk to one group and they hear – they get their questions answered but they don't talk to anybody else or don't think to ask all the questions, and then they come back and we say, Well, you can't do that because of such-and-such, and it's, like, Well, why didn't somebody tell me? So it's just one simple way to visually show you've got something else going on here.

Commissioner Woodmansee: Okay, great. Thank you.

Ms. Stevenson: Yeah. Thanks for asking.

Chair Raschko: Okay, Dan.

Mr. Nickel: Okay. I just wanted to hit on – quickly on the schedule, and then I'll open it up for other questions. So we mentioned earlier we are trying, really trying to get this document ready for public release and for a public comment period, and we're thinking/we're hoping to get this out the beginning of April. We're still trying to get a public hearing. Our target is April 27th in front of the Planning Commission. And so that's really where we're at. We do have on here these monthly project meetings, these orange dots. The last one that we have currently scheduled here is on April 8th. We may decide to hold additional meetings in May and June. And again, our goal here is to get to a local adoption by the end of June, which ends the Ecology grant cycle, and then after that the State review process would begin. And there's a whole – the State review process includes their own public comment period, their own public review process, at the state level.

So I'll stop there and exit out of my screen. Other questions?

Chair Raschko: Are there any questions from the Commission? Commissioner Mitchell was first.

Commissioner Mitchell: Yes. Dan, I don't know if you're going to want to weigh in on this or not, but I certainly want to direct it to Betsy. _____. We received a letter yesterday. Peter Gill passed on to us that one of the members of the public sent in letters from Lake Cavanaugh with – pointing to the 100-foot buffer again for the shoreline residence thing. And I went back and spent quite a bit of time looking through transcripts, trying to figure out how we had made the decision that we

did in 2016, and it still feels like I've got some holes in that memory and how we did things. So between the two of you, I'd like to know as the shoreline thing applies – because it was on page, I believe it was 61, there was the table in our Shoreline Master Plan draft where it said that 100-foot buffer was, and I'd like some clarification on why that still stands. I know that the Lake Cavanaugh people had a lot of objections before 2016 and 2016 and obviously still do, and yet I can't remember how we didn't do anything about that or not change it.

Ms. Stevenson: I can take a stab at that, if you want me to. Yeah. As I recall, they were looking for a 50-foot with down to a 25-foot perhaps standard. And by being required to integrate our critical areas ordinance with our Shoreline Program, those buffers come across. So that 100-foot buffer is in place now for Fish and Wildlife Habitat Conservation areas, so it's not new. It's just being integrated into our Shoreline Program as well. Now they're required to meet the shoreline requirements *and* the critical areas requirements. This way it'll all be in one place and you get one variance and pay one fee instead of having to get two variances and pay two fees. So it will be better in some senses. It's still – I don't see any way in this day and age that us proposing to reduce that buffer down to, you know, something so small is going to fly, nor is it something that I would recommend that the County do. Especially since we have to prove no net loss and all the other things, how do you just automatically reduce a buffer by 50% without some sort of mitigation happening and without some sort of process?

Commissioner Mitchell: I appreciate your answering that. To play devil's advocate, though, to help round out the conversation: Just the same, Lake Cavanaugh is one of the places where it's been built up and historically can show a number of places that are closer than the 100-foot buffer. As a matter of fact, I would say an awful lot of them are less than 100-foot. So how do you go to the public then and say, Well, historically all these years you people have been able to do this. But I'm going to guess the number of lots – let's say there's 15 lots left – the last 15 are not allowed to do that although the others were.

Ms. Stevenson: It doesn't mean you necessarily *can't* do it. A lot of the lots out there are constrained and have issues. Some of them have different sections on either side of the road, so are you going to get to build on the lake side? Do you have enough room there to do something? Or are you going to have to go onto the other side of the road? Some of them have steep slopes. Some of them have issues with where they can put a septic system because they're taking water out of the lake with a surface water right permit to drink. So it's a real shuffle for what goes where on a lot to determine how it can be developed reasonably. Several people have had to scale back what they wanted because a lot of people are coming up there to retire and so they're not all just recreational weekend and summertime cabins. And what they wanted to bring with them from their current lives was like, Yeah, that's not going to fit. So they've had to scale back. But it is kind of a shell game of moving the pieces around, so sometimes in order to protect the water quality of the lake and their drinking water source, we have to move the house up front and put the septic system behind, closer to the road, and things like that. So yes. And a lot of people have gotten variances out there. Part of the variance process also includes mitigation, so where it may be parked out with grass and lawn all the way down to the lake, now they're required to plant some new vegetation and do some things like that. So we're not saying that they won't be able to do it, but they will have to go through a variance process. To just automatically reduce that buffer out there for them is really not – I wouldn't recommend it.

Commissioner Mitchell: So what would you say to somebody that came to the counter that was wanting to do this then and then they found out that they would have to do a variance probably to do something? How does staff work with them at that point to figure something out, or is it something on their shoulders to figure out?

Ms. Stevenson: We try to work really closely with people, and I've tried to convince them, you know, the folks at Lake Cavanaugh because I've been to several of their meetings. We are proposing to bring over our administrative variance process out of our critical areas ordinance, which does allow for some buffer reduction. We can work with landowners and get a 25% buffer reduction just by getting mitigation at a staff level working with them. And you can go up to just less than 50% as an administrative process so it doesn't have to go to the Hearing Examiner or a public hearing. We notify other property owners and we do a process and write a staff report and issue a decision and there's an appeal period and everything, but it's still an administrative process. And you would be amazed at the people that – through the Shoreline Program, you draw that line in the sand and say, Hey, if you go across it then you need a variance. When they have a little bit of – they have a few choices to redesign their – Oh, so you mean if I do this I don't have to go to that public hearing and it doesn't take that long and it's cheaper, and I could do this and go through the administrative process? Or, Wow, I don't want to do either one of those things; I'm going to make it smaller and move it back and make it two storeys. I mean, it really makes them stop and think. But we do work with them all along the way and just kind of share, Well, what about this and what about that? And so I've seen a lot of good things come out of those discussions with landowners. From what they came in thinking they wanted to do, we explained all the different things that are required for each of those and all of a sudden they've redesigned something, it comes from them, they've had the flexibility. And like you said, as soon as you cross that line – boom! This is what you get. They had some flexibility to kind of choose their pain level tolerance that they were good for. You know, whether they still – I still want what I want. I'm going to pay the money. I'm going to go ahead, go for the full deal. That's fine. Or, no – maybe they do make some of those changes. So it actually has worked pretty well.

Commissioner Mitchell: Okay, then I'd like to ask any of the people in the building industry what they think from what they've seen and experienced on something like this. The purpose of this conversation from my end at this point is to have people understand what the requirements really are and why, and what people can do about it, and if, in fact, we really still don't have any other options as far as the tables go or the dialogue goes.

Chair Raschko: Okay, both Commissioner Shea and Commissioner Woodmansee indicated that they had questions or comments, but since your question, Commissioner Mitchell, is wide open, we'll go first with Commissioner Woodmansee – have you got anything to say on that? – and then go ahead with your own point, and then we'll go to Commissioner Shea.

Commissioner Woodmansee: Okay. Thank you. Betsy, I have a question on the – this might date me a little bit, but there used to be a thing where you measured, like, 300 feet each way. Is that still part of a criteria if you're asking for a variance or is that changed now and the mitigation is just added to it now?

Ms. Stevenson: It *has* changed. We found over the years – you're not dating yourself because I go back and I used to have to do that stuff. We didn't have consultants to do all that so I was out there measuring all those things, and you meet a lot of interesting people when you're out there on their property early in the morning and – What are you doing? Oh, well, your neighbor wants to build and we have to.... So that's changed. Although it still serves a purpose, it's getting very problematic for either the County or the consultants to get out on neighboring properties to do that kind of stuff. So we want to – it's not required. It's just something that we had done to sort of help protect people who stayed back to begin with – to protect their view a little bit so that they got averaged in. So it was – yeah, all the properties within 300 feet of the side property lines, you averaged those in. If it's more than what the 50-foot setback would be, they have to stay back that difference. Like, it turned out to be 75; instead of being able to be at 50, they'd have to be at

75. If the average was less than 50, then they'd have to go to 50. So we aren't doing that anymore. It becomes mitigation basically. We get them at a place where we think seems reasonable or that works on the lot in terms of the variance as far back as we can without interfering with some of the other issues that I just mentioned, and then there's hopefully native plants and things planted, you know, between the development and the shoreline.

Commissioner Woodmansee: To follow up, so it seems like – so I get that. Thanks for the answer. So it seems like a fair line to draw would be you couldn't mitigate yourself closer to the lake than your neighbors. In other words, let's say, you know, you could be close to the 50% mitigation factor, or you could mitigate up just almost to 50%, but if that put you in front of your neighbors it seems like that actually wouldn't be such a great thing. So – but at the same time, the flip side of the coin is if the changing code stops you from being equal to your neighbors, that's not such a great thing. I would hope that we could, if at all – and I understand the difference now is – really the difference now is mitigation versus not mitigation, and so at least if they have the opportunity to get close to their neighbors with the mitigation, I guess that's – for me, that's the fallback position. I mean, I think we should just be able to line them up, you know, but that comes from, you know, a prejudiced point of view, right?

Ms. Stevenson: Things are supposed to be straight and square. I know, yeah.

Commissioner Woodmansee: Yeah. But the middle ground, I guess, is you mitigate to get there, but I don't think that you should be able to mitigate to get beyond what your neighbors are, if that makes sense – which is – you know, you might not expect me to say, but anyway.... If we can't – if we have to be in this position, I'd like to however possible you can get to equal or as close to it – I don't know if it's a policy thing or if it gets written in the code. But I'll stop talking and you can –

Ms. Stevenson: Well, there is criteria for granting a variance and part of that criteria is that you're not being granted a special privilege not available. So that's where you kind of look at what other people have done. And I know that it's not everything, but we do still look at those numbers, and I think even though we aren't actually measuring out in the field, we can use our Assessor's tool and measure in the office from aerials pretty well and give whoever is making that decision a pretty good idea of what's happening around that property and make sure that we're pretty close. And, you know, if you're coming in – if it's new development and you're coming in and you go build something in front of your neighbors, that's not really a great way to start things off. We've had some issues too and this is something that we have to work with, is when some people who are doing a planting plan to do their mitigation, their neighbors have objected to the plants that they wanted to plant because they would grow tall enough to create view blockages. So it's give and take all around, and we do still try to work with everybody, both the property owner and the surrounding area. People who live on shoreline areas are there for a reason. They like to be outside. They love what they have. And you just need to be cognizant of that and work with them. And if they're all getting along, that's great. But if they aren't, you still need to make sure that they all get heard and, you know, maybe you let those guys plant something that isn't going to be quite so tall. There's a lot of different things that you have to take into effect. But you're right. You want to make it blend in and be a part of a community by kind of keeping the status quo or not coming in and doing something too crazy.

Chair Raschko: Commissioner Shea.

Commissioner Shea: Thank you. This is Commissioner Shea. Two maybe short questions: But I know you talked about Lake Cavanaugh as far as buffers, but then there was some questions as

far as the 2016 letters with the dock specifications that some areas in the lake it may not be adequate enough to prevent, like, **crop wash** and things like that. I'm assuming that someone would be able to at least apply for a variance to get a different dock situation. But that's the first one and the second one, this is kind of a recurring theme. I guess it has to go with a little bit with, like, landowners on Lake Cavanaugh _____ landowners may be held to different standards, but then it also kind of bleeds in a little bit to the agricultural designations we were talking about earlier, that there's maybe a situation where one landowner adjacent to another one that may be doing a similar land use might be held to different standards. So I guess just a comment to that: I think you do have to draw a line at some point and say, At this date or this time on these land uses we're going to draw the line in order to establish somewhere to build or improve upon. So that does make sense to me. One thing, and it's specific to Lake Cavanaugh and being equal to your neighbors: There's some sort of incentive for a landowner to have a larger mitigation or to try to have a larger buffer versus just going to what their neighbor is or anything like that. I think you mentioned some sort of incentives but, yeah, specifically an incentive to have landowners like, for instance, on Lake Cavanaugh to go for a larger mitigation or a larger buffer instead of trying to be closer to the lake.

Ms. Stevenson: I guess the incentive is – the incentives, as I would see them, would be kind of what I talked about of giving them the flexibility to redesign based on their threshold for spending money on variance applications and doing some of that work and determining for themselves, you know, if they want to spend the money and the time and go through the criteria and think they meet the criteria and give us an application. Then we'll certainly review it. But I also – some people really don't understand some of the values that our shorelines and shorelands have for us and what they do for us, so you get an opportunity to provide some education that they are stewards. That water out there belongs to all of us. It's – you know, it's state water so they are the stewards because they live close to it and there are certain responsibilities that come with that, as far as I'm concerned. You know, I'm a Girl Scout. You can tell. I paid attention. So you leave things better than you found them or you certainly don't mess them up. So I think it's a great opportunity when we're out there looking and doing our site assessment work and, you know, just reviewing their proposals to actually have those conversations with folks. Yeah, you can come out here and have a great time and you can run your boats and your jet skis and have all the fun that you want; however, you know, there's a tradeoff for that. You know, there are things that you have to give back as well and, you know, for the good of everybody. And most people are pretty receptive to that. I mean, you kind of have to play it by ear. But they don't want it trashed either. They really like it there. They think it's special. That's why they're there. So just kind of when you get a chance you take the opportunity and point those things out to them. And, like I said, most people are there for a reason – is because they love it and they think it's beautiful. They may or may not realize that some of the things that they want to do could affect that and could detract, or could impact something that's going on further up or down the lake – that kind of stuff – or the fish, the birds, the different things that are around that they enjoy, you know.

I don't know if that answers your question, but to me that's kind of what you get in the way of incentive.

Commissioner Shea: That's good. I guess the other part to that: Can someone get a variance if they needed a different type of dock that wasn't in the Shoreline Master Program specification?

Ms. Stevenson: They can apply for a variance. Same criteria. There are times, like currently we have dock standards with a length, and a lot of times, just like you mentioned, that length of dock doesn't get you out into water deep enough that you can safely moor a boat there. So there are things that may warrant a variance. And so there are places where you can get a variance to build

a longer dock. So, yes, there's different criteria. You have to meet the variance criteria but there's also some language in there that we've talked about in our dock standards and things that – it's a little harder because what we're trying to do is reflect some of the other standards that the state is now **excepted** to in terms of size and width. It's not designed for a party place. It's designed to get you walking up and down a walkway to another section of your dock that you can moor a boat on or several boats on. So to get to what some people want to turn it into is going to be tougher to meet those criteria, but we certainly will entertain their applications.

Chair Raschko: Okay, thank you. Are there any other questions from members of the Commission? Okay, you want to go ahead again? Oh, excuse me – Commissioner Mitchell?

Commissioner Mitchell: Yes. Betsy, I think I remember seeing one time or other you told us before that the County was looking at doing pamphlets and things for people. Have we done that for people to help inform them for – to the dock situation and those kinds of things? And also can you tell me how the Lake Cavanaugh people are perceiving this information now that the standards have to be the way they are?

Ms. Stevenson: I'll probably let them speak for themselves but they still would like what they're asking for. They brought this before you back in the previous hearings. A lot of the information is the same as what was submitted then so they're still lobbying and anxious. I have been and will continue and try. COVID makes it a little bit more difficult to sit down around a table and have the conversation, but I'm going to set up a meeting with whoever in addition to the gentleman who submitted the letter – wants to talk through the dock standards and make sure that they at least understand what we're doing. We want to make sure that they realize that we're trying to work with them and we think that we can get a lot of what they're looking for. But the bottom line is those docks are designed to moor boats and get you to and from your boat and not necessarily for all the other things that people might want to use them for. So we'll have to – it'd be within reason, but I do want to reach out to them again.

And the question about pamphlets: yes, once we get everything all set so that it is the way that we think it's going to be proposed and either adopted or what we would like to see adopted. The pamphlets for educating people would be afterwards obviously. I know the last time we updated our critical areas ordinance where we made quite a few changes back in, I guess, 2009, we did have several landowner workshops where we explained the changes and what it meant and kind of what I just described to you as far as siting on your property and all the different critical areas that we're looking at and why, and what all the new standards meant. So I would assume that we would probably do something at least equal, if not more, here. Because this is a brand new document. It's not like, Oh, we made a few changes to the existing Shoreline Program. We had to kind of start from scratch. We did pull some stuff out of it, especially policies and things, but for the most part there was a lot of new information that we had to address so we pretty much started over. So, yes, I think the education piece, and our County Commissioners are very supportive. You know: You need to educate people so that they understand both what you're doing and why you're doing it and why it should be important to them – why they should want to take that on and be a part of that. And so your question, Joseph, about incentives – why is this good for me? Why is this something that I should be in favor of doing and want to do, even if nobody's looking? These are things that I should just be doing. So we'll have to think about that. But so until we have something adopted, what we have – we do have standards for docks and different things that are existing now that we still can hand out to people, and all the critical areas of what they are and why. We have those pamphlets that actually have been used statewide. I've seen them around and it's, like, Hey, I recognize that! So we will continue to do that. I think it's really important and I think as all of this virtual meetings and just living more virtually and online people will expect

more to be available to them easily online. So those are the same kinds of things that we can start doing, either little videos – we kind of started that a couple years ago, explaining things to folks. I know Peter's done a few of them and I think they're pretty successful. Our Clean Water Program through Public Works does a lot of them and they're great. It's easy for people to watch at their leisure and something they're interested in. We could certainly easily take each section of the Shoreline Program and talk about that for a minute or so. And, I don't know, it'd be fun to go out in the field and actually show some things. That'd be fun for me. I'd enjoy that. I wouldn't want to talk on the video, but I'd be willing to tag along – direct! But yeah. No, I think it's really important that we do reach out to folks and make sure that they understand what it means to them.

Chair Raschko: Thank you. If no more questions then, Dan, why don't you go ahead and wrap up, please?

Mr. Nickel: Yeah, well, I think that concludes things from our presentation side of things. So, you know, next steps for us: We will be, I guess, taking Ecology's input. Again, just to reiterate, most of Ecology's input has been on consistency with the WAC, consistency with state law. So we're bringing, you know, some of those things forward that do actually help the Shoreline Master Program and our understanding of what's going on, so that's being done. We hope to get ready for a public release in early April and a hearing, hopefully right now, April 27th. We'll see. Betsy's looking at me like, What's he thinking? But we're making good progress on that end.

Ms. Stevenson: And we will come back to you with that document too once we get it finalized for ourselves with what Ecology wanted and run it back through them. And there may be places where we agree to disagree. I'm hoping that we can get close enough that it works, but there may be a few things like that. But we will bring it back to you for at least one or two study sessions with you so we can run through it with you as far as what we've changed and why. So far it hasn't been too painful. The painful part now is getting it all ready to get it out and getting a staff report completed and getting all the notices together and all of those things, and it's two weeks away so it scares me. Two weeks is not a lot of time! But we need to get it done and we're trying very hard to keep the schedule, and if it slides I want it to slide during the public part of it and your part of it and your deliberations, not in me getting my work done. So we just want to make sure you have enough time and the public has enough time. And I also want to thank you very much – I'm sorry I'm talking so much – for all your questions tonight. Sometimes we come away and you don't ask any questions and it scares me. It's, like, How are we missing? Why aren't they questioning us? They need to be asking. So thank you so much for asking questions tonight.

Chair Raschko: Okay. Well, I want to thank both you, Betsy, and Dan for a very large volume of work that you've done. The two of you have done very, very well and we look forward to seeing the results. Once again, just thank you.

So at this point we will turn to the Director Update. Mr. Hart?

Hal Hart: Can you hear me now?

Mr. Gill: Yes.

Mr. Hart: Great. I believe Peter has some slides that I'm going to ask him to go ahead and put in. Great. So let's go to the next slide, please. Great. So there's always changing conditions that we're talking about. I mentioned at our last meeting we've picked up dramatically in December, above some of the previous years. Really January is what picked up a lot. Commissioner Rose just told me that Bellingham saw a similar rise in January. The last three days of January we beat

the entire month of December. And so we don't have the total number; I'll have that tomorrow probably and I'll let you know. But we could be anywhere between, you know, around 200 in our backlog right now of permits. These folks wish to beat the energy changes at the last minute. And so that's a lot of permits. Most of them were not filled out all that great so we're working with them even now. When we take those in, we are still working with all 200 applicants to make sure those applications are completed and they have them in the way they want.

In the meantime, February and March have been busy as well, so that hasn't stopped. One thing that *has* occurred in that time is a lot of status checks. So we're going to be putting on some additional folks to help us answer those kind of questions at our phone bank because, again, when you get a year of building permits in the space of eight to ten weeks, then – and we know we're going to get a lot more this year than that, so we're staffing up to keep them flowing through our process, Commissioners. One thing that was brought up to my attention in discussions in the last 24 hours was lumber prices. They're rising dramatically right now. And so the longer we delay in our permit process, that means some people are going to get knocked out of the opportunity to actually build their housing. Because increased prices for raw materials is having a real effect out in the real world and that means people may put off those projects with the increasing lumber prices.

Let's go to the next slide. So I just wanted to show you a side-by-side comparison. Again, this is what I gave to you at the last Planning Commission. This is yesterday to the Commissioners. And so these projects are advancing. This is the expansion of our aviation footprint. We expect that to continue to increase.

Let's go to the next one. This is Legends, and I think the question was, What's inside the box? That's 85,000 square feet. You can see it's mostly covered now. They're working on the interior now pretty soon. But 85,000 warehouse and 15,000 office. So the nature of industrial is changing and that's something we watch.

Let's go to the next slide. Again, this is our list last time, but as of today I've got two more that I could put on there. Things happen quickly. So we had a couple of more distilleries asking to begin in Skagit County. So one of the first things we're going to do is put them in touch with Peter Gill and tell them – you know, they want to buy property. They want to run their distillery, process their things on the farm, and then they also want to have a tasting room as well. So we'll get them in touch with Peter Gill in those efforts. But people are investing in where they can grow the materials. I looked at one distillery and they're very proud of the fact that every ingredient that goes into their product comes within 27 miles. And so these are the same, the very same folks that think that way. Some of these other folks think the same way. So Skagit County's a natural place for them to add value to agricultural products and ship it regionally and nationally. So that's what they're really interested in doing, and so you can say our ag lands are creating jobs.

Okay, let's go back to the next one. I'm sorry. Here we go. We don't talk about neighborhoods that are growing. Rural neighborhoods grow as well. So this is just a few shots. There are some shots where I felt – there are ADUs and things, and I just didn't want to take those pictures. It felt too intrusive to take some of the pictures. But you can drive in this neighborhood – Bayview, right? Yeah, and there's at least four or five homes going in and/or properties that will be developed into homes. And this is last Thursday, just driving around seeing what's available and what's coming online. Very desirable. You've got regional views here. And so the infill is occurring – these are – it's going consistent with the plan. That's the thing that I can say. These are large lots or existing lots that are out there. So they're not subdividing; they're just moving out to the rural area and

building when they have the opportunity to. I did see a couple of ADUs, or at least one ADU right now going on in one of the subdivisions that's already existing out there. Okay?

The next one is – I haven't – every week we have an update from the legislature. These things are all moving: salmon recovery, climate change, LAMIRD bill. It looks like the LAMIRD bill will be out. It gives increased flexibility for counties in those Limited Areas of More Intense Rural Development. And we'll see when that becomes law, if it becomes law this week. A lot of stuff will be out, I think, by the 26th of this week and so we'll have a much better idea. I did do a – I think I might have mentioned this; maybe I didn't. I did some bill analysis for salmon recovery and climate change and how much it would cost. So both salmon recovery and climate change are going to impact our county. There's a divide between the larger counties that are – every county **larger than us and our county**, and so they have to do more things under climate change bill with the larger counties than what we would have to do. But this would change our Comprehensive Plan.

And then the last one is the housing, ESHB 1232. That's going to require us – it looks like it's going to pass – that one would require us to change our Countywide Planning Policies. It would put more emphasis on cities to use their urban growth areas better than they have to date. It gives more criteria for that, and, specifically it wants the cities to look at where jobs are being created and the housing that they're putting in. There's other criteria as well.

So just a quick update. Thank you, Commissioners. Any questions? And I would be happy to answer them.

Chair Raschko: Are there any questions for Mr. Hart?

(silence)

Chair Raschko: It looks like not, so I want to thank you very much, Mr. Hart, for the report. And we will turn finally to Planning Commissioner Comments and Announcements. So we'll start with Mr. Woodmansee. Have you anything?

Commissioner Woodmansee: Nope, I think I spoke enough tonight. So thank you to all the staff for their answers and participation.

Chair Raschko: Commissioner Shea?

Commissioner Shea: Nothing for me.

Chair Raschko: Commissioner Rose?

Commissioner Rose: I have nothing. Thank you.

Chair Raschko: Thank you. Commissioner Mitchell?

Commissioner Mitchell: Nothing. Thank you.

Chair Raschko: Commissioner Knutzen?

Commissioner Knutzen: No, I have nothing. Thank you.

Chair Raschko: Commissioner Hughes, have you anything? No. Have you anything, Amy?

Commissioner Hughes: No, I don't have anything.

Chair Raschko: Okay, thanks. And Commissioner Candler?

Vice Chair Candler: Nothing from me. Thank you.

Chair Raschko: All right. I as well have nothing. I once again want to thank both Betsy and Dan and the rest of the staff for their hard work and all my fellow Commissioners for their hard work as well. And with that, we'll stand adjourned.