

**Skagit County Planning Commission
Public Hearing: Farmland Ordinance
Deliberations: Wireless Facilities
September 27, 2022**

Planning

Commissioners:

Kathy Mitchell
Mark Knutzen
Vince Henley
Amy Hughes
Tim Raschko, Chair
Joe Woodmansee (absent)
Tammy Candler, Vice Chair
Martha Rose
Jennifer Hutchison

Staff:

Hal Hart, Planning Director
Sarah Ruether, Long Range Planning Manager
Jenn Rogers, Assistant Long Range Planner
Will Honea, Senior Deputy Prosecuting Attorney

Public Hearing

Speakers:

David Hawkins, Upper Skagit Indian Tribe
Jack Flander, Sauk-Suiattle Indian Tribe
Jenna Friebel, Skagit Drainage and Irrigation District Consortium
John Parent
Matt Steinman
Ellen Bynum, Friends of Skagit County
John Roozen
Brian Waltner
Howard Stafford
Kim Rubenstein, Skagitonians to Preserve Farmland
Maddy Vanderkooy
Andrea Xaver
John Anderson, Skagitonians to Preserve Farmland
David Christianson
Lorna Ellestad
Don McMoran
Heather Spore, Swinomish Indian Tribal Community Environmental
Policy Analyst
Melissa Norris
Unidentified Speaker

Chair Tim Raschko: (gavel) Good evening, everybody, and welcome to the September 27, 2022, meeting of the Skagit County Planning Commission. For roll call, I see everybody is here but let the record show that Commissioner Woodmansee is absent. Thank you. And I'd now entertain a motion to approve the minutes of our last meeting.

Commissioner Kathy Mitchell: I move that we approve the minutes from last meeting.

Vice Chair Tammy Candler: Second.

Chair Raschko: It's moved and seconded to approve the minutes. Is there any discussion of the minutes?

(silence)

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

Multiple Commissioners: Aye.

Chair Raschko: All opposed?

(silence)

Chair Raschko: Abstentions?

(silence)

Chair Raschko: So the minutes are approved so we will move now to the Farmland Ordinance Public Hearing. The purpose of this hearing is to receive testimony on the proposed offsite compensatory mitigation prohibition. Before we begin, we will have a brief presentation on the proposal from staff.

Will Honea: Thank you, Chair Raschko. Good evening, Commissioners. Will Honea with the Office of the Prosecuting Attorney. We had a pretty – I'll be providing the staff presentation. You know, we had a pretty wide-ranging question and answer session the other night and some of you asked that I try to summarize this ordinance, what's going on with it. So I've done that – prepared some comments. I'll address the ordinance and some of your questions that came up. You know, and I'll conclude with some of the bigger issues, the bigger-picture issues, as well. And all this ties together. I'll try to keep it brief – 10 minutes or so – so we can hear from the public. That's what we're here for.

First of all, on behalf of myself, the prosecuting attorney, and the Board of Commissioners, I want to thank you for the time you commit as planning commissioners. You're volunteers. You bring a diverse expertise in local knowledge in land use and natural resources policy and help guide an honest public discussion about some important issues. The Planning Commission's a venue in which our community can give complex land use and natural resource questions a public airing and a good dose of sunshine, including this issue. So it's where we can take the time to hear from everyone who has a legitimate view in an open, transparent, and public manner, and build a defensive legislative record based on transparency and accountability. So all that to say your role's extremely important and valuable to the people of Skagit County, so thank you.

So here's what's going on with this ordinance. Skagit County and its landowners have protected the Skagit Valley's farmland from development intergenerationally by giving up the land's development value momentarily. We've done this as a community because we believe that protecting the land's ability to sustain us is a duty for future generations, just like the fisheries resource. But this makes Skagit County farmland look cheap to other industries that need to mitigate for damage they do to the environment elsewhere. So the protection we've created for

farmland has a systemic vulnerability and that's what this ordinance seeks to address. You know, based on our Comprehensive Plan's objective to protect farmland as farmland. I would argue that *no one* should be mitigating on Skagit farmland for their outside impacts *ever at any time for any reason*. That's because mitigation on farmland for offsite industrial activity *is* a form of industrial activity on farmland, and we're against that, simply put. But this ordinance is not that broad. It's narrowly tailored to the problem and it only prohibits offsite mitigation on farmland to the extent that involves modifying hydrology, which is to say moving rivers, streams, levees, and dikes around. So we're talking about the kind of public works type projects that involve modifying critical infrastructure that really need to be led by local expertise, particularly given some of the major problems that have already occurred.

So the goal here is to protect *all* of our farmland, but an exception to that rule comes up when federal and state resource agencies, who are charged by law with protecting and enhancing the fisheries resource – when they tell us that specific actions need to be taken in specific places and serve as specific recovery plans with specific goals, objectives, and accountability measures. I think if you take nothing else away from what I say tonight, please take away that this ordinance is about accountability above all else.

Now, offsite mitigation: That's something else entirely from what I just described. It's not a recovery plan with specific goals. It's ultimately about consuming the Skagit's productive natural resources land base because doing that is cheaper than doing onsite mitigation somewhere. That's the point. Offsite mitigation also tends to produce inadequate planning and funding for long range management and contingencies – post-project contingencies. At least in a number of cases, that's happened, which local government then has to clean up at our own expense. Another problem.

So in other words, we are not banning large habitat projects on farmland. We're not banning mitigation for agricultural activities on farmland with this ordinance, and we're not backing away from Chinook recovery. We're simply banning large projects on farmland when those projects are for offsite mitigation purposes. And here's what I mean by that. Offsite mitigation is economic pressure to convert farmland when it has nothing to do with our obligation to balance and protect fisheries and farming in the best way possible. It's for this other reason. It's an economic pressure that's outside just protecting fisheries and farming in the best way possible.

Now another piece of this I want to clear up is the difference between onsite mitigation and offsite mitigation. These are important terms. Best Available Science says that onsite mitigation is the preferred way to deal with environmental impacts, meaning that environmental impacts should presumptively be addressed at the location of the impact. Only when it's impossible to do an offsite mitigation does one even look to mitigate at some remote, distant location. So when doing offsite mitigation at all, in other words – which is regrettable in the first place – Best Available Science says it's far better to do offsite mitigation in the same watershed rather than doing it in a different watershed. But it's offsite mitigation all the same.

So the problem here's a long-running concern and it's why we banned mitigation banking as a county in 2009. So this is not about Seattle City Light and its FERC license per se, although that's the problem in front of us right now so that's what everybody's talking about. So here's where we leave the kind of intellectual framework of this ordinance and I start talking about some specifics with the situation with City Light and its FERC license.

Now the ordinance is warranted within this intellectual framework of the ordinance. I want to make that clear. But there's a lot of concerns and this obviously has some connections and people want

to understand what's going on. The County has an executive function to get involved in legal proceedings and other things like this, and we're involved in the FERC process for that reason. It's different than this ordinance but all of you want to know about it and we've all been talking about it, so I'll talk about that for a second.

I want to start off – this is the important part. I want to make clear who's in charge of deciding what Seattle City Light has to do as mitigation for its dams' impact on the fisheries. Of course, Commissioner Candler was asking some questions kind of around that. Now here's the answer to that. Pursuant to section 18 of the Federal Power Act, the National Marine Fishery Service and, to a certain degree, the U.S. Fish and Wildlife Service, are explicitly responsible for deciding what Seattle City Light must do. So I'm making a bit of an oversimplification here but FERC's role is essentially to document what the federal resource agencies tell Seattle to do in this respect. So in practical terms, they're the deciders on fisheries mitigation for these dams. That's the system.

So here's the point. If the federal resource agencies conclude that Seattle's dams deeply and directly impact the Skagit estuary and specific measures have to be taken that involve wholesale conversion of Skagit farmland to offset those alleged impacts, then that is *onsite* mitigation. That is direct mitigation. And in that case, our ordinance, which bans offsite mitigation, has no applicability. But no resource – that hasn't happened. No resource agencies have said onsite mitigation at these dams is impossible. Quite to the contrary, they've been asking that Seattle study fish passage for some three years now, and despite it being Seattle's obligation to move that forward in good faith, it's hard to see that very much good faith progress has been made. I'll just leave it at that.

However, throughout the FERC process, Seattle City Light has definitely leaned forward hard on the Skagit delta and it has to do – because it's a cheaper option than fish passage presumably. You know, I don't want to bore you with all the evidence. There's a really good series on King 5. "River of Light and Loss," by Susannah Frame, details a lot of that. I can forward links to it after the hearing.

But I want to give you something specific. I wrestled with whether to talk about this, but I think, you know, it's an important community fact. In June of this year, so a couple weeks before the emergency ordinance was adopted, Seattle City Light's team sat right here in this room. We sat across from them right here. And they flatly told a whole group of County officials, including Commissioner Browning, Public Works Director Kane, and me that they planned to strike a deal involving a whole bunch of Skagit farmland. This was not a settlement discussion. It was essentially some people from Seattle telling us what was going to happen with a good chunk of Skagit farmland. This is our first in-person meeting. No federal agencies weighed in here about the appropriate answer here for these dams, so let's ponder that for a minute.

We took it about as well as when it was recently announced that they were considering a regional airport on Skagit farmland, which is to say we didn't think it was a great idea. So, you know, with their FERC license due in a couple months, this posed an unacceptable risk to our community. That's the genesis of the emergency ordinance. Here's the core policy issue at stake. State and federal resource agencies, Skagit treaty tribes, and local government working together should be deciding how to best balance fisheries and farming on Skagit County's natural resource land base and not a distant city's power utility. That's the policy issue. Now Seattle has an interest in producing electricity as cheaply as possible. That's what they're supposed to be doing. That's fine. But it doesn't mean they should decide natural resources policy for the Skagit Valley. This is not some theoretical problem I'm talking about. When you have a major energy production concern from outside the valley proposing to pay people a lot of money to do things that are just

flat inconsistent with our Comprehensive Plan, it inherently sets up a conflict dynamic – a divide and conquer situation.

Now people, I think, forget the actual objective – it's easy to get involved in complex things and forget what's going on – and it's this: We need robust and harvestable levels of all species of salmon and steelhead that actually return to the Skagit River and are available for both treaty and non-treaty harvests by the people of the Skagit while protecting our farmland and basic infrastructure. Now these objectives require bringing our community together, not divide and conquer strategies. There's no other way it's going to happen. The situation we're dealing with, it's just described to near perfection in a passage by one of my favorite writers, Wendell Berry. I thought I'd share this quick passage with you. It goes like this:

Abstraction is the enemy wherever it's found. The abstractions of sustainability can ruin the world just as surely as the abstractions of industrial economics. Local life may be as much endangered by those who would save the planet as by those who would conquer the world. For saving the planet calls for abstract purposes and central powers that cannot know and thus will destroy the integrity of local nature and local community.

I think that summarizes, you know, the policy issue that we're facing here. Ultimately what moves Skagit County government, what motivates us, the Board, is ultimately the desire to heal our community from three decades of relentless conflict over fish and farms. That's the bottom line. Now how do we do that? That's easy to say. Our community needs a credible plan that accelerates completion of the estuary habitat restoration that Swinomish seek, while protecting our farmland as well as making the Upper Skagit Basin accessible to anadromous species, as Upper Skagit and Sauk-Suiattle have asked. This is complex and there's a lot going on other than this ordinance. But on behalf of the Board, I'd ask you to understand and believe that what we're doing with this ordinance is entirely consistent with what I just described. We're not in charge of deciding mitigation for the dams under the Federal Power Act. But it is also obviously the case that Seattle and only Seattle can improve things for salmon in the Upper Skagit Basin. Salmon have thrived since time immemorial through their ability to colonize new habitat in the face of geological change – that's what they do – amongst glaciers and volcanoes. About 37% of the Skagit lies beyond Seattle's dams and what was there before is gone. It's inundated under hundreds of feet of water by the dams. What's there now is a series of large lakes connected to numerous tributaries, and this FERC licensing ultimately represents a once in a lifetime opportunity to make that habitat available for salmon. That's what's at stake. By contrast, there are a significant number of other funding sources to advance estuary enhancement on the Skagit delta consistent with Skagit Chinook Recovery Plan's objectives. It's just basic prudence. Basic financial prudence suggests that Seattle's effort should focus on the Upper Basin and the Skagit delta should be funded by state and federal funds, as was the agreement with Skagit agriculture.

So at the end of the day, here's the point. We don't need Seattle's money on the Skagit delta to solve this. In fact, at this point it's extremely unhelpful both to our community and the fisheries resource. We've made our position clear in the FERC process and we'll continue to do that and presumedly the federal resource agencies will take our view into consideration. Our immediate objective is to work directly with resource agencies, the districts, and the treaty tribes to expedite completion of the Chinook Recovery Plan goals using state and federal funds, also ensuring the Skagit drainage districts receive their permits for tide gate maintenance that was part of this. And these are all governmental entities with specific and relevant legal authorities, and that's really the only level at which large scale estuary restoration in the Skagit can proceed.

So in summary, on behalf of the Board we feel this is an entirely reasonable and necessary ordinance to protect Skagit farmland and help solve conflict between fish and farms, so we ask you to move it forward. And I'll conclude my remarks. I've taken up enough time already, so if you have any questions feel free to call or email me over the coming weeks, and thank you for your time.

Chair Raschko: Thank you. Are there any questions for Mr. Honea?

(silence)

Chair Raschko: Okay. Well, I appreciate your presentation. That was very interesting. Thank you.

Okay, we'll now go to the public hearing itself, and everybody will have an opportunity to speak if we are efficient in how we do this, and as long as we don't go past 9 p.m. After 9 p.m. we will cease and continue the meeting in a resumed state at a later time. But I'm sure we will easily get through this. So there's a sign-up sheet for those who wish to speak. If you've come in late – it's still back there, Jenn?

Jenn Rogers: Yes.

Chair Raschko: Just go ahead and sign up. Each person will have three minutes to speak. They will be timed. This lady here will let you know when there's 30 seconds left. And as I said, in order to have this efficient, we are going to enforce the three-minute limit. And after so many people have cooperated that way, if somebody wishes to try to keep going it is only fair to the others that you do cease and desist. So that will be strictly enforced. I thank you in advance for your cooperation with that.

And this is also time for testimony, mostly exchange of opinions and ideas, and it's really not a debate or an election. So I'd appreciate also if there not be any cheering or applause or other reactions. Try to remain very civil. I appreciate that in advance as well.

Written comments on this proposal are not limited in length, so if you have a lot more to say you can put it in writing and they will be accepted until the conclusion of tonight's hearing. Comments will be recorded in the meeting transcript.

The other thing that would make this help – help make this go more smoothly, is when I go to the list of people I'm going to read off the first name and then the second name. If the first-named person could kindly take the podium and the second wait off to the side a little bit, and when that first person has finished speaking the second can be right there and ready to go. And at that time I will read off the name of the third person and we'll move through it like that. Okay?

So the public hearing is now open. We'll call the first speaker. And before you testify, please clearly state your name, spell your last name for the record, and indicate where you live. The first on the list, it says "Upper Skagit." I presume we have a representative of the Upper Skagit Indian Nation, followed by the Sauk-Suiattle. Now the Sauk-Suiattle, I understand, are going to be by Zoom so obviously they can't wait on the side. So the third person is Jenna Friebel, and I hope I said that properly. Thank you. Go ahead.

David Hawkins: Thank you, Commissioner. David Hawkins, General Counsel for the Upper Skagit Indian Tribe. I'll use the tribe's address, which is 25944 Community Plaza Way.

The Upper Skagit Indian Tribe believes the proposed ordinance strikes a fair balance between the treaty rights of the Tribe while recognizing the importance of agriculture in this county. There are three specific examples of expression of intent within the resolution supporting the ordinance that the Tribe relies upon for its support. First, on page 2, the 9th WHEREAS: "WHEREAS Skagit County's Comprehensive Plan envisions sustaining a robust fisheries resource in the Skagit, in part to help satisfy our collective national obligation to ensure a harvestable anadromous fishery in the Skagit River under the 1855 Treaty of Point Elliott."

That recognition of a treaty – right? I could not imagine the County writing something like that when Commissioner Anderson was here about 20 years ago. It shows a significant step forward, from the Upper Skagit's position.

The next WHEREAS is on page 3, the 3rd WHEREAS: "WHEREAS the GMA and the Skagit County Comprehensive Plan require that the needs of farming and the fisheries resource be carefully and thoughtfully balanced, and to that end the Board finds it imperative that any conversion of prime Skagit agricultural land be highly likely to deliver an increase in harvestable anadromous species while minimizing impacts to agriculture and farmland." The balance, again, that we've tried to strike here is being articulated very well by the County.

And finally, in support of Will's position, there's been some discussion outside of this room that this ordinance precludes mitigation in the estuaries or creation of habitat in the estuaries. The language just plainly does not say that. It precludes offsite mitigation for impacts that occur off ag and NRL land. It doesn't say you can't do enhancement work in the estuaries. It just says you can't do it if it's to provide mitigation for projects that don't impact those lands. So Upper Skagit supports the ordinance. We hope that you will, you know, take our position into consideration, and I thank you for the time.

Chair Raschko: Thank you. Next will be a representative of the Sauk-Suiattle, followed by Jenna Friebe. Go ahead, please.

(PLEASE NOTE THAT THE ZOOM RECORDING SOUND IS VERY UNEVEN DURING THE FOLLOWING TESTIMONY.)

Jack Flander: Good evening, Commissioners. This is Jack Flander. I serve as the General Counsel for the Sauk-Suiattle Indian Tribe. I hope I'm coming through okay. Are you able to hear me?

Commissioner Mitchell: I think we need more volume.

Chair Raschko: Who's in charge of volume? Okay, got it. Thank you.

Mr. Flander: Am I here, Commissioners?

Several Commissioners: Yes.

Mr. Flander: Okay. My name's Jack Flander. I'm General Counsel for the Sauk-Suiattle Indian Tribe and a resident of the Sauk-Suiattle Reservation near Darrington, Washington. As staff has said, you know, the economy and what attracts people to Skagit County is based upon farming, fishing, forestry, recreation. It's a unique _____. Our understanding is that this ordinance is prospective in nature, meaning it's from this day forward. I know Seattle currently has acquired at least 2700 acres of land, natural resource and farmland, in your county and that adoption of this

ordinance won't stop them from continuing their work on those lands. It would merely limit acquiring new lands and taking them out of production for forestry or farming without jumping through certain _____ future. The Sauk-Suiattle Tribe's _____ that. And admittedly, Seattle is the main one acquiring these lands. And we don't want them to continue to be able to take lands out of production in your county.

(long silence)

Chair Raschko: I'm sorry. We've lost connection. Have you got any communication with him, Jenn?

Ms. Rogers: I don't, but if his video's off it might come through a little bit better, but I'm not sure. He's still on. It looks like he's trying to reconnect, so we'll give him a moment.

Chair Raschko: I'm sorry. I couldn't hear that.

Ms. Rogers: Oh, I'm sorry. He turned his video off which should be able to help.

Mr. Flander: I can turn the video off. That'll help.

Ms. Rogers: Yes.

Mr. Flander: I just wanted to say that staff said, you know, this will help preserve the unique nature and keep Skagit farmlands in production. But I guess I would go further than that because Skagit County is the largest producer of agricultural seed in the nation. So by adopting this ordinance you're not only keeping Skagit farmlands in production. Those seeds produced on those lands keep other lands throughout the United States in farming because we're the source of those seeds in Skagit County for the most part. I would also say at some point you do need to limit, consistent with your obligations under the Growth Management Act, taking these lands out of production from forestry and farming because you're taking them off the tax rolls. You're reducing the revenue, tax revenue, from those lands to the County, which limits the County's ability to provide services, you know, once they're placed in open space or conservation status they're no longer generating revenue for the County government. So the Sauk-Suiattle Tribe supports enactment of this ordinance. Thank you.

Chair Raschko: Thank you. Next is Jenna Friebe, followed by John Parent. And then I have one more name on my list so if you have a bigger one that would be helpful. Thanks. Go ahead, please.

Jenna Friebe: Thanks. Jenna Friebe, 2017 Continental Place, Suite 4. I'm here on behalf of the Skagit Drainage and Irrigation District Consortium. It's a tough act to follow with Jack and David, but I'll try.

The Consortium thanks you guys for such a balanced ordinance and for your consideration of that today. We're in support of the ordinance as written. My testimony's a little bit personal, so bear with me. Before I started this job I worked as a consultant in Seattle on major infrastructure projects – the third runway; 520 Floating Bridge – and it was a very common practice to obtain farmland for the purpose of offsite mitigation. And I just wanted you guys to know that my personal experience is that this is common and it is a very real risk here in the Skagit.

My other personal experience that weighs in, before I took this job I worked at WDFW for about five years. I was the project manager of the Fir Island Farm Estuary Project, which restored about 131 acres of farmland on Fir Island. It also reconstructed better dikes, more resilient drainage and flood protection for the residents of Fir Island. And that project also went to contribute to a cooperative agreement. It was a real win-win situation and the relationships I built on that project are part of the reason why I work for the Consortium – a *large* part of the reason why I work for the Consortium. As the project manager of that project, I returned over four million dollars in grant funding at the end of construction. We had grant funding from so many state and federal agencies because of the cooperative nature of the project, because of the importance to Chinook recovery efforts. And I just wanted to make it clear to you as you deliberate on this, there is money for cooperative, win-win Chinook recovery projects that balance farmland that feed into cooperative agreements, and we don't need offsite mitigation money to achieve those goals. That was definitely my experience on that project.

Also at DFW I was the co-lead for the Skagit – what is now called the ERSA Project, which was a project funded by federal dollars to find win-win solutions and strategic investments for the purposes of Chinook recovery on the Skagit delta. We made a lot of progress towards that. Since 2019 I've been watching those cooperative agreements dissolve. Those relationships are being torn apart for the threat of litigation, for the threat of misunderstandings, and it's hard to experience that. It's personal and it's real. I don't know if this is because of large settlement promises of offsite mitigation, but I think this moratorium – or this ordinance, sorry – does a long way towards empowering our local tribal and non-tribal leaders to set a table where we can all reconvene and figure out the best way to balance Chinook recovery efforts, salmon recovery efforts, and farmland preservation. So thanks.

Chair Raschko: Thank you. John Parent, followed by Matt Steinman, please.

John Parent: Okay. I have no reason to take very much time at all because I agree with all the previous speakers exactly. And I just want to say I support this ordinance. I also hope that this is the first step toward polycentric management of our resources and a new respect for the *people* of the commons. Anyhow, having corporate management of our resources and our lands, whether it's Seattle City Light or some other groups – I don't think I need to say any names – is not a good idea in any way except for themselves and the grant money and blah blah blah. Anyhow, thank you very much.

Chair Raschko: Thank you, sir. Matt Steinman, and I'm out of names.

Ms. Rogers: Ellen Bynum will be up after him.

Chair Raschko: Okay, followed by Ellen Bynum.

Matt Steinman: My name is – can you hear me? That's good. Okay. My name is Matt Steinman. It's s-t-e-i-n-m-a-n. I live at 25502 Hoehn Road, just east of Sedro-Woolley. I'm fifth generation here in the valley. My grandparents or great-grandparents came here in the – with the Great Tarheel Migration at the early turn of the century. And, you know, the valley is – first off I want to thank everybody here and the Commission for all you do to retain and maintain the character of the valley. It's really important to a lot of people. You know, as I drove here this evening, you know, you cross the Skagit and it's just glowing with that chartreus color of the glacier till and the _____. You know, you go across the Nookachamps and Francis Road and, you know, they're bunkering silage right now. There's, you know, people in the orchards. You know, there's potatoes are coming out of the field. It's a really beautiful scene and more than just for the eyes, but also

for the rest of the senses: the smells, the tastes. You can just feel the hard work that's being done in the valley. And that character's so important and we really need to preserve that. And there's a real cooperative effort that I feel that – and spirit that people really want to put forward. But that really comes with localized, cooperative, comprehensive planning and figuring out solutions for Chinook habitat rehabilitation *and* farmland rehabilitation working cooperatively. Like Jenn said, we need to set a table and everybody come to the table. But that leadership should come from the valley, from people who have lived here, who have lived and are going to continue to live here. Their grandchildren and their great-grandchildren are going to live here, like I hope mine want to stay here, because of that character, because of those sites, those smells. This is really important because, like it's been said before, it strikes a balance and brings everybody to the table. To my friends that I went to high school with from the Upper Skagit to, you know, friends all over the county. You know, a lot of people move on that we want to come together on this, so I think this is a great opportunity to start to set that table, and, you know, I hope that we can go forward with this. Thank you for your time.

Chair Raschko: Thank you. Ellen Bynum, followed by – we have John Parent. I believe John Parent just spoke. Right? So followed by John Roozen. Thank you.

Ellen Bynum: Good evening, Commissioners. Thank you for the opportunity to comment. Friends of Skagit County is at 419 South First Street, Suite 207, in Mount Vernon, and we've been around since 1991, just a little bit after the GMA was passed.

We know that the Growth Management Act requires us to designate and to conserve ag lands, especially using prime ag soils and long-term significance of commercial production for food and fiber. In addition, the GMA says that adjacent land cannot interfere with the continued use for the production of food and agriculture products, also true for timber and mineral. When buildings and roads are constructed, it's easy to see the direct loss of farmland. Fish and wildlife habitat projects on farmland also result in the direct loss of farmland, reducing the numbers of acres available to grow food and supply tax revenue to the County. Since the Clear Valley Farm Skagit Environmental Bank purchased an 800-acre dairy farm in 2006 and removed 396 acres of farmland from production, Skagit County has rejected offsite mitigation projects that convert farmland to other uses. For 50 years Seattle City Light has funded nonprofit groups and agencies to convert land in Skagit County, including farmland, into fish and wildlife habitat. This outside-of-Skagit funding has created a conflict of interests for land trusts and other nonprofits whose mission includes the conversion of agricultural lands for nonagricultural uses. When the property is removed from the tax roll, the County loses the revenue, of course.

While Seattle City Light's enduring message is that their mitigation projects have saved salmon, this unfortunately does not explain why Skagit salmon populations remain at risk and, therefore, this claim is misleading. Before City Light relies on using productive farmland for habitat mitigation, it should implement other mitigation measures. For example, none of the City Light dams, as we heard, have fish ladders. Seattle City Lights estimates the cost of building a fish passage would be around one billion dollars. This seems like a lot of money. If the 460,000 Seattle City Light customers were to pay over 50 years for fish ladders, the cost would be \$43.50 per customer per year. It's reasonable to expect that most people who live in Seattle would give up one latte a month to restore salmon runs.

Seattle City Light's Strategic Plan Update from 2023 to 2028, Accomplishment Highlights, states: "We also committed to go beyond basic dam mitigation to improve the Skagit watershed and its salmon runs." Before proposing new projects that remove income-producing properties from

Skagit Valley, Seattle City Light should first complete the basic dam mitigation, which it has not yet accomplished. NOAA Fisheries' mantra for salmon recovery is –

(timer rings)

Ms. Bynum: – the 4Hs. You've heard this before, and it's habitat, hatcheries, hydro, and harvest. So when is City Light –

Chair Raschko: Your time's up. Thank you, Ellen.

Ms. Bynum: Oh, okay. This has been sent to you and I just want you to understand that there are other ways to mitigate, and the discussion is not public because I haven't heard it.

Chair Raschko: Okay, thank you. John Roozen, followed by Brian Waltner.

John Roozen: Good evening. My name is John Roozen. I live at 12362 Avon Allen Road, Burlington, Washington. I farm with my family west of Mount Vernon and I feel very inadequate following some of the extremely powerful statements that have been made. I am so glad that there – Mr. Will Honea, thank you very much. These statements that were very correct about what I'm going to call "the dance." The dance is what we've been doing in this valley for 50 years to make it so that it is the way it is. So I'm going to just read a couple of definitions out of Oxford, and I've done this before when we were in front of the Commissioners.

The word "impact": The powerful effect that something has on somebody or something else. And I believe you, as Commissioners, have invited us here to help you make a permanent decision on the impact that you've heard about the conversion of Skagit farmland. And having said that, I also believe it's a decision of critical mass. And the definition of "critical mass," back to Webster, is a size or a number or amount large enough to produce a particular result. So even though a quick mental analysis of the entire Puget Sound area for critical mass in agriculture leads right back here to Skagit Valley. While we've done good stuff – that's the dance; that's what Will talked about; that's what Jenn had talked about – the dance. Now we have a chance to make this temporary ordinance permanent and to carry over into our ag dream for Skagit and the valley.

You guys are listening to the people that you represent. The moratorium was powerful but a permanent advice to the Commissioners that this ordinance become permanent is a continuation of the dance, the dance that we're all living and we hope to be together on in the future. So God bless you guys and thank you for your hard work, because I don't think you get paid a lot to do this twice a month. But thank you very much.

Chair Raschko: Thank you. Next up is Brian Waltner and after him will be Howard Stafford.

Brian Waltner: Hi, Brian Waltner, 16468 Britt Road, South Mount Vernon. Thank you for the time. I'm pretty much in favor of the ordinance. Basically ditto to what everybody else has said. I'm part of the Drainage 17 in South Mount Vernon. We drain – we've got some green waters the big ditch goes into. And we've done a lot of projects and we will continue to do, you know, when we see fit. So I don't see the ordinance barring any of our onsite work. And (I'll) go with that. I don't have much else to say. Thank you for your time.

Chair Raschko: Thank you. Howard Stafford and then Kim Rubenstein.

Howard Stafford: My name is Howard Stafford, s-t-a-f-f-o-r-d. I live in Rockport, Washington, 53700 Stafford Lane. And I want to thank each and every one of you for all you've done, all the input that's been put in here this evening. And I'd just like to – I've lived in this valley all my life and it's been a good place. We farmed there on the Martin Road when I was a kid. We had – every other house was a farm. We milked cows, raised beef – everything for a living, and we need to keep this up. Like the guy said, we need to keep the dance going.

So I'd just like to say I want to thank Will for all that he's done. And I have a hard time with Seattle City Light. All the property and stuff they've bought and took off our tax rolls, it hurts our school system, it hurts our county, and I would – you know, I've watched this all my life. My grandparents homesteaded the land I live on and they've been here since 1903, and so we've been around for a while. And, you know, I've watched Seattle City Light. I know a lot of the biologists and stuff. I know they've done a lot of work on the river, they've put a lot of input in for the salmon and everything. But my thing is I just – I don't see where they've done any good for our salmon. We don't have salmon. We're losing on that deal, all this habitat and stuff that people are putting in and using different lands, farmlands and stuff, and it's not a productive deal.

So I would just like to thank everybody for their input. And I agree with this. We need this law and stuff passed. We need it not for six months; we need it from now on. And thank you for your time.

Chair Raschko: Thank you. Kim Rubenstein and after that David Hawkins, please.

Kim Rubenstein: I'm Kim Rubenstein, r-u-b-e-n-s-t-e-i-n. I live at 15188 Channel Drive in La Conner. I'm also the vice president of Skagitonians to Preserve Farmland so you have to know that farmland preservation is near and dear to my heart. I would like to thank Will Honea and the Commissioners for their insight and bringing this issue forward to you. As an organization, we support the ordinance that has been brought forward by the Commissioners – the Commissioners and will – and we hope that you are supportive of it as well. Thank you.

Chair Raschko: Thank you.

Vice Chair Candler: I think we're skipping David because he already spoke.

Chair Raschko: Oh, he did. Okay, Maddy Vanderkooy – I hope I got that right – and followed by Andrea Xaver.

Maddy Vanderkooy: Hi, everyone. My name's Maddy Vanderkooy, v-a-n-d-e-r-k-o-o-y. I'm here on behalf of my dad Jason, who would have loved to be here but it's peak harvest season so he's out putting in the work! But I'm a part of a fourth generation dairy farm in West Mount Vernon. I've been farming it. You know, it's been in the family since the '50s so I've got a lot of emotional connection to West Mount Vernon and farmland. My dad is very passionate about it, so passionate he asked his 23-year-old daughter to come in and speak! So he gave me some notes. He said Skagit County has some of the best farmland in the world. We grow a wide diversity of specialty crops. A colleague of mine this week mentioned that you could stick a broomstick in West Mount Vernon land and it would grow, so I took that to heart. We have a climate that makes this farmland climate-resilient, and our position in the Emerald Corridor means that we can easily supply large populations with fresh market foods. For decades Skagit County has proactively protected our farmland from development. Skagit County does not have sufficient farmland to mitigate for offsite environmental impacts created by other industries, and this is not an appropriate use of this resource. In addition, if farmland was allowed to be used for mitigation, we are afraid that this would significantly drive up the cost of land and put farmers out of business. We understand that

Skagit County Code already bans wetland mitigation banking and we are grateful to Skagit County for taking this important step to close some gaps in the existing code and to ban the use of Skagit farmland for direct mitigation for offsite environmental impacts. To date significant progress has been made towards habitat restoration goals and we appreciate the fact that the proposed ordinance does not apply to publicly-funded and supported salmon recovery projects. Offsite mitigation money has the potential to impact the local farming economy by driving up the cost of farmland, making it more valuable to offset impacts from development and industry that it would be in in ag production and, in the end, destroying the land of performing.

I watch my dad work 16-hour days, along with my brother, and I just think that the passion behind him, it's really not about the money. He just really enjoys farming. He gets up every morning with a smile on his face. So we are definitely for making this ordinance permanent. Thank you.

Chair Raschko: Thank you. We'll have Andrea Xaver and then John Anderson.

Andrea Xaver: Andrea Xaver, 19814 State Route 9, Mount Vernon, Washington. A little disclaimer here: I'm on the Farmland Legacy Program Committee, but my comments do not represent that committee.

I never thought I'd see the day that one resource – fish – would be pitted against another – farms. Both are endangered. Both should be protected. I made that statement 22 years ago in a letter to this County's Planning Commission. I'm saying the same today, and over the years and tonight I have included forestry, wildlife, and habitat. We need a healthy and sustainable balance of all of these incredible resources in this county. My family has been engaged in organic farming as well as fishing and forestry for over 121 years here – seven generations. Now we concentrate locally on these small farms and we've seen many adverse impacts; however, my Alaska relatives continue commercial fishing. With our combined experience, we all know a thing or two about how farms and fish can exist together as they have for many years. We all need to work together for sustainability. Thus, I very much appreciate and would like to thank the Sauk-Suiattle Tribe, the Upper Skagit Tribe, Will Honea, and Skagit County for making efforts to make this ordinance permanent.

Since 1940 this county has lost half of its farmland to other conversions and these conversions continue. Skagit's population in 1940 was 37,650. Now it's over 132,000 – almost 3½ times bigger. The U.S. population in 1940 was a bit over 132 million; now it's over 332 million. This county, state, and country could use extra farmland. Severe and extensive rainy seasons, floods, drought, noxious plants, wildfires, and invasive animals can brutally affect farms everywhere. Farmland here provides not only food but gorgeous views and habitat for resting areas for all manner of wildlife. Do we enjoy seeing the trumpeter swan, snow geese, deer and more on Skagit's farmland upriver and on the flats? Thus, mitigation for fish passage should not take place on Skagit's farms. And one would think that fish passage works better than offsite mitigation on farmland that's miles away. What if the sites aren't maintained and turn into reed canary grass-infested, warm water ponds that kill fish? Why aren't Seattle City Light and Seattle residents willing to pay for fish passage construction? How long before several of our farmers give up and then the land is developed? Maybe that's what's hoped for behind the development scene. Then we could have poorly maintained fish habitat surrounded by fully contained communities and pollution. Gone would be fish, farms, more forests, views, wildlife, and food. Any concerned about those?

Anyway, thank you again to those who want to make this ordinance permanent.

(timer rings)

Chair Raschko: Thank you. John Anderson, and next we will have David Christianson.

John Anderson: Good evening. I'm John Anderson, a-n-d-e-r-s-o-n. I live at 19651 State Route 534, Mount Vernon. It's actually Conway. I'm here as co-owner of our family farm. Also I'm the current president of Skagitonians to Preserve Farmland.

You've received, I believe, written testimony from our executive director, Allen Rozema, earlier, and you heard from our vice-president and another one of our board members. I'm also here to reiterate our support of this ordinance as an organization. On a personal level, our family farm was completely enrolled in the Farmland Legacy Program a number of years ago. We did this because we felt that this was vital that we do something to protect the farmland.

I would like to thank the people who provided such thoughtful testimony prior to me. I can't really improve on any of it. I'd like to thank Will Honea especially, and Jenna Friebel.

And as stated so many times before tonight, our farmland is a precious resource. We can't squander it. It's diminishing and it's irreplaceable. And I think the ordinance as proposed does a good job of being inclusive of the needs of agriculture and the needs of salmon recovery, and so I'm here not only as a member of Skagitonians but as a landowner and personal representative saying that I support the adoption of the ordinance. Thank you.

Chair Raschko: Thank you. So David Christianson –

David Christianson: Good evening.

Chair Raschko: – followed by John Wolde.

Mr. Christianson: I'm David Christianson, 18754 Pederson Lane, Mount Vernon. We farm south of town and also I'm a Drainage District 17 commissioner. I didn't plan on speaking tonight. I thought it was just a sign-up sheet. But I want to thank you, Commissioners, and I want to support this ordinance and thank you for all your work. And I support all the speakers that have talked before me. So I won't take up any more time. Thank you.

Chair Raschko: Well, thank you. So John Wolde.

John Wolde: Yeah, I'm sorry. I thought that was just a sign-in. Thanks a lot.

Chair Raschko: Okay. Lorna Ellestad, and she would be followed by Don McMoran.

Lorna Ellestad: Lorna Ellestad, e-l-l-e-s-t-a-d. I live at 14169 Avon Allen, Mount Vernon, and I'm a Dike, Drain and Irrigation District commissioner for District 12. And I, as well as many people in this room, have been working to preserve farmland and also have a background in habitat restoration. And I would like to thank you all for not just allowing us to speak here but for the many evenings you put in doing this on other important issues. And I agree with everything that has been said here and I know a lot of us spoke earlier. I just would like to add that the property owners of this county have taxed themselves to provide flood protection for our ag land, to provide critical drainage for our farmland, and in '96 started taxing ourselves to help preserve our valuable farmland. And the threats have kind of changed over time. And now that we have this one in front of us this is one of the things we actually have control over – protecting ourselves. We don't have to look to our state or the federal to, you know, build a highway somewhere that we need. We can

do this ourselves, and we look to you to put this important policy in place. And I look forward to its permanence. Thank you very much.

Chair Raschko: Thank you. Don McMoran, and then Larry Jensen.

Don McMoran: Thank you, Commissioners. I'm Don McMoran. My last name is spelled m-c-capital M-o-r-a-n, and I reside at 14573 Beaver Marsh Road, Mount Vernon, Washington. So I just want to thank all the speakers, thank Will as well as the Commissioners for upholding what the community wants of you. I am also the director of WSU Skagit County Extension so I have a role in educating the public as well as our farmers when they run into issues, but I'm not here today wearing that hat. I'm here representing myself as a fourth generation farmer and a son of a family that's continuing to farm here in Skagit County.

The topic that I want to bring to you today is the need to preserve Skagit agriculture. Many of you have already spoke that we do produce over 80 crops of significance and how different that is from the rest of the United States. As I travel around the country, I run into a lot of different people and they always ask me, What do you grow in your county? And when I start rattling off the list you can kind of see their eyes roll back in their head and they're just amazed. They're, like – and then they usually respond with some sort of a Southern drawl: Well, in my county we only grow three different crops and that's corn, soybeans, and sometimes sorghum. And it just makes you realize the importance of Skagit agriculture and how we can feed our population. And with that – I've actually done the math on it and if there was ever a time where Washington State really needed us, Skagit agriculture could feed Washington State on a caloric basis. Now you might be eating a lot of potatoes or a lot of dairy products in that process, but the fact of the matter is that Skagit agriculture is very important and we have a great community here that supports it wholeheartedly, and with that we expect for you to do the same. So thank you for your support today, and if you have any questions feel free to reach out at any time. Thank you.

Chair Raschko: Thank you. Larry Jensen and then Matt Steinman.

Unidentified Male Voice in the Audience: Larry's not here.

Vice Chair Candler: Didn't we already hear from Matt? I think.

Chair Raschko: He already went?

Vice Chair Candler: (inaudible)

Chair Raschko: I think we heard from Matt Steinman. Okay. That leaves one name and that would be Norm Hoffman.

Norm Hoffman: I'll pass.

Vice Chair Candler: He's going to pass.

Chair Raschko: You pass? Okay. And that covers everybody that has signed in and then some. Is there anybody else who has not signed in that would like to speak at this moment?

(silence)

Chair Raschko: No? Do we have anybody online?

Ms. Rogers: Yes, Chair, we do have two that I've indicated that they would like to speak. So Heather Spore, can you please unmute and give your comments, please?

(PLEASE NOTE THAT THE FOLLOWING SPEAKER'S ZOOM RECORDING FADES IN AND OUT.)

Heather Spore: Yes. Thank you, Commissioners. Good evening. My name is Heather Spore and I'm an environmental policy analyst for the Swinomish Tribe. My background includes salmon research and management, policy, and marine science. My address is 11404 Moorage Way in La Conner.

_____ on a few points in the emergency ordinance. Specifically, it states "While the Board fully supports collective fisheries, resources, recovery goals, and develop locally as necessary to achieve the objectives of the 2005 Skagit Chinook Recovery Plan." However, the ordinance points to the tide gate and fish initiative, which has unfortunately not fulfilled some of its mission and objectives stated in the agreement at the expense of Chinook recovery. The TFI was supposed to ensure that diking districts restore a shoe habitat prior to seeking a permit for tide gate replacements from the Army Corps of Engineers. However, over 650 acres of fishery habitat was not restored previously that should have been, which undermined the foundation of the NMTS biological opinion and the objectives in the TFI agreement. This unfortunately has **stymied** the habitat restoration and set back recovery goals. Instead of being on a 50-year timeline, recovery may take nearly 100 years.

Quality estuary habitat is fundamental to the survival and rearing of ___ juvenile salmon and a specific quantity of habitat reduces competition among smolt and is essential to ensure that smolt have enough space and resources to thrive before making their way to the open ocean. This gives those smolt the best chance of reaching a size that enables them to evade predators in the marine environment and to survive to adulthood in order to return to the Skagit years later. Habitat restoration throughout the watershed up and downriver is a critical component to ensure that Chinook salmon continue to return to the magic Skagit.

We acknowledge that some estuary restoration has occurred, but it is not currently on the pace needed for Chinook recovery to be successful. The recovery plan states that restoration should be spread across the watershed but does need to occur expeditiously and on a timeline and pace that ensures that adequate habitat is available for juvenile Skagit River Chinook salmon. The ERSA study the County relies on and points to in the ordinance is based in part on scientific analyses from the Skagit River System Cooperative and includes a prioritized list of restoration projects identified by and approved by the community at large. And this was completed in 2019. Implementing this suite of restoration projects that has already been identified as priority go, in fact, a long way towards achieving recovery goals, and the Tribe hopes that these projects can be fast-tracked. Instead of implementing this rushed ordinance, the Tribe also suggests that the County first address the important balance between fisheries and agriculture. This is not an either/or. Both can exist –

(timer rings)

Ms. Spore: – and both *do* currently exist in a full public process rather than –

Chair Raschko: Your time is up.

Ms. Spore: I just encourage the board –

Chair Raschko: Can she hear us?

Ms. Spore: – to consider the priorities of the ERSA study. Thank you.

Chair Raschko: Okay, thank you.

Ms. Rogers: And we have Melissa, who is also signed up to speak. So, Melissa, can you please unmute and state your last name and your address, please?

Melissa Norris: Yeah, Melissa Norris and my address is 11924 Martin Road. I am a lifelong resident of eastern Skagit County and Martin Road – born and raised, went to school up here – and I have seen that our lands being used for offsite mitigation being taken off of the tax roll and the impact that it's had on communities. And, unfortunately, they are greatly suffering from that. I've also seen that it has *not* been helping in the salmon recovery. We are experiencing less and less every single year. So as a landowner I fully support the adoption of the permanent ordinance and hopefully this will have outside interests looking for ways to do their mitigation in ways that are actually helpful and impactful. So thank you for listening to everybody tonight and all of your time, and everybody who has worked on this project.

Chair Raschko: Thank you. Do we have anybody else that wishes to speak? Last chance. Yes, sir?

Unidentified speaker: I just want to say I'm from the Sauk River and I have a –

Ms. Rogers: Chair Raschko?

Chair Raschko: Excuse me.

Same unidentified speaker: – _____ who they were, and my family moved to the northwest –

Vice Chair Candler: You need to be at a mic.

Same unidentified speaker: Oh.

Chair Raschko: And then if you'd – I think you already identified yourself, did you not?

Same unidentified speaker: I just started saying that. I just thought I'd say it. But anyhow, my family moved to the northwest in the 1880s and moved to the Sauk in 1906, the first of – anyhow, I just want to say I'm a stakeholder too, because I never said anything about my background. And I worked in forestry all my life.

Chair Raschko: Thank you. Okay, if there's no objection from the Commission, I'll close the public hearing. And as a reminder, written comments on this proposal will be accepted through Thursday, September 29th, and it can be as long as you wish. The end time is 4:30 p.m., September 29th.

The Planning Commission will meet to discuss the comments and deliberate on a recommendation to the Board of County Commissioners on Tuesday, October 11th. So thank you very much, everybody. And we will at this point continue with our agenda.

Different unidentified speaker: Do you pass your decision to the County Commissioners in October that same time?

Chair Raschko: Whenever our deliberations are concluded and we have approved a – what do we call it?

Vice Chair Candler: A recorded motion _____ (inaudible).

Chair Raschko: And that is passed on to the Commissioners.

Vice Chair Candler: I was just looking at Jenn for the scheduling.

Ms. Rogers: Deliberations are scheduled for October 11th, so if you conclude deliberations at that time, the recommendation will go to the Board.

Chair Raschko: Yeah, that was my caveat because that doesn't always happen on the first try.

Okay, well, thank you very much, everybody. We're going to move on to Deliberations on our Wireless Facilities.

(crowd talking noisily)

Chair Raschko: We're going to take a two-minute break.

(break)

Chair Raschko: Okay, we'll come back into order and we will resume with the Wireless Facilities Deliberations. Jenn, have you a report?

Ms. Rogers: Yes. Thank you, Chair Raschko. I don't have a presentation tonight, just the draft recorded motion. So unless there's any questions, we are ready to move into deliberations.

Chair Raschko: Okay. We are now in deliberations on the Wireless Facilities and the floor is open.

Commissioner Mitchell: I have a motion.

Chair Raschko: Please go ahead.

Commissioner Mitchell: I move that we accept the proposal as staff's written for the Wireless.

Vice Chair Candler: Second.

Chair Raschko: Okay, it is moved – been moved and seconded that – and can we repeat the motion back so we have it exact?

Commissioner Mitchell: Do you want me to try to repeat it?

Chair Raschko: Can you restate your motion?

Commissioner Mitchell: Sure, as close as I can get. I move that we approve the Wireless ordinance as staff has provided. That wasn't exact but it's close.

Chair Raschko: It's been moved and seconded so it's open for discussion.

(silence)

Chair Raschko: Nobody has anything? Go ahead.

Vice Chair Candler: Oh, just – it didn't sound like we had much latitude here. It seems like this is mostly adjusting to things that are required and updating things as appropriate, so I'm in support of this language.

Chair Raschko: Okay. Kathy, did you have something?

Commissioner Mitchell: I'm going to wait until we get to the findings of facts and reasons. It looks like there's some other people's eyebrows up for comments.

Commissioner Martha Rose: I don't have a comment.

Commissioner Vince Henley: I have some. Go ahead. No, you raised your hand first.

Commissioner Amy Hughes: I was just going to point out that we had, from what I saw, no public comment or response to this, and so with that, unless I hear more, I would say it would be something we need to do.

Ms. Rogers: Yes, I apologize, Commissioner Hughes. We did not receive any written comments or testimony at the previous public hearing on the proposal.

Chair Raschko: Okay, Commissioner Henley?

Commissioner Henley: Well, I think it's probably a very good reason why we didn't because, for one thing, it's highly technical and it's sort of down in the weeds and inside baseball, so to speak, in terms of understanding what the implications are. My general problem is – and I'm going to vote for it anyway – is that there's a fundamental conflict between things that the FAA requires in terms of safety of flight and so on, and the things that the FCC requires in order to provide the greatest use of technology to the general public. So there's a fundamental conflict here, but it's not something we can resolve by changing the ordinance. So I would go ahead and support the ordinance, but I do caution that there is a safety of flight. There is probably some health implications as well, and it's just a fundamental conflict between the technology and ease of use for the general public. But that's what I have to say.

Chair Raschko: Anything else?

Commissioner Jen Hutchison: I'd like to comment too, also in support of the recommendation to approve it the way it's presented but just with some caution, not so much with that type of conflict but more so for our staff in the departments where these applications coming in are very specifically designed in an interesting manner that I would hope that you have some formulated system to be able to internally manage those shot clocks. I mean, some of them automatically are deemed granted within so many days; some of them you have to make your recommendation and response on the application within only 10 days of review, and then you get your 60. So

there's just a lot of caution that I would recommend to you in the Department as we do support the motion to move forward with this process to ensure that we do maintain the best services for the community. Thank you.

Chair Raschko: No more discussion?

(silence)

Chair Raschko: So we'll have the question. All those in favor of the motion, please say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Those opposed?

(silence)

Chair Raschko: And are there any abstentions?

(silence)

Chair Raschko: So that passes unanimously, which brings us to the point there where we need to justify it with some Findings of Fact and Reasons for Action.

Commissioner Mitchell: Chair, I've got a few that we can start off with if it would tip the table for other people.

Chair Raschko: Commissioner Mitchell, please.

Commissioner Mitchell: Okay, and this is purely plagiarizing from staff. Federal law requires Skagit County to process wireless facilities applications in a timely manner.

Vice Chair Candler: Can you go slow?

Ms. Rogers: Yeah, a little bit slower.

Commissioner Mitchell: Yeah. Federal law requires Skagit County to process wireless facilities applications in a timely manner and to provide nondiscriminatory access to its rights-of-way for telecommunications purposes.

Another is that this will have to have updated definitions, which have been provided. Also updated zoning regulations to reflect new technology used for wireless facilities.

Ms. Rogers: And that is a little bit of a paraphrase, but see if that matches.

Commissioner Mitchell: We can all come back and smith it together.

Ms. Rogers: Okay.

Commissioner Mitchell: Another point is updated regulations on a siting and design for wireless facilities. Those are in Skagit County's control, correct?

Ms. Rogers: Siting? Correct.

Commissioner Mitchell: Yes, okay. So that's one of the things that Skagit County is doing. And there are some other things I could pull out but I'll wait and see if somebody else gets them first.

Chair Raschko: Why don't we go ahead and go through proposed additions to this list and then we'll go back and discuss them individually? Okay? Jen.

Commissioner Hutchison: I have noted from previous information shared by the Department that our current code is not compliant with federal standards.

Ms. Rogers: With current –

Vice Chair Candler: No, our current code is not compliant with...

Commissioner Hutchison: Our current code is not compliant.

Vice Chair Candler: With – you said federal standards, right?

Ms. Rogers: With federal standards?

Commissioner Hutchison: Correct.

Ms. Rogers: Is that kind of like the – okay.

Commissioner Hutchison: And plagiarizing your own materials a little more: The proposal as it's written will protect the safety and welfare of the public by ensuring new wireless facilities developments adhere to the regulations protecting the surrounding environment in compliance with building and safety codes standards.

Chair Raschko: Anything else?

Commissioner Hughes: I'll throw one in – doing the same. The proposed update would ensure Skagit County Planning and Development Services is prepared to process applications for infrastructure. And then if you want to elaborate like you did on this we can, or we can just leave it there.

Ms. Rogers: Can you say that one more time?

Commissioner Hughes: Yeah. The proposed update would ensure Skagit County Planning and Development Services is prepared to process applications for infrastructure.

Commissioner Hutchison: And if I might just add to that? Pertaining to development and maintenance of those. So that could even be included in the same facility infrastructure – development and maintenance – if that makes –

Commissioner Hughes: At this point, would it be appropriate to put in the new federal shot clock requirement concern under Finding of Facts?

Chair Raschko: You can go ahead and propose anything you really wish.

Commissioner Hughes: Yeah.

Chair Raschko: Yep.

Commissioner Hughes: Since that was a concern, I wanted to ask you how to handle that maybe.

Commissioner Mitchell: It's hard to word, isn't it?

Ms. Rogers: I think you might be able to word it as "We recognize the difficulty of meeting these new requirements but we also recognize that this is a requirement by federal law." Something along those lines. Is that what you're thinking?

Commissioner Henley: I was going to say, you don't have an option on the shot clocks.

Commissioner Hutchison: Right. But the management, time from your staffing, developing a training. I don't even know how to word that. Somebody's going to need to really be prepared to process these applications pretty quickly to determine which category it falls under.

Commissioner Henley: I think what will generally happen is as people gain experience with the new requirements they will find what works and what doesn't. And I think that that probably will evolve over time. We'll be looking at this again in a couple of years probably and we'll have some experience then and we'll know what's worked and what hasn't.

Commissioner Mitchell: Chair, I've got a question for Jenn or Hal or Sarah. So this – Skagit is being urged to finish this quickly and timely. Are we in the same ballpark as most other places? Do you know?

Sarah Ruether: I'm on the Anacortes Planning Commission. We haven't done it yet.

Commissioner Mitchell: I suspect then there's probably a lot of other places –

Ms. Ruether: It's probably on the work plan, you know? Hasn't got to it yet.

Hal Hart: Typically I-5 corridors, they'll do it faster than anybody. And then other corridors like the I-90 corridor will be soon after.

Commissioner Mitchell: Okay. Okay. So the gist is is probably in the next few months or even under a year a whole lot more are going to be in the same position. So then we're going to be following what Vince and the others were saying, is that we'll find out how this shot clock thing's working.

Mr. Hart: Yeah. My biggest concern is that we would somewhere drop the ball on the shot clock, right? That's my daily concern when I see this. Because there's a – we have to pay attention to what's coming in the front door and this is going to have its own speed, its own review.

Vice Chair Candler: What's the – oh, sorry.

Chair Raschko: Go ahead, please.

Vice Chair Candler: What's the – just off the top of my head, I forget what agency set the shot that we need to –

Ms. Rogers: It was an FCC decision, so the Federal Communications Commission.

Commissioner Hutchison: And I realize, too, the Notice of Incompletion when you do submit that back to your applicant, it's a one-and-done. You have to, in fact, include every omission from the applicant's original documentation in that first notice. There's no follow-through and saying, Oh, we missed this.

Mr. Hart: Yeah.

Commissioner Hutchison: So there's got to be a lot of internal recognition of those factors and care. I'm sure that you will give it all the attention it requires.

Commissioner Mitchell: Chair?

Commissioner Henley: It requires discipline.

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: I've got a suggestion. We could probably go find more things to fill in for Findings of Facts and Reasons, but then maybe we've already said enough – unless other people have got more things to add. The only thing I would caution at this point is that we don't know – we won't overstep before we know what we're talking about. And I think if you guys would agree that we have enough on there, we've looked at this as well as we can for what we have.

Chair Raschko: I would agree, and I think our next step would be (to) go back through these and decide whether we want to keep them or change them.

Vice Chair Candler: I agree 100%.

Chair Raschko: So unless anybody else feels otherwise, let's go back to number 1, which states – and we've got to remember this is the reason why we're approving this, okay? And so – okay. "Federal law requires Skagit County to process wireless facilities applications in a timely manner and to provide nondiscriminatory access to its rights-of-way for telecommunications purposes." Any discussion on that one? Yes?

Vice Chair Candler: I think it sounds really good. I like it.

Chair Raschko: Good. It was your idea.

Vice Chair Candler: Kathy's idea.

Commissioner Mitchell: It's Jenn's!

Chair Raschko: Any further discussion on 1?

Commissioner Henley: It looks good to me.

Chair Raschko: All right. Number 2: "Skagit County Code will require updated definitions and zoning regulations to remain consistent with current infrastructure deployed by wireless providers."

Vice Chair Candler: Looks good.

Chair Raschko: Everybody's happy with 2? Number 3, "Update regulations for siting wireless infrastructure." That –

Vice Chair Candler: It doesn't sound like a whole sentence.

Chair Raschko: – to me doesn't say anything.

Vice Chair Candler: I move to omit that unless there's something that it really adds.

Commissioner Hutchison: "...are included." They're included. That might be to do with the façade and appearance and expectations from your providers as they're installing. So maybe just a –

Commissioner Mitchell: Help finish out the sentence.

Commissioner Hutchison: "Infrastructure is included in this." "The proposal includes" – yes. Wonderful. How's that?

Commissioner Mitchell: Thank you.

Chair Raschko: Thank you very much. That makes a big difference.

Vice Chair Candler: But –

Chair Raschko: What?

Vice Chair Candler: I just want to make sure we're not repeating things so let me just – I'm just looking. Sorry.

Mr. Hart: Chair? On that one I wrote down that it was – the updated definitions, which were important, did we capture that in that?

Ms. Rogers: That's number 2.

Mr. Hart: Is that number 3 or is that a 2?

Chair Raschko: That's a 2.

Mr. Hart: Oh, okay.

Vice Chair Candler: Maybe I'm missing it, but I'm not seeing a major difference between, like, 2 and 3.

Mr. Hart: Okay.

Vice Chair Candler: What does 3 add that we need?

Ms. Rogers: We could have put in there about properly siting wireless infrastructure in a manner that matches the character of the neighborhood and doesn't impact neighboring properties. I think that's where we were going with that – if I may provide a suggestion.

Commissioner Mitchell: I agree. If you want to pull that out, we can. It's really not necessary. It's just more explanation, although I didn't say it very well.

Chair Raschko: How does anybody else feel about pulling number 4 out?

Vice Chair Candler: For sake of discussion, I see that it's different. It's linear. You're basically saying the federal law requires it, the code needs updating, the proposal will update. But –

Commissioner Henley: Well, on number 4 I would simply say "the current Skagit County Code."

Chair Raschko: I'm sorry I said 4; I meant 3.

Vice Chair Candler: I think it's fine. I think we can –

Commissioner Mitchell: It's okay.

Chair Raschko: Everybody's fine with 3?

(silence)

Chair Raschko: All right.

Ms. Rogers: You could say "properly siting." Would that add something? *Properly* siting?

Commissioner Mitchell: Type that in so we can all see it together.

Chair Raschko: I think "properly" is a good addition. How does everybody feel about that?

Commissioner Mitchell: I like that.

Chair Raschko: Everybody's good?

(sounds of assent)

Chair Raschko: All right. Number 4 is "Skagit County Code is not currently compliant with federal standards." That should be simple. Everybody okay?

(sounds of agreement)

Chair Raschko: 5, "The proposal as its (sic) written" – there needs to be an apostrophe, doesn't there, in "its"? Okay, that's good. "...as it is written will protect the safety and welfare of the public by ensuring new wireless facilities developments adhere to the regulations protecting the surrounding environment in compliance with building and safety codes standards."

Vice Chair Candler: So I have a question about this one, for the sake of discussion. We actually have a concern, I think, about safety on this. Do we not?

Commissioner Mitchell: Yes.

Vice Chair Candler: So do we want to use that as a reason why we're finding this?

Commissioner Mitchell: Well, their definition of “safety” might be different than the layman’s.

Commissioner Rose: We could eliminate just the first part of that sentence and just jump right to the proposal as it is written: “...will ensure new wireless facility developments adhere to the regulations” blah, blah, blah.

(sounds of agreement)

Vice Chair Candler: I would prefer that.

Chair Raschko: Okay, is everybody good with 5?

Commissioner Mitchell: Can we read it out loud one more time for us, Jenn, please?

Chair Raschko: Can I read it?

Commissioner Mitchell: Yes, you may.

Chair Raschko: “The proposal as it is written will ensure new wireless facility developments adhere to the regulations protecting the surrounding environment in compliance with building and safety codes standards.”

Vice Chair Candler: Can I suggest one thing? And this maybe is where we want to put the aesthetics. Isn’t that – do we want to put that in there? “Protect and blend with the surrounding environment” or no?

Commissioner Mitchell: That is one of the few things that the County can control, correct?

Commissioner Henley: I think you could drop that work “standards,” just to say, “building and safety codes....”

Chair Raschko: All right.

Commissioner Mitchell: Wait a minute, wait a minute. So, Tammy, was that answering what you were asking?

Vice Chair Candler: Well, it was just for sake of discussion. I’m not sure I’m sold on it, but if we want to talk about the fact that this also addresses the aesthetics that would be a place we could do that fairly efficiently.

Commissioner Mitchell: How would you do it?

Vice Chair Candler: She just put “blend with the surrounding environment.”

Commissioner Hutchison: After the word “regulations” I think you need “to protect.”

Vice Chair Candler: And maybe I’m wrong. That is one of the things that the County’s going to be reviewing for, right? Is kind of just to make sure that they’re not standing out like sore thumbs?

Ms. Rogers: Yes. It’s in our building permit application that’s part of that.

Vice Chair Candler: I think I would like it in there, if nobody objects.

Chair Raschko: Okay, so number 5, what's the consensus? Or *have* we consensus?

Commissioner Mitchell: I think it's good now.

Chair Raschko: All right. Number 6, "A proposed update" – I think it's supposed to say "will" ensure Planning and Development Services is prepared to process applications for development and maintenance of wireless facility infrastructure."

Commissioner Rose: Yep, sounds good.

Commissioner Henley: Would you want to put in there something like "in a timely manner"?

Chair Raschko: *Will* it ensure that?

(laughter)

Vice Chair Candler: You'll be prepared to! _____. I don't know. _____.

Commissioner Henley: I mean, it's the whole reason for the shot clock is to make sure that they do it timely, so –

Chair Raschko: Okay. Everybody accept it as is?

Commissioner Mitchell: Looks good.

Chair Raschko: Wait a minute. Okay. I'm sorry, I'm a little slow here. Did we catch what you wanted there, Vince?

Vice Chair Candler: Yeah, she added "timely." Right?

Chair Raschko: Oh, okay. Okay, thank you.

Commissioner Henley: I'm okay.

Chair Raschko: All right, everybody's good. Okay. Well, we already approved the document. Do we need to vote again to approve these?

Vice Chair Candler: We can. I move that we approve the Findings and Reasons for Action as written on the document.

Chair Raschko: Is there a second?

Commissioner Rose: I'll second. Yep.

Chair Raschko: it's been moved and seconded that we accept the Finding of Fact and Reasons for Action. Is there any discussion?

(silence)

Chair Raschko: Okay, all those in favor, say “aye.”

Multiple Commissioners: Aye.

Chair Raschko: Opposed? Aye, by the way.

(silence)

Chair Raschko: And abstained?

(silence)

Chair Raschko: So that passes unanimously. So I believe this concludes our work on Wireless Facilities. Thank you, everybody.

Commissioner Mitchell: Is that one of the most efficient ones we’ve ever done?

Ms. Rogers: The water pollution one was pretty good, too.

Chair Raschko: Okay, so we’ll turn to the Director’s Update. Mr. Hart, please.

Mr. Hart: Great. Thank you. I’ve got it here so I think we’ll be ready to go shortly.

Ms. Rogers: Hal?

Mr. Hart: Yep? We do have it.

Ms. Rogers: We’re going to go over the joint session ___.

Mr. Hart: Oh, right. Do that first.

Ms. Rogers: So on your screen I’ve written up a draft agenda for the next meeting, which includes a joint session with the Board of County Commissioners. So this is tentatively how we are seeing this go. So last time you did this you were not in person but now you’ll be in the same room. So what we’re planning to do is set up the room in a large rectangle shape so you can all sit around in the same space, so we won’t be up on the dais at that time. We will – at the last meeting you were able to do introductions and your backgrounds, so this time we will just have the two new members provide their introductions and background to the Commissioners. And then the Commissioners will go into their opening comments, which they have indicated they would like to discuss resiliency in Skagit County and how that will play into our Comprehensive Plan Update, which starts next summer. After their opening comments Chair Raschko can indicate an order for which the Planning Commission can respond or ask questions about those topics. And then the Commissioners will go into their talking points on the docket and on agritourism, which are two things on your agenda for this fall that they would like to provide some comment and some of their priorities on those two items. After the Commissioners have their time, again we’ll go around and allow for the Planning Commission to respond and ask questions, and then we will adjourn. Are there any questions about – or concerns or comments – about the topics that we have presented here?

Chair Raschko: Just on sort of a technical thing. Our meeting is called to order and number 1 at the top. Then we're having a joint meeting. I presume the Chair of the Board of Commissioners calls that to order?

Ms. Rogers: Correct. They will call the joint session to order and adjourn it and then you will return to the Planning Commission meeting.

Chair Raschko: All right. Anything else about –

(silence)

Chair Raschko: Okay, thank you.

Mr. Hart: One other item. At least two of the Commissioners were interested in food. Has that happened, or we're not going to do it? You're shaking your head.

Ms. Rogers: No, we just don't have the time, and we were talking about doing it before the meeting but one of the Commissioners has a pre-existing commitment. So we're going to be looking at a different meeting for that.

Mr. Hart: Okay. So they *do* want to break bread with you, but probably not at this one.

Commissioner Mitchell: Christmas.

Ms. Rogers: So that's all I have for that, unless anyone else has anything else on that.

Mr. Hart: Okay. Thank you, Commissioners, for helping us organize that. Hopefully that'll go exactly the way we want it to.

So if you were to drive up to the Port this last week, you'd see that they've broken ground for Lindell Yachts. So there's a picture of a – I should really blow these up. That's from last week. I will go up there tomorrow for the Commissioners this week and just show the week-to-weeks, Commissioners. And I enjoy looking at that.

So let's go to the next one. They've got their ___ fences up – hopefully better. This is KSA Development, 11 new homes on Peterson. That is moving ahead. We are also working with the Port right now looking at the future of Watershed, the development they told us about. And we're looking at what the road profile will be on that, so we are looking at a sidewalk right now on the south side of the road and a ditch and then two lanes minimum. And then we're not sure at this point where the intersections are going to go, but that'll be future discussion. And then we also have to look at moving utilities around as well. So we'll be keeping you up to date as that happens. There's a lot of other stuff to talk about out there, though, so let's keep going.

This has brought up some interesting questions in our office. This firm builds those tide gates we were hearing about, so they have taken and resurfaced this area. So under the state's code we're looking at it and saying, Well, if you take an existing surface and then you dig it out and put more of it in, do you then – since you've touched it – do you then – are you covered under the old code so you don't have to do anything else other than this? Or do you now have to meet the new codes? So I'll keep you posted what the attorneys are saying. The one issue will be – that we have to look at is, Where's the water going off this new surface? And it's going to the adjacent property owner. So it probably did before but we just want to make sure you're not making things

worse. If under the new code you have to do something about it, what is it that you're going to have to do? The code would say you have to treat that stormwater somehow. You can't just send it down on its way without some sort of treatment, and that is going to be expensive, whatever that is. So we'll keep you updated on what that first case scenario is. That's what we're looking at here.

All right, let's go to the next one. We're busy working with our Public Works team. They have three different properties. One is in Marblemount, the other one is Cape Horn, and then I think there's another one closer to Sedro-Woolley. And we are looking at buyouts and, in one case, raising a structure up. So just as an FYI. The river keeps moving and it's undermining a couple of homes that have been there for a long time. So in those cases where we can demolish before the home goes in, they would buy that; do the demo; clean that property; and then just let the river do what it's going to do in those two places. That's my incomplete understanding.

And then the third one is just raising the structure up. So the other thing I would say about that is that we've done some outreach to the community and we must have 15 or 16 conversations now out of about 450, I think we sent out to the community after the November flood. We sent out to a lot of property owners. The property owners weren't coming to us saying they got flooded, but it's really important to know how much water they did get so that we have a more complete picture of what was going on. So we have at least 15 or so of those coming in and saying, Hey, we would like to be raised, or we are interested in this. Because this last flood, the dynamics in the November flood were different than the dynamics of a river flood that we've seen before. This was more of an atmospheric river coming in and pounding the lowlands and the low hills and then coming behind people. People were watching the gauges but the gauges weren't saying it was flooding and so they didn't leave. But then the water came up and caught them. And so it was a little bit chaotic because it was a different kind of flood event. And so we're seeing that kind of change in flood events from what we are used to because the conditions seem to be changing right now. So we're doing – we're kind of doing some of that work now under our CRS program. Jack, our building official, will be helping. Randy, our plans examiner, will be helping, and I will be helping to look at what actually happened last November, and then FEMA will be in looking through every flood elevation, every piece of property that they think got flooded, and asking us a lot of questions this winter. So it's part of an annualized process that they are starting to do. So I'm just kind of keeping you updated in that. Let's go to the next slide, if there aren't any questions.

(silence)

Mr. Hart: So the next issue is: As a result of the flood, it really – that flood in November really hit Whatcom County and then B.C. much harder than it hit us. But the FEMA folks are asking us, Hey, is there some way we can work together and look at resiliency and what it means to the County? And so we're trying to define – we're still just trying to define, What is that? And one of the issues that came up is: How can we look at what a resilient population would be? So for the folks that got impacted this last time, what does that mean? What's it mean in terms of forest fires, and then what does it mean in terms of future flooding as well? So we're going to work with them.

We've come up with – really the only thing that might be useful over the next 90 days is to come up using GIS, Geographic Information Systems, and looking at our road systems, looking at private roads, public roads, who's on a dead end, how can they escape in a fire situation? We might look at, What are those populations that are moving into places that are very inexpensive but flood a lot? And those are kind of housing choices of last resort. And so how can we communicate with those folks? And I can give you an example of one that was occurring yesterday and this morning. We're dealing with somebody who purchased a property 30 to 40 years ago

and they made some alterations to that property, but it's all in the floodway. And so now they want to sell the property. We're saying, Hey, the bank won't want this part of that house because that part of the house was never permitted. You did that without going through any sort of permit process and the bank doesn't want to have a loan on something that isn't covered on that. And so they find themselves in this conundrum and a lot of people do, but it made improvements on their property but they're in the actual floodway where there's some velocity. And so getting that word out to folks and trying to figure out a way so folks can navigate that is really important as we – and so we're looking at those places where we have repetitive flood losses, year-in year-out or next big flood. And so, you know, one of the things that's really interesting is that the flood that we had last time didn't match of the stuff that we've had year to year. It was a – it came from a different direction. People weren't ready for it. And so – anyway, it kind of all goes into the idea of, How can we be more resilient? What kind of technology can we use? So we're going to be experimenting with asking questions of the data, asking geographic information kinds of questions. We'll bring that back to you and tell you what we're finding. Okay?

Two more things, and I apologize for the delay. I don't know if you caught it, but the CERB board announced \$1.7 million in awards to Skagit County for the flour mill – Northwest Mill – expansion today. So that will occur and 400,000 of local match will occur, and there's 35 FTEs that are supposed to benefit. And it's up at Bayview, is my understanding. So that's another one that if you didn't – I just happened to read the paper just before I walked in here and it was there today.

Also, this is another important one. And think of everything you just heard in that hearing. WSDOT reached out because I was asking them, What are *you* guys doing for resiliency? And they're saying, Well, what do you mean? Flood, or do you mean fire, or do you mean earthquake? What do you mean? And I said all of it. What are you doing? And he said, Funny you should ask that. I was just calling you to invite you to sit on our resiliency effort. But my concern will always be if WSDOT wants to do something with the I-5 corridor – right? – I'm afraid they tend to grow that corridor, and that will take out more ag ground, more agricultural resource lands. And I don't know if you heard Ellen Bynum today, but she said, Hey, what WSDOT does can impact the natural resource land negatively. And I think that's a really good way for me to kind of be in that room working with their planners to say, Hey, what impact are you having on the existing natural resource industry that you cut right through. Yes?

Commissioner Hughes: Can I follow that up with –

Mr. Hart: Sure.

Commissioner Hughes: – the train talk that's going on, the high speed train?

Mr. Hart: That's exactly where my head was going.

Commissioner Hughes: That's not really DOT but –

Mr. Hart: Well, there is a second part to this and I'm sure the second part – they didn't tell me what the second part – the first part is they're going to hire a consultant to do all this work and they want me there. And the second part, I think, is looking at the long-term resiliency of a corridor for transportation. But it would then probably be the most cost-effective would be to put those things in the corridor, but who knows at this point. But that's exactly where my head went, Commissioner Hughes.

Commissioner Hughes: Thank you.

Mr. Hart: Yep. Keep you in the loop.

Chair Raschko: Are there any other questions for staff? Go ahead, please.

Commissioner Mitchell: Jenn and Sarah and Hal, whatever you guys are doing – your team's doing – behind the scenes for all of us getting the materials together, the presentations, the reports and everything –

Mr. Hart: It's those guys.

Commissioner Mitchell: It's like all the cogs of the wheel are working really well right now in getting things to us in a timely manner, complete reports, and, you know, as much as you can get for topics from people. Because I know all of us ask questions if we're getting the material. So thank you very much for what you guys are doing and how you're doing it. It makes a world of difference for us, and so thank you and keep doing it!

Ms. Rogers: Thank you.

Commissioner Rose: I have one comment on the stormwater thing, on the retrofitting. I'd hate to see the conversation that it's too expensive when, because there are cost-effective ways of treating the water. But a lot of even civil engineers kind of bury their heads in the sand and they don't look at those things. There's just so many choices of how to tackle that problem. At any rate, so I'd hate to see the argument, Well, we had a hard surface there before so why should we do anything now, even though we've completely replaced it. I'd like to – I hope that, at any rate, common sense prevails.

Mr. Hart: That's a great thought, and I'm going to have to dig into and maybe ask you what some of those commonplace solutions might be.

Commissioner Rose: Right.

Mr. Hart: And then take those back to my staff team and say, What about – why can't we do that? So...

Commissioner Rose: Yeah. I mean, yeah, I'd be happy to do that – talk to you about it.

Mr. Hart: Okay.

Chair Raschko: Any other comments, questions? Yes?

Commissioner Mark Knutzen: I just have a couple questions for staff regarding our next meeting in two weeks regarding the Farmland Ordinance Deliberations we're going to be doing. Have we received any written testimony from Seattle City Light yet?

Ms. Rogers: I personally haven't. To our PDS Comments box, we haven't gotten anything from Seattle City Light, but they are in communication primarily with the Prosecutor's Office.

Commissioner Knutzen: I'm expecting – Thursday. It closes Thursday at 4:30.

Ms. Rogers: Yes.

Commissioner Knutzen: Will you be forwarding – I've gotten several emails; I'm sure we all have – from several of the people who spoke here. Will you be able to forward everything to us before our next meeting? Generally you do.

Ms. Rogers: Yes. Yes, so your materials next week will include a supplementary staff report, which will address the comments, and it will also include all of the comments that we have received thus far.

Commissioner Knutzen: That'll – tonight?

Ms. Rogers: We'll have a transcript of tonight's testimony.

Commissioner Knutzen: Right, and we'll have that.

Ms. Rogers: Right. All the written comments that we have received via email or mail will be bound together into one PDF document and as an attachment to the supplemental staff report.

Commissioner Knutzen: Okay, good.

Vice Chair Candler: And that will be on the website, correct?

Ms. Rogers: Yes, it will.

Chair Raschko: Anything else?

(silence)

Chair Raschko: Okay, well, thank you very much. We'll go into Commissioner Comments and Announcements. Mark, have you anything?

Commissioner Knutzen: I don't have anything else. Thank you.

Chair Raschko: Jen?

Commissioner Hutchison: Nothing tonight. Thank you.

Chair Raschko: Vince?

Commissioner Henley: No, nothing more.

Commissioner Hughes: Nothing.

Vice Chair Candler: I really want to thank Commissioner Mitchell for being prepared for the recorded motion. It made it go really quickly. And a couple others' work as well. Thank you very much for that. That's all.

Commissioner Mitchell: Pass. Thank you.

Chair Raschko: Martha?

Commissioner Rose: Yeah, for those who didn't get the memo, we're going to have – be part of the National Solar Tour on Saturday from noon to four on my current project that is just completed in Sedro-Woolley. So it's at 1180 and 1200 Jameson. And the thing that makes me most excited is that the solar arrays that are on the roofs of these houses will produce a surplus of energy on an annual basis with enough left over to charge the vehicle. So 20 years ago, 10 years ago we all said it couldn't be done, but now we know that it can be done. And so the idea of the tour is to invite everybody to show up and get educated about how you – How do you do that? At any rate, I hope you all can come.

Commissioner Mitchell: You're sending us a notice or something?

Commissioner Rose: This is your notice!

Vice Chair Candler: Could you say the time one more time?

Commissioner Rose: There was a – there's going to be another ad in the *Herald* on Friday. We had an ad on Sunday and they wrote a nice article on Friday. But I can send the information to Jenn and she can pass it around. Yeah.

Chair Raschko: Are you done?

Commissioner Rose: Yep.

Chair Raschko: Now it's my turn. I made a big mistake. I was thinking of going first because I was going to make a surprise announcement that one of our fellow Commissioners was honored by having two of her homes in the National Solar Tour! There's only six in all of Washington that are in this and two of them are hers! But –

(applause)

Chair Raschko: But next time I'll go first! So anyway, congratulations. That's great.

Commissioner Rose: Thank you. What many people don't realize about that is that *anybody* can be in the Solar Tour. It's not like you get picked. You actually offer to do it and it is a fair amount of work to deal with it, right? Yeah, I'm not so sure why there are so few in Washington State because Washington is at the forefront of homes that have solar on them and that are energy-efficient. I think it has to do with timing because we were supposed to be done with these houses six months ago, and they dragged out so long that all of a sudden the solar tour came around. It's like, Oh, let's be part of that! Right? So just so you guys understand how it works. You don't always – you jump on whatever bandwagon is happening when your houses are ready to go on the market.

(laughter)

Commissioner Rose: I'm just being honest about it, you know?!

Chair Raschko: Well, now that we know the true story.... All right! I'd also like – pardon me?

Commissioner Knutzen: It's all about timing.

Commissioner Rose: It is, yeah.

Chair Raschko: Well, I also want to thank Vince for his little caveat on that wireless facilities issue. I thought it was really well-spoken and I thought it was good that that was brought out. So thank you.

Commissioner Henley: Thank you.

Chair Raschko: And I've got nothing else, so I thank everybody and have a good night and the meeting's adjourned (gavel).