

**Skagit County Planning Commission
Continued Deliberations: Comprehensive Plan 2016 Update
May 17, 2016**

Commissioners: **Josh Axthelm, Chair**
 Annie Lohman, Vice Chair
 Hollie Del Vecchio
 Tammy Candler
 Martha Rose
 Kathy Mitchell
 Tim Raschko
 Kathi Jett
 Amy Hughes

Staff: **Dale Pernula, Planning Director**
 Ryan Walters, Assistant Planning Director
 Kirk Johnson, Senior Planner
 Jill Dvorkin, Civil Deputy Prosecuting Attorney
 Dan Berentson, Public Works Director
 Paul Randall-Grutter, County Engineer

Others: **John Coleman, City of Sedro-Woolley Planning Director**
 Kevin Murphy, Skagit Council of Governments Regional
 Transportation Planning Organization

Chair Josh Axthelm: (gavel) It's Tuesday, May the 17th. Welcome to our Planning Commission meeting. And we call this meeting to order. Do the Planning Commissioners have any changes to the agenda?

(silence)

Chair Axthelm: Okay. The public will be reminded that public comment is the – the public comment period is over and we're doing deliberations, so please – you're free to be here, but please refrain from public comment and outburst. Thank you.

Okay. So Continued Deliberations for the Comprehensive Plan. Planning Department, do you have any comments that you'd like to make?

Dale Pernula: Do you wish to begin with Sedro-Woolley – zone change? Or where do you want –

Chair Axthelm: Yeah, just did you want to have any introduction or anything on the staff report?

Mr. Pernula: Well, I can make a few comments about it. The Sedro-Woolley proposal is fairly complicated because there're several different things. There's recommendations regarding the northern UGA, the southern UGA expansion, and a western UGA expansion. We're recommending in favor of the western UGA expansion. We're not recommending in favor of the southern UGA expansion because it's for the most part ag land. Then on the northern UGA

expansion, originally we recommended reducing it from 149-point-something acres to 130 acres. After getting the supplemental information from the City of Sedro-Woolley indicating that a number of acres underneath a fairly large power line would not be developable and there are already some developed parcels of land in that area, we agree to – that the full 149-acre area should be included in the UGA expansion to the north.

Chair Axthelm: Okay. So on the list that we developed last time we have –

Annie Lohman: The monitor is not working.

Chair Axthelm: Oh. We have a monitor not working.

Hollie Del Vecchio: We don't need to wait for it, though. I can look on my neighbor's. Thank you, though.

Chair Axthelm: Okay, so scheduled today on the list we had transportation first, then Sedro-Woolley UGA, and then the Countywide Planning Policies, open space, water availability. So I was suggesting that we start out with the Sedro-Woolley urban growth area, as we'd already started on that one, and then going to transportation. Commissioners all right with that?

Tammy Candler: I'm fine with that.

Chair Axthelm: Okay. All right, so let's go ahead and proceed with that first. Would you like any further public – or any questions for the City?

Ms. Candler: I do have some questions, if Mr. Coleman's willing to answer some things.

John Coleman: Hi.

Ms. Candler: Hi. So the first question I have is this. The Housing Element – the Comp Plan that's on the Sedro-Woolley website includes Chapter 5 as the Housing Element. Was this done in 2012? Did I read that right?

Mr. Coleman: Yeah, that seems about right.

Ms. Candler: It was a little bit difficult for me to tell, but it seems like I read something that maybe the water treatment plan ___ Center for Innovation and Technology – was part of kind of the impetus for needing a little bit more space. Is that fair to say or is that not related?

Mr. Coleman: Yeah, as part of the employment allocations that the Skagit Council of Governments Growth Management Act Steering Committee reviewed, there was recognition that the Center for Innovation and Technology is a large jobs driver and possible employer, so there was an employment allocation for Northern State specifically, based on the numbers that were included in the Center for Innovation and Technology's environmental impact statement, but in a planned action impact statement to determine exactly how much growth and how many jobs and what type of development could be accommodated at that location. And through the EIS process there was a determination of the specific number of jobs that are likely to happen up there. And then we named all of the potential mitigating factors – mitigation that would need to be done in order to enable that. And so that's all been identified and so it's ready to go to the tune of 2900 jobs in that area. And everything that – all the impacts were already addressed and identified what we would need to do to enable that.

Ms. Candler: Okay. So I was wondering on the Hovee study – am I saying that right? Hovee?

Mr. Coleman: Hovee.

Ms. Candler: Hovee. Okay. They seemed to be saying that the Northern State site that we're talking about is currently zoned for public use and that that wasn't really part of any of their analysis. Do you think that's accurate reading of it?

Mr. Coleman: They deferred to the EIS. It was included as – it is zoned Public, but under the EIS it's publicly-owned, and so under the EIS the jobs are envisioned there and the EIS identifies how many jobs – exactly how many jobs. That's why instead of doing a separate analysis for how many jobs could go in that area, the Hovee study identified the EIS and said, That work's already been done. Please refer to that document for the total number of jobs and the mitigation that's necessary in order to accommodate that.

Ms. Candler: Okay. Because it seems to be saying that they're specifically not including it in this buildable lands analysis, so I guess you're saying they are, in a way, including it.

Mr. Coleman: It's a little – as Dale said earlier, it's a complicated piece. The Hovee study examined our allocation for the city commercial – well, all of the employment – and residential. The EIS was ongoing at the same time through a different process. Those two were brought together. Instead of Hovee trying to do an analysis of – you know, doing an entire future analysis of the Northern State property – the Center for Innovation and Technology – that work was already done, so we just brought them together into our application to the County. The EIS study is a very high level review of what can and cannot be accomplished in that area so if anything that is – you know, that's much – we put a lot more work into studying that area.

Ms. Candler: Sure. But I think for my purposes, I think you've answered my question. This is – because of its categorization as a public land, they weren't including it in any of the commercial discussion, really, that they're talking about in here, I think.

Mr. Coleman: That might be a little misleading the way it's worded in there. It wasn't studied because it's already been studied and brought together separately.

Ms. Candler: Okay.

Mr. Coleman: It is zoned – it was zoned Public so he wasn't – Hovee wasn't studying it for its economic – for its economic and employment factors. Those were studied separately.

Ms. Candler: Okay. And as far as the methodology of the Hovee study, I am looking at it and it looks like there was four different categories that they looked at based on developmental – developmentable land: vacant land, partially vacant land, unbuildable land, and developed land. And I didn't see where any of that accounted for fully developed, fully taxable but vacant land. Would you agree with that assessment or was that accounted for somehow?

Mr. Coleman: I'm sorry – didn't account for which?

Ms. Candler: Empty spaces. Empty, currently-built but vacant spaces. Because they had four different categories they looked at because it's – I think it's because it's a development study, not a use study.

Mr. Coleman: I'm a little confused by what you mean by fully-built but vacant.

Ms. Candler: Like empty office spaces, empty structures.

Mr. Coleman: Oh, those would be – okay, that would be developed.

Ms. Candler: That would be developed. Right.

Mr. Coleman: Yes.

Ms. Candler: So the Hovee study wasn't designed or wasn't looking at that. Is that correct?

Mr. Coleman: It did not look at vacant structures; however, it did build in a vacancy rate under the methodology and the assumptions.

Ms. Candler: Okay. Okay. And then sort of switching gears away from the study – well, one of the options recommended by the study was upzoning, you know, and taking in a lesser expansion. What are your thoughts on that? What are your thoughts on whether or not there's some feasibility for upzoning within the current city limits, for example?

Mr. Coleman: That was the first thing that the Planning Commission – the Sedro-Woolley Planning Commission – addressed after receiving the study. Reviewing – they reviewed the study, our current land use patterns, and determined that, you know, under the scenario in the City of Sedro-Woolley that they did not wish to do upzoning. So that was a policy decision.

Ms. Candler: I think that answers my questions. So I do have one other thing. This is a – obviously a plan that's supposed to take us through 2036. In your view, how far would the current expansion get us, as in – what I'm trying to say is, Are there current plans to develop that area immediately? Or are you really going to just look at this as a reserved area that someday will be built up?

Mr. Coleman: There's not specific plans to build on any of those properties. First of all, it's not in the city so, you know, nobody would be approaching us to do an expansion – to do any development outside the city; however, you know, we studied very closely what our future population trajectory is and we based our UGA size specifically to accommodate that. So our target – our projected 2036 – we envision that it would be completely full, minus the market factor rates that are built into the study. So we envision that at our current population trajectory we would be getting pretty full at that point and ready to do further expansion, or possibly at that time might be interested in doing different, you know, infill or whatnot – whatever the tools are in the toolbox to accommodate future growth.

Ms. Candler: Right. So my question also is, If you build that out at 2018 standards, are you concerned about having the same problem that you're having now with the eastern – what would have been the UGA? You know, looking into the future, are – if we build something out there by today's standards, aren't we kind of going to be in the same maybe place we are with the eastern UGA?

Mr. Coleman: Absolutely not. The problem with the eastern UGA is that it was built during the time *not* of Growth Management Act. So there was able to provide – there was able to, under County rules, build subdivisions out there that are closer to urban densities but not the same

without providing the urban services. We would – you know, in our urban growth area no growth – no large development would happen until it would be annexed into the city, at which point we would require the city standards such as curb, gutter, sidewalk, sewer, PUD water. All of that would be built as part of it there, but I mean that's the whole point – to avoid sprawl and to provide urban services in areas that are urban. So no. I think this action would make it so we would no longer have problems in the future such as the eastern urban growth area where there are no urban services but it kind of looks like an urban area.

Ms. Candler: And when you were here back in I think it was January, Commissioner Del Vecchio was asking you about what does infeasible mean, because, like, as the crow flies, this eastern UGA is ideal in its proximity to downtown businesses and things like that. Have you considered some grant funding for some of those costs that would be incurred that might make it feasible to build there?

Mr. Coleman: Absolutely, and we've studied it in the past. You know, in the past we had numbers. Those numbers actually changed, of course, as, you know, the price of development goes up. Identified potential funding sources and they're just not there. There are no – at the current time, there's no grant funding available to extend sewer, build streets and – you know, it's not just sewer. It's streets, sidewalks, and other urban improvements that would also be necessary. You would have to cobble together many different grants in order to achieve urban services at a city level.

Ms. Candler: You'd have to cobble them together. Does that – should I take that to mean that they are there; it's just kind of a cumbersome process?

Mr. Coleman: I should say even if there were grants to, say, get sewer brought there, we would then have to apply for other grants. TIB wouldn't be one of them because it's not – they're not arterial routes in large parts of the area. It would be extremely unlikely to be able to bring all the pieces together. And one of the key facts that's not being pointed out here is the residents already have services that they need to live comfortably in their homes. So there's no impetus for them to want to participate in any upgrades.

Ms. Candler: Sure. Okay, I don't have anything more right now. Anybody else?

Chair Axthelm: Anybody else, any questions or comments for John?

Martha Rose: I have one question. So will you please clarify the piece that the County is not recommending to include that's at the south end, what the impact of *not* having it included would be?

Mr. Coleman: That property was purchased for the purpose of a future drainage facility. Under Department of Ecology guidelines, the City has to provide NPDES storm treatment under our NPDES Permit Phase II to accommodate and treat stormwater from the city system. So that is immediately to the south, also downhill from the city so that's a logical location for any future stormwater treatment and storage facilities that might be necessary as part of our future permitting requirements under Ecology's system. So what we would be using that area for, in the likely scenario, is for stormwater treatment and attenuation. It is downhill from the city so we couldn't obviously put something like that up the hill. That's why we wanted that part in the city and why we purchased it in the first place.

Ms. Rose: So if that is excluded from this new boundary, what's the impact of that?

Mr. Coleman: It would complicate or possibly prevent our ability to use the property purchased for stormwater as a stormwater facility.

Ms. Rose: And what's it being used for today?

Mr. Coleman: Not much. The area that the County has put on the docket is not used for agricultural land. It's kind of a – just a treed area along a conveyance ditch.

Mr. Pernula: I would point out that those kinds of utilities are permitted in the county so that facility could be developed as they proposed, but it does require a special use permit from the County.

Mr. Coleman: So it would certainly complicate the City's ability to use its own property and permit it under our own system.

Ms. Rose: Does the City own that property?

Mr. Coleman: Yes.

Ms. Rose: So I'm having trouble understanding why it makes a difference one way or the other, except that there's a special permit that –

Mr. Coleman: Yeah, we would have to go through a special permit through the County to use City property.

Ms. Rose: Okay. Okay.

Ms. Candler: How many acres is that? Do you remember?

Ms. Lohman: 4.3.

Ms. Candler: No, that's the western, I think.

Mr. Coleman: It should be right here. One moment.

Ms. Rose: Dale? Can you clarify why the County –

Mr. Coleman: Oh – approximately 12 acres.

Ms. Rose: – thank you – eliminate – or not recommending the – can you clarify that?

Mr. Pernula: Okay. You see it's – we divided it into two pieces. The southern portion, which is the larger area, we did not docket because it is currently in agricultural use and zoned Ag-NRL, so it wasn't even docketed by the Board of County Commissioners. The other part that has the blue line around it, we thought, Yeah, it doesn't have the same kind of agricultural use as the other portion. But as we started going into it in some detail, we found that, you know, it has in fact been used in agricultural in the past as an agricultural use, and the soils were also those kinds of soils that would indicate that it should be maintained in agricultural use. I have some sympathy for that going into the UGA and them using it for that facility; however, the hurdles that are included in trying to de-designate it from Ag-NRL to another use was very difficult. And at

the same time we were looking at that, we understood that the utility that they're proposing can be accomplished in the current zone in the county.

Ms. Rose: Thank you.

Chair Axthelm: Any other questions from the Commission for John?

(silence)

Chair Axthelm: Okay. Thank you. So if you note in the staff report – and actually Dale had already mentioned it about the 149 acres versus what was previously on RC-20. RC-20 on Staff Report #1 was changed to RC-1 here. Is that correct?

Mr. Pernula: To the RC-1 on the Supplemental Staff Report #3.

Chair Axthelm: Yep, to change what's stated on #3. So regarding this, do we have any motion?

Ms. Candler: Yes. I am going to move that we recommend with the Department on the western section, but I am also going to move that we consider recommending a considerably reduced expansion on the northern side. And I have some further comments about that.

Kathy Mitchell: Second.

Chair Axthelm: So it's been moved and seconded. Oh, do we have our – have it up here?

Ryan Walters: We can.

Ms. Candler: And, Chairman, I'm going to ask to approach the overhead there to make some further comments during deliberations.

Chair Axthelm: Okay. So can we get a statement in here? Would you like to restate it so he can write in?

Ms. Candler: I'm going to recommend that we – I'm going to move that the Planning Commission recommend a significantly reduced expansion on the northern expansion request.

Chair Axthelm: So it's been moved and seconded to approve a significantly reduced expansion for the northern portion of the Sedro-Woolley's UGA expansion request. Discussion?

Ms. Candler: I'd like to go to the –

Ms. Lohman: Wait one second just to clarify. Originally you said you were going to support recommending the western expansion. Did you want to tack that on or have that as a separate motion?

Ms. Candler: I think we should do that separately.

Ms. Lohman: Okay.

Chair Axthelm: Okay. So do you want to approach this one right now?

Ms. Candler: Yeah.

Chair Axthelm: Okay.

Ms. Candler: Is it okay with everybody?

(sounds of assent)

Ms. Candler: So I'm going to try not to take up too much time, but I do have some photos that I want to share with everybody here in case you haven't made a trip to Sedro-Woolley lately – or in this case, not lately.

Here's a picture of Main Street, Sedro-Woolley. I believe it's looking north, circa around 1959 or '60 when my dad went to school there at the Sedro-Woolley High School. This shows, you know, there's a drug store – Rexall – Coast to Coast. When I went to high school there in the '80s, late '80s, it pretty much looked like that except the cars were a different vintage.

This is just a lovely picture of the heart of Sedro-Woolley, just so we can get oriented. This is the corner of Ferry Street and Metcalf. This is about as main as it gets – kind of city center. This picture is from standing near that gazebo looking to the east, and this is another shot looking south from across the street where that one was.

And what's going to be next, I don't have a whole lot of comment about. It's just a series of concerning vacant buildings that are right on Main Street of Sedro-Woolley. This is a rather large space. It used to be a bowling alley. This is slightly off Main Street. This one is a series of buildings, most of which are occupied. Some are not.

Ms. Lohman: May I ask you a question?

Ms. Candler: Yes.

Ms. Lohman: So what was the percentage of vacancy?

Ms. Candler: A lot. I didn't count, but it was – that's why I brought the photos. This is about a three- to four-block downtown area and what I've done is – this is – so you've got Main Street, the back side of Main Street – pretty much where all these photos are within that three- to four-block area. This one's probably off Main Street by a block or so, I think. This is off Main Street by – well, it's the other Main Street; it's Ferry Street. If you look at this photo, the left-hand side would be where that gazebo is. This is what used to be a grocery store. This is on the back side of Main Street facing west toward Highway 9. This used to be a grocery store, then it was maybe a liquidation place for a short time. This was – this has been vacant for a long time. These are a little further down. This is across from E & E Lumber roughly, about two blocks. Just keep going from the grocery store. It's another block or so.

Ms. Mitchell: And that one's empty too?

Ms. Candler: Yeah, if you look carefully that door says something about having moved, but I didn't print the photo of that. It moved somewhere else other than _____. This is in that same area. It also had a sign on the door that says that they've moved. This is going out on the highway just indicating some vacant spaces. This is on the site of the old McIntyre Steel Mill, roughly by where Cook Road and Highway 20 are meeting. This used to be Rhode's Pizza. It's

vacant currently, and it's straight up Main Street but on the highway pretty much – a little bit to the west. Just along the highway, just more vacant space signs, all within the city limits. It says "For sale something." And these are – I just snapped a few random pictures. These are homes. Just randomly in a very short distance of driving, I snapped pictures of vacant homes, or homes that were either vacant or for sale, not necessarily vacant yet. This is a picture of the proposed northern UGA area that is north of Bottomless Lake. Another picture of the same thing. And this is what's in between the proposed UGA expansion and the city of Sedro-Woolley. I think that picture was taken from Bassett Road looking south. That's all I have as far as pictures. I'll come back.

Ms. Mitchell: So really what a lot of those show is an awful lot of vacant buildings and property within the city, so it kind of makes you wonder why the expansion's being asked for if there's available property – I believe is what that's getting to.

Mr. Walters: Mr. Chairman?

Chair Axthelm: Yes?

Mr. Walters: It is certainly very unusual to have a Planning Commissioner offer this level of detail – photography evidence – outside the public hearing or at this stage, although I'm certainly not aware of any rule against it. I could be corrected if wrong. But this not being a quasi-judicial proceeding, I don't think there's any rule against it and certainly I offer no judgment as to the validity of the points. I do think it might be helpful to offer the City another opportunity to comment on the vacancy rate, though.

Ms. Candler: I do, too. Thank you. Those are – just so everybody's aware – those are, you know, visual exhibits or demonstrations regarding my deliberations.

Chair Axthelm: And I think, you know, we have an opportunity to comment. She asked me earlier about illustrating it based on pictures and it made sense. Okay. So, Tammy, if you want to finish up any comments.

Ms. Candler: Yeah, thank you. And Mr. Coleman talked a little bit about whether or not these – there was some kind of an equation or some kind of a calculation regarding vacancies built into the Hovee study. The way I read it, the Hovee study showed a 3% shortfall over the next 20 years for residential area, and I think 23 or 26% for commercial. And unless I know how the methodology is including some of those vacancies, I have concerns about the direction that Sedro-Woolley's moving. The grocery store that used to be on the corner is now on the highway. The Rite-Aid, or the Holland Drug that used to be downtown where the Chamber of Commerce is now is a Rite-Aid on the corner of Highway 20 and Township – or Highway 9. The character of downtown is concerning, and I would like to see more information before the expansion is approved.

The Hovee study talks about some options for the residential lands I'm speaking of. It's on page 10. One of them is consider adjusting one or more of the assumptions used with the methodology in this analysis, so I'm suggesting that maybe that needs to be looked at. They also, as I mentioned earlier, suggested a potential upzone, which apparently Sedro-Woolley's not – they made a decision that that was not their wish. But one of the recommendations was to provide for a relatively minor UGA expansion, possibly in the range of 10-plus or -minus buildable acres, depending on the mix of residential zoning and associated building densities that might be considered. So if the study they have is telling them 10-plus or -minus, I think 150

plus the west and the south that they're asking for seems excessive. And then the other option was to provide for more significant UGA, but it specifically says, "The amount of land that might be required is not directly determinable at this point but would depend in part on the mix of commercial versus industrial employment to be accommodated." So I think what it's saying is if we're going to go a bigger, more significant UGA expansion we're not ready to determine what that might be at this point.

Chair Axthelm: And that was in the study?

Ms. Candler: That's in the study. It's page 10 under "Policy Options for Residential Lands." For employment lands, they do seem to be indicating that there's a large size gap of what can be accommodated as compared with the 2036 requirement, but again one of their ideas is that they could modify some portion of the methodology and/or assumptions regarding employment and get a different result. And so I'm concerned about that.

Chair Axthelm: Kathy?

Ms. Mitchell: Martha first?

Ms. Rose: Well, if you want, I can go last.

Chair Axthelm: Kathy, and then –

Ms. Mitchell: Thank you. I think I'd like to commend Commissioner Candler for having done that. I wish I had thought to do it that way. I drove around out there myself and had the same kind of ideas come across. There's an awful of vacant buildings, lease for sign – you know, for lease buildings – and a lot of it is looking rather seedy. Now the thing is, a lot of us come from small towns and understand how things happen with economics – how they come and go – and we like to find ways to revitalize that – different areas. And I can't help but thinking the same thing at this point. Independent of the pictures that she had put was the same thing. When we're looking for an expansion that's so far north when there's still so much in town that can be taken care of. So I'm very much interested in the same kind of answers from Mr. Coleman. It just strikes me that revitalization, if it's possible, is the first preference. And I realize you guys do a lot of hard work. It's not that, John. But that seemed to be a preference. And the pictures do speak loudly, so I would like to say I really appreciate Commissioner Candler for having shown us those.

Chair Axthelm: Okay. Martha?

Ms. Rose: So I'd like to present my point of view about Sedro-Woolley because I just moved there last September and I'm a strong advocate of infill development and densifying the inner city core. I'm also a fan of housing that's not out of control as far as runaway costs. And so when thinking about this puzzle, to expand the urban growth area at all, to make that cost effective it has to be a certain size because whoever builds those houses out there will be financing. They will be paying out of their own pocket for the sewer extension and the sidewalks, and unless you have an adequate area to justify the expense of that, none of it will be done.

And then the other thing is that vacancies in the downtown core are as upsetting to me as they are to everybody. I don't think that the housing accommodations will significantly be provided downtown because most people want a yard – families want a yard – and also the expense of rehabbing an old building is often way more than – even though that's what I do; one of the

things I do – rehabbing an old building can cost twice as much as building a new building, and that's part of probably the problem there. Secondly, building mixed use downtown with housing and commercial is more expensive than building houses. And so when I first started learning about this desire for the expansion, it was directly tied to the new employment that would take place at Northern State Hospital with the jobs. I thought that the jobs – I think they've already started hiring people and I think some of those people are commuting from Bellingham right now. Because I have – my son and his girlfriend both live in Sedro-Woolley and she owns a business in Burlington, and some of her employees are having trouble finding housing. Even though there is – you can drive around and see for sale signs, there is not a high vacancy rate of housing. In fact, I'm told that housing is limited in Sedro-Woolley.

So I am – feel very protective of farmland and very in favor of infill development, and yet in my mind I feel like this proposal is justified because of the employment that's right up the street from where this expansion is proposed. And I think that when the new housing is built and occupied, if not before, that the downtown will transform. It's already starting to transform with the old J.C. Penney building that was turned into the Woolley Market and the other one down the street. And it was even thrown out – because I talked with some other business people in the community – that some of these vacancies might be absentee landlords who actually need the tax write-off. So we don't know why they're all vacant. Some of the buildings need upgrading. But it's a complicated situation but I actually can see it all – I'm very optimistic. What I don't want to see happen is limiting housing opportunities to the point where housing starts escalating out of everybody's price range, which is what's happening in most of the urban centers. And it hasn't happened here yet, and I would hate it if that became the rule of the day here. That's all I have.

Chair Axthelm: Any other comments from the Commissioners?

Tim Raschko: Let me just say that was very well spoken and I agree with you.

Chair Axthelm: Hollie?

Ms. Del Vecchio: And I'm actually going to agree with all of you, as difficult as that might sound. I think the infill opportunities in Sedro-Woolley, I think, are there. I haven't – I'm not convinced that they've been looked at seriously so to me that's something that – I'm not convinced that there's not opportunity there. At the same time – and that's for a resident. I know a lot of the photos were focused on the commercial, but I think that there's room. I do – I live in Sedro-Woolley. I love Sedro-Woolley. I do think that there is room – I would love to see the downtown revitalize. Residentially and commercially there's room for growth within the – whether it's vacant land or – totally vacant land or just, you know, vacant buildings, that there's room there that hasn't really been fully explored.

At the same time, I do know that housing is a big problem. That's – especially, I think, rents right now in Sedro-Woolley are on par with Anacortes, which is – may be something that will be helped with this; maybe not. But there is a housing shortage both in terms of rentals and – you know, things come on the market and if they're at all decent they go pretty dang fast. So I see the need for the additional housing. I'm not convinced that we need as much, especially in the northern portion of the expansion. I would like to see some more effort to infill and really bring people back into the town or keep them there and provide more opportunities there. So I'm – I don't know if we're putting a number on the significantly reduced expansion and what that really means. I think I would be in favor of reducing the expansion, if nothing else to encourage some energy to look at the infill opportunities. Maybe not all the way down to 10 acres. If we are going

to do it, it should be feasible, just as Martha was saying. And I'm not – you know, if you are going to have a good group of folks up there, I'm not opposed to having some commercial activity up there as long as it's not – I wouldn't want it to be so large as to draw people away from the downtown either. So, anyways, that's my – those are my thoughts.

Chair Axthelm: Okay.

Kathi Jett: No comment.

Chair Axthelm: Okay. Would you like to hear from John again for response?

Ms. Rose: I would ask John if he has anything to add.

Chair Axthelm: Are there any opposed to that?

(negative sounds)

Ms. Del Vecchio: If he has something he wants to add.

Chair Axthelm: John, do you want to add anything to that?

Mr. Coleman: Okay, first of all, thank you for advertising for all the vacant buildings in town.

Ms. Candler: You're welcome.

Mr. Coleman: Several points for clarification: A lot of your basis of the need is based on something as you stated was inaccurate. The study does show a need for a 3% increase for residential. That is what's included in the first section. You remember there's three parts to our northern area expansion. One is to accommodate that 3%. The other is to accommodate 21 acres that is being taken out of R-7 and needs to be relocated. And so as the County analysis shows on that – and we looked at that last week, so give me a moment while I re-find that data; that was the table that we talked about at a fair amount of length. Sorry – I'm nervously searching through notes trying to address several of the points that have come up.

Chair Axthelm: John, if you could just hold it for a second. I'm going to ask Ryan a question. As far as the acreage – us reducing that amount down – is that even an option for us to do?

Mr. Walters: Well, yeah, you can make a recommendation.

Chair Axthelm: That it's reduced, but I don't – that getting into detail is not – seems to be a little extensive.

Mr. Walters: I think you could have more or less detail. Well, I don't think you could have less detail than what you have here on the screen.

(laughter)

Mr. Walters: But you could add more.

Mr. Coleman: So the R-7 converted to Mixed Commercial created a need for 150 units and then the 35-acre eastern UGA transfer of the 35 acres of land that could be developed but we

can't provide services to, that would be moved to the north area too. So it's not just to the 3% that we're talking about, and I feel like that's the way it was couched during your presentation. So we clearly showed that by including the 3%, the 21 acres converted from R-7, and 35 acres from the eastern UGA area shows that we have a shortage of land for about 972 residents. And that's where we get that 150-acre – well, 149-acre – expansion to the north. These are not just numbers that we threw around lightly.

I know you did a lot of analysis, but our analysis also clearly shows that the amount of land, based on the methodology described in several of the memos that I've written and in our Buildable Lands Analysis done by Hovee, that our UGA is right-sized to accommodate those 975 residents. And so I feel like that's being questioned here at a deliberation without everybody having that information right in front of them to really question who's saying what. I recognize that the Skagit County Planning Commission feels that infill is a viable option. This is a policy decision that was reviewed by the City Planning Commission and the City Council. I'm not sure that the City Council would appreciate after all the work that their Planning Commission and themselves did to have the Skagit County Planning Commission second-guess how Sedro-Woolley wants to handle its growth. That is a policy judgment and I'm not familiar with anything in the GMA that says that it is a requirement that Cities use infill to accommodate. So –

Ms. Candler: Could I ask a question about that?

Mr. Coleman: – the City's done a lot of analysis on this.

Ms. Candler: So you're saying that the GMA doesn't require it, but isn't that kind of the point of the GMA?

Mr. Coleman: No.

Ms. Candler: Okay.

Mr. Coleman: The point of the GMA is to require Cities to study it and go through a political process and go through the community hearings process. And I'm not saying that the Skagit County Planning Commission can't reverse that decision, but generally – you know, that's a policy decision made at a local level and if the Skagit County Planning Commission wants to do something that was found to be different than what the Sedro-Woolley Planning Commission and the Sedro-Woolley City Council does, that just – that's your purview, I guess. But at that point you're requiring us to go back and restudy our entire urban growth area and go back to the drawing board, is what it would do. Dale would like to make a comment.

Ms. Candler: Well –

Chair Axthelm: Let's let him finish. Okay.

Mr. Coleman: I'm done for the moment. I was going to let Dale interject.

Chair Axthelm: Okay.

Mr. Pernula: Okay, taking a look at the state statutes – excuse me, at RCW 36.70A.110(2), it provides that a consideration of reasonable alternatives for UGA expansion shall be within the discretion afforded to local governments to make the choices about accommodating growth. And right out of the statute says “an urban growth area determination may include a reasonable

land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.” And I believe that they’ve made their choices and, based on those choices, they are saying that they need this amount of land to accommodate those urban land allocations that have been made by the GMA Steering Committee.

Ms. Candler: And until recently you were recommending that it be reduced.

Mr. Pernula: That’s correct.

Ms. Candler: And you’re now satisfied?

Mr. Pernula: There’s a lot of things going on here. From what I heard you talking about, the biggest concern is that they have a lot of empty commercial structures. Their choice that they want to make is for their residential expansion is on new residential growth going primarily to the north, and that – I’m assuming that the commercial uses – the empty commercial buildings – they would support for those being redeveloped as commercial uses. That’s their choice.

Ms. Candler: So my concern was more the conversion of some of that residential land to commercial is what caused it to need to be the number that it is, and so my question was the methodology.

Mr. Coleman: Our commercial land needs to be accommodated somewhere, whether it’s in the city limits and we reallocate – you know, expand our urban growth area to accommodate residential, or if we put the commercial in the UGA. It’s going to be the same. We’ve chosen to put residential outside on the hill where the industrial and commercial allocations probably wouldn’t be as feasible for a landowner to develop a property that’s commercial up on a hill or industrial up on a hill. There’s clearly a need for residential. To further the point that Commissioner Rose made, I think a lot of people understand the housing crisis going on in Skagit County. Somewhere below 3% vacancy rate is the number that I’ve heard. I can’t guarantee that’s the number. When it comes to rentals, that 3% basically means that’s a transition period. At any one time if you take a snapshot of how much housing there is, if there’s 3% vacant that just means, you know, people are moving from place to place. They’re not truly vacant. They’re just not currently occupied. Anecdotally I can tell you that people are coming into our office all the time looking for assistance to find housing in the residential, whether it’s – well, mostly for single-family housing, less so for rentals because they don’t come to the City looking for rentals. But they come to the City looking for land available for residential development. We’re seeing – and again, this is anecdotally – we’re seeing people developing our infill lots at a tremendous rate.

I appreciate that you were able to point out a few of the vacant commercial properties and a handful of – one or two residential properties, but they really are few and far between. I don’t necessarily see a nexus between having some vacancies downtown and a few vacancies spread throughout the town as an indicator that Sedro-Woolley should pack it up and give up on commercial and not have a commercial land allocation. Part of the problem is that properties of a certain size are not available to commercial developers. So it’s not just a matter of, Well, you have several vacant buildings so all the new business should go to there. That’s not how the commercial development happens. The commercial development largely happens with people looking for properties that are going to suit their needs, and if an older building doesn’t suit their need, that’s unfortunate for the City and unfortunate for the property owner. The property owner

needs to do what they can to make their buildings more marketable. The City can do what we can to revitalize the downtown area but I think, as everybody in the planning community knows, that revitalizing downtowns is not a problem that's specific to Sedro-Woolley. Vacancies in old buildings downtown is a common problem throughout the city, and I believe it's a bit of a red herring in our situation here. There's plenty of vacant buildings in downtown Mount Vernon. There's plenty of vacant buildings in downtown Burlington. We're not an outlier. It is just a fact of an older downtown community. Our whole mission here is to provide the City with the necessary tools to accommodate future growth. We can't accommodate it all through vacant buildings downtown, as much as we would love to see those buildings filled. What we need to do is provide a variety of different properties for different types of developers, whether it's for commercial, industrial, whether it's retail, whether it's, you know, some – you know, a big tire shop. Some people need eight acres to do the building – to do the project that they need. We're trying to provide a range of opportunities and properties for those owners.

So I think that showing a few vacant properties – pardon my expression – is doing the City a little bit of a disservice, I think. We've done a lot of study on this and we understand what the problem is and we're doing what we can to accommodate it within the Growth Management Act. That's all I have to say. Thanks.

Chair Axthelm: Okay. Thank you, John. I think we got a lot of information here. We probably should make a decision or our comments based on that decision now. Do we have any other comments to go along with that? Tim.

Mr. Raschko: I'd just like to make the comment that a week ago I was questioning your densities and concerned about in the future having to add more UGA because it's not dense enough to accommodate the growth that's happening. And I remember you made a remark about how this is going to take care of us till 2036 or 38 or whatever. And I was thinking in my mind, well, I remember 1996 like it was yesterday. And I'm not concerned that it might be a little large because time's going to go by quickly and the demand's going to be there. That's my first point.

The second is that you made a good faith effort to come up with this plan, and we can come up with nothing short of saying, Hey, go do it over again. And I don't think that's fair or right, so I believe that we should recommend approving the expansion as it is currently requested.

Chair Axthelm: John, you can go ahead and sit down. Thank you. Okay, any other comments?

Ms. Jett: I would agree with those comments.

Chair Axthelm: Kathi?

Ms. Jett: Yes, I would agree with Tim's comments.

Chair Axthelm: Okay. Anything else?

Ms. Mitchell: I've got one comment to add. John, if you'll take it to the spirit of the city of anybody else, our asking questions is not intended as an affront. It's seeking more information and it's basically just that, so thank you.

Chair Axthelm: Just from my standpoint, you know, it's difficult. Because you look at Sedro-Woolley and you look at Mount Vernon and you look at Burlington and there *are* a lot of vacant

commercial properties. But there's different densities where you need – there's people that want single-family homes that don't want the house in the city, but yet there's a point where where do we prevent that sprawl out into the county or expansion out of the county, for less of a term. But so we're in kind of an interesting point. Because Sedro-Woolley, from my standpoint visiting there too, there seems to be a lot more vacancy than what we see in Burlington and Mount Vernon. That's an opinion. Annie?

Ms. Lohman: I guess I have a lot of faith. There was a down time when Edison was kind of low on its heel and then it kind of became kind of an arty place. Maybe 20 years from now it'll be something different. But it was more of a blue collar kind of – blue collarish – kind of little community and then it changed. Mount Vernon's downtown had kind of a – I'm thinking about in the '80s it was kind of sad and then it had a resurgence and then now maybe there's a few more vacancies now. But I think it kind of goes in a wave. And I think when new ideas and new people come to an area, I think they bring a lot of vitality to an area. And so I guess I wouldn't – not bet against Sedro-Woolley. I think that there's a ton of potential, and she's got good bones. So I guess that's all I've got to say.

Chair Axthelm: Thank you. Any other comments?

Ms. Candler: Just that, you know, it's always cheaper – a blank slate is so much easier for a developer. And I certainly understand the position that the City takes and I respect the work that's been done. It is not an easy thing when you're dealing with other people who have done so much work on this. I have concerns about downtown Sedro-Woolley, but you're right. There's an ebb and a flow. I just think it's a little bit the spirit of the GMA to push back against the easy, cheap land and try to push for the infill, and so that was my reasoning.

Chair Axthelm: Should we vote on the motion, or is there – Ryan, would it be appropriate to make an adjustment to that –

Ms. Lohman: No.

Chair Axthelm: – as far as amount now –

Ms. Lohman: No. No. A motion on the table is that, and that's what the discussion has been around.

Mr. Walters: You can amend the motion if you want.

Ms. Lohman: You could also vote the thing down.

Mr. Walters: Yeah.

Ms. Lohman: Or for.

Chair Axthelm: Okay, so call the vote? Okay. So all those in favor of approving a significantly reduced expansion for the northern portion of Sedro-Woolley's UGA expansion request, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

Multiple Commissioners: Nay.

Ms. Candler: Nays have it.

Chair Axthelm: Okay, so the nays have it.

Ms. Candler: Yep.

Chair Axthelm: For our information, could we have a show of hands? I just want to verify it – just a show of hands. So who says “no” to the motion? Who said “yes” to the motion? Okay, so three. Okay. And who said “no”? You hear voices, but sometimes – I’m just seeing how close it is.

Female Commissioner: Moving on to transportation?

Ms. Candler: Are there other motions on the Sedro-Woolley UGA?

Chair Axthelm: That would be the RC-1, to recommend approval of that. Because the Planning Department has made a recommendation to change as compared to what was originally proposed for the public, so using RC-1 to approve a full – this is on page – the first page of the staff report – is recommend approval of the 149.3 acres of the northern UGA expansion area based on the further analysis proposed by the City of Sedro-Woolley identifying what portion of the northern area is not available for future development. Ryan, do you want that as a motion or just approve? Or do you need a motion on that?

Mr. Walters: Someone should make a motion to add that to your recorded motion. Because you don’t have to _____.

Ms. Rose: I move that we adopt this RC-1.

Mr. Raschko: Second.

Ms. Mitchell: Second.

Chair Axthelm: Okay, so it’s been moved – are you just going to retype the same thing as what’s stated in RC-1?

Mr. Walters: Yeah. Please proceed while I correct typos.

Chair Axthelm: Okay. So how about if I just refer to the staff report and then you can correct it after that? So all those in favor of RC-1 – oh, I’m sorry. Discussion on the motion. Is there any discussion?

Ms. Candler: I think it’s been vetted.

Chair Axthelm: Okay. So all those in favor of RC-1 as in the Staff Report #3, say “aye.”

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say “nay.”

Multiple Commissioners: Nay.

Chair Axthelm: The ayes have it. Okay, so now on to the transportation.

Mr. Walters: Are you going to affirmatively make any recommendation with respect to the other portions of the UGA expansion request?

Chair Axthelm: Okay. As far as changes to those, what changes to those different from what was already proposed in the –

Mr. Pernula: Sedro-Woolley made a proposal to the west and to the south. Staff made a recommendation on each of those.

Chair Axthelm: Okay. Where were those two at?

Mr. Walters: There aren't recommended change texts on those. We're just asking for a recommendation on whether to approve or deny.

Ms. Mitchell: I recommend to approve.

Mr. Pernula: There's a recommend to approve on the one to the west, a recommend to deny on the area to the south.

Chair Axthelm: Okay, so would you like to rephrase that?

Ms. Mitchell: Recommend to approve the one on the west and deny the one on the south.

Chair Axthelm: We should have those separate. Correct, Ryan?

Mr. Walters: They can be or they can be combined. It sounds like they're combined.

Chair Axthelm: Okay. Do we have a second on that?

Ms. Del Vecchio: Second.

Chair Axthelm: Okay, it's been moved and seconded to approve the western UGA expansion but deny the southern UGA expansion, as recommended by the Planning Department.

Ms. Candler: I think I would move to amend to separate them.

Ms. Mitchell: I think it was seconded, but it's fine with me if anybody else wants to amend that to separate them.

Ms. Candler: Just in case somebody has a vote that's different.

Ms. Lohman: I think it would be cleaner if they're separate.

Ms. Del Vecchio: That's fine. I seconded it and that's fine.

Chair Axthelm: Do you want to amend the motion?

Ms. Mitchell: Yeah, I'll amend the motion so it's – to split them, please. Yeah.

Mr. Walters: I'm sorry. Did you already approve number 5? Did you vote and approve –

(several sounds of assent)

Mr. Walters: Okay. I missed it.

Chair Axthelm: Where were you, Ryan?

Mr. Walters: Okay, so while I was figuring out whether you had already done number 5, you did something else that split number 6?

Ms. Candler: Splitting it.

Ms. Mitchell: Split 6 into two so it's a little cleaner, please.

Chair Axthelm: Okay. So discussion on the western UGA expansion.

(silence)

Chair Axthelm: Okay, no discussion. So all those in favor of approving the western UGA expansion, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

(silence)

Chair Axthelm: The ayes have it. And discussion on deny the southern UGA expansion.

Ms. Candler: Yeah, I have a question. Dale, your recommendation here is based on the difficulty of changing the zoning. What – what do you have to – do you know what has to be done in order to do that or why that's not feasible to you?

Mr. Pernula: There were a couple of things. One is that it had in the past – not recently – been used for agricultural purposes. But I think the overall most difficult one was taking a look at the soils. Much of the soils in that area is high value ag soils, so we had a difficult time to be able to recommend in favor of it. We did docket it because we thought that it had some good arguments, but we just couldn't get over that hump.

Chair Axthelm: Martha?

Ms. Rose: So you're saying that if it's incorporated into the city, that hump changes. That's what I'm having trouble with.

Mr. Pernula: No. All I'm saying is that to declassify Ag-NRL lands is very difficult. And it's difficult to take Ag-NRL lands and put it into a UGA.

Ms. Rose: And so even though the intended use is as part of a stormwater infrastructure, which apparently is not an allowed use in agricultural land – or is it?

Mr. Pernula: It *is* a permitted use. They just have to get a special use permit from the County. It is a permitted use. They can do it.

Ms. Rose: Okay. So if it's inside or outside the city limits – that's what I'm having the trouble with. If it's a permitted use in agricultural land and if that's why the land has been secured, it seems like it's half-a-dozen of one and six of the – I mean, I can't really see why it matters one way or the other.

Mr. Johnson: There's a high hurdle under the Growth Management Act to de-designate ag land of long-term commercial significance, particularly when the soils maps that we rely on as part of the designation criteria say that the soils there are prime agricultural soils and the land is within the 100-year floodplain. So our thinking was if the City can do what it wants to do with the land in the county designated Ag-NRL, that it – that would be an option to the City, and we weren't ready to make a recommendation to approve – to, number one, go through the analysis that would be required and, number two, to recommend approval of removing the land, de-designating the land from Ag-NRL and then proposing it be added to the urban growth area.

Mr. Pernula: I think the other part of your question was, What would be the benefit to the City to have it in the city? And that's that they would be regulating it rather than the County.

Ms. Rose: Okay. So it's a matter of who controls it.

Mr. Pernula: Basically.

Ms. Rose: Right. Okay, thanks.

Ms. Candler: Can we inquire if Mr. Coleman has anything to add?

Chair Axthelm: I think that we've – it's up to the Commission, but we've had him up here quite a bit. I don't want to go into the public – or into too many comments that direction. I don't – more like a public hearing instead of deliberations. Ryan or Jill? Is there an issue with that?

Jill Dvorkin: I think it's at your discretion whether he makes further comments. I think Kirk summarized the reasons for the County's recommendation.

Chair Axthelm: Tim?

Mr. Raschko: I was just going to say I don't think this is all that complicated and I'd like to call for the question, if we do have a motion.

Chair Axthelm: Okay – question's been called – to deny the – to vote on the motion to deny the southern Sedro-Woolley UGA expansion. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

(silence)

Chair Axthelm: Ayes have it. And that covers all of the Sedro-Woolley urban growth area issues, right? Okay. Now we can move on to the transportation. Is there any introduction for the transportation portion?

Mr. Johnson: I'll give a brief introduction. There were a lot of comments on transportation – maybe even more comments on the Transportation Element than there were on any other topic. But the way I look at it, they break down into three separate issues. One is: Does the County meet the GMA requirements in its Transportation Element, and particularly the Transportation Technical Appendix, in having a 20-year plan and a 20-year financial plan that meets Growth Management Act requirements?

The second, and really the focus of most of the comments, was on non-motorized policies or mainly – well, non-motorized transportation policies, just sort of the general idea and concept of it, and then also specific projects.

And then the third set of comments focused on some people's desire to see a freight rail policy become more specific and talk about emphasizing or encouraging the expansion of freight rail to Concrete.

So I don't know how you want to take those, in what order you want to take them. Again, I think the largest number of comments were on non-motorized. We do have some people here to help answer questions. The Director and the Engineer – Chief Engineer – from the Public Works Department are here to help answer questions about specific projects and the County's transportation planning process, and then Kevin Murphy from the Skagit Council of Governments is here to answer any questions you have about SCOG's role in reviewing and certifying the County's Transportation Element as being consistent with the Regional Transportation Plan and also with GMA requirements.

The way the issues are laid out in the Supplemental Staff Report #1 were, first, the 20-year issue and then non-motorized and then the freight rail issue. And so we could go down that list and you could indicate whether you want to talk about a particular comment or not, and if you don't feel the need to talk about it we can move on. And if you do, we can go there.

Chair Axthelm: What page is that on? Sorry.

Mr. Walters: 12.

Chair Axthelm: Is that 12?

Mr. Johnson: Page 12 of the Supplemental Staff Report #1.

Chair Axthelm: Does that sound all right with the Commission to start out with that ___?

Mr. Johnson: And I guess a little more background on this issue was when we released this staff report we had thought we had it worked out and so we were recommending replacing Section 8, the finance section of the Transportation Technical Appendix, with some new text that was put out with this memo. And then we discovered that we didn't quite have it worked out, but we got it worked out on Thursday and Monday and that's why we sent the Supplemental Staff Report #3, and so that's, I think, what we would be making in terms of a recommendation, particularly the – so on the Staff Report #3, RC-2, which is basically removing references to the

6-year TIP and the 2016-2021 versus 2022-2036 time periods from the narrative, the project list, and the tables in the finance section of the Transportation Technical Appendix. Instead, that appendix should just talk about the County's 20-year transportation plan and projects and the 20-year finance plan and the 20-year planning period. And if we do that, then we have a Transportation Element that, as far as SCOG is concerned, meets GMA requirements.

Ms. Mitchell: Do you guys have any more of #3? I only have the top page of Staff Report #3.

Mr. Johnson: Yeah.

Chair Axthelm: I have just one. How many pages was it?

Ms. Lohman: One page.

Chair Axthelm: Oh, I see. One and two.

Ms. Mitchell: I only have literally one page, yeah. Thank you.

Chair Axthelm: Do we have any direction for a motion?

Ms. Rose: Did you say you want a motion? I'll move that we adopt RC-2.

Ms. Jett: Second.

Ms. Rose: On Staff Report #3.

Chair Axthelm: Okay. It's been – the motion has been made and seconded to adopt RC-2 as in the Staff Report #3.

Ms. Mitchell: Can I have just a minute to read it, please?

Chair Axthelm: Yeah. Go ahead, Kathy. That'd be great. RC-2 is – oh, would you like to read it out loud?

Ms. Lohman: You should read it, because just saying "RC-2" the public doesn't know what you're talking about.

Chair Axthelm: I'll read it then. RC-2 is "The Department recommends removing reference(s) to the 6-year TIP and to the 2016-2021 vs. 2022-2036 time periods from the narrative, project list, and table(s) in the finance section (Sec.8) of the Transportation Technical Appendix. Instead this section should reference the County's 20-year transportation plan and projects and the 20-year planning period 2016-2036," as shown on the screen.

Mr. Raschko: I have a question.

Chair Axthelm: Yeah, Tim?

Mr. Raschko: So there was some concern about non-motorized projects and there was some 11 projects that had not been approved by SCOG yet were still in the list in the document. So what happens with those?

Mr. Johnson: Okay. This is kind of a new process for us because we really haven't had a 20-year project list before. We've – the County has typically had its 6-year TIP. What I've been learning in working with the transportation experts at SCOG is that the County has to have a 20-year plan, and that includes projects that reflect the County's transportation vision for the 20-year period. And the 6-year TIP has to be consistent with that 20-year plan. So some people who submitted comments said, You can't have a project in the 20-year plan unless it's been approved to be on the 6-year TIP. That's actually the reverse of what's required. You can't have a project on the 6-year TIP that isn't listed in the 20-year plan. So the 20-year plan is your starting point. It's your 20-year vision. We think these are the projects we are going to build over that time period. And the 6-year TIP is supposed to be a shorter list of projects that are closer to the County actually moving to construct those projects. And to move them from the 20-year plan onto the 6-year TIP requires another public process. This is the public process for the 20-year plan. There's an additional public process for the 6-year TIP and that's basically an open house with the Public Works staff; I think a briefing to the Planning Commission; and then a public hearing before the Board of County Commissioners. So and doing this would do nothing to change the adopted 6-year TIP. It just – it's a problem when we say the list of projects in the Comprehensive Plan – particularly motorized projects – we plan to do all of these in the next six years, because we don't have the financial specificity. We don't have the details worked out to where SCOG was able to say that's a reasonable assumption. But if we say this list of projects – which are primarily motorized or general transportation – we feel that we can finance and build them if we need to in the 20-year period, that's a reasonable assumption. So I don't know if I've been clear.

Mr. Raschko: Yeah, that's clear. I'm wondering if there's some sensitivity to the fact that if projects that might be seen to be far out in the future and they have not been approved, not funded and all this, the fact they make them into a document – that makes it into a document, excuse me – is interpreted by some as sort of a de facto approval. And so that when time comes whether it should be approved and go into the 6-year TIP or whatever it is, an argument can be made that, hey, it's already in there. It just hasn't been funded – or this type of confusion. And it just seems reasonable that – to me – that – I think you said that in order to be in the 6-year it has to be in the 20, but then you could have the ones in the 6-year also in the 20 and no extras.

Mr. Johnson: I think that's true. You could have the ones in the 6-year in the 20 and no extras. But you can't really have projects in the 6-year plan that aren't in the 20-year plan. If it's a region – Kevin can correct me if I'm wrong – but if it's a regionally significant project and it's in the – it can't then go in the Regional Transportation Plan if it's not in the 20-year plan. So basically you need consistency between the 20-year plan, the smaller number – or maybe not smaller number – of projects in the 6-year TIP, and then the regionally significant projects that are in the regional plan.

Mr. Raschko: Right, but the 6-year is a subset of the 20.

Mr. Johnson: Yeah.

Mr. Raschko: Okay.

Mr. Johnson: Yeah.

Mr. Raschko: So that can be a subset of the entirety of the 20, is what I'm saying.

Mr. Johnson: For the – lack of a better word – motorized projects, that is the case that there's a list of projects that we were calling the 6-year project list, and by calling it the 20-year project list there's a more lenient standard for showing that we can fund those within 20 years than there is for showing that we can fund them within 6 years. Now the 11 non-motorized projects that aren't on the 6-year TIP would still be in the 20-year plan, and they could be added to the 6-year TIP in any, you know, given year, but Public Works may not propose to add them for 5 or 10 – I mean, that's kind of more their domain than ours.

Mr. Raschko: I guess what my whole point boils down to is on the non-motorized one, I have perceived angst amongst landowners that this might involve their property at some point, whether they want it to or not, and the fact that it gets into the 20-year plan as maybe on somebody's future wish list. It causes a great amount of concern, and if that concern can be eliminated by leaving it out of the plan until it comes to that point where you're ready to sit down and actually approve the thing and fund it, that might be nice. That's all I'll say about it.

Mr. Johnson: Okay. We do have another recommendation. Basically RC-3 is to take several of those non-motorized projects and move them from the Project category to the Study category, and that might help to address that. I don't know – I'll try to – well, would you guys like to speak to that?

Amy Hughes: Point of clarification.

Chair Axthelm: Yes.

Ms. Hughes: Kirk, so what you were saying is number 8 just has to do with motorized plans.

Mr. Johnson: Number 8?

Ms. Hughes: That we're working with right now.

Mr. Johnson: No. No. The 20-year plan – the plan that's in the appendix is the 20-year plan – includes both motorized projects – road projects – and non-motorized projects.

Ms. Hughes: Okay.

Mr. Johnson: But there're some references to a 6-year TIP in the 20-year plan that are proving troublesome just from the finance – you know, meeting the financing requirements that SCOG looks at. And so by saying this is the 20-year list and the 20-year plan, we're good, and so that's what we're recommending.

Ms. Hughes: All right. Thank you.

Ms. Del Vecchio: Can I ask just a quick follow-up before I – I apologize – before we get to move on to, I feel like, a different issue. So I believe what you just said is the 6-year TIP is basically now our 20-year plan? No?

Mr. Johnson: Yeah, I think –

Ms. Del Vecchio: I mean, the project – I mean, I realize that they're different – that those are different things but let me clarify. So the projects that were on the 6-year TIP now comprise the 20-year plan, as far as the motorized projects go.

Mr. Johnson: I think that's a true statement.

Ms. Del Vecchio: Okay. And in order to get on the 6-year TIP you have to be on the 20-year plan.

Mr. Johnson: Right.

Ms. Del Vecchio: So assuming that our 6-year TIP was actually planned to be a 6-year TIP and that we would fund those projects in the six years, what happens if it's year seven and we've already done all of our projects? Are we not allowed to –

Mr. Johnson: Well, that's, I think, where Dan can come in. I think if you were to ask Public Works, Will you build all these projects in the next six years? And they would probably say no. They might even say, as one Public Works staff person said, There were projects on the 6-year TIP when I started here 18 years ago that are still on the 6-year TIP.

Ms. Del Vecchio: Okay.

Dan Berentson: Commissioners, good evening. My name is Dan Berentson. I'm the Director of Public Works for Skagit County. We're certainly not long range planners so we appreciate all the expertise in the room, but I'd just like to make a few comments.

You know, this process is forecasting possible need over a 20-year period, and a lot of these projects are nothing more than broad ideas trying to match corridors and right-of-ways that at some point in time, we'll need a champion or a need will develop for us to pursue them through the process that we use right now through the 6-year TIP and through community meetings and public hearings. So looking that far down the road is always complicated. Skagit County Public Works, we maintain about 840 miles of road. It's over 100 bridges, 100s of mile of ditches. A lot of our roads are rural – Farm to Market, Forest to Mill, Mine to Market – so, you know, we have some major arterials. But so it's difficult for us to look 20 years in the future for major infrastructure, but we still need to do it.

Also in regard to non-motorized transportation plan, needs over 20 years, the inclusion of a project in the plan does not constitute a commitment that the County will fund or construct that project. Like all transportation projects, non-motorized transportation projects must be added to the 6-year TIP in order to be funded. So there should be no assumption because something is in the TIP that it will be funded or we're committed to completing it in that period of time. So it's another planning process.

Mr. Johnson: Dan, did you mean there that if it's included in the 20-year plan there should be no assumption that it would be funded unless it's moved into the 6-year TIP?

Mr. Berentson: Yes.

Mr. Johnson: Yeah.

Ms. Lohman: Are you saying there's certainty if it's on the 6-year plan, or not?

Mr. Johnson: Well, there's more certainty than there is if it's on the 20-year.

Mr. Berentson: Okay, I have a question, too, in regard to – Kirk, you stated that to make it in the 6-year TIP it needs to be in the 20-year plan. Well, the 6-year TIP's a moving document, so will we be amending this plan as time goes by as more information becomes available? I think you stated if it's not in the 20-year plan it can't be in the TIP.

Mr. Johnson: That's my understanding and if I've stated that wrong, Kevin, maybe you could clarify.

Kevin Murphy: So Kevin Murphy, Skagit Council of Governments Regional Transportation Planning Organization. So they're both right. It's the regional projects have to be listed in your Transportation Element to be in the Regional Transportation Plan. That's what the Transportation Policy Board has determined. And if you're not listed in the Regional Transportation Plan and you are a regional project or you are federally funded, you cannot move into the Skagit Council of Government's Regional Transportation Improvement Program. So if you're not regional, that's not SCOG's concern – or federally funded. So it is true if you're regional, but not if it's a local project. That's your policy decisions and choices. Like generally the long range plan forms the basis of your 6-year TIP. That is what GMA states. So how you accommodate that is up to you, but from a transportation policy board perspective you have to be – if you're regionally significant – you have to be in the long range plan, you have to be in your transportation element before you can move into the Regional Transportation Improvement Program.

Chair Axthelm: Can there be a study in the 20-year plan and still make it?

Mr. Murphy: It'd be a project? Likely not, but that's not a question the policy board has undertaken. We have not crossed that situation. So that would be, for example, if you have a study for a corridor and we would expect the study would conclude to make a recommendation to change the plan before it became a project into the Regional Transportation Program. So it wouldn't be a study one year and then all of a sudden a project next year with no process to conclude the study. But again, my policy board has not seen that situation occur.

Mr. Walters: So if I could bring us all on back here, this recommended change here addresses one minor esoteric issue that would prevent our plan from being certified, and that is that we had 20 years' worth of projects in the 6-year plan and nothing at year 7 through 20. So we believe through this tweak we can extract those 20 years' worth of projects, call them 20 years' worth of projects – which is what they are anyway – and fix the text so that SCOG can certify it.

Your next question about specific projects and studies and things, I think, is a slightly separate issue which you're scheduled to hit next in the memo.

Ms. Del Vecchio: Okay, so I think I have a relevant question, though. Assuming that what we had in the 6-year TIP was actually a 20-year – enough to cover 20 years, I think a question that we haven't had answered yet is, How often do we amend the transportation plan? I mean, what's – or is that the process? If there was something, say, five years down the road (we) realize that there was another project that we wanted to add to the 20-year plan, is that – how often –

Mr. Walters: The 20-year plan is the Comp Plan so it can be amended every year.

Ms. Del Vecchio: Okay.

Mr. Johnson: And it must be reconsidered at least every eight years, I believe it is. It's been a moving target but that's – the periodic update is what we're in now, which has in the past been the eight-year.

Ms. Del Vecchio: Okay. So if there was a reason to be amending the Transportation Element as part of that annual process, we would be able to do that.

Mr. Walters: Yes.

Ms. Del Vecchio: Okay. Thank you.

Chair Axthelm: Anybody else? Kathy?

Ms. Mitchell: Yeah. Is anybody else feeling like this was a curve at the last minute? I'm – I'm – I understand what you're trying to tell us and I appreciate that and I'd like to have more information. I feel like I'm being rushed at the last minute with some more changes, and I'd like to have thoughtful time to think it through. I realize you say it's a little tweak, but I think we need more time to look at something like this. So I don't know if anybody else is feeling that way or not, but....

Chair Axthelm: The concern I had was whether this went – it's been changed – it's changed from what was put before the public.

(sounds of assent)

Mr. Walters: It's not changed. What's before the public is what was released. This is a request to you to *recommend* a change.

Chair Axthelm: That we recommend a change.

Mr. Walters: Right.

Chair Axthelm: Okay.

Ms. Del Vecchio: Would that then be a basis for the Commissioners to hold public comment? Would there be a requirement for that if we're recommending a change?

Mr. Walters: It could be.

Ms. Del Vecchio: Okay. So I'm comfortable with moving forward. I don't know about the rest.

Chair Axthelm: They may not accept that recommendation.

Ms. Del Vecchio: Understood, but that's their decision.

Ms. Lohman: Right. We're only advisory.

Chair Axthelm: Okay. So any other comments?

(silence)

Chair Axthelm: So do we have a –

Ms. Del Vecchio: Do we have a motion? I've forgotten.

Ms. Rose: (unintelligible)

Ms. Del Vecchio: This is the actual motion? Okay. So we just need a vote?

Chair Axthelm: Did we have a motion on this, though?

Ms. Lohman: There's no more discussion.

Chair Axthelm: Okay. So there's no more discussion on this?

(silence)

Chair Axthelm: Okay. So I don't remember the motion.

Several Commissioners: It's right there.

Chair Axthelm: Okay, I just didn't – I didn't write it down. I just referred to it. Okay.

Ms. Lohman: Would you like me to read the motion for you?

Chair Axthelm: Go ahead. Yeah, please.

Ms. Lohman: "The motion is to remove references to the 6-year TIP and to the 2016-2021 time period vs. the 2022-2036 time periods from the narrative, project list, and tables in the finance section (Section 8) of the Transportation Technical Appendix. Instead this section should reference the County's 20-year transportation plan and projects and the 20-year planning period of 2016-2036." And it was seconded.

Chair Axthelm: Okay. All those in favor?

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

Two Commissioners: Nay.

Chair Axthelm: Ayes have it. Okay.

Ms. Del Vecchio: I would also move that we recommend to the Commissioners that they open – take public comment on the change.

Ms. Lohman: Second.

Chair Axthelm: It's been moved and seconded to recommend the Commissioners to take public comment on the change for the previous motion. This would be in the – this would just be in the recommendations, correct, Ryan?

Mr. Walters: Well, this is unusual. I was not going to list it as a number 9 because that's in a list that's introduced by approve with changes. So I was going to list – write it separately.

Chair Axthelm: Okay. Does that work if we put it in there as a recommendation?

Ms. Del Vecchio: Oh, yeah – whatever makes sense.

Chair Axthelm: Okay. So in that case we probably shouldn't vote on it at this point. We could vote on it when we put the recommendations in.

Mr. Walters: No, I would vote on it now.

Chair Axthelm: Now? Okay. All right, so it's been moved and seconded to add the Board should take public comment on recommendation number 8 – to add that as a recommendation for the – is that correct? – add that as a recommendation for the County Commissioners. All those in favor – or no, sorry – discussion?

Ms. Del Vecchio: You're not going to go changing the recommendation numbers now, are you?

Ms. Candler: Yeah, I don't understand why it's not a number 9.

Mr. Walters: Because the list introducing the numbers says "We recommend approval of the proposal with the following changes." So this isn't a change. This is something else.

Chair Axthelm: It's a recommendation. Sorry, it's a – I guess it isn't a finding of fact or reason for action.

(some inaudible/unintelligible comments from several Commissioners)

Chair Axthelm: Discussion? Any discussion? No discussion, so all those in favor of the motion the Board should take the public comment on recommendation number 8, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

(silence)

Chair Axthelm: Ayes have it. Okay. So next item.

Ms. Candler: I have a question. Before anybody makes a motion, I have a question about this.

Chair Axthelm: Okay.

Ms. Candler: For the Department, this is going back historically. The Transportation Technical Appendix on both page 60 and 92 in the tables have the Cascade Trail project on there, and I think one of them even makes a reference to specifically paving. And I understood an update not too long ago was that that project had been removed. But it's still included, so is it included because an ongoing maintenance or is it included because the paving is still on there?

Mr. Johnson: So what page – page of what are you referring to?

Ms. Candler: Sorry, the Transportation Technical Appendix.

Mr. Johnson: Was that the one that was released –

Ms. Candler: It's on the Comp Plan – I don't remember the date, but if you go to the Comp Plan main website –

Ms. Mitchell: Draft, February 2016.

Ms. Candler: It's on the – one of your Comp Plan page linked right there under – it's called Transportation Technical Appendix. Pages 60 and 92 there's tables that still include it, and I understood it to have been removed.

Mr. Johnson: All right. So that gets to, yeah, specific projects and we actually have a recommendation on that one. I mean, the Cascade Trail is an existing project.

Ms. Candler: I understand that. That's why I'm asking about the pavement specifically.

Mr. Johnson: Yeah. That's maybe more a question for Dan or Paul. And again, that might be the difference between what's on the 6-year TIP and what's the 20-year vision.

Ms. Candler: True.

Mr. Berentson: Dan Berentson again, Public Works. The Cascade Trail or paving the Cascade Trail is not on the TIP. It was on the TIP a year ago. It was removed from the TIP this year because we have no plans in the next six years to pursue funding for that project. It's not on the TIP.

Ms. Del Vecchio: But it's on the transportation plan. Is that where it's showing up?

Mr. Berentson: It's definitely not – it's not on our 6-year TIP for this year.

Mr. Johnson: Right, but it's one of those 11 projects that's in the 20-year plan that was pointed out as not on the TIP.

Ms. Candler: So it's properly in the Transportation Technical Appendix, in your view?

Mr. Johnson: I mean, I'm not really the expert as to what the long term plans are for trails or for roads. I think we'd turn to Brian Adams, if he's here, or to the Public Works folks for that.

Mr. Berentson: Well, you know, Brian isn't here but in Public Works we currently don't have a long term plan to improve the surface of that trail at this time.

Mr. Johnson: And I can't speak for the Parks Department.

Chair Axthelm: Wasn't there some reasoning for that as far as equestrian trail? That it was an issue because if you paved it it wouldn't be good for that?

Mr. Johnson: Yeah. Yeah. I mean, I think there still could be the option, as I understand is true with the Centennial Trail down in Snohomish County, that part of it is paved and then part of it is

not paved, and the part that's not paved is used by equestrians and the part that's paved is used by bicyclists and walkers. But I do – this list that's a part of the 20-year plan did come forward from Public Works but it – I think this is one of the ones that's being proposed to go from a project to a study.

Mr. Berentson: I think I mentioned earlier an inclusion of a project in the 20-year plan does not constitute a commitment that the County or Public Works will fund or construct that project. So basically, you know, on a broad list, potentially could have been identified as a need or a project that someone may want to champion at a later date. So I'm just stating that the reason it's not on the TIP, the County Commissioners decided to take it off because we don't have – in the next six years we don't have no plan nor are we seeking funding to pave that trail. Now 20 years from now....

Ms. Mitchell: Would you do me a favor, Dan? Tell me what you – how they're defining the "Study" category.

Mr. Berentson: The what?

Ms. Mitchell: How they're defining "Study" category for the –

Mr. Berentson: I think I would ask Kirk or Ryan to answer that question because this is a recent change.

Ms. Mitchell: Yeah. I've got to admit I hadn't seen this until just a few minutes ago.

Mr. Johnson: That's okay. So what's the question? Ryan was just showing me something.

Mr. Walters: It was about RC-3.

Ms. Mitchell: Yeah, what do you mean by "Study" category? Can you put this up on the board so everybody knows what we're talking about, please? Yeah, RC-3, please.

Mr. Johnson: In those same discussions with Public Works that we had on Thursday and Monday – because this has been an evolving item – they said that they would be more comfortable moving certain of the projects, certain of those 11 non-motorized projects that aren't on the 6-year TIP from the Project category of the 20-year plan to the Study category of the 20-year plan with significantly reduced dollar figures. And that's what this RC-3 recommendation is. I think, you know, whether you recommend this or you don't recommend it but we recommend it to the County Commissioners, I think we would want to make sure that an existing project that is existing, that is used, that is funded, where there's been maintenance to it is not implied to be included in a study, but that there – if there's part of an existing project that's on the ground that be clearly described as an existing project that's on the ground. And if there's an interest in studying another – you know, a farther link that that be defined as the study portion. But basically these four projects, Public Works said they're more conceptual, longer term in nature and so they made more sense in the Study category with a smaller dollar figure.

I will mention Ryan was reading – unfortunately, I'm not high tech. I don't have a screen in front of me. But the table that you were referencing about the Cascade Trail, it did have a line in there saying a part of the proposed project was to have facilities for equestrians so that they could use the trail as long as whatever else was planned. I don't have the exact language for that.

Ms. Lohman: Martha?

Chair Axthelm: Martha, yes?

Ms. Rose: Thank you. I have a question about putting them in a Study category and assigning a dollar value to it. Does that mean that in reality that's part of a 6-year plan because there's money allocated to it? Does it mean that it takes those items out of the 20-year plan or are they still in the 20-year plan?

Mr. Johnson: Well, they're still in the 20-year plan but they're in the 20-year plan as a study. My understanding from talking with Kevin is that if it's in the 20-year plan – let's say you have a study of the Cultus Trail miles one through five. You could not have in your 20-year plan "We want to study the Cultus Trail" – which doesn't exist; I'm just using it – "mile one through five," and then turn around and put the Cultus Trail mile one through five on your 6-year TIP and seek funding for it. But if your study was mile one through five and you had an existing project mile six through ten, then that could go in your TIP. So does that answer your question?

Mr. Berentson: I could add a little bit to that.

Mr. Johnson: Okay.

Mr. Berentson: I read my job description once in a while and it states that I serve at the pleasure of the majority of the Board of Skagit County Commissioners. And to set that study forward, potentially a Commissioner could champion a study on a trail or any project and get another vote and then direct us to move forward with that study to see if it's feasible in moving forward. So it's pretty hard – I mean, all these are living documents so nothing's set in stone for a long period of time. But as I mentioned earlier, a project like that would need a champion from a policy level person or a Commissioner and another vote to direct us to move forward and conduct that study, see its feasibility, potentially put it on the TIP, and then begin to seek funding for the project. Does that make sense?

Ms. Rose: It does. The only point of clarification that I'm looking for is the reason to take things off the TIP and put them in the 20-year was so that you didn't have to assign funds to them, but you're assigning funds to these things.

Mr. Johnson: No, that wasn't the only reason.

Ms. Rose: Well, I thought it was because you couldn't guarantee that you would get them done in that period of time or be able to secure the funds.

Mr. Johnson: Well, there's a – if you're talking in the GMA context about 20-year planning, there's – you can talk about steps you could take in the out years beyond your 6-year TIP to – you could prioritize your projects, you could drop projects off the list, you could raise – you could create impact fees, you could look at other revenue sources. So there's a – you know, a 20-year plan is by nature more general than a 6-year plan. So really, making those studies was not directly related to making the dollars balance, but it does reduce the bottom line significantly at the same time. That wasn't the major goal. I think for those projects where that's being recommended it was because – I mean, a clear one is the Tiger Trail. That's kind of a concept. And there were a couple comment letters expressing concern about that. And, you know, that's probably one that it would be best to look at that not from a project perspective – this might be built next year – but, rather, Should this be built? Could this be built? Is this the right route?

Would this be an expanded shoulder? Would this be using right-of-way? You know, those are the sorts of issues that you would look at in a study versus if you have a project that is much more concrete and it's – you know, it's much more defined what that might consist of.

Ms. Rose: Right. Okay, I get it. Thank you.

Chair Axthelm: Hollie?

Ms. Del Vecchio: So would these four projects that would be moved from Project to Study – somebody commented that we wouldn't be able to just move from Study into Project mode. So for instance, let's take – I mean, if you just took one of the projects and figured we'd do the study, we'd get to the end of the study, momentum is going, we found funding – great, let's keep moving forward. Am I hearing that we would not be able to because it's only on the list as a study and not as a project, and we would have to go through the process of adding it to the 20-year plan as a project after the study is complete and go through that process and then get it on the TIP?

Mr. Johnson: That is my understanding. Again, I'll take the Cultus Trail, which doesn't exist, and if your study is on miles one through five and your project – you have a project in your 20-year plan, miles six through ten, and that project – the six through ten – is on your 6-year TIP, as I understand it, you could certainly move forward on the miles six through ten project but you would have to conclude the study and basically convert that in the 20-year plan and in the 6-year TIP to an actual project before you could –

Ms. Del Vecchio: Okay, so that's what I was hearing, too. Is there a reason we couldn't have some of these projects that have already been identified on the 20-year plan as both a study and a project?

Mr. Johnson: Well, some of them are. Like the number one item, not in priority but just because it happens to be listed there on the non-motorized list, is the Centennial Trail, because that is a project, but parts of that are also – and I think in some cases – and I'm getting beyond my level of expertise. But you have these US Bicycle Routes, which, as I understand – let's take Bike Route 10. My understanding is the County has already approved that within the county. But if the Cascade Trail is eventually improved, that bike route might move to the Cascade Trail so – I'm getting outside of my level of expertise.

Ms. Del Vecchio: So study – a – I'm just going to call it "project" for just generally – a project cannot be on there as both a study and a project. You have to go through –

Mr. Johnson: Okay, I'll go back to the simpler response. The Centennial Trail is on as a project and it's also on as a study. I think we would want to be careful that the part of the Centennial Trail that was, you know, a tangible project be described as such in the 20-year plan as a project, and the part that is more of a study, that's more conceptual – maybe it's the part from Big Rock up to the northern county border – that could be on as a study.

Chair Axthelm: Kathy?

Ms. Mitchell: I feel like we're shuffling dominoes right now. This has not went out to the public and I'm very uncomfortable with this. I appreciate the work that you guys do. It's not that. But it makes me uncomfortable at the nth hour when things like this keep changing, and that's not what went out for public comment. I understand that this needs to be done. So my first reaction

is to take a big step back and say, Take the 11 things off. Let's do it right from the start. And so I'd like to make the motion to take the 11 projects off that are in question and start over – it's in two places in here – and start over and do it the right way where you look at them one at a time.

Chair Axthelm: Could you formulate that a little bit more?

Ms. Mitchell: Yeah. I'm sorry. Yes. I move that the 11 projects in question that don't have the numbers on them in two sections of the Transportation Technical Appendix shall be removed.

Mr. Johnson: Okay, and I would like to request the opportunity for the Planning Department and Public Works, if it's interested, to address that question, which is a different question than moving four projects from Project category to Study category before you vote.

Ms. Hughes: I don't believe there was ever a motion on RC-3.

Ms. Lohman: There wasn't.

Ms. Mitchell: There wasn't.

Chair Axthelm: Not at this point.

Mr. Johnson: I mean, really it kind of makes more sense to have that discussion first, because if the majority of you agree to take all the projects off them making some a study is really kind of a moot point. If you don't, then you might want to get to the study issue.

Mr. Raschko: Have you a second?

Ms. Lohman: I have a question, Mr. Chair.

Chair Axthelm: Did we have a second? _____. Okay. So first she made the motion. So the motion has been made to remove the 11 unnumbered projects from the Transportation Technical Appendix. Do we have a second?

Mr. Raschko: I'll second.

Chair Axthelm: Moved and seconded. So do we – discussion?

Ms. Candler: Well, the Department – it sounds like the Department's asking for an opportunity to respond so I don't know if we want to discuss it now or –

Chair Axthelm: Would you like for that response first?

Ms. Rose: Yes.

Chair Axthelm: Okay.

Mr. Johnson: Okay. A required element of the Transportation Element of the Comprehensive Plan is a section dealing with non-motorized transportation, and the County is supposed to in the transportation plan show its 20-year vision. And kind of moving away from the legalities, Kevin has kind of emphasized, you know, it's just kind of if the County plans – okay, we're going to grow by 36,000 people in the next 20 years. If the County plans to do some kind non-

motorized – you know, some expansion of non-motorized facilities, it should say so in the Transportation Element of the Comprehensive Plan. And to the extent that it knows – has a general idea of some of the routes, some of the corridors that make sense in terms of building a connected network, then it should say what those potential routes are. Or to the extent that it's committed – as it seems to be to a project like the Centennial Trail, which is on the Regional Transportation Plan – it should, you know, say in its own 20-year Comprehensive Plan, We're looking at this project as something that we think we *might* do in the next 20 years.

So on the one level, I think the Department would say the County can't just have policies that say we support non-motorized transportation. There has to be some vision in the 20-year plan of what the network looks like. It doesn't commit the County to building that. And there should be some projects where the County, you know, has a general idea that this is a good route, or this is a good route, or we want to connect in Mount Vernon and Burlington to Bayview Ridge to Anacortes. It should be willing to put that out there. And there are, as we saw in the public comments – and, you know, numbers of comments you can argue about whatever, but there were more comments in support of non-motorized transportation in this comment process than there were against, and those people are interested in seeing the County not only talk the talk but walk the talk. So it's kind of – it's both, we feel, a GMA requirement to have non-motorized projects just as we have motorized projects, and it's also a transparency in government. If you're going to do it then, you know, say you're going to do it. It doesn't commit you to those projects. But to simply strip all of them out of the Transportation plan is not something that we would support, and we would go to the County Commissioners if the Planning Commission made that recommendation and say we strongly disagree with that.

Ms. Mitchell: Thank you. I appreciate that. But I'll reiterate that I think that if enough people feel this way the recommendation goes to the Board of County Commissioners. They certainly will make their own decisions. Even with your recommendations, that's standard procedure. So I do appreciate that. I am very uncomfortable with this, with a number of these things being changed right at the end. What went out for public comment for – the way things are getting shuffled right now, I just don't agree with that.

Chair Axthelm: Martha.

Ms. Rose: I actually – thanks for your explanation of this, and I think we should keep the 11 items in there and I also think that we should approve RC-3 because I think the split was about 80% of the people that showed up were favorable and wanted the County to be as assertive as possible in creating trails for non-motorized vehicles. And so if there – I don't believe these 11 projects were identified in a void. I believe that there was probably a lot of input about that but I don't know because I'm a newcomer here. But taking these four and making a study out of them to me is a positive thing and it's not – it doesn't seem like a big deal. It just seems like a logical thing to do. So anyway, that's my opinion about this. I think we should leave those 11 numbers – 11 items in and approve RC-3.

Chair Axthelm: Kathi?

Ms. Jett: I agree with Martha because it's my understanding that at some point when the items are taken up there will be opportunity for public comment. Is that correct?

Mr. Walters: As I think we've indicated before, if a project is in the 20-year plan and not in the TIP, it needs to be put in the TIP. At the time it gets added to the TIP, there's a lot of public process associated with the adoption amendment of the TIP. Plus if a project required a special

use permit or some other level of permitting review in order to happen, there could be public comment associated with that type of permitting.

Mr. Johnson: I would also say, as we said in the staff report, whether people think it was sufficient or not, the 11 projects *were* in the proposal when it was released on March 3rd and there has been the opportunity for public comment. I mean, this is the opportunity for public comment on the Comprehensive Plan and the 20-year transportation plan. Now maybe because this is – we're not the only jurisdiction that's kind of only now kind of understanding the difference between the 6-year plan and the 20-year plan. Maybe some people think there should have been more public process. But those 11 projects *were* in the proposal when it was released for public review and comment on March 3rd.

Ms. Del Vecchio: I would also echo previous comments that stripping the plan of its non-motorized projects would make me nervous. This may be – I think it is related to our recommendation number 8, so if this is approved it's also something that I would support at least recommending to the Commissioners that they take public comment on this as well.

Ms. Lohman: Mr. Chair?

Chair Axthelm: Yeah, Annie.

Ms. Lohman: I agree with what Tim had to say earlier where he said there was a lot of angst. And if I were to pick out the – basically the old Interurban Corridor from Burlington to Blanchard and just roughly – what got people's backs up – and I spoke with quite a few affected property owners – was this – and, Kirk, you told me that it was a conceptual idea – was maybe there hadn't been enough legwork at the outset, and when people saw that on a plan they freaked. And I talked to every property owner – not every property owner, but I'd say probably 90% of the property owners on that corridor and they were shocked that it was in that list. They had no idea it was in that list. And then you suggested to me, Well, what about just widening the shoulder? Well, that is a light-year's difference in project. And that, you know, that I think a lot of people can agree with but the original as it was in the list, that was not – that was what got people upset. And there was quite a few, and a lot of them are farmers right now and we are pedal-down going. We don't have time to be going to meetings like this, and they're not taking time because they're busy. This is their time to make their money for their livelihood. So while there is a lot of support for trails and bike routes, we agree and we support it. I have bikes. My kids rode bikes. I used to ride my bike. I mean, I had the original two-wheel ATV when I was young. So it's not an anti-bike campaign. It's putting the location in the correct area. So switching it over to a study, when you study things sometimes it turns out that it's not really a good idea. It isn't necessarily that just because you studied automatically it means, We're going to do it regardless, because we spent money on a study. Sometimes studies reveal that you can't do it.

Mr. Johnson: I don't want to speak for Public Works, but I imagine if the Commissioners directed them to do that study one of the items they would look at is, Does the right-of-way make sense, or does widening the shoulders make – I mean, again, I don't really want to put words in their mouth. I guess I am so I'll stop talking.

Ms. Lohman: But what got property owners in the ag area very, very upset – we have very stringent food safety rules and, if you notice, there's been a proliferation of no trespassing signs. Hardly any farmer wants to put a no trespassing sign up because it's a negative. We don't want anything negative. But we are required if you grow food to put no trespassing signs. It is a federal rule. It's not our rule. And so there's a whole slew of requirements that you basically

protect the perimeter of your farm fields, and the idea that you're going to have uncontrolled access on the perimeter – and people go off the trail; it's a fact – that really got people very excited.

Ms. Del Vecchio: Just for clarification, are you responding to – I'm just wanting to know what she's responding to right now. Is it the removal of the 11 unnumbered non-motorized projects or the four studies?

Ms. Lohman: No. The four studies.

Ms. Del Vecchio: Okay. I just wanted to make sure I knew what you were talking or referring to.

Chair Axthelm: Amy? ____? Tim.

Mr. Raschko: I'd just like to comment that I could support leaving the projects in at this point in time that don't involve public land.

Ms. Lohman: That *don't* involve public land?

Mr. Raschko: Excuse me – don't involve private land. Thank you for catching that! Small difference. And by the way, I like bike riding. I was run over by a car in Sedro-Woolley on Highway 9.

Chair Axthelm: Amy?

Ms. Hughes: When I look at all the discussion we've had and this whole process, I feel we've had the cart before the horse all along. I feel that we should recommend that this goes to a steering committee, a steering committee of Parks, roads, Planning, citizen-user groups, and affected citizens. And I think that steering committee should be tasked with coming up with a plan that *can* go into the future. I'll add a second part to support Commissioner Lohman, because this puts this into a picture and I think sometimes everyone needs to hear the story. We are farmers. My husband and I took off for the weekend. We came home Sunday morning and I picked up the paper and I said, Oh, Farm to Market Road was closed. I wonder how the protests affected that? So we waited till the five o'clock news and there the news camera showed the protestors on a train track. Now I'm not getting into the politics of protesting. What I'm saying is our field was right by the railroad tracks. Both my son and my husband said, Thank goodness the crops are just coming up or we would have had a huge food safety problem.

The second video we saw that had the protestors doing yoga in the access road that we had between the field and the railroad tracks. So that meant that had we known that was happening we would have had to have somebody stationed there to tell the deputies to get them off.

The third thing was is the next day there was a video of garbage that was left behind. So that affects – I want to show that picture. When you talk to farmers, there's not a farmer that doesn't have a box, a bucket, or a whole pickup truck that they throw garbage in before they go in and plant. We have these issues in our community and we can't keep bumping them up against the wall. We have to figure out how we're going to address them.

So however we go through this I really would like the Commissioner to recommend to the Board that we appoint a steering committee that can look at all these issues.

Ms. Del Vecchio: Second. I know _____.

Mr. Walters: No, no. ___ a motion on the screen.

Ms. Hughes: And we have something on the docket, but I feel that this needs to be placed.

Chair Axthelm: I would like to say a few things. I love trails. I've mentioned it before. I lived in the Boise area. I was born here in Mount Vernon and my grandparents farm here, and, you know, I went to school here. But I lived in the Boise area for a long time, and they have really good trails that go through, and they're beautiful. They go through up by the rivers, by the irrigation ditches, between the subdivisions and communities, and it's a nice network. And so I'm all for them. They just need to be done in the proper way and different than Idaho where a lot of things are open – at least the Boise area, where a lot of things are open. Here we have a lot more trees. We have nature areas that are – may or may not be appropriate to have trails through. And I think the trails in some ways – some trails can be very rural in nature, but when you start putting paving on trails and you start putting multiple bikes and multiple people on trails, it changes it from a rural nature to an urban nature. And I think that that – or – and that's a little too much for some people. And when it goes across your property, then it's even more of an issue, or it goes in the vicinity of your property like the railroad tracks and stuff. You know, that can be an issue. How would you like somebody having a picnic in your backyard, you know? It's your backyard. Do you want them there? And I think that some of these trails really need to be looked at and to consider that the bikes and the walking trails are better towards the urban areas and not necessarily out in the country. There are some that are appropriate out in the country and very appropriate, and it's just – I think when we call it a trail we think about a trail going out through nature and that's not necessarily the case. When you pave it, it makes a big difference.

Also it's just a matter of people being respectful. You know, we have – I have a dike situation and that's a little bit different sometimes too. But we have bikers that come down the dike, which isn't – they're not supposed to be on in the first place, and cut right into our property and say, Oh, I'm just getting through so I can get to the road. Or they'll come from the road and try to go right through our driveways, and they don't ask permission. They just say, We're going through. And, you know, you try to tell them no but they just don't want to listen and you just leave it alone to not have an issue. But that's a concern. And I think having education on that and people respecting private property rights is a big deal. But, you know, I love trails. I think they're great. I'm all for them. I'm all for bike trails. I just think they need to be done in the proper order with the proper approvals and in the proper locations that is more of an urban setting and not necessarily out in whether it be farmland or conservation areas.

Ms. Mitchell: And as far as that goes, I doubt there's anybody even in this room that doesn't use trails at one time or other. All of us do and all of them like those for a whole lot of reasons. The objection for this is the process more than anything else, and making sure that people are informed and people are involved in the process. And we keep saying that time and time again – early and often, early and often, early and often. Voila: 11 new ones show up on this without a whole lot of process. What I'm asking for is putting on the brakes to go back and talk to people and do things the right way. I do like the idea of putting things on a study. I think that's really smart. Why all 11 aren't on the study I don't know because I don't know all of them that well, but that would be better to be able to really look through to make sure that these things are done well and done right. People like trails. We like having access. We like having – doing things the right way. But it takes a lot of us involved with understanding a lot of different sides. How many people here knew that there was a bioterrorism and biosecurity act that was enacted in 2002

that farmers, foresters, and other people have to follow? They don't know these things. There's a lot of things that people have to do and it's going to take all of us to do it right. But we need to slow down and look at these things and look at them thoroughly. If we want to get these trails done, if we want to have places for public access, we want to do it well and we want to do it the right way.

Chair Axthelm: Annie? Annie first.

Ms. Lohman: Commissioner –

Mr. Walters: The County Engineer wants to say something, too.

Ms. Lohman: You asked me if I was speaking about the 11? I was speaking about both, actually, because –

Ms. Del Vecchio: Okay.

Ms. Lohman: – the original was seeing the project on the list is what got people excited. It wasn't really speaking to the motion. It was speaking to the being on the list at all, as well as the study idea.

Chair Axthelm: Okay, one second. Kathi?

Ms. Jett: I just had a question. ___ review a motion to move RC-3? Is that the motion that's under consideration? Because I don't –

Mr. Walters: No, it's what's onscreen.

Chair Axthelm: No, it's as it is on the screen.

Ms. Jett: Okay, so RC-3 is – has that been approved or –

Chair Axthelm: We did not make a motion on it yet.

Ms. Jett: Oh, okay, so _____. Okay.

Chair Axthelm. Yep. Paul?

Paul Randall-Grutter: Thank you. My name's Pau Randall Grutter. I'm the County Engineer. I just wanted to speak a little bit on what a project is. To be on the Comprehensive Plan, a project that lists there is an idea. It's a corridor, I would say. It can be a trail system north and south, east and west. That's about all it is and there might be some identified areas that may be. But that's just in the idea stage. I mean, that's where we're at right there. And then we'll go into – you know, like Dan said, we'll find a champion to promote the project – and then we go into a scoping where we get a general idea of what the project may look like and where it's going to go. Then we get into an alternatives analysis where, you know, if it's written on a Comprehensive Plan in a certain area, that's just a general direction. I was talking with WSDOT last week and they're talking about a corridor study along Cook Road and maybe they're thinking of, Well, why can't we just change that to SR-11? It goes – you know, at least it would have a destination that would go to Sedro-Woolley. So, I mean, it changes all the time, but, you know, when you comment, what I'm hearing you say you think a project in the plan now is – we

have it designed, we're ready to go, and shovel-ready. That's far from the truth. It's a long ways away. We would go through a public process to vet all the options, to see the right way, to see what the property issues are right next to where we are going. And so it's a long ways from being a project, as far as I see.

Ms. Mitchell: I think one of the other – thank you for that – I think one of the other parts is people, even knowing how these got on here to start with – surely there's prioritization that goes for a lot of these things, and I think they would like to have the input on what goes in and how and why.

Mr. Randall-Grutter: Well, it does go in – I mean –

Ms. Mitchell: How do they specifically get on here to start with? I'm not picking on any particular one, but I'd like for you to explain to all of us how.

Mr. Randall-Grutter: Well, you're talking non-motorized trails. I work with Burlington so I'm not sure how the non-motorized trails get in there. I believe it's in the capital facilities plans of the Parks Department.

Ms. Mitchell: So nobody can tell me how they ended up on here?

Mr. Randall-Grutter: Brian Adams may, but he's not here right now.

Mr. Walters: The Parks Director, Brian Adams, was here earlier but left and will be disciplined harshly for not being here now.

Ms. Mitchell: Yeah, tell him he's not allowed to leave!

Mr. Johnson: I think another – another Public Works staff person we've been working most closely with Forrest, and I think he's a little closer to these projects.

Mr. Randall-Grutter: He was working with Brian Adams on that to get those on there because he works with our – he works on the Transportation Element and he got that information from – so the list – from Parks. It came from Parks.

Ms. Rose: Josh? _____.

Chair Axthelm: Yeah, I'm sorry, Martha. I didn't see you.

Ms. Rose: So this has been really good to hear everybody's, you know, concerns because some of them are new to me – the farmers' concern, for example. But I'm – before he got up and spoke, I was going to say that I think all of these issues get handled through the planning and permitting process. There's usually huge public inputs that happen before permits are issued to build anything, and it's usually a long, extensive process. So I think that it's true that the state mandates non-motorized vehicle chunk of the plan, and it *is* just a snapshot of these-are-some-ideas, and I think that maybe there's – and I could be wrong, but I think that we should approve it. I don't think there's – the issues are somewhere down the road and they will be addressed down the road. They're not issues today. And anyway, that's – you know, there's – I imagine they'd have to go through a SEPA review, even – or do they? I don't know. But, you know, that would vet them thoroughly and there's lots of public comment, there's mail-outs to people that live within 300 feet – or not just live, but own property in edge of a property within

300 feet. So I just – I'm not concerned about the inability of the public to weigh in. There'll be very adequate ability for that. But we are required to include a non-motorized piece of this transportation plan. So at any rate, that's – I'm just going to recommend what I already did, which is that we leave the 11 in there and that we approve RC-3.

Ms. Del Vecchio: Second.

(several Commissioners speaking at the same time)

Ms. Del Vecchio: I'm doing what I can here!

(laughter)

Chair Axthelm: How easy would it be to take these from approved – Ryan and Kirk? –

Mr. Walters: Yes?

Chair Axthelm: – to have them differentiated on the plan as far as “approved” versus something that's in an approval process? Because when you call it a “project,” I think by the general public it's a project. It's there. It's active. It's real. But if it's something that is being looked at – not necessarily a study; maybe beyond a study.

Mr. Walters: We could add some note to that effect, maybe clarifying what all the projects are.

Chair Axthelm: Because that way at some point before they reach that full approval process that they have to go through – full public notice and voting – or at least it's a little more obvious to that direction.

Ms. Lohman: Mr. Chair?

Chair Axthelm: Yeah? Just a question.

Ms. Lohman: Just a clarification: RC-3 is basically whittling that original 11 down to seven, correct? Because you teased out what we're truly – big idea projects.

Mr. Walters: I think that's right.

Ms. Lohman: So then going forward it's really the seven remaining projects, and I don't have the list in front of me.

Mr. Johnson: Seven would remain as projects and five – there's a different part of the list. It's called “Study” – and four of them would move to the “Study” part of the list.

Mr. Walters: The really big ones, I think, would become studies rather than remain as projects.

Ms. Mitchell: Is there some reason they all couldn't be study at this stage?

Mr. Johnson: Well, I wish – maybe Dan or Paul would like to speak to it, or I wish Forrest were here because, I mean, some of these are – there's a, I think, a pocket park at McLean Road, which is land that the County owns and it's pretty tangible and it's pretty not worthy of a study. And then others like, you know, the Tiger Trail, you know, I'd be the first to say, Yeah, it sounds

like you probably need to do a study before jumping into a project. So I think Public Works said these four ones we think are probably more conceptual, bigger picture, longer term and so let's recommend those be a study. So I think that they've done some of that vetting process. I can't speak for them beyond that.

Ms. Lohman: But without having the list up here, you also had one that was opening an unexercised right-of-way. So there was other ones on there that are those. I guess I get the pocket park one, but how did you decide what stayed?

Mr. Johnson: I didn't. I mean, I'm –

Ms. Lohman: Well, "you" in the generic "you," not "you" Kirk.

Mr. Johnson: You would need to ask Dan or Paul.

Ms. Del Vecchio: Can I – Mr. Chair? I'm very nervous about the idea of either just removing these altogether or turning them all into studies, which essentially is removing them. I mean, from the sounds of it that is making quite an – creating quite an impediment for these projects to actually get built. I feel like by making that move we are essentially saying we don't want non-motorized projects in the county, and that's – but that's what we're – that's a large part of what I feel is coming across here. And, you know, these are projects, as Commissioner Rose was pointing out, these are going to go – they're going to go through additional process. They're not being – they're on the 20-year plan. They're not on the 6-year TIP. This is – they've been identified through a process. These weren't just pulled out of thin air. The Board of Commissioners can open it up for additional comment if they feel the need, but I feel there is a demand and a need for non-motorized transportation in the county. As long as we're sharing personal stories, I live on the edge of Sedro-Woolley near county roads and there is nowhere safe that I can take my kids in the stroller without throwing them in a car and driving 15, 20 minutes. That's – it's not safe. And I'm not saying that a suitable project is outside my backyard. I'm just saying there are other – there is demand here. There are other interests at stake. And I think we're sending a message by either stripping the non-motorized projects at this stage or turning them all into studies. So that would make me nervous.

Chair Axthelm: Kathy?

Ms. Mitchell: Actually I do think we're sending a message and the message is not that we don't like the trails, that we don't like the intent for the different kinds of things. The message is, How did these things get on here? How is it prioritized? A lot of that information is not known. If it's not known it's not been public vetted enough to put on this. And that's the concern. I think that this stuff needs to really be looked at carefully before it's done, because when it's thrown on here it looks like it's just going to be done. The pocket park sounds great. The idea of the studies looks great. I understand the concerns from the different people saying that it makes it look like that it doesn't want to be done. It's not that. It's pulling back and doing it right from the start where people are involved and know what's going to be and how it's going to be done and what's going to be done. Thank you.

Chair Axthelm: Tim. Are you done?

Ms. Mitchell: Go ahead.

Mr. Raschko: I'd just like to comment on the fact that there's due process, public hearings, public process, and that's great, and if I was living on the edge of one of these and somebody said, This is up for consideration for next year's thing, great, I could go fight it like crazy. But when you see it's there and maybe sometime in the next 20 years somebody's going to come take my property and you don't know when, that's something that hangs over your head and I don't think it's fair to people. So I would rather see a process whereby if we're going to get serious and build a bike trail and it's going to involve private property, then, by God, let's get a process rolling and get it behind people and move on. I just don't like the idea of this thing sitting out there and people having to live with it day after day after day after day.

Mr. Walters: You keep hitting different ideas here. You might want to move to a vote on this proposal. Although I see there's a hand over there.

Ms. Jett: Just real quickly: If they were called "Proposed Projects" or "Suggested Projects" or – could you put some modifier in front of "projects" that would make it less threatening to the public?

Chair Axthelm: Yeah, that's what I was suggesting but we have to – hold on to that thought, though.

Ms. Jett: Okay.

Chair Axthelm: Okay, so we have the motion. Do we want – is there any more discussion on that motion? Amy?

Ms. Rose: No. Call the vote.

Ms. Hughes: Why is a man standing –

Mr. Berentson: Oh, I thought someone called me up here.

(laughter)

Chair Axthelm: I didn't see you, Dan.

Mr. Berentson: So I think the purpose of any long range comprehensive plan is to identify all potential alternatives, not necessarily commit to any of them. But, I mean, I can appreciate the concern about how those alternatives may be identified but, once again, whether all of them will turn into projects, they may not. But, I mean, the purpose of long range planning is to identify alternatives to consider in the future. So to make a decision on every alternative at this stage in the process may be a bit of an overreach. I don't know.

Ms. Rose: Call the vote.

Chair Axthelm: Call the vote? Okay. The vote's been called to remove the 11 numbered (sic) non-motorized projects from the Transportation Technical Appendix, page 58 through 60 and 91 through 92. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

Ms. Rose: Nay.

Ms. Del Vecchio: Nay.

Chair Axthelm: Ayes have it.

Kathy, do you want to make it a motion? Regarding?

Ms. Jett: Well, if they're removed I can't make a motion to _____, can I?

Ms. Mitchell: If you've got an idea for recommendations, you can say –

Ms. Jett: Well, I was going to suggest that we approve the moving of these – RC-3, the language in RC-3. And if people are – and I appreciate all the people that are concerned about the problems that a trail adjoining their property would create, but maybe we could describe the project rather than “from the project,” “from proposed project” category, or “suggested.”

Chair Axthelm: So RC – so this, what we just voted on, already kind of took care of RC-3.

Ms. Jett: Well, that's what I just said. Why should I even –

Chair Axthelm: But you could make a proposal to identify non-motorized projects.

Ms. Lohman: Mr. Chair, may I help you?

Chair Axthelm: Annie.

Ms. Lohman: You could make a motion that you would create a study – add these projects to the Study category so that you would basically be putting them back on a list but it would be under the Study category.

Ms. Jett: Oh, okay. I would move that these project – unnumbered non-motorized projects that were removed from the Transportation Technical Appendix, pages 58 through 60 and 91 through 92, be put back in but as Study projects, or projects to be studied, in the Study category. However Ryan thinks the wording is appropriate.

Chair Axthelm: It's been – let's see. Do we have a second on that motion?

Ms. Rose: Second.

Chair Axthelm: It's been moved and seconded to retain the 11 numbered (sic) non-motorized projects from the Transportation Technical Appendix but recharacterize them as Studies. Discussion?

Ms. Jett: Also maybe “proposed,” the word “proposed” before “projects.” Or does that make any difference? I'm just concerned that the public not feel like these are projects.

Mr. Walters: Well, if we're calling them “Studies” now then they wouldn't be called “Projects” anymore.

Ms. Jett: Okay.

Chair Axthelm: Discussion? I think I'd like to see – “Studies,” I think, is a start but I think some of those projects would be appropriate in a proposed project or a – not proposed – yeah, I guess it would be a proposed project or approved projects. So if you classified some as approved, as far as they've gone through the approval process, and then other ones that would be proposed which hadn't gone through the public approval process.

Ms. Del Vecchio: Can you try that again?

Chair Axthelm: Well, just – okay –

Ms. Del Vecchio: Would they – these are the ones that we just – that we just voted – you just voted to remove them all –

Chair Axthelm: Yes, that's correct.

Ms. Del Vecchio: Okay. And now we're putting them back on as approved projects?

Chair Axthelm: Her proposal is to put them on –

Ms. Lohman: I don't think they're approved.

Chair Axthelm: No, no, no. I'm just – this is part of the discussion, is that she has it here as “studies,” and I like the idea of putting them on as studies. I think that gives them a start but I think some of those might be appropriate to be on a preliminary project or something that – does that make sense? So they're still a project – so from what Dan – not Dan Berentson – Paul was saying is that having them as studies doesn't really get them anywhere. But have them as a project that is halfway between the – before the approval process. I'm just trying to get them so they – at least some of them can move forward.

Ms. Lohman: You're changing the number – are you suggesting, Mr. Chair, that maybe it's not all 11, that some of them should go back on the list and some should go on the Study list? Is that what you're saying?

Chair Axthelm: It would give them that opportunity to do that.

Ms. Mitchell: Can I make a suggestion?

Chair Axthelm: Yes. I'm not saying as approved projects. I'm saying as proposed.

Ms. Lohman: I think you can't say approved. You're throwing everybody off on what that means.

Mr. Walters: Right. There is no approved projects. They're all just planned.

Chair Axthelm: I understand.

Mr. Walters: Yeah.

Chair Axthelm: Okay, I'm just trying to say there's some that have gone through –

Ms. Lohman: No.

Chair Axthelm: – a public approval process and don't have the funding.

Ms. Lohman: No! No! No! None of them have.

Chair Axthelm: I know there's none that have, but I'm – you're misunderstanding. I understand that. I'm just saying that way we can differentiate in the *future*, because the issue right now is we don't have approved projects. How do you move a project from a study on? You have to get some type of approval to get it from one place to another.

Mr. Walters: It would be this process. You would do the study and then after the study you would add it to the list through this process.

Chair Axthelm: Okay.

Ms. Rose: Josh?

Chair Axthelm: Yeah, Martha?

Ms. Rose: So I'm in your camp as far as – let's use the pocket park as the example since nobody seemed to be bothered by the pocket park with bathrooms in it for the people on their bikes. But there's nothing that says a study has to cost several hundred thousand dollars. It could be a \$200 study if it's a pocket park. Or it could be a – basically studied – am I right? Could it be – you said it would be presented in a forum like this as part of the study?

Mr. Walters: The pocket park?

Ms. Rose: I'm using that as the example.

Mr. Walters: Well, I think it's relatively simple. If something appears on this list as a study, it won't get constructed by virtue of the fact that it's on here as a study but we'll probably do a study as a result if that's funded, which it might not. But after the study, it could be added to the list as a project but it would be through a process like this – amending the Comprehensive Plan.

Ms. Rose: Right, so it could be studied next year and put on the TIP the following year.

Mr. Walters: Yes.

Ms. Rose: So it's a – it doesn't shanghai it for 20 years. It simply allows the process that everybody seems to be looking for, doesn't it?

Mr. Walters: Well, I would say that just because something is studied does not mean that it gets a big process where people get to have input into whether or not it occurs. A study is most likely a document. It could be a big open process, but I wouldn't want to say that it is for sure that.

Ms. Rose: It would be tailored to the type of project it was and the size of it. Is that correct?

Mr. Walters: Right.

Ms. Rose: So in the case of what Josh brought up –

Mr. Walters: Well, let me rephrase: I assume it would be the – by just saying “study,” I don’t think we are saying very much about what the study looks like.

Ms. Rose: Exactly. And so I guess to me it’s kind of a way to include the list with various degrees of rigor going into and analyzing, depending on whether it’s the pocket park or a trail that borders somebody’s property.

Mr. Walters: Yes. On the – yeah. I would say that one of the problems from a capital facilities planning perspective is that if we reduce everything to studies, then we are not really planning for the actual costs of doing the things that we expect, or reasonably expect we might actually construct. So there’s some value in putting a study on there, and if the study is all that we reasonably expect to do over the next 20 years, I think that’s appropriate. But if we expect to also to construct all or portions of any of these projects, we should be planning for that expense, so we should be including the expense of the construction. It could be that the solution to your public process desire is to have an entirely separate recommendation, separate from what you’re talking about right now, to simply require some public planning process after inclusion of the project in the Comp Plan and prior to moving forward with its inclusion on the TIP maybe. So you’d include the project on the 20-year plan as proposed. You would then move at some point in the future to putting them on the TIP, and you could suggest that the County have a required process with whatever you want to recommend for level of detail in that process before it gets onto the TIP. Because there is a special use process required in almost every zone for trails, so there is going to be a public process before the trail is – a new trail or trail head – is permitted. I’ve already said that, so it sounds like you think that is too late, so maybe the appropriate threshold point is at six years. But if it’s at – before you even put it on the 20-year when it’s entirely conceptual, then I’m not sure how you ever get to the point where you discuss it.

Ms. Del Vecchio: Would this be an appropriate time for a discussion of the citizen advisory committee on non-motorized transportation? We have a motion on the table.

Chair Axthelm: Tammy?

Ms. Candler: Thank you. My concern with what we’re doing or what is proposed and what we’ve just done as far as vote is that I think it – the Public Works Department, the Department, the Board of County Commissioners, we have all kind of – public comment – everything seems to have been sort of directing maybe a priority list, and if we put them all as studies we just negated any idea of prioritizing, and I’m concerned about that.

Ms. Mitchell: I’ll cosign that.

Ms. Jett: Yeah, I agree. My purpose of the motion wasn’t to make everything a study. I just wanted to have opportunity to put less threatening language, you know, with the word “project,” because a lot of people evidently are interpreting the word “project” as to be something that is underway and don’t understand that they have opportunity to put their own personal comment in.

Ms. Candler: And the reason, I think, for that too is that we’ve had some discussion on some of these things and they keep coming up and getting put in or left in. I don’t know. I have concerns about that, just based on my experience with the process.

Ms. Mitchell: As in they keep turning up after they've been removed.

Chair Axthelm: Kathy, go ahead.

Ms. Mitchell: Oh, I'm sorry. I appreciate the spirit that this is and I understand that, and I think that comes to the crux of the matter. But I think we can make recommendations to the Board of County Commissioners to ask them to look more carefully at how this is done so public process is really done well.

Chair Axthelm: I think, Ryan, you kind of hit it where I was thinking, is I'm just – I'm trying to give them the ability to move forward. Some of these projects should move forward. There's – it's just giving them ability to do that. If we put it as studies, it doesn't. If we put it as projects it seems like they're already fully approved. How do we get that middle ground?

Mr. Walters: And you really cannot – I mean, the County cannot characterize all these projects – cannot put them back in, characterize them all as studies because some of them would be seven million-dollar studies then. I mean, we would have to adjust the numbers, too. But if we are planning to actually construct them in 20 years, it doesn't make sense for them to just be studies. It makes sense for them to be projects. And I think as was pointed out –

Ms. Lohman: But there you go, Ryan. Excuse me, Mr. Chairman. You're making it – you made a conclusion – you said in a declarative way it sounds like they're just going to go forward, and that's what people are upset about, because now you're going from the conceptual being on a potential list, not falling off the list if it isn't feasible or a new idea that we don't even know about that isn't on the list at some point, or a new location or a new something. You came right out and said as if it's a done deal, and that is right there what has people upset.

Mr. Walters: I –

Ms. Lohman: They saw it. I understand the big picture of dream big and throw everything on the list that you can think of. I appreciate that. That's a great idea. I wanted a new John Deere tractor for a very long time before I ever bought it. It was on my list for a very long time. But it wasn't a done deal just like that. And so you have to be careful on what the public is hearing and what the public perceives because they react to perception.

Mr. Walters: I think what I did was put it in the conditional. I said if these projects are going to be constructed, then we ought to be planning for the expense, which is what capital facilities planning is about. And we can't be planning for the expense if they're not written down someplace. If we're not going to construct them – and that might be an option, to just not do any non-motorized projects. And I say not do any because the current recommendation is to strip them all out. It might be an option to do none, but if we're not going to do any we don't have to plan for the expense. If we are going to do some, we do need to plan for the expense or at least we're not doing honest planning about the capital expense involved.

Ms. Lohman: But I think it goes back to what Commissioner Hughes said, where she talked about having a steering committee with fairly robust, broad representation. Maybe that ultimately is what we need.

Chair Axthelm: Amy.

Ms. Hughes: I think if we would have had process before we had all of this, this would have all been easier to talk to. So I would like us to see us put together a process, and then, I think, the implementation would be easier to discuss because we could understand the process.

Ms. Mitchell: I agree.

Mr. Walters: What process would you like, though? Because I sort of anticipate that there isn't enough process that could properly vet some of these projects to some people's satisfaction because they just don't want to see the project occur. There is much planning that needs to occur with each project and there are, I think, things that would occur at each point along the way. As I say that there's a permit process which is near the end –

(An unidentified audience member shouts out something unintelligible.)

Mr. Walters: There's a permit process near the end and during permitting a lot of the details would get worked out. I mean, the project could even be denied. So –

Chair Axthelm: Paul?

Mr. Randall-Grutter: Are you done, Ryan?

Mr. Walters: Yeah.

Mr. Randall-Grutter: Okay. Thank you. Well, the process we go through when we get our projects, you know, we – when we put them on the 6-year TIP the projects have to be consistent with the Comprehensive Plan. And when we propose to put them on the TIP, there's a public hearing. After we put them on the 6-year TIP, in Public Works we have an annual construction program that has another public hearing, and then we go through the – that's when we *start* our design process. So we just have an idea of what our project is at that time. And then once we go through the design process we have public meetings, we talk to the affected neighbors, we – you know, it takes quite a while to design some of these projects depending on the scope and length and so on. It's – I mean, I think as Ryan was trying to put it, that we do go through quite a bit of a public process when we develop these projects.

Randy Good: But there's an open house before all that.

Chair Axthelm: Randy, no public comment. Sorry. I think that we understand that and the Planning Department understands that, but some of the general public does not and that's part of the problem.

Ms. Hughes: Well, and I think where this is tripping us up is that we have a plan that came from the Parks and was given to the Public Works, and now the Public Works puts it through a process. But this is supposed to be a countywide – the trails are all supposed to be coordinated, and if we find a place in this plan where there's something real obvious why a cog of that won't work, then there has to be a steering committee to rework that cog because the whole goal is all these projects are going to try to fit together. And so again the process that you have to do – but I think that before you get that process we need to have the public input, not after.

Mr. Randall-Grutter: It seems to me that you're trying to put the – a bit of the design process before the planning process. That's how I kind of hear you saying that.

Ms. Hughes: The vision. The concept.

Mr. Randall-Grutter: That's the planning – but having them all fit together, that's part of the design process. The vision process is the Comprehensive Plan and the Capital Facilities Plan from the Parks Department. And so that's how they develop the projects and then – again using the term “projects,” but ideas – using the ideas and then when we move them forward that's when we get more the public process and the public input on these.

Chair Axthelm: Kathi?

Ms. Jett: I want to withdraw my motion because it's not achieving what I wanted to do. It's not!

Chair Axthelm: You can amend it, if you'd like to do that as well.

Ms. Jett: Well, I don't know how to amend it other than just withdraw it.

Chair Axthelm: Okay – requested to withdraw the motion.

Ms. Jett: I don't think it's achieving any clarification of it.

Chair Axthelm: The one that seconded it?

Ms. Rose: I'll second that.

Chair Axthelm: No, who seconded it before?

Ms. Lohman: I don't think we have to worry about that.

Chair Axthelm: All right.

Mr. Walters: If it's just everyone agrees to withdraw it, we can just –

Chair Axthelm: Are we okay with withdrawing the motion?

Ms. Mitchell: Thank you for your try.

Chair Axthelm: Thank you. Do we have another motion?

Ms. Lohman: Well, the number nine of the 11 were removed.

Chair Axthelm: Yeah.

Ms. Del Vecchio: I move that we recommend to the Board of County Commissioners that a steering committee and/or citizen advisory committee be created to assist the Planning Commission and the Board of County Commissioners in identifying and vetting non-motorized transportation projects for the 20-year transportation plan.

Ms. Mitchell: Second.

Chair Axthelm: So it's been moved and seconded the Board should create a citizen advisory committee to assist the PC and BOCC in identifying and vetting non-motorized transportation projects for the 20-year transportation plan. Discussion?

Ms. Del Vecchio: I believe I did initially say a steering and/or citizen advisory. I'll leave it to the Board to decide what they think would be the best.

Chair Axthelm: Correct it to "steering and citizen advisory committee." This got a second.

Ms. Mitchell: I second.

Chair Axthelm: It's been moved and seconded. Discussion?

Ms. Del Vecchio: I think we need one.

Chair Axthelm: I think that would give it an opportunity to move forward and be discussed.

Ms. Mitchell: I think it's a good idea.

Ms. Jett: So right now we have no projects on the 20-year plan. Is that correct?

Chair Axthelm: That only delays it for a year because you could then change that next year.

Mr. Walters: Well, the proposal has all 11 projects in the proposal. This goes to the Board. The Board will have to figure out what to do with this. If they want to strip the projects out and have a plan that is silent on them or if they want to delay adoption of the plan, do this first, or if they want to just proceed with the plan as proposed.

Ms. Candler: And, Ryan, your recommendation is going to be RC-3 regardless, or –

Mr. Walters: Yep.

Ms. Lohman: Mr. Chair?

Chair Axthelm: Annie.

Ms. Lohman: Speaking to the motion, I support the idea of this but I'd like the steering committee to be as Commissioner Hughes kind of laid out, if she would be willing to kind of review that again for us.

Ms. Hughes: Representatives from Parks, roads, Planning, citizen-user groups, and affected citizens.

Ms. Candler: I move that that language be included.

Ms. Mitchell: In this?

Ms. Candler: Yes.

Ms. Mitchell: I was going to say we can have seconds.

Chair Axthelm: Okay, it's been – let's just wait till it's up there.

Mr. Walters: Was that it?

Ms. Del Vecchio: No, I think it was citizen groups and affected citizens.

Ms. Hughes: User groups.

Ms. Del Vecchio: User groups and affected.

Ms. Mitchell: And affected citizens.

Chair Axthelm: And should we have “committee consisting of” or “including” – “committee including”?

Ms. Del Vecchio: Can I – okay, since we're amending mine, can I comment on the amendment?

Chair Axthelm: Yes.

Ms. Del Vecchio: I'm just worried that – so “user groups, affected citizens”: Does “affected citizens,” is that now going to be interpreted as the property owners who are being affected by these projects? Is this – because I would want to make sure that we have opportunity here for people – for the users of the system for people who are wanting the non-motorized transportation. Well, it's user groups, but that – I mean, I would like to not exclude citizens from being able to participate in this.

Ms. Mitchell: I think “affected citizens” captures all of that, doesn't it?

Ms. Del Vecchio: I think it can be interpreted as – I don't know why we would need the word “affected” in there.

Ms. Lohman: Because it's really easy and leaves the property owner out.

Ms. Del Vecchio: So I think we should have both. I'm not saying that it should be one or the other. I think it should be both and I think “affected citizens” makes it feel like it's one or the other so –

Ms. Mitchell: Is it okay with everybody to add “property owners” then as well?

(several sounds of assent)

Mr. Walters: Was that a yes?

Ms. Del Vecchio: Yes.

Chair Axthelm: It should say the “citizens and affected property owners”?

(unintelligible comments from some Commissioners)

Mr. Walters: Also, I assume we mean the Parks Department and the Planning Department?

(sounds of assent)

Mr. Walters: We don't have a road department and roads –

Female Commissioner: Public Works?

Ms. Mitchell: Is it Public Works?

Ms. Hughes: Public Works because they've got the expertise.

Ms. Mitchell: Is there anybody that's important that we're missing?

Ms. Candler: How about "including but not limited to"?

Chair Axthelm: Is there anybody opposed to changing that as amended?

(silence)

Chair Axthelm: Okay.

Ms. Rose: I just have a question.

Chair Axthelm: Okay. So, further discussion?

Ms. Rose: So I think this recommendation is a great idea. I just think the placing it before the inclusion of our list in the plan is backwards. I think we should leave the 11 items intact and then – but with the condition that there is a steering – this exact steering committee to then vet the projects after the Comprehensive Plan is adopted. Because we have a –

Chair Axthelm: That would be – we've already voted on the other one, so if you could speak to the amendment that's –

Ms. Rose: Right and I understand. This is just discussion time and I'm not making a motion right now but I understand and agree with this advisory committee but I think it's putting the cart ahead of the horse. That's my opinion.

Chair Axthelm: Any other comments?

Ms. Jett: I agree.

Ms. Del Vecchio: I'd say we are – whether we are being left with no non-motorized projects or with a list that people seem to be uncomfortable with, either way we need somebody to help us vet those. And I think that's – so I would disagree that it's putting the cart before the horse. I think if that's the situation that we're in, we need a group to be able to help us through that process.

Chair Axthelm: Kathy?

Ms. Mitchell: I agree with Commissioner Del Vecchio. I think that the key reason there's been so much consternation tonight is because people feel like they've been left out of the vetting

process that really should be parts of it. And I think that's one of the big reasons for Commissioner Hughes putting this forward. So I respect what the other guys are saying but I think this captures what people are concerned about.

Ms. Lohman: Can you call for the question on the amendment?

Chair Axthelm: I'd like to make one comment before that. You know, we had the previous recommendation, and I don't think all of us are – I'm sure all of us aren't against the trails. I'm not against the trails, but I just want to see a better process and I think this feels like a better process to have an advisory committee. And there was a call for the question?

Ms. Lohman: On the amendment.

Chair Axthelm: Okay.

Mr. Walters: If everybody's okay with the amended bracketed language, we don't need to do a vote. As a general matter, if everybody's okay we can just –

Chair Axthelm: Are there any opposed to the amended bracketed – the amended language and the motion?

Mr. Walters: Just the amended language first.

Chair Axthelm: Excuse me – the amended language then. Any opposition to the amended language?

(silence)

Ms. Lohman: Now the whole thing. I call for the question on the whole thing.

Chair Axthelm: Okay, the question's been called so we should vote on the motion "The Board should create a steering and/or citizen advisory committee to assist the PC and BOCC in identifying and vetting non-motorized transportation projects for the 20-year transportation plan, including representatives from Parks, Planning, Public Works, user groups, property owners, and citizens." All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "nay."

Ms. Rose: Nay.

Chair Axthelm: The ayes have it. Okay. It is 9:10. Do we want to go further – possibly finish transportation?

Mr. Raschko: We can talk about RC-4.

Ms. Lohman: How about RC-4?

Chair Axthelm: RC-4? So RC-4 on page 2: "Additionally, project #38 in the Study list, currently labelled South Skagit Highway Realignment, should be renamed South Skagit (Highway) Mill

Creek Savage Creek Habitat Restoration; and should be moved to the Project list, with a reduced price tag of \$10 million.”

Mr. Raschko: I move to approve.

Ms. Lohman: Second.

Chair Axthelm: It’s been moved and seconded to approve – to approve RC-4 as on page 2.

Mr. Raschko: Yes.

Chair Axthelm: All those in favor, say “yes.”

Several Commissioners: Discussion.

Chair Axthelm: Oh, I’m sorry – discussion. You’re right. Thank you. Discussion. Do we have any discussion?

(silence)

Chair Axthelm: Okay, seeing none. So all those in favor – we should get it up onscreen here.

Ms. Rose: Did you say vote? I didn’t hear you.

Ms. Candler: He’s asking for it to be put up on the screen.

Ms. Rose: Oh, okay.

Chair Axthelm: This is RC-4 on page 2 of the staff report. Okay, so all those in favor of the motion as shown onscreen, say “aye.”

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say “nay.”

(silence)

Chair Axthelm: Ayes have it. Okay, next item.

Ms. Hughes: Point of order.

Chair Axthelm: Yes?

Ms. Hughes: Is it possible to relook at what we just did and continue the meeting on this portion to next meeting so if we feel that we could further –

Chair Axthelm: There’s no reason we can’t revisit it.

Ms. Hughes: – enhance this, we could? I would just like to leave the door open – that maybe we don’t close – to this section, that we could next week – I suppose we’re coming again – if we come up with a way that would then take the steering committee forward, we could do that.

Mr. Walters: Yes.

Ms. Hughes: Thank you.

Chair Axthelm: Then that might give an opportunity for Brian to be here. Ryan, could that be possible?

Mr. Walters: Oh, yes!

(laughter)

Mr. Walters: What will have to happen is the Planning Commission will have to vote by majority to decide to do that, because you've already considered it so you'll just need to decide to reconsider it. Then you can proceed.

Chair Axthelm: Okay.

Ms. Mitchell: What are we reconsidering?

Mr. Walters: You're not doing anything right now, it sounds like. But you could hear a motion to reconsider it.

Ms. Candler: Amy, what specifically are you moving to reconsider?

Ms. Hughes: I'd like time to see the wordage of just what we did and then decide if there's a way to direct the steering committee with the projects that have already been proposed on the table. And so I feel that that puts the work back into the process that's already been done, but I would like a week, and I'd like everyone to take a week, to think about that.

Ms. Candler: I'm not opposed. I was just wondering what the parameters of what you're asking us to reconsider – what you want open next week.

Ms. Hughes: Yeah.

Chair Axthelm: As far as the 11 projects and having –

Ms. Mitchell: I don't want to redo everything.

Ms. Hughes: No. No. Just if there's some direction or something we'd like to include. I'm opening the door that as we all go home and rethink about what we've done we might be able to enhance what we did.

Ms. Lohman: (inaudible)

Ms. Hughes: Pardon?

Ms. Lohman: Maybe just add the seven back, like the staff suggested – or whatever.

Ms. Hughes: Yeah.

Mr. Walters: So we can arrange for Brian Adams to be here next week – possibly in a wheelchair –

(laughter)

Mr. Walters: – and you can at that point decide to reopen anything you've already done or not. It requires a majority vote to reopen.

Ms. Candler: So does that mean we're done for tonight? It's 9:15 or 9:17 or something like that.

Chair Axthelm: What would the Commission like to do? Do you want to cover any more of the transportation?

Mr. Walters: It might benefit staff if we can wrap up transportation with the exception of the Parks projects.

Chair Axthelm: Do you want to reconsider that?

Mr. Raschko: I'll reconsider.

Chair Axthelm: It's up to you. Okay, so let's look a little bit more on transportation, if we could.

Mr. Walters: I think there are no other recommended changes in the staff report for transportation, but you have a couple of items on the screen on your issue list.

Chair Axthelm: We covered the Appendix.

Ms. Del Vecchio: _____ eminent domain. I think the rest of them we covered.

Ms. Mitchell: Eminent domain might be a moot point at this point.

Chair Axthelm: Well, what was the issue with eminent domain? That would be Kathy.

Ms. Mitchell: The quick thing was that with Hearings Board's information and recommendations for a number of the projects, it says things can't be done by condemnation and then under the Transportation Element at the back, of course the County and whoever else is doing it was reserving the right to be able to have eminent domain. So the quick discussion was if it says you can't do it up here, why does it still say it back there?

Mr. Johnson: One reference that I think you're talking about is the GMA statute for open space corridors. That is not related to –

Ms. Mitchell: Not generally for this.

Mr. Johnson: – the non-motorized plan. And we have an attorney who can talk about eminent domain, but my understanding is with the non-motorized plan that's been in effect – been adopted by the Board since 2004 – says is that the same tools should be available for non-motorized facilities as for general transportation facilities, and those include x, y, z, and eminent domain. And so our recommendation was it's been a part of the non-motorized plan since 2004. It was adopted by the Board of County Commissioners. We haven't heard a specific record of

abuse. And so it ought to remain a tool available to the County for non-motorized projects, and I think it's listed as the last tool in a list of tools.

Ms. Mitchell: Thank you.

Chair Axthelm: Now that's referring – you said it's referring to open space corridors?

Mr. Johnson: No. I think there was an e-mail today that was outside of the public comment period but came anyway that was making references to the RCW dealing with open space corridors. And that really is not related to this reference to eminent domain in the Non-Motorized Transportation Plan.

Ms. Mitchell: I just wanted to discuss it in general so people understood. Thank you.

Mr. Walters: In your staff report, the first staff report, there's a note about a comment that did come in suggesting we should remove the reference to eminent domain on page 70 of the Transportation Technical Appendix. However, the Transportation Technical Appendix reference to eminent domain says – well, you can read it for yourself on page 70. But –

Chair Axthelm: Because that is the last item for transportation, isn't it? Have we covered all the rest of them?

Mr. Johnson: There was also the request to modify the freight rail transportation policy.

Ms. Mitchell: I did a little research and there is something very similar to that that has been proposed as a policy for Sedro-Woolley. Is that the same thing? I think it is.

Mr. Johnson: Oh, freight rail?

Ms. Mitchell: Yeah.

Mr. Johnson: I don't know.

Ms. Mitchell: Okay. I believe there is.

Chair Axthelm: Would anybody like to address the freight rail issue?

Ms. Rose: What was your – what'd you say?

Chair Axthelm: For the freight – is that what you said? Freight rail?

Ms. Mitchell: Do you remember what page it was in that _____?

Ms. Lohman: Yeah, it's on page 17 of Supplemental Staff Report #1, dated May 3rd, 2016.

Ms. Mitchell: Sedro-Woolley has a – in their policy packet there is a statement that's like that before them.

Chair Axthelm: Okay, so nothing we can really discuss at this point. Should we table that at least for next time and get further clarification?

Ms. Mitchell: I don't know if it needs further clarification. It's just whether anybody would want to make that recommendation or not in the policy.

Chair Axthelm: Annie,

Ms. Lohman: I don't know what to do on this one because I think people want to keep the option if at some date some opportunity comes available. But so do you add it to the list or not add it to the list? The County did a feasibility and while they – clearly in the narrative it says they didn't determine if it was feasible or not feasible. It's – I don't know what to do with it.

Mr. Raschko: Can I – Mr. Chairman?

Chair Axthelm: Yeah?

Mr. Raschko: I know a little bit about this. It's kind of the chicken and egg thing. For instance, the saw mill – one of the reasons that the saw mill went out by Fredonia was the rail. They would not consider Concrete because there's no rail. But they're not going to go to Concrete on the hopes that the Burlington Northern then builds a rail line into Concrete. They're going to go where they know there is one. So unless somebody else builds a railroad first, businesses aren't going to go to Concrete. And so nobody's going to build a railroad to Concrete hoping that somebody shows up and opens a business. So, you know, it's basically a whimsical idea that is not going to go anywhere, in my opinion.

Chair Axthelm: Martha?

Ms. Rose: So following up on Tim's thing, is there enough industrially-zoned land up in Concrete even? You know, it seems like that's more – rural's not the right word, but more forested land. But is there enough industry land up there? And then also would that mean that the existing trail that's used by non-motorized vehicles would then be wiped out? So I think there would be so much opposition to undoing that.

Ms. Lohman: But that's always the threat of any of those.

Ms. Mitchell: You know, maybe the way that something like this can be addressed is to put in the recommendations to the Board of County Commissioners to – something they're probably going to do anyway is always to look to encourage economic viability.

Chair Axthelm: Has that option already been given up with the rail being taken out?

Ms. Rose: It says right here that it –

Chair Axthelm: So that easement is still there.

Ms. Lohman: Yes.

Mr. Johnson: Dale can maybe speak better to this than I can, but our understanding is that's the purpose of rail banking, is to preserve the corridor for future potential rail use.

Mr. Walters: The staff report notes that it would cost about \$90 million to restore, but you could do it and it would potentially be dramatically more expensive if you had to acquire all of that right-of-way plus build the rail line. But the policy reads "Encourage the enhancement and

expansion of freight rail service to and from economic activity centers.” The comment is: “Add with priority to expansion to Concrete.” That seems somewhat laughable that that would be the priority because that’s not where the trains are going today and that’s not where the expansion needs are.

Chair Axthelm: Historically, yes, but not –

Ms. Mitchell: Right. Business is going to take advantage where business is going to take advantage. So as long as the economic vitality portion is in there, that’s a good thing.

Ms. Lohman: But it’s not preempted by the original language – that opportunity if it comes – you know, if some – I don’t know – wild opportunity.

Mr. Walters: Exactly.

Ms. Lohman: It’s still possible with the language that was originally proposed.

Mr. Walters: Which I think is in the existing Comp Plan.

Ms. Lohman: Right.

Mr. Walters: It’s not a change, I don’t think. No.

Ms. Mitchell: Okay.

Chair Axthelm: All right. So it’s – anything else on it?

(silence)

Chair Axthelm: Okay.

Ms. Lohman: Well, do you want us to nod our heads?

Mr. Raschko: There’s nothing to vote on.

Chair Axthelm: There’s no motion. It was just a discussion point – unless somebody has a motion on it. Tim?

(laughter)

Mr. Raschko: I move to adjourn.

Chair Axthelm: There we go. That’s ___ (gavel).