



MEMORANDUM

To: Gary Christensen, PDS Director/SEPA Responsible Official
From: Eric Toews, Principal, *CASCADIA Community Planning Services*
Date: June 10, 2008
Re: Responses to Comment Letters Received on the Guemes Island Ferry Service Environmental Assessment, SEPA Checklist and Threshold Determination

I. INTRODUCTION

This memorandum is intended to concisely respond to comment letters received on the Environmental Checklist, Environmental Assessment (EA) Report and SEPA Threshold Determination of Non-significance (DNS) issued for the proposed changes in schedule for the Guemes Island Ferry service. It also is intended to identify corrections and changes to the EA and provide a recommendation to the Responsible Official as to whether the prior threshold determination should be retained, modified, or withdrawn based upon public comments.

The Checklist and EA for the proposal were submitted on May 6, 2008. On May 8, 2008, the SEPA Responsible Official issued a DNS that stipulated a fourteen (14) day post-issuance comment period expiring at 5:00 p.m. on Thursday, May 22, 2008. A total of three (3) letters were received prior to the close of the comment period.

II. COMMENT LETTERS & RESPONSES

The following comment letters were received on the Environmental Checklist, EA Report and SEPA Threshold Determination of Non-Significance issued for the proposal:

1. Carl M. Cady (May 13, 2008) – consisting of 9 pages;
2. Elenor Powers (May 21, 2008) – consisting of 1 page; and
3. Gerald Steel, Attorney at Law (May 21, 2008) – consisting of 6 pages.

These letters, and responses thereto, are set forth in full below.

Kirk Johnson, Senior Planner
Skagit County Planning Department
1800 Continental Place
Mount Vernon, WA 98273

May 13, 2008

SKAGIT COUNTY
PERMIT CENTER

MAY 16 2008

RECEIVED

RE: Guemes Ferry Service Environmental Assessment

Dear Mr. Johnson:

This is a letter of comment pertaining to the Environmental Assessment document (EA) for the Guemes Island ferry extended service schedule. I believe there are several areas of potential malfeasance in the way that the County manipulated information to show that the extended service to Guemes resulted in a "Determination of Non-Significance" on the environment. These concerns were fully revealed to the County by the Guemes Island Ferry Committee (GIFC) in response to the County's original EA Plan (GIFC letter dated 2/1/08 -page 3).

Issue I - The County failed to follow the Skagit County Comprehensive Plan (SCCP) (Transportation Element - Draft 2/10/06 & Final 10/10/07 - sections 8A-5.2 & 8A-5.3 respectively), which guides the county in methods for meeting increasing ferry traffic demand. On page 29 of the EA report, the county extracted language on the methodology to meet increasing ferry use demand from the Guemes Island Ferry Capital Facilities Plan 2006-2020 (FCFP) labeled 9A-8.2. The SCCP 8A-5.3 posted on the County web site includes a fourth and final way to meet increasing ferry demand "(d) adding additional runs outside the current schedule". Contrary to the sequential process provided in SCCP 8A-5.3, on July 1, 2006, the County introduced both an extended service and a fixed schedule to meet increased ferry use demand rather than following the SCCP. The EA has failed to include proven ferry schedule alternatives which would increase ferry capacity by 35% within the previous operating hours as a way to meet increased demand as recommended by the GIFC. This omission has led to pages of posturing in the EA which are of little use except to support the County's position.

Issue II - Ferry vehicular traffic growth between 1990 and 2004 has been misrepresented in a way to justify a need for expanded ferry service. The EA, Table 3.1 on page 14, purports to use vehicular ridership data from the FCFP. The traffic data shifted upward by 23% between 1990 and 1991, distorting the county's baseline. Past requests by the GIFC to correct this error have received no response. Additionally, between 1999 and 2000 the source of ridership data changed from ticket sales to Coast Guard count. The ridership in the FCFP for 2004 is 101,975 vehicles, not the 124,574 used in the EA report. The EA incorrectly states there is a vehicular ridership increase of 74% (5.3% per year) from 1990 to 2004 when it actually increased by 14.8% between 1991 and 2004 or 1.14% per year. Using the correct rate of increase for vehicular ferry ridership will result in a significant change in any planning strategy or argument for increased service.

Issue III - Due to the large number of single family residences (SFR) on Guemes that are second homes, short term growth caused by extended service will likely come from conversion of these residences to primary SFR. This concept was not even considered in the EA. The EA heavily relies on SFR data summarized in the FCFP to estimate growth rates. Some of the data is highly suspect. For instance, why is there no consistency in the SFR growth data between the FCFP report for 2001-2015 (page 25) and the report for 2006-2020 (page 18)? Why does the data for SFR in the FCFP (page 18) and EA (page 24) not add properly? I recently interviewed Earl Cahail who lived on Guemes until he left for college in 1939. He recounted and we compiled a list of SFR that totaled 97 at that time. This is quite different than the 14 SFR shown in the FCFP for 1940.

The falsification and manipulation of ridership data, the misuse of the SCCP to meet increased ferry demand, and ineffective assembly of residential growth data for Guemes shows the unprofessional way that the county tries to justify its position.

I am requesting that the County re-write the EA with the above issues taken into account.

Sincerely,



Carl M. Cady

Resident, Guemes Island

Attachments: SCCP-Transportation (page 19) 8A-5.3; GIFC letter 2/1/08 page 3; FCFP pages 18, 19, 38 & 44; FCFP 2001-15 page 25

CC: Skagit County Commissioners,

Friends of Guemes Island,

Judge Allendorefer-Superior Court Snohomish County

- 8A-4.2** Work with the Washington State Department of Transportation, local jurisdictions other agencies, and the public to make safety and other improvements to the rail corridors to allow for increased speeds.

FERRY SERVICE

GOAL A5 FERRY SERVICE

Work to maintain county and state ferry services as an important element of the transportation network.

Policies

- 8A-5.1** Encourage the provision of adequate street, highway, and road facilities to accommodate traffic to the ferry terminals in Anacortes.
- 8A-5.2** To meet future increases in demand, increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule.
- 8A-5.3** In making all decisions related to the Guemes Island Ferry, balance the needs of the Island residents, the non-resident property owners, and the County citizenry as a whole.
- 8A-5.4** Continue to provide safe and adequate ferry service between Anacortes and Guemes Island, and a fare structure designed to recover as much operating cost as Washington State Ferries does from the users.
- 8A-5.5** Supports the State's continued provision of ferry service to and from Anacortes- San Juan Islands-Vancouver Island, B.C.

important element of the transportation network.

Policies

- 8A-5.1 Encourage the provision of adequate street, highway, and road facilities to accommodate traffic to the ferry terminals in Anacortes.
- 8A-5.2 Work with the City of Anacortes, property owners, and residents on Guemes Island to develop and maintain adequate parking areas.
- 8A-5.3 To meet future increases in demand, increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule.
- 8A-5.4 In making all decisions related to the Guemes Island Ferry, balance the needs of the Island residents, the non-resident property owners, and the County citizenry as a whole. Decisions that would have significant service or financial impacts should be made after providing ample opportunities for public review and comment.
- 8A-5.5 Continue to provide safe and adequate ferry service between Anacortes and Guemes Island, and a fare structure designed to recover as much operating cost as Washington State Ferries does from the users.
- 8A-5.6 Support the State's continued provision of ferry service to and from Anacortes- San Juan Islands-Vancouver Island, B.C.

NON-MOTORIZED TRANSPORTATION

GOAL A6 NETWORK

Provide a safe and efficient network of trails and bikeways, including both on- and off-road facilities that link populated areas of the County with important travel destinations.

GIFC EA PROPOSAL RESPONSE 2/1/08

results to the County. To date, there has not been agreement between the Ferry Committee and the County on the cost of the extended runs

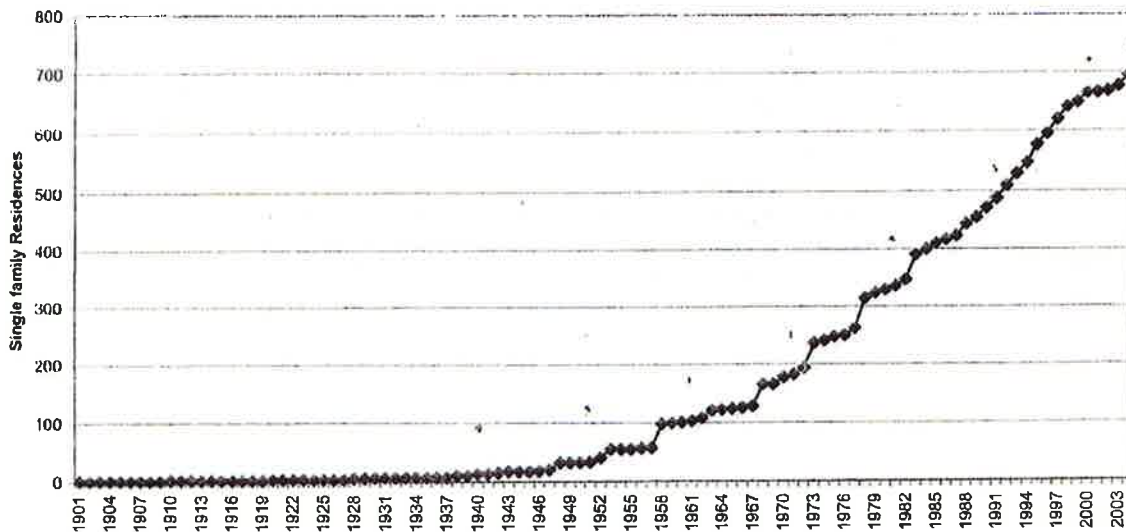
Rationale for Extended Service:

1. The county has never attempted to determine "Level of Service" for the ferry or considered demand management criteria for scheduling the ferry. In fact the 'double run' concept to utilize demand management has recently been abandoned and replaced by fixed schedules. This has resulted in reducing the ferry capacity from 12 runs to 10 run in the morning Monday – Friday. The Ferry Committee has proposed many options to the county to increase capacity within the existing schedule without result.. It is clear that no attempt has been made to follow the logical sequence of the Skagit County Comprehensive Plan (SCCP) 8A-5.3 prior to implementing the Extended Service to Guemes. The SCCP 8A-5.3, on ferry operation, states "To meet future increases in demand, increase service capacity of the Guemes Island ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule". It is apparent that the order of schedule modifications listed to meet expanding ridership was intentional and should be of primary consideration. The FC recommends a full EIS to address alternatives (a), (b), and (c) to the action (d) selected by the County.
2. Paragraph # 1 of the EA states "it has been determined to be a non-project action under the State Environmental Policy Act (SEPA)". This was one of Judge Allendorfer's findings in the recent court case, however it pertained only to the trial period of extended service. This is emphasized in the Record of Decision, of October 5, 2007, which states, "... that the original environmental checklists and DNS documents dealt only with a temporary two-year trial ferry schedule change, and that if this is ever converted to a permanent schedule change it will be a whole new action requiring another complete environmental review with either a new DNS or very possibly an EIS, and the original DNS documents could no longer be relied upon." The addition of operating time is similar to adding a lane to a highway which is outside the scope of Categorical Exemptions (WAC 197-11-800) but clearly falls under WAC 197-11-704(2)(a)(i) Project Actions which states: "Projects include and are limited to agency decisions to license, fund or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract." The extension of the ferry operating day had an immediate impact on specific elements of the environment as defined in WAC 197-11-444, during the hours of 6-10PM Monday-Thursday, including the following: energy, light and glare, noise, transportation, vehicular traffic, parking, public services. These environmental impacts are caused by the ferry as well as the vehicles being transported, both while arriving at the Anacortes terminal and travel on Guemes Island roads. It is of historical interest to note that the December 1997, DEIS prepared by Skagit County, for the purchase of the present ferry, finds that the larger ferry would not impact growth while extension of the ferry hours would. The Ferry Committee recommends interviewing the residents around the Anacortes ferry landing and also those close to Guemes Island roads asking if there has been a change during the trial period in the above listed environmental elements.

The EA states that the county intends to conduct a "supplemental" environmental review of the proposed expanded ferry service and that each alternative will consider the island-wide impacts on growth and development. Judge Allendorfer's findings require another

Guemes Island Ferry Capital Facilities Plan, 2006-2020
Chapter 3: Land Use Analysis & Projections

Chart 3.1 - Single Family Residences Built on Guemes Island, 1901-2004



As shown in Table 3.1, below, Skagit County Assessor's records indicate that there were approximately 329 primary SFR's on Guemes Island at the end of 1980. From 1981 through 1990, a total of 136 building permits were issued for primary SFR's, or an average of about 13 or 14 new homes per year. This increased the total number of primary SFR's on Guemes Island to 472 and represented a 43.5% increase in the overall number of island homes, or a 4.35% average annual increase for the 10-year period.

From 1991 through 2000, a total of 178 building permits were issued for single-family residences on Guemes Island, or an average of about 18 new homes per year. This increased the total number of primary SFR's on Guemes Island to 666 and represented a 41.1% increase in the overall number of island residences, or a 4.11% average annual increase. Residential growth trends on Guemes Island for the past five decades are shown in Table 3.1, below.

Table 3.1 - Increase of Primary Single-Family Residence (SFR) by Decade, 1951-2004					
Decade	New SFR's	Avg/Year	Total SFR's	% Increase	Avg %/Yr
1951-1960	+67	6.79	101	197.1%	19.7%
1961-1970	+74	7.4	178	76.2%	4.4%
1971-1980	+146	14.6	329	84.8%	4.5%
1981-1990	+136	13.6	472	43.5%	3.1%
1991-2000	+178	17.8	666	41.1%	2.9%
2001-2004	+28	7.0	695	4.4%	1.1%

Table 3.1 indicates that an average of 13 or more homes were built each year on Guemes Island during the 1970's and 1980's, but that this average increased to over 17 new homes per year during the 1990's. Further, it indicates that from 2001 – 2004 the rate of growth in single family residences has slowed to a more modest 1.1% per year.

possible scenario for the future. This information can help to form the basis of management strategies in response to possible impacts to the Guemes Island Ferry system.

Decade	New SFR's	Avg/Year	Total SFR's	% Increase	Avg %/Yr
1951-1960	+49	4.9	82	59.8%	6.0%
1961-1970	+65	6.5	147	44.2%	4.4%
1971-1980	+123	12.3	270	45.5%	4.5%
1981-1990	+120	12.0	390	30.8%	3.1%
1991-2000	+163	16.3	553	29.5%	2.9%
2001-2010*	+141	14.1	694	25.5%	2.5%
2011-2015*	+72	14.4	766	10.4%	2.1%

* Based on linear regression analysis projections.

As shown in Table 3.4., Guemes Island experienced an annual residential growth rate of approximately 3.0% from 1980-2000. Linear regression analysis projections indicate a growth rate of 2.5% for the 2001-2010 period and a growth rate of 2.1% for the five-year period of 2011-2015. Under this scenario, approximately 213 new single family residences would be built resulting in a grand total of 766 homes on Guemes Island in the year 2015.

Chart 3.4. Linear Regression Analysis Projection of SFR's on Guemes Island, 2001-2015.

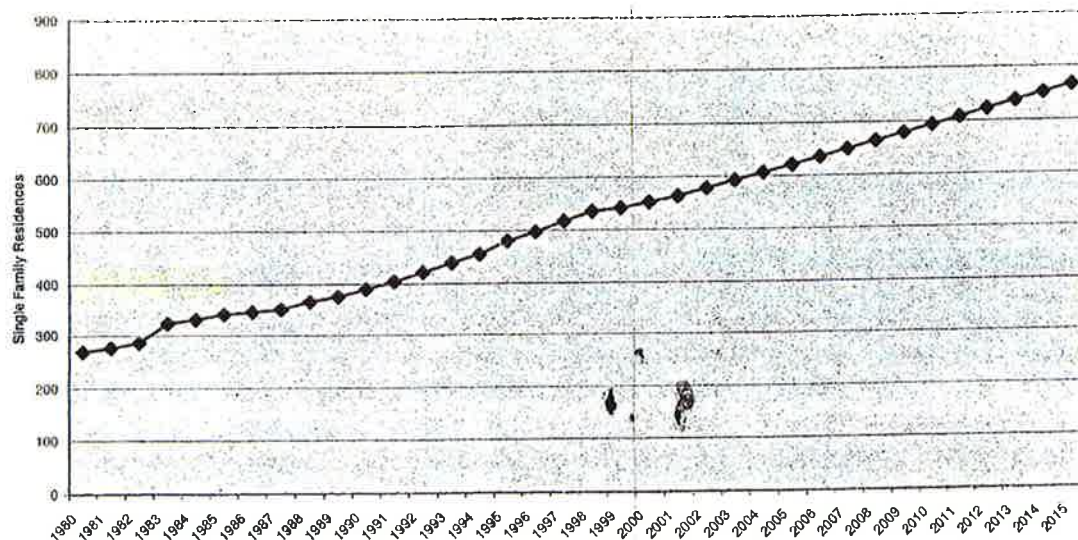


Chart 3.4. shows the actual growth of single family residences on Guemes Island between 1980-2000 and the projected increase from 2001-2015 based on linear regression analysis. This method examines the actual 21-year growth trend and extrapolates that trend into the future. At this point in time, there are no indications that residential growth on Guemes Island will slow down. Chapter 4 examines how increased residential growth on Guemes Island is expected to result in an increase in demand for ferry service.

would increase to 144 feet, the vehicle capacity would increase to 26, and the passenger capacity would increase to 45. Adding 4 vehicle spaces to the M/V Guemes represents an increase in onboard vehicle capacity.

Given the existing 130 scheduled ferry crossings per week, adding a “mid-body” to the M/V Guemes would add 27,040 vehicle spaces per year and increase the total annual vehicle carrying capacity to 175,760. This would provide vehicle capacity far in excess of what is necessary during this planning period. A larger vessel would also potentially reduce vehicle congestion during peak operating times by allowing more vehicles to board the ferry without altering the existing ferry schedule.

The “mid-body” expansion is estimated to cost \$1,750,000 (in 2005 dollars) and would require a 3 or 4-week haulout to complete the necessary work. Passenger-only ferry service would be provided in place of vehicle service, as is normal procedure during the 2-week haulouts required by the U.S. Coast Guard every 24 months. The entire \$1,750,000 capital expenditure for the addition of the “mid-body” is an eligible expense under the Ferry Reimbursement Fund. There are several less expensive methods to increase the vehicle capacity of the M/V Guemes and therefore, it does not make economic sense to add a “mid-body” within the 2006-2020 planning period.

5.2: Transportation Demand Management (TDM)

There are several TDM strategies that could be used to decrease the vehicle demand on the Guemes Island Ferry system, including, but not limited to:

- encouraging car-pooling and walk-on passengers;
- encouraging increased public transit service and bus shelters at the Anacortes terminal;
- pricing policy (ticket price incentives and disincentives);
- coordinate SKAT and ferry schedules.

These TDM strategies should be used in combination with one another to be most effective.

Encouraging Car-Pooling and Walk-On Passengers

The Skagit County Comprehensive Plan Transportation Element Policy 9A-8.2 states *“To meet future increases in demand, the County shall increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; and (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand.”* The intent of this policy gives clear priority to TDM strategies for transforming vehicle trips into passenger trips. Car-pooling reduces the number of single-occupant vehicles demanding ferry service. Due to the relatively small size of Guemes Island, this strategy is very well-suited to reducing vehicle trips on the Guemes Island ferry.

Increased Public Transit Service and Bus Shelters at the Anacortes Ferry Terminal

Skagit Transit (SKAT) currently provides public transportation service to the Anacortes ferry terminal at the corner of 6th Street and “I” Avenue. As noted above, this is the site of the City of Anacortes Guemes Channel Waterfront Park. SKAT Bus 410 stops to pick up passengers between 7:25am and 6:00pm on weekdays and between 9:04am and 2:44pm on weekends. As of

Chart 3.2 - Sum Total of Primary SFR's on Guemes Island, 1900 - 2000

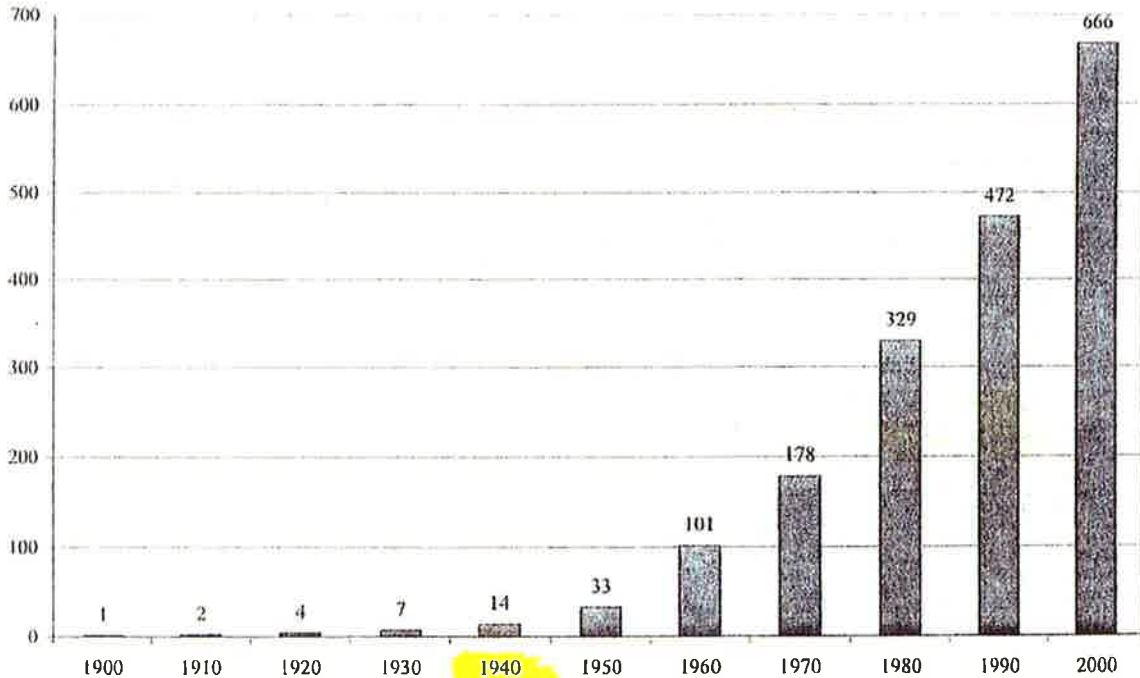


Chart 3.2 shows the sum total of homes on Guemes Island at the end of each decade for the past 100 years. It is evident from this bar graph that dramatic increases in the total number of homes on Guemes Island have occurred during each decade since 1950.

Chart 3.3 - Annual Residential Growth on Guemes Island, 1981-2004

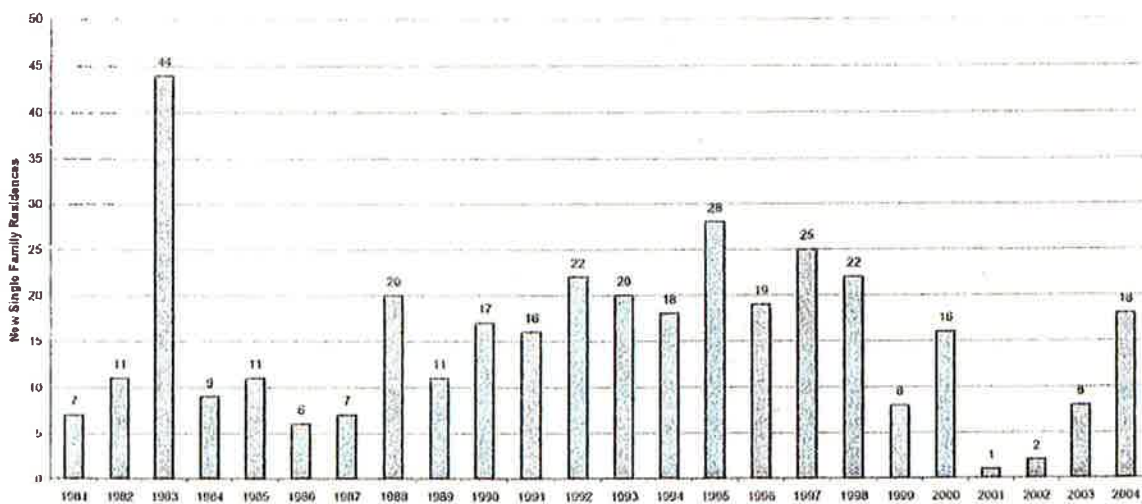


Chart 3.3 shows annual residential growth on Guemes Island from 1981-2004. It is evident that significantly more growth occurred during the 1990's than during the 1980's. What is also

Guemes Island Ferry Capital Facilities Plan, 2006-2020
Chapter 4: Ferry Ridership Analysis & Projections

Table 4.1 - Ferry Ridership and Annual Growth by User Category, 1980-2004.

Year	Vehicle & Driver	% Change	Passengers	% Change	Totals	% Change
1980	43429		62563		105992	
1981	50029	15.2%	63958	2.2%	113987	7.5%
1982	51427	2.8%	60044	-6.1%	111471	-2.2%
1983	56841	10.5%	60278	0.4%	117119	5.1%
1984	61604	8.4%	61719	2.4%	123323	5.3%
1985	60862	-1.2%	57971	-6.1%	118833	-3.6%
1986	60717	-0.2%	62055	7.0%	122772	3.3%
1987	63702	4.9%	62582	0.8%	126284	2.9%
1988	69777	9.5%	57696	-7.8%	127473	0.9%
1989	71255	2.1%	65103	12.8%	136358	7.0%
1990	71874	0.9%	71256	9.5%	143130	5.0%
1991	88806	23.6%	71592	0.5%	160398	12.1%
1992	89898	1.2%	76003	6.2%	165901	3.4%
1993	94669	5.3%	82012	7.9%	176681	6.5%
1994	101730	7.5%	81995	0.0%	183725	4.0%
1995	99311	-2.4%	88497	7.9%	187808	2.2%
1996	99475	0.2%	86276	-2.5%	185751	-1.1%
1997	102859	3.4%	87139	1.0%	189998	2.3%
1998	102578	-0.3%	85900	-1.4%	188478	-0.8%
1999	99332	-3.2%	87607	2.0%	186939	-0.8%
2000	106410	7.1%	95466	9.0%	201876	8.0%
2001	107991	1.5%	98276	2.9%	206267	2.2%
2002	111448	3.2%	89276	-9.2%	200724	-2.7%
2003	103797	-6.9%	93097	4.3%	196894	-1.9%
2004	101975	-1.8%	97853	5.1%	199828	1.5%
24 Yr	Total Change	134.8%		56.4%	3978010	88.5%
24 Yr	Avg Annual %	5.4%		2.3%		3.5%

**RESPONSE TO LETTER #1
CARL M. CADY**

1. Mr. Cady's comments are acknowledged. As discussed more fully in the responses that follow, there has been neither manipulation of data nor malfeasance. Also, it is unclear which specific assertion contained in the GIFIC letter of February 1, 2008 Mr. Cady is citing to. Nevertheless, the following point should be made clear from the outset, Mr. Cady's interpretation of Comprehensive Plan Policy 8A-5.3 is inconsistent with a literal and reasonable reading of the language of the policy.

Specifically, Comprehensive Plan Policy 8A-5.3(c) directs that the County consider adding "additional ferry capacity" should the encouragement of carpooling and walk-on ridership (subsection (a)) and increasing the frequency of ferry crossings (subsection (b)) not suffice to meet ridership demand. The language of subsection (c) makes reference to adding vessel capacity by either enlarging the existing MV Guemes (i.e., through insertion of a new section in the middle of the vessel), or purchasing an additional vessel. Consistent with this policy, the County believes these means (specifically subsection (c)) to meet demand increases should be considered as a last resort. However, subsection (d) is not contingent on (a), (b) or (c). A fair reading of the policy language reveals that encouraging carpooling and walk-ons, increasing the frequency of runs within the current schedule; AND adding runs outside the current schedule (i.e., subsection (d)), are all "tools in the toolbox" that should be employed by the County to meet ridership demand before modifying existing vessels, or adding additional vessels.

2. Mr. Cady's comments are noted. Mr. Cady is correct to point out that the EA erroneously references the Guemes Island Ferry Capital Facilities Plan policy 9A-8.2, rather than the appropriate policy, Skagit County Comprehensive Plan Policy 8A-5.3. Corrections to this portion of the EA are set forth in §III of this memorandum, infra. These two policies are nearly identical to one another, except for subsection (d). This sub-policy states that to meet increases in demand, service capacity may be increased by "*adding additional runs outside the current schedule.*" Emphasis added.

As noted in response #1, infra, it is not accurate to aver as Mr. Cady does that Policy 8A-5.3 delineates a strict hierarchical order of actions the County is mandated to pursue. Rather, a reasonable reading of the policy requires that adding capacity by enlarging existing vessels or adding new vessels be a last resort, after pursuing any reasonable combination of the following: encouraging carpooling and walk-on usage; increasing the

number of ferry crossings within the existing schedule; and/or adding ferry crossings outside the existing schedule.

Finally, it should be noted that subsection (d) of Policy 8A-5.3 was added at the request of the Skagit County Public Works Department during the most recent Comprehensive Plan amendment cycle, specifically to clarify the County's authority to both increase the frequency of runs within the current schedule, and to add additional runs outside the current schedule as options to pursue before enlarging the MV Guemes or adding another vessel to the service.

3. Mr. Cady's comments are acknowledged. The data contained in the 2006-2020 Ferry Capital Facilities Plan for 1990 and 1991, as cited in the Environmental Assessment, correctly reflects a substantial increase in vehicular traffic counts between those two years. These are the numbers that the ferry system actually experienced. The Skagit County Public Works Department does not know why this increase occurred, but it is consistent with the higher vehicle traffic counts in the years following 1991. There is no error to correct.

Mr. Cady is correct to point out that the ridership for 2004 was 101,975 vehicles. This is correctly reflected on p. 26 of the Ferry Capital Facilities Plan, but is incorrectly listed as 124,574 on p. 35 of the Ferry Capital Facilities Plan from which it was mistakenly drawn for use in the EA. This corrected number is shown in §III of this memorandum, *infra*, as is the resulting V/C ratio, which should be identified as 69% rather than 85%. Similarly, the number of actual vehicle crossings in Table 3.1 was incorrectly shown as 71,574; the correct number is 71,874, resulting in a V/C ratio of 53% rather than 52%. The correct number is cited on p. 25 of the Ferry Capital Facilities Plan but the incorrect number is cited on p. 35 of the FCFP from which it was mistakenly drawn for use in the EA. These errors are remedied in the corrected version of the table set forth in §III of this memorandum, *supra*.

Finally, Mr. Cady alleges that the *"EA incorrectly states there is a vehicular ridership increase of 74% (5.3% per year) from 1990 to 2004 when it actually increased by 14.8% between 1991 and 2004 or 1.14% per year. Using the correct rate of increase for vehicular ferry ridership will result in a significant change in any planning strategy or argument for increased service."* Again, and as noted in the first paragraph of this response, *supra*, there is no error in the data. The ridership increase from 1990 to 2004 as stated in the EA is correct. Mr. Cady's selective use of the time period 1991 to 2004 masks the significant documented increase in vehicle traffic between 1990 and 1991.

4. Mr. Cady's assertion that short-term growth caused by extended service will result in the conversion of existing second homes to primary residential use and full-time occupancy is noted. It is acknowledged that this issue was not directly addressed in the EA; no reliable and verifiable data sources are available to conclusively confirm or refute Mr. Cady's argument. That said, verifiable data set forth in Tables 4.3 and 4.4 of the EA point to a slight decrease in development permit activity over the period of the interim expanded ferry service schedule when compared to previous years. As noted in the EA, these data are perhaps reflective of the nationwide housing and economic downturn.

Mr. Cady's contention that the EA relies on single family residential data from the Guemes Island Ferry Capital Facilities Plan to estimate growth rates is acknowledged. At the time of this writing, the reason for the inconsistencies between the 2001-2015 and 2006-2020 versions of the Guemes Island Ferry Capital Facilities Plan (CFP) cannot be identified with certainty. Regardless, the broader point made in the EA remains valid; specifically: that dwelling unit growth has been significant and sustained, and has typically outpaced the average population growth rate. Skagit County Assessor's data from July 2007 that have just recently been shared with Planning & Development Services Staff support this conclusion, while paradoxically introducing yet another set of differing numbers into the discussion. This 2007 Assessor's data is set forth in the table below:

Increase of Primary Single-Family Residences (SFR) by Decade 1951 to 2007				
Decade	New SFR	Average New SFR Per Year	Total SFRs	Percentage Increase
1951-1960	+32	3.2	125	34%
1961-1970	+60	6.0	185	48%
1971-1980	+99	9.9	284	54%
1981-1990	+79	7.9	363	28%
1991-2000	+162	16.2	525	45%
2001-2007	+77	7.7	602	15%

(Source: Dave Thomas, Skagit County Assessor's Office, Email Communication to Wes Hagen Dated July 11, 2007).

It is possible, though not certain, that these discrepancies result from differing interpretations in the treatment of replacement residences as well as what constitutes a "primary residence" versus a vacation home or cabin. Again, the salient point is that all available data sources point to significant and sustained dwelling unit, as well as population growth on

Guemes Island prior to and independent of the two-year trial ferry schedule offering increased weekday evening service.

Mr. Cady's question as to why the single-family residential data in the 2006-2020 Guemes Island Ferry Capital Facilities Plan (CFP) (page 18) and the Environmental Assessment do not add properly is acknowledged. There are very minor discrepancies between the single-family residential data on page 18 of the CFP and Table 4.5 of the EA. In table 4.5, the percentage of increase of SFRs from 1961 to 1970 should be 76.2%, not 72.6%. This appears to be a transposition of numbers. Also in Table 4.5, the Average Annual Percentage Increase from 1981-1990 should be 3.1% rather than 3.2%. These errors are corrected in §III of this memorandum, *infra*.

Mr. Cady's anecdotal comment regarding number of residences he and Mr. Cahail recall being present on the island in 1940 is noted. As noted above, regardless of the minor flaws and inconsistencies previously acknowledged, the broader point made in the EA remains valid; specifically: that dwelling unit growth has been significant and sustained on Guemes Island, and has often outpaced the average population growth rate of CT 9501.

5. Mr. Cady's ad hominem assertions are noted. While errors have been acknowledged (see responses, *supra*), Mr. Cady's avowals that the EA Report involves "falsification" or "manipulation" of ridership data (i.e., connoting premeditation and malicious actions) are untrue and vehemently rejected.
6. Mr. Cady's request for the rewriting of the EA is noted. Please refer to the corrections and changes set forth in §III of this memorandum.

MAY 22 2008

RECEIVED

May 21, 2008

Gary R Christensen, Director & SEPA Responsible Official
Skagit County Planning & Development Services Department
1800 Continental Place, Mount Vernon, WA. 98273

Dear Mr. Christensen; Re: Proposal to make expanded ferry service permanent

Thank you, Skagit County Planning and Public Works, for giving us this opportunity to comment on the above proposal. On May 20, 2008, I spent considerable time reviewing the Environmental Assessment report at Public Works. Since the determination of non-significance (DNS) is issued under WAC 197-11-340(2), there is no reason from that standpoint to not make the expanded evening schedule "permanent."

From a financial viewpoint, the expanded service has not caused a predicted (by some) loss of revenue, and has instead produced considerably more ridership, thus revenue, than some daytime runs. Furthermore, a side benefit of late evening runs created a more efficient emergency service to Guemes. It also benefited family life when members needed medical treatment outside Skagit County, or wished to/only had evening time to spend with loved ones in local nursing homes, health care facilities, etc. School children can now participate in extra curricular activities, adults can pursue evening classes, part time jobs, or engage in off island social activities/events and organizations.

The two-year expanded schedule is one of the best we've had. It is positive, stable, and easier on the crew. Besides, it is just plain good business to have uniform weekly hours, and the county has a duty to provide public services where they are needed. That need is proven in the two-year trial period, thus justifying the expanded weekday (to 10: p.m.) schedule permanently.

Respectfully,

Elenor Powers

Elenor Powers 336-5374 (Guemes property owner for 37 years.)
317 E Lawrence St. Mount Vernon, WA, 98273

**RESPONSE TO LETTER #2
ELENOR POWERS**

1. Ms. Powers' comment is noted.
2. Ms. Powers' comments regarding the financial consequences of the interim expanded ferry service schedule, increased ridership during the trial period, and making evening visitation of off-island destinations more convenient are acknowledged.
3. Ms. Powers' comments advocating the permanent expanded evening ferry service to Guemes Island are noted.

GERALD STEEL, PE

ATTORNEY-AT-LAW

7303 YOUNG ROAD NW

OLYMPIA, WA 98502

Tel/fax (360) 867-1166

May 21, 2008

Gary Christensen, Dir. & SEPA Off.
Skagit County Planning & DSD
1800 Continental Place
Mount Vernon, WA 98273

RE: DNS Comments for Guemes Ferry Permanent Schedule Change

Dear Gary R. Christensen, Director & SEPA Responsible Official:

I write this letter on behalf of my client, Friends of Guemes Island ("FGI"). We have reviewed the Environmental Checklist and Environmental Assessment (EA) for the Guemes Island Ferry Service Schedule Changes. We oppose the DNS and find the Environmental Checklist inaccurate and the Environmental Assessment both inaccurate and inadequate. 1

As an example of inaccuracies in the Environmental Checklist, Public Works claims that often 5 or more additional unscheduled runs were needed on Monday-Thursday under the schedule in effect prior to June 1, 2006. See Checklist at 3. This is simply not true and the checklist should be corrected. Attachment 517 hereto is a copy of the Coast Guard count for 6 pm unscheduled weeknight runs for two years: 2004-2005. In these two years there were **no instances** of 5 unscheduled runs after the 6 pm run. What is the basis of the Public Works claim? In fact, Attachment 517 shows that there were no instances of 4 unscheduled runs or even 3 unscheduled runs after the 6 pm run in the two year period during 2004 and 2005. In these two years, there were 27 instances of two unscheduled runs after the 6 pm run under the no passenger left behind policy. It is also not true that the cost of these unscheduled runs for the no passenger left behind policy are "extremely costly" compared to the cost of an extended schedule. Id. The Planning Department should require Public Works to substantiate these statements with accurate honest accounting or remove them from the Checklist. 2

The Checklist suggests that weeknight evening scheduled service is necessitated in part by population growth. See Checklist at 11. The population growth rate according to a careful analysis in the May 2007 Rudge Report (EA Appendix A) for Guemes Island is 3% total over ten years between 1990 and 2000 - the last time the information was accurately measured. Meanwhile the population growth for Skagit County was 29% over the same ten year period. This level of population growth on Guemes Island is not creating a need for expanded ferry service, particularly in the wintertime. 3

Gary R. Christensen, Director & SEPA Responsible Official
May 21, 2008
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The discussion in in the Checklist answer to how many people would work in the project includes a non-responsive and misleading discussion unsupported by fact. See Checklist at 11-12. The costs are subject to contract negotiations and costs can be reduced by better management by Public Works. It is unlikely that the extended hour proposal has been less costly than the non-extended hour service previously provided with the no passenger left behind policy. If Public Works wishes to assert otherwise, it needs to provide total cost and revenue data to support its claim. 4

The discussion in the Checklist at 20, Item 5, that is relied upon in the Environmental Assessment is not credible. The fundamental issue here is that population growth has been limited by lack of weeknight access causing half of the houses on the island to be considered vacant in the census because they are second dwellings used only a small part of the year. This has occurred despite the ready availability of an ample supply of vacant buildable lots. A person working in Seattle and getting off work at 5 pm cannot access the island with public transportation during the week if 6 pm is the last scheduled run. This historic ferry schedule has created a culture on the Island dominated by vacation homes and retirees. The year-around population growth on the island is not so much controlled by the zoning and lot availability as it is by weeknight access. 5

The best estimate as to the population growth over the life of the 20-year Comprehensive Plan without extended weeknight access is that the growth rate will be on the order of double the 10-year growth rate experienced from 1990 to 2000 to be a total of 6% over 20 years. The best estimate as to the growth rate with extended weeknight access is 100% to 200% over 20 years. This is a substantial increase in growth. As the May 2007 Rudge Report in EA Appendix A explains, there can be more than a 160% increase in population on the island solely by occupying the existing houses at the County-wide average of 2.6 people per household even without building another home on the island. See EA at 21. 6

This growth in population on the island will not occur with the existing zoning without the weeknight extended runs. Therefore the environmental analysis is extremely flawed when it states that permanent weeknight extended runs will have no effect on population growth. If rapid growth will not occur under the current zoning without the extended weeknight runs but will occur under the current zoning with permanent extended weeknight runs, then it is the weeknight runs that are responsible for the rapid growth and not the zoning. 7

The Environmental Checklist and Environmental Assessment are grossly flawed when they do not recognize that it is the permanent extended weeknight runs that will be responsible for the rapid growth that will occur with these runs. Because of the flaw of not recognizing that the permanent extended weeknight runs will indirectly cause the expected rapid growth, the Environmental Assessment fails to evaluate the adverse impacts of this rapid growth, particularly with respect to the impacts on ground and surface water on the Island. 8

We call your attention to WAC 197-11-080 which states: 9

Gary R. Christensen, Director & SEPA Responsible Official
May 21, 2008
Page 3

(1) If information on significant adverse impacts essential to a reasoned choice among alternatives is not known, and the costs of obtaining it are not exorbitant, agencies shall obtain and include the information in their environmental documents.

(2) When there are gaps in relevant information or scientific uncertainty concerning significant impacts, agencies shall make clear that such information is lacking or that substantial uncertainty exists.

(3) Agencies may proceed in the absence of vital information as follows:

(a) If information relevant to adverse impacts is essential to a reasoned choice among alternatives, but is not known, and the costs of obtaining it are exorbitant; or

(b) If information relevant to adverse impacts is important to the decision and the means to obtain it are speculative or not known;

Then the agency shall weigh the need for the action with the severity of possible adverse impacts which would occur if the agency were to decide to proceed in the face of uncertainty. If the agency proceeds, it shall generally indicate in the appropriate environmental documents its worst case analysis and the likelihood of occurrence, to the extent this information can reasonably be developed.

The Environmental Assessment reports a population growth rate in Census Tract 9501 (that includes Guemes Island) to be 11.4% between 1990 and 2000. EA at 22. But as the May 2007 Rudge Report accurately demonstrates the growth on Guemes Island itself between 1990 and 2000 was just 3% total. We suggest that it is misleading to decision-makers and the public to report any growth rates for Census Tract 9501 when the cost is not exorbitant to get accurate 1990 and 2000 data for Guemes Island itself and the information is essential to a reasoned choice between the alternatives of having or not have an extended weeknight schedule. WAC 197-11-080.

Because the Environmental Assessment errs in not seeing that the growth on the island is limited by the weeknight access such that rapid growth will occur if that access is provided, the Environmental Assessment is inadequate in assessing the significant adverse impacts of this rapid growth. This has been addressed in the Rudge Reports in Appendix A of the EA and the conclusion is that the probable adverse impacts of this rapid growth will be significant.

We urge you to do an Environmental Impact Statement. This Environmental Impact Statement

Gary R. Christensen, Director & SEPA Responsible Official
May 21, 2008
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could be combined with such a Statement for the Guemes Subarea Plan. No permanent extension should be adopted until the Guemes Subarea Plan is adopted. 12

While in the past there was growth in vehicle crossings as shown in Table 3.1 on page 14 of the Assessment, that growth has reversed in recent years. But even if there were growth in vehicle crossings to be accommodated, it is important to analyze when that growth is occurring. Attachment 517 (hereto) shows a greater demand in the summer than in the winter. 13

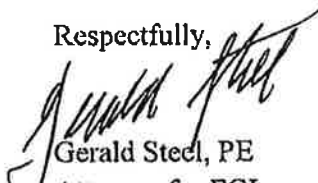
It is likely that any growth in vehicle crossings can be accommodated by higher frequency of runs inside the pre-extension weekday schedule day that ends at 6 pm (with the no passenger left behind policy reinstated) with the possibility of additional evening runs only in the summer. This should have been evaluated as an alternative. The information on the number and growth of weekday vehicle trips by month should be provided in the environmental documents because this information is essential to a reasoned choice between alternatives pursuant to WAC 197-11-080. Also the information on number of vehicle trips at and after 6 pm on weeknights by month with the extended schedule should be compared to the number of such trips that occurred before the extended schedule went into effect. The Environmental Assessment does not include any ferry vehicle trip data or costs from the two year trial period or any comparisons of such data to similar data obtained before the two year trial period began. 14

The data in the EA regarding housing starts is irrelevant because 1) few people would rely on a temporary weeknight schedule extension to make a decision to move their family to the Island - although the Commissioners have received a letter from such a person who asks for the extension to be made permanent because he will have to move back off the island if it is not made permanent because of his job, and 2) because houses don't use water - people do - and generally the houses being built will remain vacation houses if there is no permanent extension. The citation in the EA at 23 to Table 4.5 coming from EA Appendix B at pages 18 and 23 is an incorrect citation as that data is not from those pages. 15

Friends of Guemes Island incorporates into this letter the comments and supporting materials submitted on behalf of Friends of Guemes Island that are in Appendix A of the Environmental Assessment including pages 18-29, 44-50, 109-359, and 369-987. In addition, Friends of Guemes Island incorporates into this letter the comments and supporting materials supplied by the following members of Friends of Guemes Island to the degree they are not inconsistent with the other comments of Friends of Guemes Island: Win Anderson (1); Elaine Anderson (2); Paul Beudet (7-8); Camelia Chatfield (38); Roz Glasser (52-55); Joseph Miller (80-84); James and Lita Nelson (85-86); Leo E. Osborne (90-91); Tim Rosenhan (107-08); G.D. Shannon (366); Lawrence D. Verbano (988); Stephen D. Orsini (992-97). 16

Thank you for your consideration of our comments.

Respectfully,



Gerald Steel, PE
Attorney for FGI

Ferry Vehicle Rideship- Monday-Thursday After 6PM run

Source: County Coast Guard count by trip

Date	2004 Time	# Vehicles	Date	2004 Time	# Vehicle	Date	2004 Time	# Vehicles
1/7/04	1816	4	27-Apr	1830 0/0		20-Jul	1850	4
8-Jan	1819	10	27-Apr	1905 3/0		22-Jul	1828	19
12-Jan	1829	1	28-Apr	1822	21	22-Jul	1845	4
13-Jan	1820	11	29-Apr	1820 <i>Ar-18</i>	18	26-Jul	1822	14
15-Jan	1820	13	3-May	1820	10	27-Jul	1822	19
20-Jan	1820	4	5-May	1820	14	29-Jul	1827	21
21-Jan	1825	12	6-May	1830	21	29-Jul	1843 <i>Jul-17</i>	8
22-Jan	1819	10	6-May	1855	3	2-Aug	1829	20
27-Jan	1815	7	10-May	1819	11	2-Aug	1846	5
28-Jan	1821	7	10-May	1817	7	3-Aug	1827	21
29-Jan	1818 <i>F-1</i>	3	11-May	1825	14	3-Aug	1845	5
2-Feb	1825	3	12-May	1830	13	4-Aug	1830	28
3-Feb	1820	8	13-May	1822	20	4-Aug	1847	5
11-Feb	1815	8	17-May	1823	18	5-Aug	1828	19
12-Feb	1820	4	18-May	1819	2	9-Aug	1824	17
19-Feb	1819	5	19-May	1821	13	10-Aug	1823	6
26-Feb	1817 <i>F-6</i>	10	20-May	1821	16	12-Aug	1828	21
1-Mar	1829	9	25-May	1821	20	12-Aug	1850	20
2-Mar	1818	6	26-May	1820	12	8/15-8/18	Down	
4-Mar	1830	10	27-May	1830 <i>M-16</i>	12	18-Aug	1825	20
8-Mar	1821	2	1-Jun	1822	9	18-Aug	1844	5
9-Mar	1818	4	2-Jun	1835	10	19-Aug	1826 0/1	
10-Mar	1817	7	3-Jun	1824	21	23-Aug	1824	5
11-Mar	1820	7	7-Jun	1823	17	24-Aug	1824	17
15-Mar	1820	4	8-Jun	1820	15	25-Aug	1835	1
16-Mar	1824	11	9-Jun	1820	19	26-Aug	1825	21
17-Mar	1825	4	10-Jun	1820	19	28-Aug	1841	12
18-Mar	1824	12	14-Jun	1825	5	30-Aug	1822	3
22-Mar	1820	5	14-Jun	1840	5	31-Aug	1822 <i>Aug-21</i>	5
23-Mar	1817	9	15-Jun	1830	6	1-Sep	1830	21
24-Mar	1820	15	16-Jun	1821	9	1-Sep	1900	7
25-Mar	1825	8	17-Jun	1820	12	2-Sep	1828	19
30-Mar	1829 <i>M-16</i>	10	21-Jun	1825	12	7-Sep	1824	19
1-Apr	1825	2	22-Jun	1824	12	8-Sep	1830	14
5-Apr	1921	13	22-Jun	1855 0/0		9-Sep	1818	6
6-Apr	1829	13	23-Jun	1820	7	14-Sep	1822	4
7-Apr	1824	15	24-Jun	1827	22	15-Sep	1830	8
8-Apr	1825	21	24-Jun	1848	18	16-Sep	1819	7
8-Apr	1845	6	28-Jun	1822	21	20-Sep	1811	10
12-Apr	1830	15	29-Jun	1822	22	21-Sep	1820	14
13-Apr	1820	6	30-Jun	1840	19	22-Sep	1821	14
14-Apr	1823	17	30-Jun	1900 <i>T-22</i>	9	23-Sep	1827	21
15-Apr	1845	13	1-Jul	1825	22	28-Sep	1820 <i>S-M</i>	4
19-Apr	1821	12	1-Jul	1900	1	6-Oct	1825	4
21-Apr	1821	20	6-Jul	1830	20	7-Oct	1820	8
22-Apr	1827	19	8-Jul	1821	13	28-Oct	1830 <i>0-3</i>	12
26-Apr	1820	10	13-Jul	1830 0/0		20-Dec	1823	3
			14-Jul	1824	19	21-Dec	1822	7
			15-Jul	1826	21	22-Dec	1832	14
			15-Jul	1845	11	27-Dec	1825	2
			19-Jul	1825	21	30-Dec	1820 <i>0-5</i>	3
			20-Jul	1829	21			

6AM M-Th 2004 year total extra trips = 149
 unscheduled trips { second trips 129
 3rd trips - 20
 4 + 5
 2004 Jan - June - total 89
 1st 6 MRS second - 87
 third - 8

73 days - 1 ungel
 6 " - 2 ungel

517-1

Ferry Vehicle Rideship-
Monday-Thursday After 6PM run
Cady Revised 6/5/07

Source: County Coast Guard Count Daily by trip

2005				2006			
Date	Time	#Vehicles		Date	Time	#Vehicles	
01/18/05		1819	4	06/22/05		1821	9
1/20-1/26	Ferry Down			23-Jun		1829	14
27-Jan		1819	13	27-Jun		1818	2
27-Jan		1840	1	28-Jun		1820	6
				29-Jun		1821	6
2-Feb		1818	9	30-Jun		1823	16
3-Feb		1820	5	6-Jul		1823	10
8-Feb		1825	2	7-Jul		1825	6
9-Feb		1821	4	11-Jul		1829	6
12-Feb		1823	9	12-Jul		1826	17
1-Mar		1819	8	13-Jul		1822	6
3-Mar		1819	13	14-Jul		1829	18
8-Mar		1919	1	19-Jul		1830	6
9-Mar		1822	4	21-Jul		1830	22
10-Mar		1819	2	25-Jul		1830	4
15-Mar		1825	3	26-Jul		1824	13
17-Mar		1825	5	27-Jul		1820	8
3/25-4/7	Ferry Down			28-Jul		1830	21
13-Apr		1820	10	28-Jul		1847	14
14-Apr		1817	14	1-Aug		1823	17
19-Apr		1817	1	2-Aug		1819	6
20-Apr		1825	4	3-Aug		1834	12
21-Apr		1818	2	4-Aug		1820	21
25-Apr		1820	10	8-Aug		1822	14
26-Apr		1820	3	9-Aug		1823	12
27-Apr		1818	3	10-Aug		1830	18
28-Apr		1821 3/0		11-Aug		1826	22
28-Apr		1831 1/1		11-Aug		1843	3
3-May		1820	6	15-Aug		1826	13
4-May		1824	11	16-Aug		1823	15
5-May		1821	8	17-Aug		1825	15
6-May		1826	2	18-Aug		1821	20
10-May		1820	6	22-Aug		1830	18
11-May		1818	3	23-Aug		1821	6
12-May		1821	9	23-Aug		1837	11
18-May		1820	2	24-Aug		1818	8
25-May		1821	14	24-Aug		1838	1
1-Jun		1817	5	25-Aug		1821	14
2-Jun		1821	11	30-Aug		1830	15
7-Jun		1818	5	31-Aug		1820	14
8-Jun		1821	6	1-Sep		18223	12
14-Jun		1825	10	7-Sep		1827	2
15-Jun		1820	3	8-Sep		1827	18
16-Jun		1823	20	9/30-11/7	Ferry Down		
16-Jun		1838	2	7-Nov		1830	1
20-Jun		1822	9	17-Nov		1823	1
21-Jun		1823	2	22-Nov		1820	5
				30-Nov		1819	4
				8-Dec		1828	21
				21-Dec		1821	14
				22-Dec		1819	5

Date	Time	#Vehicles	
01/06/06	Holiday	1515 last	
3-Jan		1830	4
24-Jan		1830	4
26-Jan		1835	1
3-Feb		1820	3
21-Mar		1819	2
23-Mar		1820	3
4-Apr		1819	4
5-Apr		1818	1
6-Apr		1825	4
11-Apr		1819	7
12-Apr		1821	3
17-Apr		1821	2
18-Apr		1817	6
19-Apr		1821	7
20-Apr		1820	6
2-May		1822	6
4-May		1822	1
18-May		1840	8
24-May		1818	12
25-May		1821	7
1-Jun		1821	7
6-Jun		1821	11
7-Jun		1830	10
8-Jun		1822	5
15-Jun		1825	3
19-Jun		1821	3
20-Jun		1830	4
22-Jun		1829	1
29-Jun			
1-Jul		Start Ext Service	

mtk 2006 - Total 29
1st 6 mcs Second - 29
3rd - 0

M-Th- 2005 - year total extra trips @ 6 PM = 89
Second 4 trips = 82
Third trips = 7
4th = 0

5/17-2

**RESPONSE TO LETTER #3
GERALD STEEL, ATTORNEY AT LAW**

1. Mr. Steel's assertions regarding alleged inaccuracies and inadequacies of the EA and Environmental Checklist are noted. Please refer to the responses provided below for further elaboration.
2. Mr. Steel's comment regarding the inaccuracy of the statement made in response to question # A11 of the SEPA Checklist that often five (5) or more additional unscheduled runs were needed on Monday-Thursday under the prior schedule is acknowledged. The statement contained in the checklist is erroneous. The response to this question was partially derived from prior environmental documentation by the County that was in error. Mr. Steel is correct that during the period cited, there were no instances of more than two (2) unscheduled runs after the 6 p.m. run. Please refer to the corrected response to SEPA Checklist question #11, set forth in §III of this memorandum, *infra*.

Mr. Steel comments that it *"is also not true that the cost of these unscheduled runs for the no passenger left behind policy are 'extremely costly' compared to the cost of an extended schedule"* and that the Public Works Department should be called upon to substantiate these statements or remove them from the checklist. The checklist does not make the assertion that the unscheduled runs are extremely costly when compared to the cost of an extended schedule. It is Mr. Steel who draws that conclusion. The checklist simply states that the *"unscheduled runs were extremely costly since they routinely required the payment of overtime and delays."* This statement is true, although the adjective *"extremely"* will be omitted in the revised response set forth in §III of this memorandum, *infra*. On a per-run basis, the cost of unscheduled extended runs is more expensive than the cost of scheduled runs due to the need to pay overtime for the unscheduled extended runs. The checklist makes no assertions about or comparisons regarding the overall costs of unscheduled evening runs versus scheduled evening runs.

3. Mr. Steel's comments regarding the population growth rate of Guemes Island versus the remainder of Skagit County are noted as is his assertion that population growth is not creating a need for expanded ferry service. The data set forth under the heading "Population Growth Since 1990" on pages 21 and 22 of the EA Report are accurate and reflect an 11.4% increase in population for Census Tract 9501 (i.e., which includes Guemes) between 1990 and 2000, and a 26% increase in population for CT 9501 between 1990 and 2006. This equates to a 1.6% growth rate for the 16 years between 1990 and 2006, which is reported faithfully within

the EA. These data were drawn from US Census data and a report entitled "Skagit County Demography 2007" prepared by the Skagit County Public Health Department and published in August of last year.

Mr. Steel's specific concern appears to be with the response to SEPA Checklist question # B8(i), which reads as follows:

- "i. What are proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal is a non-project action to extend scheduled ferry service during the evening hours on Mondays through Thursdays. The proposal is necessitated by ridership demand and need occasioned by continued dwelling unit and population growth occurring under Skagit County's GMA compliant rural residential land use scheme for Guemes Island. Thus, the proposal assures the provision of necessary transportation services to the island in a manner consistent with the adopted land use plan. Because the proposal is compatible with current land use and shoreline designations, no mitigation measures are necessary. Please refer to the Environmental Assessment Report submitted coincident with this checklist for additional information regarding potential land use and growth impacts occasioned by the proposal, and strategies to further reduce the potential for impacts."

This response is accurate; no change would appear to be necessary.

4. Mr. Steel's comments regarding how many people would work in the project and alleged inaccuracies in the SEPA checklist are acknowledged. There is one minor error in the response to SEPA checklist question # B8(j). The response (set forth on page 12 of the checklist) indicates that the two (2) employee shifts consist of one (1) eight (8) hour shift and one (1) three and one-half (3.5) hour shift. Instead, the shifts consist of one ten (10) hour shift and one three and one-half (3.5) hour shift. This minor error has been corrected in §III of this memorandum, infra. Otherwise, the checklist response is accurate. The change in schedules from the prior schedule ending at 6 p.m. (with additional runs as needed to clear the docks) to scheduled evening ferry crossings will not change the number of employees needed to operate the ferry system, although it may require employees to work different shift lengths. The checklist response makes no comparisons about the overall costs of the prior schedule versus a schedule with fixed (scheduled) evening runs.
5. Mr. Steel's comments regarding the response #5 to §D of the checklist (page 20) (i.e., the Supplemental Sheet for Non-Project Actions) are acknowledged. The data set forth on pages 21 and 22 of the EA and

referenced in the response to comment #3, supra, are accurate. Dwelling unit growth on Guemes Island has admittedly outpaced population growth. It is also a plain fact that population growth on Guemes Island has been slower over the period 1990 to 2006 than the growth rate observed in Skagit County as a whole. The EA Report plainly acknowledges this fact. Nevertheless, population and dwelling unit growth have been real and substantial, and have contributed to well-documented increases in ferry ridership demand and need.

Additionally, permit data gathered during 1.75 years of the interim expanded evening ferry service (see pages 22-24 of the EA) simply do not indicate a significant increase in development permit activity suggestive of a rush to develop new homes or remodel and convert second homes to primary residential use. In fact, permit activity actually declined slightly over the applicable period. There simply is no credible, reproducible or verifiable data to indicate the existence or likelihood of a sudden surge in either new residential development or full time occupancy and use of vacation homes linked to expanded evening ferry service to the island. Even if such a surge in development and occupancy were to be documented, it would be entirely consistent with the County's adopted, and GMA compliant, rural land use designations for the island. The follow-on question in that hypothetical scenario would be whether such a spike in development and occupancy posed a probable significant adverse impact to groundwater resources. The discussion set forth in §4.3 of the EA concludes otherwise; on balance, it indicates that the County's existing policy and regulatory framework for protecting environmentally sensitive areas (i.e., critical areas), including groundwater resources, has functioned as intended, and has appropriately mitigated the impacts of population growth and development.

6. Mr. Steel's comments regarding projected population growth rates and potential increases in population occasioned by occupancy of second homes for primary residential use are acknowledged. Please refer to the response to comment #5, supra. There is no data to indicate the existence or likelihood of a sudden surge in either new residential development or full time occupancy and use of vacation homes linked to expanded evening ferry service to the island.
7. Mr. Steel's assertions regarding a permanent expanded evening ferry service schedule and population growth are noted. Permit data collected over the 1.75 year interim expanded ferry service schedule are not indicative of significant new housing unit development, or remodeling of existing second homes to facilitate permanent use as a primary residence. The adopted rural land use designations for the island are GMA compliant; the proposed permanent expansion of evening ferry service is consistent with and supports the adopted land use and zoning scheme. Nothing in

the proposal would create pressure to change existing land or shoreline use designations. Even if the proposal were to affect the rate and timing of growth (including full-time occupancy and use of existing second homes) under the land use plan, the County's policy and regulatory framework would ensure appropriate review and mitigation of the impacts such growth (see §4.2 of the EA, pages 31 to 41).

8. Mr. Steel's contentions are noted. No available and verifiable evidence suggests that the interim expanded ferry service will result in the rapid growth alleged by Mr. Steel. Merely saying that such growth will occur does not make it so. Even if such a surge in population growth and occupancy of existing units were to be experienced, which is purely hypothetical, such growth would be consistent with the adopted and GMA compliant land use plan. Under the GMA, transportation facilities and services must be consistent with, and support, the adopted land use plan. The proposal is wholly consistent in this regard, and would not be likely to create pressure to change the adopted land use designations or lead to the conversion of rural areas to urban use. Additionally, the County's policy and regulatory framework would ensure appropriate review and mitigation of the impacts such growth (see §4.2 of the EA, pages 31 to 41). In sum, nothing would appear to support the conclusion that the proposal will result in probable significant adverse environmental impacts, save for Mr. Steel's unsubstantiated assertions.
9. Mr. Steel's comments regarding WAC 197-11-080 are acknowledged.
10. Mr. Steel's comments regarding disaggregating population growth for Guemes Island from CT 9501 as a whole are noted. Mr. Steel's interpretation and application of WAC 197-11-080 to this set of facts is without merit. CT 9501 is a very small geographic unit of demographic measurement; the other small and sparsely populated areas encompassed within this tract include Cypress, Sinclair and Vendovi Islands. According to the US Census, CT 9501 had a population of 839 residents in 2000; the block data reveal that Guemes Island had a population of 563 residents in 2000, or 67% of the total population of CT 9501. Prior conversations with Skagit County's resident demographer, Dr. Alex von Cube, MPH, PhD, indicated that disaggregation of population data to a geographic unit smaller than the census tract level was unlikely to be particularly useful, and could insinuate a level of predictive accuracy that was overstated and potentially misleading (source: telephone conversation with Dr. Alex von Cube). While it may be correct to state that the cost to obtain block level population data would not be exorbitant, to claim that such information is vital to make a reasoned choice among the alternatives is pure hyperbole. The vast majority of the dwelling units and population within CT 9501 occur on Guemes Island. To assert that not

disaggregating CT 9501 data at the block level somehow represents a fatal flaw in the EA analysis is without merit.

11. Mr. Steel's avowal that the EA errs in not concurring with his opinion that growth on the island is limited by the hours of ferry operation is hereby noted. As noted repeatedly, *supra*, available data for the 1.75-year period of interim expanded service simply do not hint at the parade of horrors anticipated by Mr. Steel. Even if permanent expanded ferry service were to prove Mr. Steel's conjecture to be true (which is expressly not acknowledged), such occupancy and use would be entirely consistent with adopted County land use policy and law; no credible data suggest that such occupancy and use, in and of itself, would pose a probable significant adverse impact upon the environment.

Finally, it should be noted that an approximate analog to the Guemes Island setting is Lummi Island, located a few miles to the north of Guemes Island in Whatcom County. By way of comparison, Lummi Island is served by a County ferry service that operates 38 scheduled crossings between 5:40 a.m. and 12:10 a.m. on weekdays. Lummi Island had a resident population of approximately 822 at the time of the 2000 US Census (i.e., compared to 620 in 1990). Like Guemes, the population swells during the summer months (to nearly double the resident population according to the Lummi Island Sub-Area Plan). Moreover, it is located within relative proximity to Bellingham, a significant employment center with a population in excess of 71,000. The island is highly accessible to the mainland and the greater Bellingham area; nevertheless, the surge in summertime population is highly indicative of second homes and cabins that are idle during most of the rest of the year, despite proximity to urban employment opportunities. The Lummi Island example shows that increased ferry accessibility in the evening hours does not inevitably lead to a significant surge in either occupancy and use of existing structures, or new housing development and growth.

12. Mr. Steel's request that an EIS be prepared is acknowledged. Because neither the information within the EA Report and checklist nor the comments contained within the public record substantiate that the proposal will result in probable significant adverse environmental impacts, issuance of a Threshold Determination of Non-Significance (DNS) was, and is, appropriate.
13. Mr. Steel's comments regarding the timing of vehicular crossings and periods of peak ridership demand are acknowledged. Though periods of peak ridership demand do coincide with summer visitation of the island, no aspect of the proposal to move to a fixed schedule including evening crossings past 6:00 p.m. is inconsistent with the adopted land use plan designations for the island. The provision of expanded evening service is

supportive of, and consistent with, the adopted land use plan. In addition to the absence of data suggesting that the expanded service will result in a rapid surge in occupancy and use of existing homes, or development of new homes, this land use plan/transportation plan consistency could be construed as a prima facie indication that the proposed permanent schedule changes are unlikely to cause probable significant adverse environmental impacts.

14. Mr. Steel's comments relating to the accommodation of growth in vehicle crossings via additional runs within the pre-extension weekday schedule are noted, as is his comment suggesting that this strategy be considered as an alternative for environmental review. The EA and checklist evaluate three alternatives, a "no action" alternative and two "action" alternatives. A lead agency is not required under SEPA to examine all possible alternatives to the proposal, but a reasonable range of alternatives (see WAC 197-11-030(2)(g), 197-11-060(3), 197-11-786 and by analogy, 197-11-442(4)). The EA and checklist were prepared to help inform the threshold determination issued by the SEPA Responsible Official; there is no requirement under SEPA or the SEPA rules that the type of information requested by Mr. Steel be included in the threshold determination process. Moreover, the vehicle trip and cost data alleged as necessary by Mr. Steel (i.e., comparing the pre and post expanded ferry service periods) would arguably not be required even in the context of a DS and subsequent EIS.
15. Mr. Steel's statement regarding the alleged irrelevancy of development permit activity data for the period of the interim expanded evening ferry service schedule is noted. The mere fact that these data (reported at pages 22-24 of the EA) do not sustain Mr. Steel's preordained conclusions does not render them immaterial. These data are a means to verify or refute whether or not expanded evening service to the island is likely to result in a significant increase in the rate and timing of growth under the adopted land use plan. Though the sample period was admittedly "interim" rather than "permanent," the data collected cannot be so blithely dismissed. Comparing actual permit data from the interim expanded service period to the prior schedule is verifiable, reproducible and relevant, and is preferable to accepting Mr. Steel's unsupported claims that expanded service must unavoidably result in increased occupancy and use of existing structures, constituting a probable significant adverse environmental impact. What's more, the data in the EA include permits for remodeling activity, which would be one clear indicator of existing dwelling units being converted for permanent residential use. Again, the data for the interim period do not show a spike in overall permit activity, applications for new homes, or applications for remodels of existing dwelling units.

The response to comment #11 is relevant in this response as well. The example of Lummi Island, in Whatcom County, an island served by some 38 daily scheduled crossings during 19 hours of ferry service ending after midnight on weeknights, and which lies in close proximity to the major employment center and urban conurbation of Bellingham, would also bear witness to the unlikelihood that permanent expanded service will lead to sudden occupancy of second homes or rampant and uncontrolled new residential development.

Finally, Mr. Steel's comment regarding the citation in the EA at page 23 to Table 4.5 coming from Appendix B pages 18 and 23 is noted. The text of the EA indicates that the data reported in Table 4.5 is "derived" from Appendix B pages 18 and 23, not reproduced. Please refer to the response to Letter #1, comment #4, as well as the corrections to Table 4.5 set forth in §III of this memorandum, *infra*.

16. Mr. Steel's ostensible incorporation by reference of the bulk of the pre-threshold determination comment letters into his post-threshold determination comment letter is noted.

III. CORRECTIONS & CHANGES

Table 3.1 on page 14 of the Environmental Assessment Report should be corrected to read as follows:

Table 3.1: Ferry Ridership Growth – 1990 to 2004				
Year	Number of Scheduled Crossings	Total Vehicle Carrying Capacity*	Actual Vehicle Crossings	Volume to Capacity (V/C) Ratio**
1990	6,214	136,708	71,574 71,874	52% 53%
2000	6,500	143,000	106,410	74%
2004	6,760	148,720	124,574 101,975	84% 69%

(Source: Guemes Island Ferry Capital Facilities Plan – 2006 – 2020).

* The M/V Guemes has a capacity of 22 standard size vehicles.

** V/C is calculated as follows: number of actual vehicle crossings divided by number of scheduled ferry crossings = A; A divided by the 22 vehicle capacity of the M/V Guemes = V/C ratio.

Table 4.5 on page 24 of the Environmental Assessment Report should be corrected to read as follows:

Table 4.5: Increase of Primary Single-Family Residences (SFR) by Decade 1951 to 2004					
Decade	New SFR	Average per Year	Total SFRs	Percentage Increase	Average Annual Percentage Increase
1951-1960	+67	6.79	101	197.1%	19.7%
1961-1970	+74	7.4	178	72.6% 76.2%	4.4%
1971-1980	+146	14.6	329	84.8%	4.5%
1981-1990	+136	13.6	472	43.5%	3.2% 3.1%
1991-2000	+178	17.8	666	41.1%	2.9%
2001-2004	+28	7.0	695	4.4%	1.1%

(Source: Guemes Island Ferry Capital Facilities Plan 2006-2020, pages 18 and 23).

Pages 29-30 of the Environmental Assessment Report should be corrected to read as follows:

Consistency with Adopted Land Use Plans & Regulations

The policies governing Guemes Island Ferry planning, service delivery and funding are found within the Transportation Element of the Comprehensive Plan (Chapter 9 8). The following policies appear particularly relevant to this inquiry:

~~9A-8.2~~ 8A-5.3 To meet future increases in demand, ~~the County shall increase~~ service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ~~Ferry ferry~~ runs based on demand; and (c) considering additional Ferry ~~ferry~~ capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule.

~~9A-8.5~~ 8A-5.5 ~~The County shall continue~~ Continue to provide safe and adequate Ferry service between Anacortes and Guemes Island, and a fare structure designed to recover as much operating cost as ~~practical~~ Washington State does from the users.

Policy ~~9A-8.2(b) and (c)~~ 8A-5.3(b) and (d), and (c) seeks to distinguish between capacity expansions that are accomplished via adding to the total number and frequency of ferry crossings (subsections (b) and (d)) whether within or outside of the current schedule, versus capacity expansions accomplished by adding to the size or number of ferry vessels employed (subsection (c)). Because none of the proposed alternatives would increase the size or number of vessels in service, all would appear consistent with this policy.

The County has not adopted a formal level of service standard for the Guemes Island Ferry. In the absence of such a standard, the County has monitored vehicle carrying capacity in relationship to ridership demand to assess whether the service to the island is “adequate” as required under Policy ~~9A-8.5~~ 8A-5.3. As has been discussed previously, if past ridership growth trends continue, demand is anticipated to exceed the capacity of Alternative 1 by the year 2014. Alternative 2, which would increase capacity by nine percent (9%), would likely be at capacity by the year 2020. Alternative 3, which would increase capacity by 15%, would likely reach 95% capacity by 2020. Because the term “adequate” is indefinite in the absence of a formally adopted level of service standard, it is perhaps most accurate to conclude that none of the alternatives creates a clear inconsistency with this policy.

The response to Question # B8(j) of the SEPA Checklist should be corrected to read as follows:

The proposal would not directly result in the employment of additional ferry crew. The Skagit County Department of Public Works, Ferry Division, indicates that two employee shifts per day are required for the Guemes Island ferry service, regardless of whether or not scheduled service terminates at 6:00 p.m. or 10:00p.m. However, the proposal would be likely to reduce the likelihood of employee turnover, which was common prior to the passage of interim expanded schedule now being provided to Guemes Island under Skagit County Resolution Number R20060184 (dated June 28, 2006). Under the previous schedule, the two (2) shifts consisted of one (1) ~~eight (8)~~ ten (10) hour shift and one (1) three and one-half hour (3.5) shift. Because this 3.5 hour shift did not offer sufficient hours to generate a living wage for employees, employee turnover was frequent. In consequence, the costs to the Ferry Division were driven upwards, as employee training time rose. For example, approximately 100 hours of training is required for new employees, along with approximately \$2,000 per employee expended on fire safety training. Under the proposal, two full shifts would be possible, likely decreasing employee turnover and training costs.

The second paragraph in the response to Question # A11 of the SEPA Checklist should be corrected to read as follows:

Historically, the ferry has been in operation since before WW II. The county began to subsidize the ferry's operation in 1963 and eventually took it over as a part of the county's road system. In 1980, the county began using the present ferry, which can transport about 22 cars and 99 passengers. Ferry runs are routinely extended past the presently scheduled runs. The county has adopted a "no passenger left behind" policy that allows the ferry to continue to make runs until everyone in line is transported. ~~Up to 100 cars will often be queued up for transport at the last scheduled run on Monday-Thursday, necessitating five (5) or more additional unscheduled runs. Vehicles will often be queued up for transport at the last scheduled run on Monday – Thursday, necessitating up to two (2) additional unscheduled runs. Skagit County Public Works Department data for the period July 2004 through June 2006 show additional runs after the 6 p.m. run resulting from excess traffic. These range from up to seven (7) extra runs per week during some weeks in the summer to zero (0) extra runs during other weeks.~~ The county also extends operating hours for emergencies, on the day before and after holidays, and for civic and school events. The lack of evening runs on weekdays creates uncertainty and hardships for families whose children want to participate in school events and activities. The unscheduled runs are extremely costly since they routinely require the payment of overtime and delays.

IV. SUPPLEMENTAL INFORMATION – COUNTY OPERATED RURAL FERRY SERVICES IN WESTERN WASHINGTON

The information in the following table is intended to compare in a synopsis form, the Guemes Island setting versus Anderson and Lummi Islands, which are also provided with county operated ferry services.

SUMMARY COMPARISON OF PUGET SOUND RURAL FERRY SERVICES			
Island	Anderson	Lummi	Guemes
Ferry Operator	Pierce County	Whatcom County	Skagit County
Vehicle Capacity per Crossing	54	20	22
Passenger Capacity per Crossing	150 (Christina Anderson) 299 (Steilacoom II)	100	99
Number of Scheduled Daily Crossings M-F	12	38	25 under interim expanded schedule
Hours of Operation M-T	5:45 a.m. to 7:30 p.m.	5:40 a.m. to 12:10 a.m.	6:30 to 10:00 p.m.
Full-Time Resident Population	Approximately 900 in 2000, up from 548 in 1990	Approximately 822 in 2000, up from 620 in 1990	563 in 2000, up from 496 in 1990 Census
Estimated Summer Population	2,500+	1,598	2,200 est. (source: US EPA)
Predominant Zoning	GMA compliant rural zoning, with a sizeable number of legal substandard lots ¹	GMA compliant rural zoning; a new sub-area plan was developed in 2004.	GMA compliant rural zoning; refer to holding capacity data set forth in the EA at pages 20 and 21
Potable Water Source	Groundwater (both private and public wells)	Groundwater	Groundwater
EIS Conducted Prior to Adopting Changes in Scheduled Ferry Service?	No	No	As of the time of this writing, no

(Sources: US Census; Pierce County Waterborne Transportation Study; Anderson Island Sub-Area Plan; Pierce County Public Works and Utilities website; Lummi Island Sub-Area Plan; Lummi Island Ferry Report (6/30/04); Skagit County Public Works Department; US EPA Sole Source Aquifer Designation for Guemes Island; Dr. Alex von Cube, MPH, PhD;).

¹ A major development on Anderson Island is the Riviera Development, established some 25 years ago (i.e., pre-GMA rural zoning). It has a 9-hole golf course and marina.

Finally, a summary technical memorandum prepared for the Marine Transportation Committee (MTAK) of Kitsap and Kitsap Transit (February 6, 2007), providing a summary land use compatibility assessment of proposed high speed passenger only ferry service between downtown Seattle and various points in south Kitsap County, has been cited by at least one commentator in the public record as support for the conclusion that expanded evening ferry service to Guemes Island will have growth inducement impacts.

Such a reading would misconstrue the results of the Kitsap County study, and erroneously seek to compare high speed, high capacity passenger only ferry (POF) service between the largest city and employment center in the region (i.e., Seattle) and multiple ports in the burgeoning exurbs of south Kitsap County to the addition of up to five (5) evening runs between Anacortes and Guemes Island. This is not a reasonable or sound comparison.

The following extended excerpts are drawn from the “Final Technical Memorandum & Summary Assessment of Land Use Compatibility” prepared for the Kitsap Transit Draft Passenger Only Ferry Plan (February 6, 2007) (hereinafter, “Final Technical Memorandum”). These excerpts are offered to help clarify the record in the instant case relative to the purported “growth inducement” effects of expanded evening service to Guemes Island. All excerpts are shown in italics, below:

“Port Orchard – Seattle POF Service

Anticipated POF-Induced Growth

The areas most likely to experience growth as a result of the provision of POF service between Port Orchard and Seattle would include the ULID #6 and Port Orchard/South Kitsap unincorporated UGAs, as well as the municipal limits of Port Orchard itself. The map on page 11 depicts these areas (Comprehensive Plan Land Use Map for South Kitsap County). Generally, it would be reasonable to conclude that individuals locating within this broad urban conglomeration may seek to avail themselves of the Port Orchard – Seattle POF service, rather than more distant Southworth service. If this assumption is correct, the provision of Port Orchard POF service could help to modestly reduce congestion along the crowded SR 3/16 corridor between Old Clifton Road/Tremont Street and Bremerton (i.e., redirecting vehicles otherwise bound to the Bremerton POF service). The chief limitation to the growth of this service would appear to be vessel size, which is currently proposed to be 80-100 passenger in the POF Investment Plan, versus the 149 passenger vessels proposed for the Southworth crossing.

In sum, the proposed Port Orchard POF service is unlikely to induce growth that is not already anticipated by the Comprehensive Plan. The unincorporated urban areas in proximity to the proposed Port Orchard – Seattle POF service are sized

to accommodate approximately 43% of countywide unincorporated urban population growth (15,766 new residents). Moreover, the population and employment projections that form the basis for the County's Plan are also the projections that were used by WSF to identify the ridership projections for its Draft Long-Range Strategic Plan (April 2006)."

Final Technical Memorandum at pages 10 and 12.

"Southworth – Seattle POF Service

Anticipated POF-Induced Growth

*Although the provision of POF service from Southworth to Seattle would clearly be consistent with adopted County policy, and would not introduce a "new" use that deviates appreciably from the existing WSF ferry service to and from Southworth, it will likely result in modest levels of new rural residential development in proximity to the ferry terminal. Most of the area lying east of SR 16 and east of the Port Orchard/South Kitsap UGA is designated either Rural Residential (RR 1:5) or Rural Protection (RR 1:10). A review of the Comprehensive Plan Land Use Map (see page 11, *infra*), which includes a parcel layer, suggests that this area saw substantial parcel creation prior to the implementation of the GMA by Kitsap County. More specifically, the map suggests that a number of legal nonconforming lots (i.e., lots smaller than the present minimum lot size for subdivisions) may exist in this portion of the County, harboring the latent potential for infill residential development that could slowly and incrementally erode the rural residential character of the area over time.*

While some latent capacity for growth exists in the immediate vicinity of Southworth, its impact should not be overstated: the existing residential land use patterns and zoning in this area, along with environmental limitations to development (e.g., steep and unstable slopes, poor soils for on-site septic disposal, wetlands, etc.) will likely constrain such growth to a modest level.

When viewed on a broader geographic level, the potential effects of Southworth POF service might plausibly be viewed as serving a widely dispersed rider-ship from unincorporated rural areas all along the SR 16 corridor in South Kitsap County and extending to Gig Harbor in neighboring Pierce County. Thus, the Southworth POF service can be seen as catering to the existing and future population of rural South Kitsap County, while the Port Orchard and Bremerton POF services would be anticipated to draw more heavily from populations north of the Mullenix Road/SR 16 interchange (i.e., the UGA population of the South County).

On balance, it is difficult with the information available to reach any definitive conclusions about the rate and timing of population growth that might be caused by the provision of Southworth POF service. However, the existing and planned

capacities of the park and ride lot system serving Southworth, the capacity of the POF vessels proposed for this route (i.e., 149 passenger), and the service schedule limitations set forth within the POF Investment Plan, all suggest that population growth in rural South Kitsap County is most likely to be incremental and measured. In this scenario, Kitsap County and Kitsap Transit would be capable of responding to growth of this character as it unfolds, adjusting both land use and the POF service plan as necessary to achieve shared objectives and anticipate and mitigate undesirable consequences.

Mitigation measures that could be considered to alleviate impacts to rural character in the vicinity of the Southworth POF service might include the following:

- *Designating areas within a specified distance of the terminal as “sending areas” for the County’s proposed transfer of development rights (TDR) program; and/or*
- *Urging the County to consider adopting a “lot consolidation” ordinance to aggregate substandard lots in common ownership in areas close to the Southworth terminal to reduce rural population holding capacity.”*

Technical memorandum at pages 12 and 13 (footnotes omitted).

In sum then, nothing in the MTAK/Kitsap Transit study serves as a particularly relevant or useful precedent supporting contentions of various commentators that expanded evening ferry service to Guemes Island will inexorably lead to probable significant adverse land use (i.e., “growth inducement”) impacts.

V. CONCLUSION & RECOMMENDATION

Based upon a review and evaluation of the comments received on the DNS, nothing in the record substantially undermines the Responsible Official’s determination that a permanent modification to the Guemes Island ferry service schedule to include up to five (5) additional evening crossings on Mondays through Thursdays will not cause probable significant adverse environmental impacts as defined under WAC §§197-11-782, 197-11-794, and 197-11-330. Accordingly, it is recommended that the SEPA Responsible Official issue retain the prior Determination of Non-Significance, with the corrections and changes specified in this memorandum.

VI. FINAL DECISION

The SEPA Responsible Official has reviewed the foregoing comments and responses, as well as the completed environmental checklist and Environmental Assessment (EA) Report and has concluded that the Threshold Determination of Non-Significance (DNS) issued on May 8, 2008:

 _____ Should be retained, without modification, noting the factual corrections to the environmental checklist and EA Report referenced hereinabove.

_____ Should be modified, as described in Exhibit "A", attached hereto, and incorporated herein by this reference.

_____ Should be withdrawn, and a SEPA Threshold Determination of Significance (DS) issued.

Signature:



Gary Christensen, Director & SEPA Responsible Official
Skagit County Planning & Development Services Department

Date of Final Decision: June 12, 2008