

April 18, 2006

Skagit County Planning and Development Services
1800 Continental Place
Mt. Vernon, WA 98273

Subject: Skagit County Comprehensive Plan Update

Thank you for the opportunity to comment on the proposed Comprehensive Plan and code amendments. I have reviewed these documents and find that generally they achieve the goal of updating, clarifying, and streamlining the documents. However, there are several proposals that concern me, including the application of the LAMIRD provision and some policies that are discussed below.

In addition, I am very disappointed that no attempt was made to show where specific changes were made in the comprehensive plan policies. Without highlighting the changes, the public must go through the tedious process of comparing the old and the new through a line-by-line review. Clearly, this is inconsistent with the County's expressed desire to promote public involvement.

LAMIRDS

As I discussed in my comments at the March 21 hearing, I am concerned about the application of the LAMIRD policy to the zoning of a 280-acre area on Guemes Island north of Holiday Hideaway that flanks either side of Square Harbor Road (case CPA05-21). This site fails to meet any of the criteria set forth in Policy

3B-1.4. A-D. It is beyond "the logical outer boundary of the existing area or use". In this case, the "existing area" is the Holiday Hideaway development, an established neighborhood primarily composed of _ acre lots. If developed at the Rural Intermediate (RI) density, the Square Harbor area would allow a new pattern of low-density sprawl. Further, this area was undeveloped in 1990 and is still a substantially undeveloped forest. In addition to the lack of development there, it is a poor choice for intensive construction since it has little water (because it is largely underlain by rock). (It was intended to receive water via the Square Harbor Water Company that serviced Holiday Hideaway, but the water company has since gone out of business and conveyed the system to the Holiday Hideaway Association. The emerging Association policy is to improve service to its current customers, rather than expand water service to new areas.)

To underscore the fact that this is not the logical outer boundary of the Holiday Hideaway neighborhood, the Square Harbor area is substantially in a different watershed containing a number of critical areas, including several eagle nest sites, wetlands, a stream, and steep and unstable slopes. The private roads on these slopes are not to standard and have poor accessibility for emergency services. All of these characteristics, as well as the fact that the predominant platting pattern is 5 and 10-acre lots, similar to adjacent Rural Reserve (RRv) zoned areas, makes the area a logical candidate for the RRv zone.

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Maintaining the RI zone there would be an unfortunate precedent for the island and elsewhere in the county. If the RI zone could be justified there, it could also be justified across much of the interior of the island that is adjacent to RI but is now zoned RRv, and platted in 5 and 10-acre parcels. If that were to occur, devastating impacts to the sole source aquifer and rural character of the island would be likely.

Application of the Rural Commercial (RC) zone to the parcel involved in SC05-02 based on the LAMIRD policy is inappropriate as well. This site is currently residential and all adjacent property is either zoned RI or a road. Under the circumstances, I view the rezone of this site to RC as a spot zone.

Transportation Policy

The proposed Policy 8A-5.2 establishes the sequence of remedies for increased capacity demands on the Guemes Island Ferry from "(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..." As proposed, it includes an additional provision "(d) adding additional runs outside the current schedule" whether or not other measures are in place.

I also note that the current Plan Policy 9A-8.7, which recommends that the Regional Transportation Planning Organization establish level of service standards for ferry service, has been deleted. When this omission is coupled with the new subsection (d) of policy 8A-5.2, it appears to be a clear attempt to support the extension of ferry service hours in a manner that is contrary to what the Growth Management Act views as otherwise logical approaches to excess capacity cited in (a)-(c) of this policy. Increasing vehicle access to the island by extending mid-week ferry service hours to commuter traffic would induce growth here in the same way as substantially increasing the capacity of a road. Adding subsection (d) to policy 8A-5.2 also conflicts with several other policies that are rooted in the GMA, including the following:

- Policy 3A-3.2 requires that the standards and plans for public services and facilities are consistent with rural densities and uses to ensure that these facilities minimize impacts to rural residents and community character and protect natural systems and critical areas. Since there has been no attempt to assess the impacts of extended ferry service hours on rural residents, community character, natural systems, or critical areas, it is not possible to know what the impacts are or how to minimize the effects of this action.
- Policy 8A-3.1 and 8A-12.2 encourage transit and discourage single-occupancy vehicles. Extending ferry hours would only encourage single occupancy vehicles.
- Policy 8A-13.1 and 8A-16.2 requires the County to ensure that the public costs and benefits of transportation decisions are addressed with development impacts.

In the case of extended ferry hours, neither the costs and benefits or the development impacts have been assessed.

- Policy 8A-16.1 calls for evaluating proposed projects with "... the Comprehensive Plan goals and policies as well as engineering feasibility, costs and benefits to the public, safety, impacts to the built and natural environment, community support, opportunities for staged implementation, system benefits and maintainability." I do not see where any of these factors have been taken into consideration in making the decision to extend ferry hours.

Policy 8A-2.1 establishes level of service standards for County roads. LOS standards are the predecessor of the design standards for roads and according to policy 8A-2.3 they distinguish between "... urban and rural design standards for structures, roads, and utility systems constructed either by the county or other public or private sponsors. These standards shall reflect the character of the communities as defined in the Land Use, Rural, and Community Planning Elements." Why then is the Guemes Ferry excluded from receiving level of service standards and where is the policy that would ensure that design standards for ferry service "...reflect the character of the communities as defined in the Land Use, Rural, and Community Planning Elements"? Without level of service and design standards commensurate with rural development on the island and an environmental analysis, any policy supporting extended ferry hours is premature.

The internal conflicts in the transportation policies that are raised by the addition of subsection (d) to policy 8A-5.2 casts a troubling shadow over the plan policies in general and raise questions about the ability of the County to implement them as intended. I strongly urge the following steps:

- Delete subsection (d) to policy 8A-5.2
- Include an explicit policy that requires LOS and design standards before any major changes are made to ferry service or the vessel
- Add policies to encourage walk-ons to the Guemes Island Ferry with economic incentives and improved transit service.

Economic Development

An additional policy is needed under Goal A7. This Goal supports economic development by providing adequate transportation for moving products. The new policy should state that the scheduling of ferry maintenance or repairs should be avoided during the fall harvest season. Island agricultural producers were unable to move their product when the ferry was out of service during the 2005 harvest season.

Environment Element

Policy 5A-1.3.e. addresses the criteria for classifying Fish and Wildlife Habitat Conservation Areas. The criteria should include areas where species of concern or threatened or endangered species on state or federal lists are documented. Also bodies of water that are planted with game fish should not be HCAs since planted fish are either hatchery origin fish that dilute the genetic integrity of wild stocks or nonnative species.

The introduction to the Air Quality section (page 19) includes several sentences committing the County to cooperating with the Northwest Air Pollution Authority to maintain air quality. The commitments in this paragraph should be stated as a goal and policies like any other plan issue.

Plan Implementation

Goal A4 of this chapter establishes an "...ongoing program of community planning to address the specific issues and concerns of Skagit County communities." The communities included in this program are Big Lake, Birdsvie, Day Creek, and Upper Samish Valley. Guemes Island has been specifically eliminated from this list despite the fact that the County has adopted a resolution supporting the development of a sub area plan for the island. GIPAC and the Guemes Island property owners are now in the middle of preparing sub area plan, having only recently received grant support to complete it. Guemes Island should continue to be included as a sub area of the County at least until a plan for the island has been adopted.

Thank you again for the opportunity to comment. I look forward to improvements in the next version.

Sincerely,

Roz Glasser

CC: Ellen Grey, Futurewise

April 26, 2006

Skagit County Board of Commissioners
1801 Continental Place
Mt. Vernon, WA 98273

RE: Extended Ferry Service

Dear Commissioners,

We would like to request on behalf of your constituents on Guemes Island that the BOCC postpone consideration of extending ferry service beyond the last scheduled 6 PM ferry Monday through Thursday. As the elected representatives of the Guemes Ferry ridership, we are compelled to share our concerns regarding the proposed schedule revision with you.

There are numerous reasons that more time is needed to study and evaluate both the expected and unexpected consequences of extended service:

- 1) According to Public Works, the 2006-07 ferry budget is projected to have a one million dollar shortfall. The cost of "extended service" has been calculated at \$304,682 by Public Works using a four-person crew. In a recent letter to the Ferry Committee, Norma Brummett, Skagit Co. Auditor, (responding to our question about viable, less expensive cash handling alternatives than hiring a fourth person), states that Public Works has told her that they now consider the fourth person "permanent". This addition to the cost of labor has been calculated to be \$190,000 per year within the current schedule. Continued escalation of ferry operational costs is not only being paid in higher fares by the Guemes Ferry ridership but is a burden to County taxpayers as well. The cost of extended service will neutralize the projected \$300,000 revenue gain from the January, 2006 fare increase. Faced with escalating expenditures and a budget shortfall, businesses and governmental organizations typically reduce levels of services not increase them.
- 2) The Guemes Island Sub Area Plan, which has been authorized by a Resolution and signed by the BOCC is a work in progress. This sub-area planning process should be allowed to continue until its completion before making a decision on extended service in order to remain in compliance with the Growth Management Act. The potential impact of extended service also has to be examined for compliance with Skagit County's Critical Areas Ordinance under which Guemes Island receives additional protection because it is Federally recognized and designated as a "Sole Source Aquifer". Other existing policies in the Skagit Comp. Plan Transportation Element refer to the expansion of transportation into rural areas. For example, Policy 9A-6.1 "Skagit County supports expansion of public transportation service into the unincorporated areas only with public support." We suggest a review of these and other pertinent planning policies prior to any extension of ferry service to Guemes Island.
- 3) The American Institute of Architects (AIA) has just begun a "Sustainability" study on Guemes. As you are aware, a team of scientists and other professionals from across the country has been commissioned to assist Guemes Island in improving sustainability practices. The study will address ferry issues as one of the components of sustainability. This study is scheduled for completion later this year. It would be premature to make changes in the ferry schedule prior to the results of this study being available as part of the decision-making process. Extending the schedule beyond 6PM, Monday through Thursday, will have far-reaching consequences related to the sustainability of the Island. You, as County Commissioners and all stakeholders in this issue need to have access to

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the information from this study before important decisions are made regarding changes in the ferry schedule.

4) The January, 2006 fare increases doubled the cost for most frequent users because the use of a fare recovery model was abandoned. Inclusion of capital expenditures with operational expenses resulted in revenue targets far in excess of any other transportation system in the State of Washington.

In response to recommendations that Public Works seek sources other than the County road fund for capital expenditures, PW made its first trip to Olympia to visit C.R.A.B (County Road Administration Board) to apply for funds to use for capital improvements to ferry facilities. Denial of this application has postponed possible funding from C.R.A.B. for two years. The wear and tear on the vessel and facilities caused by the proposed extended service will require additional expenditures to facilities and the vessel beyond the cost of labor. Presently, PW has postponed planned improvements to the terminals because of lack of funds. How can the County afford extended service under these conditions?

We urge the Board of County Commissioners to postpone any further discussion of extended service until the above listed issues are resolved. In a recent advisory vote by registered Guemes Island voters, nearly 75% were against extended service. Once extended service is initiated, even on a "trial basis", it will be impossible to withdraw much like the "fourth person" which was only to be temporary. Extended service will unleash a host of expenses and unintended change that neither the County nor the ferry riders and residents of Guemes can afford.

Sincerely,

GUEMES ISLAND FERRY COMMITTEE

cc: Chal Martin, Steve Cox



Guemes Island Ferry

Schedule & Fare Policy Analysis Task Force

2004



Fare and Schedule Proposal Package

Final Task Force Recommendations

December 18, 2003

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BACKGROUND

Task Force Charge & Recommendations

In March 2003, the Skagit County Board of Commissioners created the Guemes Island Ferry Schedule and Fare Policy Task Force to work collaboratively with Skagit County Public Works on the implementation of the Guemes Island Operations Management Analysis recommendations from October 2002.

Task Force members were convened in an unprecedented opportunity to comprehensively review fare and schedule policy issues with representatives from all affected parties and set an appropriate course for the future of the Guemes Island Ferry.

The Task Force met 10 times between March and October to review analysis and discuss policy options for fares and schedules.

GUEMES ISLAND FERRY SCHEDULE & FARE POLICY TASK FORCE

The Task Force was composed of a variety of on-island and off-island residents, and local government representatives. Interests of commercial customers were incorporated via interviews and invitations to attend a Task Force and other community meetings.

The Task Force was charged with analyzing and discussing Guemes Island Ferry schedule and fare policy issues and options. Working as a group the Task Force achieved general agreement on a balanced set of recommendations, to be presented to the Board of Skagit County Commissioners at a public hearing on December 22, 2003.

SK FORCE RECOMMENDATIONS

The Task Force recommendations cover four major elements aimed at recognizing changes in ferry use and growth in ridership, as well as increasing equity among customers and between customers and taxpayers:

- (1) New schedule – reflecting changing pattern of demand and establishing a separate schedule for Summer and Winter;
- (2) Adjusted revenue target for fares, with a phase 1 target as a substantial step toward the new goal;
- (3) New fares resulting from structural changes designed to improve equity among fare classes; and
- (4) Fare increases to reach the new revenue target.

Recognizing that success will depend on many implementation issues, the Task Force also recommends that a formal process be initiated to allow the Ferry Committee and Public Works to collaboratively address these issues.

On November 15, 2003 the Task Force hosted a public meeting on Guemes Island to present the Draft Recommendations and collect comments. The recommendations were made available a week in advance of the meeting throughout the community and on the internet. In addition, to the comments collected at the meeting, ferry users were encouraged to comment via email, regular mail and fax.

After that public meeting, the Task Force met two more times to discuss the public input, consider possible amendments to the Draft Recommendations and to prepare Final Recommendations to the Skagit County Board of Commissioners.



1. NEW SCHEDULE

Design schedule to meet changing needs of ferry

SUPPORTING POLICIES & PROCEDURES

- To facilitate and expedite ticketing and loading, **restripe the dock** to allow for 2 staging lanes.
- To improve safety and reduce loading time, provide a barrier to **separate passengers from vehicles** so they can be loaded separately.
- Provide a **visual cue** (lights/clock) to inform arriving customers as to the **loading status** and likelihood of making the next sailing.
- A "cut off" time for loading before each sailing will be established by the Roundtable. Leaving on time is the priority and customers are encouraged to arrive early for their sailing.

OTHER RECOMMENDED SCHEDULE POLICES

- **End of Schedule Day Policy:**
 - Those in line in time for the last run of the schedule day, or for a special civic or school purpose trip, are guaranteed passage to Guemes Island.
 - Passage to Guemes Island for a vehicle arriving after the last scheduled trip will be space contingent and provided if there is room on the vessel on the trip caused by an overload situation.
- **Holiday Schedules:**
 - When the day before a holiday (New Year's Day, 4th of July, Thanksgiving or Christmas) falls on a Monday through Thursday, Ferry service will be provided on the Friday schedule - but stopping at 10 PM.
 - When a holiday (see above) falls on a Monday through Thursday, Ferry service will be provided on the Sunday schedule.



Guemes Island Ferry

WHY NOT EXTEND THE DAY?

The Task Force decided to leave the Monday through Thursday last sailing at 6:05 PM. This was done after much discussion and for the following reasons:

1. **Cost.** Extending the day will increase operating costs which in turn would require a greater fare increase.
2. **Lack of Island consensus on this issue.** Guemes Island is split on this issue, with no clear consensus to deviate from the traditional Monday-Friday schedule day.
3. **Consequences of extending weekday service needs to be evaluated in a more comprehensive way** and the impacts discussed as part of a community-wide dialogue. The subarea planning process may represent an opportunity for this dialogue.

WHEN WILL WE SEE SOME OF THE CHANGES AT THE DOCK?

The proposed schedule is contingent on making the facility improvements and procedural changes identified by the Task Force. These changes will be in place by May 2004.

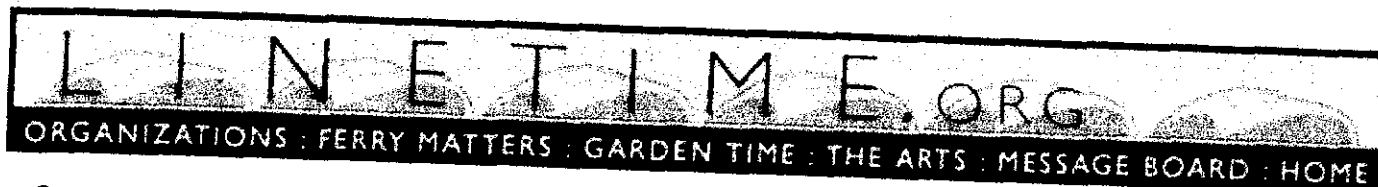
HOW WILL THE NEW SCHEDULE CHANGE THE 6PM RUN?

With the new schedule, 66% more service (4 more trips) has been added during the busiest part of the day -- between 3 PM and 6 PM. This should significantly reduce the afternoon backlog, and potentially reduce the demand at 6 PM and the need for extra runs to accommodate overloads at the end of the day.

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Final Task Force Recommendations



Commissioners Discuss Extending Ferry Hours Monday

Most of us here on the island thought the County had put the issue of a late ferry during the week to rest at a previous roundtable meeting and by adopting the Task Force recommendations. Unfortunately, that wasn't the case today at the Commissioners' meeting when Chal Martin, Skagit County Public Works Director, brought the matter up again. It remains to be seen why this is happening now, without any notice to the ferry committee or anyone else for that matter.

With Commissioner Munks denying any previous consideration of this matter, Mr. Martin continued with a dubious spreadsheet listing ferry costs and revenues over the last four years and a capital improvement projection for the next 14 years (with \$335,000 this year for new engines). He included a chart stating that the County "subsidizes" the Guemes ferry (as if it were somehow not part of the County road system), paying out twice what it collects from Guemes. Mr. Martin is very concerned about these costs but failed to address some of the more glaring wastes of money over the past few years - \$300,000 consulting fees for recommendations that have never been implemented and Task Force participation that only resulted in higher fares, an unnecessary fourth crew person, breakdowns, breakdowns and more breakdowns, construction delays and so on.

A lot of the standing-room-only crowd had brought along books to read during the flood water discussion and the additional half hour wait before the public comment portion of this meeting. Due to the 15 minute time constraint for public comments, most deferred to Glen Veal, chairman of the Ferry Committee, who read a letter the committee burned the midnight oil writing last night. After much applause and little response from the Commissioners, a few other folks got up and said "Yea, what Glen said".

You've got to wonder what the real agenda is here that the county has for our little ferry. It's clear that what the majority of Guemes citizens wants isn't very high on the Commissioners' list of considerations.

- Gary Davis, [5.3.05]

[The proposal that Chal Martin presented to the Commissioners was prepared by a private citizens group, identified as the "Skagit County Citizens for Professional Transportation Management" - a note inside directs comments and questions to Steve Schmokel or David Wehrly.]

Skagit Valley Herald report on the meeting.

Express Yourself! Click on this link to send a message to the Commissioners, Public Works Director, Ferry Manager and the Ferry Committee, all at the same time!

Posted in the *Skagit Valley Herald* Saturday April 30 and online:

Skagit County Commissioners agenda Monday, May 2, 2005 [includes these items]

10:00 am-11:00 am Public Works Dept.-Chal Martin, Director

1) Discussion-Extension of Guemes Island Ferry Schedule Into the Evening Hours



Growth On Guemes, 1977

In 1977 Skagit County proposed replacing the Guemes Island ferry, the Almar, with a new and larger capacity vessel. At the same time they proposed reconstructing the ferry docks and facilities. The following excerpts were drawn from the Environmental Impact Statement prepared by the Skagit County Planning Department.



The Almar pulls into the dock on Guemes Island.

Photo courtesy of Betty Crookes and Win Anderson.

"Changes in ferry sizing will not have a significant effect on population, housing and land use.

Ferry

The Ferry

Skagit County has been operating the ferry Almar since 1965 to serve the residents, property owners, and visitors of Guemes Island. Previously, the ferry system was privately owned and operated. The Almar was "backyard built" in 1947 on Swan Island in the Columbia River near Cathlamet, Washington, and was designed for use in that river.

Marine Surveyor, Captain A. F. Raynaud, concluded that "the condition of the [Almar's] hull plating is a potential hazard...the existing vessel has outlived its

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**scheduling,
however, will.**

**Similarly direct
and indirect
impacts to the
existing
transportation
system are
related more
to the
schedule of
the proposed
ferry than its
size."**

economical usefulness, and the repair costs are far too great for the vessel's earning power."

The Anacortes Facility

The engineer's evaluation reports that part of the [Anacortes] dock is rotten and should be replaced, the waiting room structure is serviceable but that the floor is rotting, that the loading truss is in fair condition with the movable end rebuilt in 1974 and the apron rebuilt in 1976, that the hoisting tower is in fair to poor condition and should be replaced in the next two to three years and that the dolphins are in fair to good condition. Overflow parking is available nearby along 6th Street. This parking, located in a residential area, is frequently needed, especially during the more popular summer months.

The Guemes Island Facility

The Guemes docking facility consists of a floating bridge-like span, the loading truss and apron, and dolphins. The condition of the span determines the 12 ton load limit of the ferry system. Parking is limited to a small lot just west of the span and to parallel parking along and on South Shore Road. The staging area consists of an extra lane 1/4 mile long on the Guemes Island Road. A telephone booth and a covered waiting shed flank the entrance to the floating span.

The Engineer's evaluation...states that the float is kept operational only by the addition of foam after it sunk in 1976, and that it will require continual maintenance until it is replaced. The loading apron hinge and counterbalance are judged to be in poor condition, the truss timbers are in fair to good condition with the steel hangers and bracing in fair to poor condition, and the end hinge judged poor.

**"Similarly,
Guemes Island
experienced
the Skagit
County "slow
growth' cycle
from 1960 to
1970.**

**The Guemes
population
increased 6%
(14
persons)..."**

Elements of the Human Environment

Anacortes...The Comprehensive Land Use Plan for the City of Anacortes, 1977, states that the 1976 population of Anacortes was 8,015 people during the North Slope production activities of the Snelson-Anvil Company. Since this activity has diminished and is practically speaking dormant for the time being, normal population growth would probably reveal a 1977 population between the 8,015 and 8,200.

The 1975 estimated population of Guemes Island is 289 people (1975). Thus, of the approximate 298 housing units on the island, 125 (42%) are occupied by permanent residents and 173 (58%) are utilized by part time, seasonal renters, and property owners.

c. Summary of population and housing

Guemes Island Population

Year	Number	Increase	% Increase
1960	216	34	17%
1970	230	14	6%

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1975 289 59 26%

Population projections

Applying the low (1% per year) and high (2% per year) growth rates used by the Planning Department for estimating population growth for the county and for various district comprehensive plans, the following population projections for Guemes Island are obtained:

1975: 289
1985: 319-352
2000: 370-474

If the island were to develop fully according to the 1975 Comprehensive Plan designations, the following would result:

22 acres of Commercial
1843 acres of Residential @ 1 acre lots x 2.31 (Average family size) = 4,257
3017 acres of Rural Open Space @ 5 acre lots x 2.31 = 1,394
4882 acres Total population: 5,641

This figure does not reflect permanent and seasonal population fluctuations. Adjusted for the 1970 occupancy rate of .42 (42%), the maximum permanent population would be approximately 2370 persons. An increase in the occupancy rate, which seems very likely for other demographic, social, and economic reasons, would exhibit a concurrent increase in the permanent population. The comprehensive plan does not establish a particular year or plateau when this degree of development will be reached. Too many factors are involved which would effect the ultimate development level reached on Guemes Island.

Lots and acres - Data at the County Assessor's office shows that there are 419 unplatted lots or acreages and 751 platted lots on Guemes Island. If there were no further land divisions, these lots and acreages would support the following:

1170 lots X 2.31 Average family size X .42 Occupancy rate = 1,135
Population

Impacts of the Proposed Action

"To some island residents, this may be seen as a beneficial

The Ferry - The proposed ferry, as detailed in the Proposed Action chapter, will carry approximately seven more vehicles than the Almar. The County Engineers state that the new boat will have greater maneuverability because of the diagonal corner positioning of the engines and that repair and maintenance capabilities are enhanced by this design: the boat can operate

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impact and, to others, a potential for more intensive development with the advent of larger trucks and wider loads than is presently allowed across the floating span."

with one engine if the other is down for repair; if prop damage occurs, the drive units can be swung up for prop replacement rather than dry docking as is necessary with the Almar; if more extensive damage to the right angle-drive units occurs, they can be replaced while afloat in a short period-of time; entire engine units can be replaced in less than 24 hours; and the 360° propulsion and steering capability will eliminate most docking maneuvers presently carried out by the Almar and its crew. The proposed ferry will be able to carry load and size limits presently legal for travel on the state and interstate highway systems.

The Guemes Island Facility

Reconstruction of the Guemes Island Facility will replace the existing span and float with a more permanent docking structure. It is proposed that the new design and construction will enable vehicles of legal size and load to utilize the ferry system. To some island residents, this may be seen as a beneficial impact and, to others, a potential for more intensive development with the advent of larger trucks and wider loads than is presently allowed across the floating span. Construction of a new parking/holding area will remove some of the parallel road shoulder parking now occurring along South Shore Road.

Population and Housing

1. Anacortes - No significant direct or indirect impacts to the population and housing of the City of Anacortes associated with the proposed action can be identified.

2. Guemes Island

a. Direct and indirect impacts - Quantifying and even qualifying impacts to the population and housing of Guemes Island as a result of the changes in ferry size and operations is extremely difficult and loaded with assumptions and plain guesses. Examining historical use data and the population and/or housing figures for the same periods provides us with the only reliable, concrete base from which to make future projections.

As reported in the Transportation section of this and the Existing Environment chapter, increases in ferry usage have been nominal and have generally paralleled the changes occurring in Skagit County as a whole. Usage appears especially nominal during the 1950's when refineries were constructed on March's Point and both Skagit County's and Guemes Island's population increased 19% and 17% respectively... In this case, an outside influence, i.e. refinery location and development, is viewed as the prime factor in boosting population and housing, not the ferry system.

Similarly, Guemes Island experienced the Skagit County "slow growth" cycle from 1960 to 1970. The Guemes population increased 6% (14 persons) while the county experienced only a 2% increase over the ten year period. Heavy out-migration by the young-adult age groups due to better employment opportunities elsewhere was the prime factor.

1969 and '70, however, saw the beginning of increases in both vehicle and passenger usage of the ferry system and concurrent increases in population

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and housing.

The increase in passenger use is most notable. Examination of permanent population figures for 1970 and 1975...shows a 26% increase in those five years or 59 persons.

52 housing units were constructed between 1970 and 1975, an average of 10.4 units per year or 21% over the five year period.

The slight increase in population over the number of housing units constructed indicates several events are occurring: the average family size on the island is increasing or more people, perhaps unrelated, are living in each unit; or, some housing which was once seasonal have now become full-time residences.

In any case, the historical trends exhibit parallels between ferry usage and population/housing. If there is any cause-and-effect relationships at work, it is the increasing population of Guemes Island which is causing the increased usage of the ferry system and the system has responded directly to the demand placed upon it as evidenced by the steady rise in extra unscheduled trips. No changes have been made in ferry size since 1947 but it is the operation of the ferry that has been the responsive variable. Guemes Island has taken on a rather "sudden" appeal due to the attractiveness of having a rural island lifestyle with the urban convenience of a ferry operation that responds to user demands, the reverse of the San Juan island situation where the resident must adjust his/her life to the ferry schedule.

As evidenced in Skagit County and elsewhere in the Pacific Northwest, a whole series of inter-related economic and social factors coupled with shifts in lifestyle goals has had more to do with fostering regional changes. What is occurring on Guemes Island in terms of growth is similar to what has been happening in the Pacific Northwest for the last five to ten years:

- Population migration out of the Northeast and North Central states to the South and West Coast states.
- Population migration from California to Oregon and Washington.
- Economic expansion of the Pacific Rim countries with a corresponding increase in diversification of that base. Vancouver, B.C. and Washington are notable cases.
- Greater disposable incomes with greater interest in land investment and development.
- More land suitable for low to medium density development at some of the lowest prices in the United States.
- Greater population reaching retirement age and retiring earlier than normal, with this population desiring a milder year round climate and a safer, less hectic lifestyle which can be found in rural Washington.
- Greater population of post-World War II people who are

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changing personal and family goals from success in business and society to success in their personal and interpersonal lives.

"Objective:

Reduce or moderate the increase in the permanent population of Guemes Island so as to preserve the rural lifestyle for present and future generations."

b. Mitigating Measures

Objective: Reduce or moderate the increase in the permanent population of Guemes Island so as to preserve the rural lifestyle for present and future generations.

Measures: Since the purposes of this EIS is to address the proposed change in ferry size, growth controlling measures such as land use zone changes, down zoning, or building restrictions will not be discussed.

As we have seen, the primary factor affecting population growth has been the ready availability of the ferry from 6:30 AM to at least 6:00 P.M. Traffic analysis has shown that many extra runs are made to accommodate only a few vehicles.

If the citizens of Guemes Island wish to fulfill the above objective, one of the most effective means would be to establish a definitive ferry schedule with no extra runs, except in case of emergencies, and with minimum "commuter runs".

Since cost to the user and the county is an important factor, a 16 or 18 car ferry making 100 trips per week (a little less than present Almar scheduled runs) would only need to operate at 54% capacity or 9.5 cars per trip to break even on expenses and revenues. Making fewer trips (75 per week) or more (125 per week) would require capacity to reach 65% or 11.7 cars per trip. Thus, the citizens of Guemes Island should work with the county to establish a balanced but firm ferry operating schedule that meets the needs of the people it serves and the taxpayers who support it.

B. Transportation

1. Direct and Indirect Impacts - As our previous evaluations have shown, changes in ferry sizing will not have a significant effect on population, housing and land use. Ferry scheduling, however, will. Similarly direct and indirect impacts to the existing transportation system are related more to the schedule of the proposed ferry than its size.

Under the present situation, a 9 car ferry, the Almar, is making 130 or more runs a week to meet the user demand while a 16 or 18 car ferry can make fewer runs to meet existing and planned needs while not incurring cost overruns experienced with the existing system. Table G presents a comparison of operating costs for 9, 18, and 27 car ferries at three different levels of scheduled crossings: 75, 100 and 125 trips per week. The larger 27 car ferry is included for alternative comparison purposes. Cost evaluations are based upon known, current operating-costs and do not reflect future contingencies such as inflation.

This table capsulates the presentation of direct cost impacts to the transportation system as it now exists. Note that an additional crew member

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may be necessary at a higher operating schedule.

Table H presents cost and revenue comparisons for 9, 18, and 27 car ferries operating at 100%, 66% (2/3), and 33% (1/3) of capacity or utility. 1975 is used as the base year for costs and revenues since these revenues have remained the same today. Examination of the Total Cost Per Trip (Table G) shows a one dollar higher cost per trip for the 18 car ferry due to the difference in fuel consumption. However, the cost per car is reduced well below that of a 9 car ferry, indicating a more favorable recovery of revenues to meet operating costs which is not the current situation as shown in Table H, 1975 Cost vs. Revenues. As indicated in that table, Profit or Loss Per Trip, the proposed action (18 car ferry), will generate a slight profit per trip at 100% capacity, slight loss at 66% (2/3) capacity, and a greater loss at 33% (1/3) capacity using the current rate structure.

Judged on a transportation system cost and operation/maintenance basis against revenues generated, the proposed action of replacing the Almar with an 18 car ferry creates no significant adverse direct or indirect impacts to the transportation system.

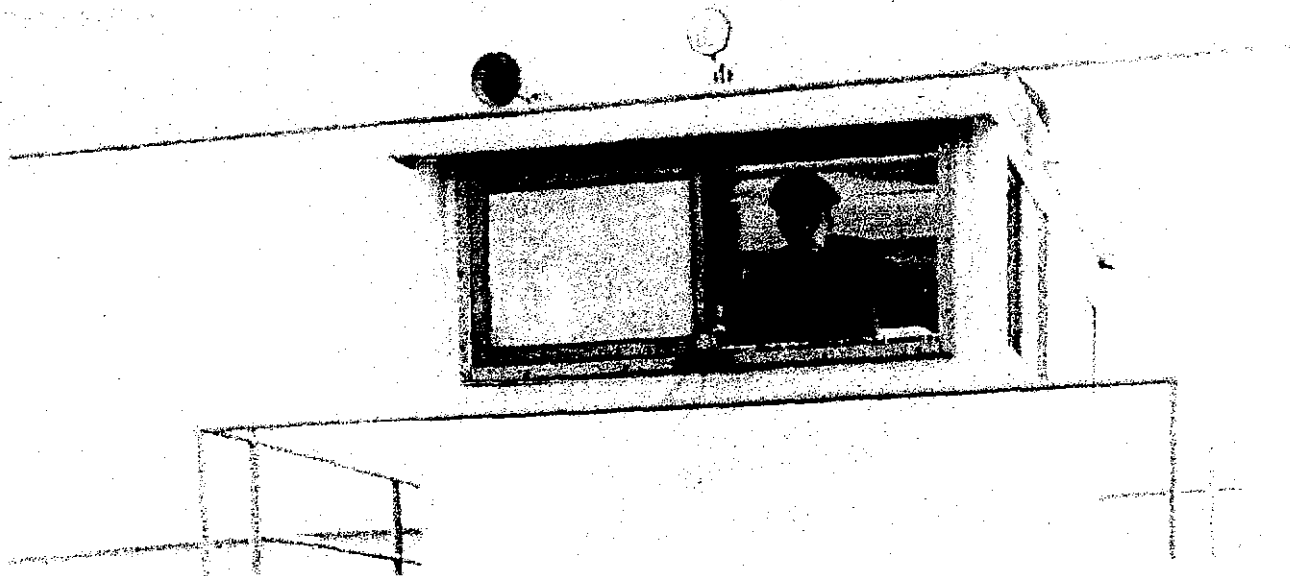
Traffic Projections - Year 2000

Two methods were used to extrapolate the Ferry Traffic data to the year 2000. In the first method, the vehicle and passenger figures were averaged over the years 1970 through 1975 and the average growth determined for that period. This growth factor (3.5%) was then applied to the 1975 values and compounded to the year 2000. This method resulted in values for the year 2000 as follows:

Vehicles 78,013 per year [106,210 was the actual count in 2000]

Passengers 201,923 per year [86,862 was the actual count in 2000]

It should be noted that these ferry traffic growth values agree closely with the rate of population growth anticipated for Guemes Island.



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GERALD STEEL, PE

ATTORNEY-AT-LAW

7303 YOUNG ROAD NW

OLYMPIA, WA 98502

Tel/fax (360) 867-1166

February 15, 2008 - Revised

Gary Christensen, SEPA Official
Skagit County Planning
1800 Continental Place
Mount Vernon, WA 98273

RE: Guemes Ferry Schedule Change SEPA Review.

Dear Gary:

I write this letter on behalf of my clients, Friends of Guemes Island ("FGI"). The documents that I submitted with my letter dated February 14, 2008 demonstrate that year-around permanent scheduled weeknight Guemes Ferry Service will both change the demographics on Guemes Island so that the persons per household will move from the existing average of 0.95 persons per household to the Countywide average of 2.6 persons per household. This alone will lead to a near tripling of the population on Guemes without drilling any new wells or building any new houses. Further, increased year around access will result in a significantly increased growth rate likely approaching the Countywide average growth rate. According to the 1990 and 2000 census data, the growth rate over this 10 year period on Guemes Island was just three percent (total for ten years) while according to the 2007 Comprehensive Plan the Countywide growth rate during this same period was 10 time higher at 29.5 percent. FGI Opening Brief at 16.¹ With the increased population caused both by changing demographics for existing houses and by new construction, there will be irreversible damage done to the sole source aquifer that Guemes relies upon for its potable water supply. The expected damage is so great that FGI has requested the Growth Board to stop issuance of all new single family building permits. FGI Opening Brief at 14.

The Public Notice suggests that the ferry service extension will not change the land uses allowed by the Comprehensive Plan and that those land uses were already considered in the SEPA documents for that Comprehensive Plan. The truth is that no SEPA documents relied upon to adopt the Comprehensive Plan ever estimated the growth rate on Guemes Island that would occur during the planning period given the land uses allowed by the Comprehensive Plan. It is reasonable to estimate the growth on Guemes without extended ferry service to be in the same ratio to the Countywide growth rate as it was between 1990 and 2000. The County projects a Countywide growth rate of 45 percent between 2000 and 2025. 2007 CP Economic

¹ The FGI Opening Brief is attached to FGI's 2/14/08 Letter by Gerald Steel.

Development Profile, Table 2. Thus, the estimated growth rate on Guemes without extended ferry service should be 4.5 percent total over 25 years which is one tenth of the Countywide growth rate for that period. The Guemes population in 2000 was 563 people. FGI Opening Brief at 13. The 2025 estimated population without extended ferry service would be $(1.045)(563) = 588$ people.

The Countywide rural area growth rate is projected to be 27% between 2000 and 2025. 2007 CP, Economic Development Profile, Table 2. The number of houses in 2000 on Guemes Island was 592. The 2025 estimated population with year-around extended ferry service (for both the 4-run and 5-run alternatives) is $(592)(1.27)(2.6) = 1955$ people taking into account that the persons per household will reach the Countywide average on Guemes by 2025 because of the extended ferry service.

So with the 2007 Comprehensive Plan Land Use Designation and Zoning Map ("Skagit County Comprehensive Plan Designations and Zoning Districts October 10, 2007") and extended ferry service the population in 2025 should be estimated to be 1955 people and without extended ferry service the population in 2025 should be estimated to be 588 people. In addition there will likely continue to be a surge of approximately 1,500 people for three months in the summer. While the growth rate in the rural area Countywide is expected to be 27 percent total between 2000 and 2025, the growth rate on Guemes during the same period with the extended ferry service is expected to be $((1955 - 563)/(563))(100 \text{ percent}) = 247$ percent. The growth rate on the Island is projected to increase by more than a factor of nine with extended ferry service. There is nothing in any previous SEPA documents that analyzes the impacts on Guemes Island that would be caused by a growth rate of this magnitude between 2000 and 2025.

The most significant impacts from this increased growth will be impacts to the groundwater. We can assume that the pumping load on the sole source aquifer is 70 gallons per day per person. Ex. 520-34 attached to FGI Opening Brief. The loading in 2000 from people is calculated to be $(70)(563)(365) + (70)(1500)(90) = 23.8$ million gallons per year. The loading in 2025 without extended ferry service would be $(70)(588)(365) + (70)(1500)(90) = 24.5$ million gallons per year, a pumping increase of 2.9 percent. The loading in 2025 with extended ferry service would be $(70)(1955)(365) + (70)(1500)(90) = 59.4$ million gallons per year, which is 250% of the 2000 value.

Ex. 520 sampled 83 wells on Guemes and found 19% of these wells subject to significant saltwater intrusion. Ex. 520-41. Ten of these wells had a greater than 200 ppm (part per million) concentration of chloride. Id. The State Health Department considers water to be polluted when there is a 250 ppm concentration of chloride. Ex. 514-3. Impacted wells were found up to a half mile from the coastline all around the Island where the majority of the existing population resides. Ex. 520-41. Seawater intrusion is "a serious and nearly always irreversible water quality problem." Ex. 522-13. Since 1995 at least 7 more wells or well systems on Guemes have failed because of seawater intrusion with the existing pumping levels.

Feb. 7, 2007 letter to SEPA Resp. Official from Stephen Orsini at 5. This indicates that the Island is being overpumped at the existing pumping levels because saltwater is moving inland from the coastline. In the Potlatch Beach Hydrogeologic Study, HongWest found that the central part of the Island would be the most likely location to obtain acceptable quality ground water supplies which would not experience seawater intrusion problems in the short term but HongWest could not find that even the center of the Island would be free from salt water intrusion problems in the long term.

Saltwater intrusion will be a significant impact of year-around extended ferry service. The two year trial period may have been sufficient to evaluate the economics of extended ferry service but it could not evaluate the growth impacts because no one is going to rely on a temporary service extension to relocate to the Island.

WAC 197-11-080(1) states that if information essential to choosing between no extension and a extension of ferry service is not known and the costs of obtaining it are not exorbitant, the information must be collected and provided in the environmental documents. Here an additional hydrogeologic study is required to provide updated information and to expand the scope of the US Geological Survey study (Ex. 520) to see if saltwater intrusion is worsening at existing pumping levels and to determine the best location for a new centralized water system that can be used to serve all new development and the expected yield of that centralized system without negatively impacting other existing wells. The cost of such a study should be comparable to the cost of the 1995 study in 1990 dollars and is not exorbitant. WAC 197-11-080(3) provides that the agency should consider not going forward with the project if information can not be obtained but that the environmental documents should include a worst case analysis and if the impact is significant, then there must be an EIS with mitigation proposed.

Another issue that must be addressed is the likely health impacts and the level of the increased health risks of drinking and cooking with water with high sodium content particularly for people with cardiac, circulatory or renal diseases and infants who are fed reconstituted formula.

Another issue that must be addressed is the likely impacts to wetlands and the one stream on the island of the increased water pumping and the impacts that this will have on the priority habitat and priority species that use the island.

Another issue that must be addresses is the likely impacts on existing homes and new homes from future well failure caused by overpumping the aquifer.

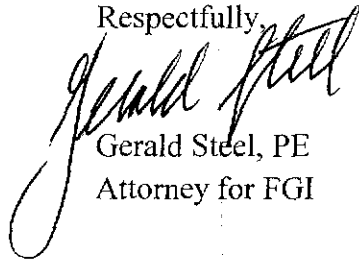
Another issue that must be addressed is the environmental impact of large scale desalination use on the Island.

The County has suggested that it can nothing to stop development on existing parcels. This is not true. Many jurisdictions have taken measures to reduce the development potential of

Gary Christensen, SEPA Official
February 15, 2008 - Revised
Page 4

existing parcels and these measures should be considered as potential mitigation for an extended ferry schedule.

Respectfully,

A handwritten signature in cursive script, appearing to read "Gerald Steel".

Gerald Steel, PE
Attorney for FGI

Lawrence D. Verbano
7005 Guemes Island Rd
Anacortes, WA 98221
February 12, 2008

Gary Christensen
Skagit County Planning Dept.
1800 Continental Place
Mt. Vernon, WA 98273

SKAGIT COUNTY
PERMIT CENTER

FEB 13 2008

Mr. Christensen:

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There are many issues involved in the current deliberations over the Guemes Ferry operations of which I'm sure you are well aware. I'd like to focus on an issue that became clear for me, and I believe many other people, at this past Sunday's meeting on Guemes.

Witnessing the entire process of how the 2006 decision for extended service was made by County officials has resulted in an erosion of the trust and confidence that public officials indeed act in behalf of their constituency. The majority of islanders neither wanted nor needed extended service, and they are well-aware of the obvious threats to both the island environment and lifestyle. A copious amount of data with regard to previous studies was ignored when the initial decision to extend the schedule was made by two commissioners acting on the behalf of a handful of vocal proponents rather than the majority of constituents. One commissioner has already paid the political price of such disregard for representative government and another is poised to suffer the same fate in November.

Now we hear that if a "Responsible Official" -- namely you -- determines once again that the same earlier-ignored data is "non-significant" then no new data will be gathered in a full EIS. Are we to believe this is anything more than the same charade? I have no doubt that you are a man of great integrity, but to have a County employee act as a "responsible" and implied unbiased determiner of such an important issue challenges even the most trusting citizen's intelligence. Are we to believe that this is not already a "done deal"? Where is the oversight? Where is the perception of neutrality?

I can only hope that the "done deal" is that the commissioners are looking for a way out of the mess they have caused and therefore have truly given you the charge of looking closely and honestly at the data --- especially that the majority of islanders do not want extended service and along with the rest of the County's taxpayers see the losing operation as ludicrous.

There must be a more compelling reason for assuming the problems and costs caused by an extended schedule than convenience. Surely, someone being paid an administrative salary can figure out how to make a mixed full-time/ part-time crew schedule work. The handful of people who feel they have a right to eat dinner in town on a Wednesday night were surely aware of the ferry schedule when they moved onto the island.

I do not envy your position, Mr. Christensen, and hope you will rise to the occasion and call a spade a spade. The will of the people is that the extended ferry schedule be terminated as soon as possible. Such a decision would help restore some lost confidence in our County government.

Sincerely,


Lawrence D. Verbano

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February 10, 2008

Gary R. Christensen, AICP

SEPA Responsible official

Skagit Co. Planning & Dev. Services Dept.

1800 Continental Place

Mount Vernon, WA 98273

SKAGIT COUNTY
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FEB 13 2008

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Dear Mr. Christensen,

This is in regards to the environmental review of the proposed changes to the Guemes Island ferry schedule.

It seems to me that the report needs to consider the effect on island residents. Since the establishment of the weekday evening ferry, quite a few people have now obtained work that goes into the evening hours. A few of these islanders were formerly unemployed, because they could not find work that allowed them to return home. Very few people can find work ^(or close to) in Anacortes that runs from 8 AM to 5 PM.

Another consideration is the adverse effect on island kids, who now participate in their school evening activities. And in my case, it will affect my participation in Kiwanis. I serve on two of their committees, which meet on weekday evenings.

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Another consideration is the mayhem that will result if we go back to ending service at 6 PM. How will all those

people and cars get on one ferry at 6 PM? Add together all users after 6 PM and add them to the last ferry and it can't possibly work. Previously the 6 PM run was generally a double or triple run, or even a quadruple run. I understand that unlimited additional runs after the last run are no longer allowed.

In regards to the third alternative proposed for consideration I would suggest saying approximately 6 scheduled ferry crossings after 6 PM. There are presently 5 crossings at 6:30 PM, 7:00 PM, 8:30 PM, 9:00 PM, and 10:00 PM, but a proposed new schedule shows crossings at 6:20 PM, 6:45 PM, 7:10 PM, 8:30 PM, 9:00 PM, and 10:00 PM, for a total of 6 crossings.

The issue of ground water availability is actually very good except in areas where people put their wells in beach sand aquifers right near the saltwater. According to the USGS report (from the mid 1990's), we get an average of 25" of precipitation per year, of which about 6" soaks into the ground. All of the wells on the island pump out 0.1" to 0.3" of groundwater per year (in the mid 1990's). So the problem isn't the lack of fresh ground water, but rather that some wells are in the wrong place. Even the desalinization plant could have been avoided if they would have (been able) to put their well(s) further inland and get out of the beach sand aquifer.

Our island population is not a healthy and diverse group. Most are retirees and artists, with a relatively low percentage of people working (off island). Diversity is beginning to increase since the evening ferry was put in place.

There are quite a few of us that would like a 6:00 AM ferry and there has been some talk of that ~~for~~ ^{for} the future. Will this environmental assessment work or will another EA need to be prepared when that proposal moves forward? Is there a way this EA could be written to include a possible 6 AM ferry in the future?

Thank you very much,

Fred L. Wintermantel

Fred L. Wintermantel

7881 Evergreen Ln

Greenes Island

Anacortes, WA 98221-9099

Phone 360-588-9352

e-mail fwintermantel @ fidalgo.net

from 2 members of one household.

To whom it may concern,

I would like the ferry schedule
to return to the 6-o'clock pm as the
last run, over-fo second or third runs if
necessary, and the ferry crew actually working
and pre-selling tickets and 3 crew members.

SKAGIT COUNTY
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FEB 19 2008

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February 7, 2008

To: Gary R. Christensen, AICP
SEPA Responsible Official
Skagit County Planning and Development Services Dept.
1800 Continental Place
Mount Vernon, WA 98273

Re: Comments on The Environmental Assessment Process for the Proposed
Changes to the Guemes Island Ferry Schedule

From: Stephen D. Orsini
4971 Guemes Island Rd.
Anacortes, WA 98221

The Environmental Assessment (EA): Background & Overview on page 2, paragraph 5 postulates three 'schedule alternatives' two of which involve extended service to 11:00 pm. The document goes on to make a number of statements about these alternatives and their impact such as the following:

"... all of the alternatives also assure that the critical areas on Guemes Island, including critical aquifer recharge areas, will continue to be identified and protected through implementation of adopted policies and critical areas regulations."

The problem with this statement is that the aquifer recharge areas on Guemes are not known and the current policies do nothing to protect critical areas.

According to the Skagit County Code (SCC) Critical Areas Ordinance, Guemes Island is designated a "Sole Source Aquifer Area" under the Federal Safe Drinking Water Act which qualifies it as a Category 1 aquifer recharge area per SCC 14.24.310 (1) (a). Category 1 areas are those "... in need of special aquifer protection where a proposed land use may pose a potential risk which increases aquifer vulnerability." Paragraph 2 of this section goes on to state "Category 1 areas are shown on the Aquifer Recharge Area map." But the County has no Aquifer Recharge Area map. This difficulty is resolved by the convoluted language of Section 14.24.010, "Introduction to the Critical Areas Ordinance":

"Critical areas are dynamic natural systems that are part of Skagit County's changing landscape. While critical areas are present throughout the County, their exact location cannot be mapped accurately enough for regulatory purposes."



Instead of mapping aquifer recharge areas, the County uses definitions:

"Critical areas will be designated by definition and then classified through site assessments so that they can be identified using scientifically based criteria and protected."

The actual definition in use by the County for aquifer recharge areas is the 100 ft diameter area around a wellhead. The fact is that the County has no idea where the Guemes Island aquifer recharge areas are. Therefore the notion in the EA that the proposed ferry schedule alternatives "...assume the critical areas on Guemes Island, including critical aquifer recharge areas, will continue to be identified and protected through implementation of adopted policies and critical areas regulations." is, to be polite, completely meaningless.

While the 1994 study, USGS Hydrogeology and Quality of Ground Water on Guemes Island, was of insufficient scope to locate the recharge areas on Guemes Island, the USGS does have the scientific capability to identify aquifer recharge areas as accomplished in other studies in Northwest Washington.

Here it must be noted that Skagit County has not sponsored any of the major scientific studies on Guemes contrary to the claims of their attorney, A.O Denny in the case of Friends of Guemes Island vs. The Skagit County Board of Commissioners in which he writes in the October 5, 2007 Decision:

"It cannot be argued that the county failed to consider the environmental impacts covered in this extensive list of studies and documents. After all, the county itself generated or commissioned 100 percent of the studies and documents itself."

The request of USGS to do the initial hydrogeology study was made by a group of islanders in starting in 1990. On February 20, 1991, the Skagit Valley Herald ran an article titled *County wriggles off hook in funding for Guemes groundwater study*. To quote from that article;

" The Skagit Conservation District Board of Supervisors relieved the County Commissioners of a difficult financial decision Tuesday.

District Supervisors agreed to apply for the \$101,000 grant from the state Department of Ecology to help pay for a comprehensive groundwater study on Guemes Island.

The district action means the county is not the lead agency and does not have to come up with a 25 percent match, or \$50,500, " said Marianne Kooiman, a member of the Guemes Island Resource Committee.



'It sure looks like it's going to take us off the hook for spending any county money at this point,' Commission Chairman Bill Vaux said afterward. "

Another example of how the County has gotten itself "off the hook" for any meaningful action regarding the degradation of Guemes Island's Sole Source Aquifer is contained in SCC Critical Areas Ordinance, section 14.24.350 Aquifer Recharge Area Mitigation. Item (2) Seawater Intrusion Mitigation states: "Mitigation for a single-family residence shall be in conformance with the "Seawater Intrusion Policy" in effect under Skagit County Code 12.48." Skagit County has no Seawater Intrusion Policy in section 12.48 or anywhere else.

After the USGS 1994 study identified a number of seawater intrusion areas on Guemes Island, the Board of County Commissioners did convene a Seawater Intrusion Committee. In addition to a few islanders, the Committee had a healthy cross section of well drillers, real estate agents and developers. The Committee did produce the Interim Seawater Intrusion Resolution #15570 which was adopted on December 12, 1994 by the County Commissioners but never implemented.

The County has sponsored no science to define the capacity of the island's aquifers or locate its aquifer recharge areas. The unwritten policy is to continue business as usual. This has been done in the name of growth and justified through reference to property rights. This unwritten policy is best summed up in the order of priority set in the sentence from the current EA, page 3, Paragraph 1:

"The (schedule) alternatives will be considered in light of their ability to accomplish the objective of efficiently serving growth and development anticipated under the previous adopted land use pattern, as well as their environmental impacts."

In order to obtain a building permit today on Guemes you must have a well producing clean, potable water at the amount of 350 gallons per day per household. No alternate source of water collection is allowed. There is no requirement to determine impact on surrounding wells. There is no cumulative study of the impact of this new well on the carrying capacity of the aquifer, which was not postulated in the original USGS study. This approach ignores the water rights and thus the property rights of the existing well owners. What Skagit County favors then is developer rights not property rights.

Favoritism of developer or new building rights has resulted in a series of failed wells on Guemes Island which continues to this day. Since the USGS Study was completed in 1994, the largest system failure involved the two wells serving the Potlach Development on West Beach. As it was a Category A system, it was monitored by the State Department of Ecology. Only the County has jurisdiction



over individual wells. By 1991, the two wells serving the 30 lot Potlatch Development had reached chloride levels of 397 mg/l and 704 mg/l respectively. The maximum contaminate level for chloride set by the Federal EPA and adopted by Washington State and Skagit County is 250 mg/l. These high chloride levels were caused by seawater intrusion due to heavy pumping on the aquifer.

Overuse of island aquifers has dramatic effects. The reason is that the aquifer, in permeable ground, naturally forms a domed lens of fresh water, that floats on the seawater. These naturally occurring lenses are higher in the center of the island and lower toward its periphery where about 80 % of the homes and wells on Guemes are located. Due to the difference in density of heavier seawater and lighter fresh water, for each 1 foot of head height reduction of the aquifer the seawater moves upward about forty feet. What this science meant for Potlatch was that the State EPA gave notice in 1995 that they had to shut their two wells down and seek another source of potable water.

After much work, under the threat of loss of water and the concomitant loss in value of their homes, Potlatch achieved installation of a complex and expensive Reverse Osmosis system which takes water from the sea and yields fresh water. Of interest is that Skagit County runs this system as a PUD. What was lost and never compensated was the owners' original water rights. In the face of this inequity, Potlatch pleaded for the County to do something about all the individual wells going in on the island that were not then, and are not today, regulated for impact on the aquifer. The following are quotes from a letter from the Potlatch Beach Water Association Board to the Board of County Commissioners dated April 17, 1995:

"As you know, Guemes Island has seawater intruding into many wells, particularly on the north end of the island. "

"The Department of Ecology has been enforcing their responsibility to protect the state's aquifers by placing deadlines for our water association to reduce the chloride level from our wells. As of our last meeting with the DOE, we have until May 1st to present a plan to reduce the chloride levels or we will have to shut down our system from May to October of every year."

"We are now faced with some sobering and expensive alternatives to meet the state requirements."

"The irony in this situation is that we represent only a tiny fraction of the households drawing from the aquifer and yet because of the vagaries of regulation we fall under the state ax. Individual wells and small community water systems are exempt from state regulations, although



they represent more than 90% of the household water supplies on the island."

"The Department of Ecology, recognizing the evidence of increasing seawater intrusion and the uneven management of the aquifer, wrote Mr. John Thayer of the Skagit County Health Department on May 27, 1994, strongly asking the county to limit new well construction on the north end of the island. Only the county has the power to control new individual wells and small community systems."

"We feel that one positive action to give us a chance to reduce our wells' chloride would be for the county to declare a moratorium on new well development on Guemes, at least on the north end of the island, in compliance with DOE's request."

The letter from Potlatch as well as from the State DOE, (both attached), were ignored except that the County did impose the toothless requirement of having the well drillers notify the Health Department before they drill a well on the island's north end. Then they drill the well.

If one defines a well's failure as the point at which the owner succeeds in moving the well inland or installs some alternate system like reverse osmosis, seven wells or well systems have failed on North Beach due to seawater intrusion since the completion of the USGS study. They are The Alverson Tract Owners Association Well, the Tucker Well, the McCracken Well, the Knudsen Well, the Orsini Well and the Petersen Well; this last only about three months ago.

For some 17 years then the County has pursued a policy that ignores protection of the island's fresh water aquifer resource. In 2006 the County extended the hours of operation of the Guemes Island Ferry denying any relationship between growth and transportation, a stance contrary to all planning literature and the State's Growth Management Act. The County has neglected its fiduciary responsibility to the residents of Guemes Island causing those that have failed wells threat to their health and substantial economic hardship. The loss of a well is a taking of the owner's water rights. The continued failure of wells is prima fascia evidence that the County continues policies, including extension of the ferry schedule, designed solely to accommodate growth while disregarding environmental impact. The EA states on page 3:

"...the (schedule) alternatives assume that the adopted rural and resource land use designations and zoning applied to Guemes Island will remain essentially unchanged, giving the island a capacity for approximately 1,584 dwelling units (i.e. 957 future dwelling units, in addition to the 627 existing units.)"



The County's growth projections, potentially more than doubling the number of wells, ignores the questions of the carrying capacity of the island aquifers, where they recharge and the fact of their continued degradation.

It is time for the County to abide by the law and discontinue policies that degrade a designated Sole Source Aquifer. It is time for the County to do the study that defines the island's aquifer recharge areas as recommended in the recently completed, but not yet adopted, Guemes Island Sub-Area Plan. It is time for the County to abandon the superficial EA process which, through its very act of proposing two new alternative extended schedules, subverts the referenced Court Decision, which states on page 14:

"At the end of the two-year trial period, on June 30, 2008, the ferry schedule change will automatically revert to its former 6:00 pm cut-off, and no weekday evening extension will again be considered unless and until there is a new, thorough, and SEPA compliant environmental review, including, among other issues, the probability of induced growth and the direct and indirect adverse environmental impacts resulting from the same."

In summary, it is time for the County to do a full Environmental Impact Statement that ensures the development of policies that protect the rights and health of the existing Guemes Island property owners.

