

*Countywide UGA Open Space Plan
Skagit Council of Governments (SCOG)
20 June 2008*

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Chapter 1: Introduction

The Skagit County population is forecast to increase by over 46,000 new residents by the year 2025 – which is equal to be current (2007) population of Mount Vernon and Anacortes combined. Most of this new growth is expected to occur in the county’s 10 Urban Growth Areas – Anacortes, Bayview Ridge, Burlington, Concrete, Hamilton, La Conner, Lyman, Mount Vernon, Sedro-Woolley, and Swinomish.

The choices that confront Skagit County at the present time are significant and could alter the character and quality of wildlife, agriculture, forest, scenic, historic, and recreational open spaces permanently if not adequately planned and protected.

This document outlines the choices that are available and the means for implementing preferred actions found to be of most interest and benefit to Skagit County residents concerning open space separators around the 10 county UGAs.

1.1 Objectives

The specific objectives of this planning effort were to:

- ***Inventory assets*** – including the programs, properties, ideas, and objectives of the numerous public and non-profit agencies and organizations that are involved in protecting, preserving, and enhancing wildlife, agriculture, forest, scenic, historic, and recreational open spaces within the county, and particularly within and around the 10 county UGAs.
- ***Develop the elements of a countywide UGA open space plan*** – that provides a thematic concept for preserving and enhancing open spaces, trails, and interpretive opportunities on a countywide basis that extends around, within, and through the 8 county UGAs.
- ***Define an implementation program*** – outlining the roles, responsibilities, and actions necessary to realize the countywide UGA open space plan including regulatory and financing issues.

- ***Determine public opinion*** – through a series of workshops with SCOG, participating agencies and organizations, and ultimately a mail-out/phone-back survey of a sample of registered county voter households that resolves final plan and financing particulars.

1.2 Approach

This planning process analyzed the current condition of wildlife, agriculture, forest, scenic, historic, and recreation open space conditions in and around the 10 county UGAs and the results of past and on-going programs sponsored by public and non-profit agencies and organizations within Skagit County.

The proposed UGA open space concepts and implementation strategies are the result of this comprehensive or holistic analysis.

Generally, the proposed strategies recommend Skagit County focus its resources to resolve UGA open space concept plans with the 8 UGAs, and create gap financing to assist existing public and non-profit agency and organization efforts to preserve and enhance open space assets around and within the UGA areas.

1.3 Public involvement

The Skagit Council of Governments (SCOG) and Skagit County Planning & Development Services oversaw this planning process using a partial grant from the Washington State Community, Trade & Economic Development Department (CTED). During the course of the planning program, the participants conducted:

- ***Interviews and workshops*** – with public and non-profit agencies and organizations involved in wildlife, agriculture, forest, scenic, historic, and recreation open space issues within

the county to determine their plans, concerns, and recommendations.

- **Public workshops and presentations** - with the Planning Commissions or City Councils of each UGA, the SCOG Board, and Skagit County Commissioners to determine their assessments of plan and strategy proposals prior to the development of final concept proposals.
- **Mail-out/phone-back survey of countywide registered voter households** - towards the end of the process to determine concept validations, strategy, and financing preferences with which to implement this plan.

The proposals contained within this document represent the opinions developed from these public participation events.

1.4 Documentation

This report is organized into 5 chapters outlining goals and objectives, findings, open space concept plans, and implementation measures.

Separate technical appendices detailing Growth Management Act (GMA) open space requirements, public and non-profit agency and organization resources, financial programs, and the detailed results of the mail-out/phone-back survey are available from the Skagit County Planning & Development Services.



Chapter 2: Findings

2.1 Growth Management Act (GMA) initiatives

Public agencies have been active in protecting and conserving open space in Skagit County using the following methods.

Critical Area Ordinances (CAOs) - the Washington State Growth Management Act (GMA) mandated counties and cities to conserve and protect sensitive environmental features including streams, wetlands, steep slopes subject to landslide hazard, and floodplains from urban developments that would increase risk to the landowner (or adjacent properties) and degrade the environment.

Skagit County and all 10 Urban Growth Areas (UGAs) have enacted critical area ordinances (CAOs) that protect these features and the buffered areas from urban development. By and large, CAOs have protected significant and critically sensitive areas in the county and within and adjacent the urban growth areas (UGAs) from inappropriate urban development. Most of these lands remain in private ownership subject to private land use activities that do not impose an environmental risk.

While CAOs protect, and thereby conserve these significant open space resources, the CAOs do not restore, enhance, or manage these resources for wildlife, forest, farm, or scenic purposes for which they were once suited, nor to achieve UGA open space or public access benefits.

Resource and rural zoning districts - have been established by Skagit County to conserve productive and working farm and forest soils and properties - and to distinguish urban from rural settlement patterns. The county's Natural Resource Lands (NRL) zoning districts require large parcels ranging from 80 acres in Industrial Forest to 40 acres in Agricultural and Rural Resource to minimum 20 acre lots in Secondary Forest lands.

The rural zoning districts provide a transitional density and lot definition that ranges from 10 acre lots in Rural Resource zones (5 acres with a CaRD) to 2.5 acre lots in Rural Intermediate to 1 acre lots in Rural Village Residential zones provided with public water and sewer with which to provide a graduated settlement pattern between the urbanizing areas and the rural landscape.

While the resource and rural zoning districts conserve the ownership pattern that is compatible with working farms and forests, and with a graduated urban to rural settlement pattern - zoning alone does not guarantee that the land will be used for farm and forest production, or that developments on the rural sized lots will actually reflect a rural or scenic pattern or appearance.

Differential tax assessments - have been established by Skagit County to provide an additional incentive to maintain resource properties in active farm and forest use. Considerable lands within the county are provided this tax incentive and are maintained in working farm and forest use for this purpose.

Skagit County also provides a differential open space tax assessment with an optional additional incentive if the property meets a Public Benefit Rating System - though no rating system is currently in place.

Conservation Futures - is a county tax levy that generates funds on a countywide basis for the acquisition of easements or properties for open space purposes. The tax proceeds are allocated on an annual basis for the conservation of critical and threatened open space resources within the county and the UGAs. While the program is important for the conservation of open space, the funding levels have not been sufficient to protect the most threatened open space areas within and adjacent to the UGAs.

By and large, these GMA related efforts have been successful at protecting critical environmental areas and their open space

attributes, conserving large and potentially productive farm land property parcels, maintaining a graduated land ownership pattern between the most urban and rural areas, and acquiring some significant and threatened open space parcels. Most of the protected parcels have been located in rural areas removed from the UGAs.

However, these initiatives have heretofore not been sufficient, even when complemented by private organizational conservation efforts, to establish open space corridors within and adjacent to the most urbanizing areas of the county.

2.2 UGA open space separator or greenway requirements

In addition to protecting critical areas and providing incentives for rural resource protections, the Washington State Growth Management Act (GMA) also requires counties with urban growth areas (UGAs) to designate and develop open space separator or greenway plans with which to distinguish cities and urban areas from each other – and to prevent urban sprawl into the rural landscape.

GMA's intent is to determine and protect significant and important open spaces and corridors that define the edges of an urban area – and that can provide interpretive and recreational opportunities to be accessed by rural and urban area residents alike.

2.3 Private conservation initiatives

Numerous private organizations in Skagit County are actively involved in conserving open space assets including wildlife habitat, working farmlands, unique forestlands, scenic landscapes, historic features, and recreational activities including on and off-road trail systems.

In fact, Skagit County has more organizations involved in open space conservation than is common of any other area in Washington State or the surrounding Pacific Northwest region. A conservation focus has emerged over time in Skagit County due to:

- the Skagit River's habitat value - the most productive river west of the Mississippi,
- the Skagit Valley's agriculture potential – one of the largest remaining viable farming areas in the region, and
- the county's overall scenic, cultural, and historical diversity, among others.

By and large, these groups have accomplished a great deal through their efforts to conserve important county open space assets through property owner use agreements, conservation easements, and outright land purchases.

These groups have also been actively involved in the management, restoration, and enhancement of the natural features that once existed on these conserved lands and which provide their unique ecological, environmental, scenic, and cultural values.

In general, these organizations have been able to obtain the minimum funds necessary to implement their basic conservation missions – which are unique to each entity. These groups have been adept at raising monies through grants, donations, fund-raising drives, and other enterprises – primarily from residents of the county and surrounding region.

However, most of these organizations and their efforts have been focused in the more rural areas outside of the existing cities and proposed urban growth areas (UGAs). A rural focus has been followed for a variety of reasons including:

- higher land costs within or next to the urban areas,
- increased land management requirements,
- greater coordination requirements with other public and private parties, and
- the potential for conflict with local city land use objectives and priorities.

As a consequence, some of the most threatened remaining open spaces are located within or adjacent to the designated urban growth areas (UGAs) of the county.

2.4 Open space conditions

Interview and workshop sessions were conducted with over 30 public and non-profit agency and organization representatives during the course of this plan's analysis. The participants were asked to describe in quantitative and anecdotal terms open space conditions they observed in the county.

In addition, registered voter household participants in the mail-out/phone-back survey were asked to what extent they agreed or disagreed with the following condition statements on a scale of 1 to 5 where 4-5 were considered to be very strong concurrence with the workshop statements.

Following is a statement of the condition statements from the mail-out/phone-back survey in order of most agreement.

| <i>UGA open space conservation efforts</i> | <i>poorest/best</i> | | |
|--|---------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| Protection of prime agricultural soils and working farmlands adjacent to urbanizing areas? | 31% | 33% | 36% |
| | <i>poorest/best</i> | | |
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>UGA open space conservation efforts</i> | | | |
| Protection of scenic areas and landscapes including viewpoints and vistas from hilltops and along entry roads into urbanizing areas? | 25% | 38% | 36% |
| Conservation of wildlife habitat – especially within the Skagit River and its tributaries as they flow through the urban areas? | 27% | 42% | 30% |
| Identification and preservation of historical and cultural landmarks, sites, and features within and adjacent to urbanizing areas? | 27% | 41% | 30% |
| Preservation of woodlands – particularly mature, older forest stands within the urbanizing areas? | 39% | 34% | 26% |
| | <i>poorest/best</i> | | |
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>UGA public access trail systems</i> | | | |
| Picnic grounds, shelters, and other day use activity areas in open space systems in the urbanizing areas? | 21% | 42% | 36% |

| | | | |
|---|-----|-----|-----|
| Public access trails for hike, bike, and horse (including handicap accessible) to or through open spaces in the urbanizing areas? | 31% | 37% | 31% |
| Waterfront access for fishing, swimming, kayaking, and canoeing in open spaces in the urbanizing areas? | 33% | 35% | 31% |
| Interpretive markers, exhibits, trails, and centers located in open spaces within or adjacent to urbanizing areas? | 32% | 41% | 25% |

As shown, the survey respondents did not rank any open space or trail feature to be of a best condition overall. In some instances, the respondents indicated conditions were equal (rating 3) or of worse condition (rating 1-2) than those that considered them to be in good condition (rating 4-5).

2.5 Open space trends

The interview and workshop session public and non-profit agency and organization participants were also asked to describe the open space trends they observed were occurring in the county and the impact such trends were and could have on open space conditions.

In addition, registered voter household participants in the mail-out/phone-back survey were also asked to what extent they agreed or disagreed with the statements concerning trends that may be affecting the conservation of open spaces and trail developments within the UGAs of the county.

Following is a statement of the trends statements from the mail-out/phone-back survey in order of most agreement.

| <i>Open space trends</i> | <i>dis-/agree</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| Skagit County has some of the most valuable and productive wildlife habitats, woodlands, and farms in the region if not the country? | 7% | 10% | 85% |
| Open spaces within the UGAs should be interconnected to flow through the cities into the surrounding countryside in a manner that | 11% | 16% | 73% |

| | |
|---|-------------|
| conserves important assets and provides some logical and visible corridor networks? | |
| Open space conservation efforts must do more than just preserve land – conservation programs should also restore, enhance, and manage the land to provide the valuable natural and ecological functions it once did? | 14% 17% 70% |
| Open spaces that are being created are often small, landlocked preserves within new residential developments that are not linked to a continuous open space network for the surrounding city or its residents – or between cities and urbanizing areas? | 14% 21% 63% |
| An unacceptable amount of these valuable open space assets (wildlife, woodlands, and farms) are rapidly being lost to urban development within UGAs? | 18% 19% 63% |
| An unacceptable amount of these valuable assets are also being lost to rural type land uses including roadside stands, hobby farms, big box houses, and other developments adjacent UGAs? | 28% 25% 46% |

Scenic resources

dis-/agree
1-2 3 4- 5

| | |
|---|-----------|
| Skagit County has some of the most diverse and scenic resources in the region including mountain, valley, waterfront, and farm landscapes and viewpoints? | 2% 8% 90% |
|---|-----------|

Scenic resources

dis-/agree
1-2 3 4- 5

| | |
|---|-------------|
| Rural roads and byways, especially the entry roads into and out of the urbanizing areas should retain an open and rural character (“rural by design”) that is not cluttered with commercial uses, advertising, and other urban characteristics? | 15% 16% 70% |
| “The view from the road”, however, is rapidly disappearing or being blocked or replaced with roadside clutter consisting of advertising signs, rural commercial uses, hobby farms, and/or inappropriate developments? | 21% 19% 59% |

Public access

dis-/agree
1-2 3 4- 5

| | |
|--|-------------|
| Skagit County public access trail systems and park activities could extend from open space corridors within the urbanizing areas out into the countryside to access some of the most diverse and scenic features in the county and region? | 12% 17% 72% |
| Public access trail systems and park activities should extend from the inner most urban areas out into the countryside within and through natural open space corridor networks to provide easy access to urban and rural residents alike? | 16% 19% 64% |
| Major existing public trail corridors, however, are located within park boundaries or on former railroad corridors and dikes located in rural areas that are not easily accessed by residents of the urbanizing areas on a daily basis? | 20% 25% 54% |

As shown, the survey respondents agreed overwhelmingly with the statements elicited from public and non-profit open space agency and organization representatives concerning trends that are imperiling open space, scenic resources, and public access in the county at the present time.

2.6 Population growth impacts

Survey respondents were asked if in the next 20 years the Skagit County population is projected to increase by another 51,600 people or 46% more than the existing population of 113,100 persons, whether existing policies and programs will be sufficient to protect the county’s open space resources.

| | |
|---|-------------------------------------|
| In your opinion, will <u>existing UGA open space and public access trail conditions, trends, policies, and programs</u> be enough to conserve and protect Skagit County’s UGA related open space resources? | 51% no 18% yes 32% don't know |
|---|-------------------------------------|

As shown, a majority of the respondents do not think existing policies and programs will be sufficient to conserve and protect Skagit County’s UGA related open space resources. However, a significant percent of the respondents may not know what existing policies and programs are. They may also not know whether they are or will be sufficient.

2.7 UGA open space and public access trail priorities

In light of the preceding, survey respondents were asked to rate the importance of the following open spaces within and adjacent to the urbanizing areas (UGAs) of the county in general whether such areas are protected by critical area ordinances, land use agreements, conservation easements, or land purchases by public or private organization efforts.

| | <i>low / high</i> |
|--|-------------------|
| | <i>1-2 3 4-5</i> |
| UGA open space conservation needs | |
| Productive and working farmlands adjacent the urbanizing areas? | 13% 14% 74% |
| Mature and older growth forestlands within and adjacent the urbanizing areas? | 16% 18% 67% |
| Wildlife habitat and migration corridors within and through the urbanizing areas? | 19% 20% 62% |
| Scenic landscapes and roadside views entering and leaving the urbanizing areas? | 14% 26% 61% |
| Historical and cultural landmarks and sites within and adjacent the urbanizing areas? | 14% 33% 55% |
| | <i>low / high</i> |
| | <i>1-2 3 4-5</i> |
| UGA public access trails and activities | |
| Public access trails and facilities that extend through and outwards from the urbanizing areas? | 15% 22% 64% |
| | <i>low / high</i> |
| | <i>1-2 3 4-5</i> |
| UGA public access trails and activities | |
| Fishing, swimming, car-top boating, picnicking, and other day use activities within open space corridor networks in and adjacent the urbanizing areas? | 15% 21% 65% |
| Interpretive trails, exhibits, and centers within open space corridor networks that extend outwards from the urbanizing areas? | 16% 34% 52% |

As shown, survey respondents overwhelmingly indicated all of the open space conservation and public access trails and activities were of the utmost importance (scores greater than 50% for ratings of 4-5) per the rank orders shown.

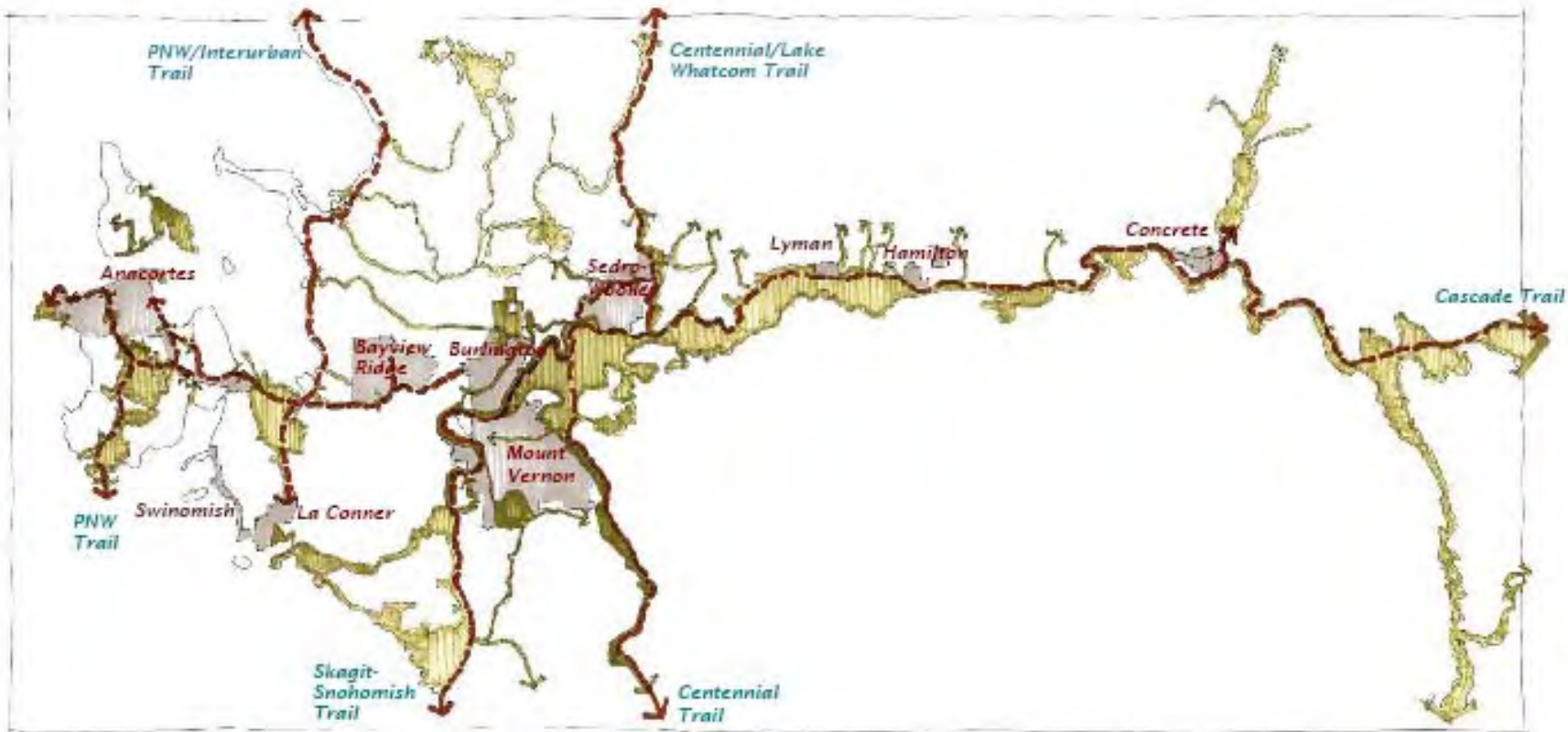
2.8 Conclusions

Based on the results above, a principal purpose of this SCOG planning effort, therefore, is to define concepts and strategies by which to define UGA open space and greenway separators that can also link with the other open space initiatives being carried out in the more rural areas of the county by public and non-profit agencies and organizations.

A secondary purpose of this SCOG planning effort is to devise a UGA open space separator and greenway strategy that will complement existing open space efforts by other public and private agencies and organizations in a manner that will benefit and enhance rather than duplicate or compete with these on-going and successful efforts.







Chapter 3: UGA Open Space Concepts

3.1 Countywide concept

The Skagit Countywide UGA Open Space Concept is and will be a composite of the open space, recreation, trail, and land use plans developed by each city, sub-area, tribal, port, state, and federal jurisdiction – and will be subject to the constant updating of these plans and planning elements by each jurisdiction on a housekeeping basis every year and on a comprehensive basis every 6 years in accordance with GMA requirements.

The individual jurisdictional plans share common open space definitions and objectives consisting of a focus on the Skagit River

from Concrete through Hamilton, Sedro-Woolley, Burlington, and Mount Vernon; on the Swinomish Channel to La Conner; on the Community Forests through Anacortes; and on Deception Pass State Park lands across Fidalgo Island to Whidbey Island.

As shown in the graphics, these UGA corridors could extend around and from the cities outward into the most rural landscapes and features linking the UGAs into continuous greenway systems across the county using these features as an open space framework.

This concept was vetted in the countywide mail-out/phone-back survey of registered countywide voter households described in Appendix D. Survey respondents were asked to rate the countywide concept on a 1 to 5 scale where 1-2 were the lowest priorities, 3 was a neutral score, and 4-5 were the highest priorities.

| <i>UGA open space corridors</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|---|---------------------------------------|
| <u>Countywide UGA open space corridors</u> – could focus on the Skagit River from Concrete through Hamilton, Sedro-Woolley, Burlington, and Mount Vernon; on the Swinomish Channel to LaConner; and on the Community Forests and State Park through Anacortes? As shown in the graphics, these corridors could extend from the cities outward into the most rural landscapes and features linking the UGAs into continuous greenway systems? | 12% 18% 71% |

As shown, survey respondents gave overwhelming support to this countywide approach to the UGA open space concept.

Multipurpose trails

The UGA open space corridors could be accessed by a network of regional on and off-road multipurpose hike, bike, and some horse trails extending through the open space corridors and the UGAs, and outwards from the UGAs and Skagit County to connect with Whatcom, Snohomish, Island Counties, and beyond.

These multipurpose trail systems have been planned on a regional basis by public and non-profit agencies and organizations and include proposals extending north to Bellingham and Whatcom County, east through Rockport to Ross Lake National Recreation Area, south to Arlington and Snohomish County, southwest to Stanwood and Snohomish County, and west through Anacortes and Whidbey Island.

These connecting and extending trail concepts were also vetted in the countywide mail-out/phone-back survey of registered countywide voter households described in Appendix D. Survey respondents were asked to rate the trail proposals on a priority scale.

| <i>UGA public access systems – major trails</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|--|---------------------------------------|
| <u>Anacortes-Burlington Trail</u> – could extend west from Burlington along SR-20 through the proposed Bayview UGA to link with Swinomish Channel and PNW Trails to LaConner and Anacortes? The Anacortes-Burlington Trail would create a countywide trail linkage with all of the other major trail systems? | 16% 17% 64% |
| <u>Cascade Trail</u> – could extend through the Skagit River open space corridor from Rockport through Concrete, Hamilton, Sedro-Woolley, and Burlington? An eastern extension of the trail could link with the Ross Lake National Recreation Area? | 13% 22% 63% |
| <u>Swinomish Channel Trail</u> – could extend north from LaConner along the Swinomish Channel to the PNW Trail and provide access to the estuaries and wetlands in Padilla and Fidalgo Bays. | 17% 21% 59% |
| <u>PNW/Interurban Trail</u> – could extend south from the Interurban Trail in Whatcom County through Bayview to the Swinomish Channel then west through Anacortes to Deception Pass and Whidbey Island? | 17% 22% 58% |
| <u>Centennial Trail</u> – could provide access from Snohomish County trail systems past Lake McMurray, Big Lake, the Nookachamps, Skagit River, and Northern State Hospital to link with Whatcom County trail systems to Lake Whatcom, Bellingham, and the Canadian border? | 17% 21% 58% |
| <u>Skagit-Snohomish Trail</u> – could extend from the Nookachamps south through Mount Vernon and Britt Slough then along the South Fork of the Skagit River to link with Fir Island, Conway, Stanwood and the Snohomish County trail systems. | 21% 20% 58% |

As shown, all of the trail proposals were given the highest priority (score 4-5) by a majority of the survey respondents.

The corridor locations shown in the graphics are conceptual, subject to more detailed location planning with public and private landowners and organizations prior to actual trail project design and construction implementation.

In concept, the trails are sited along the edge or in some instances across the open space corridors in locations that do not intrude onto sensitive habitats or niches occupied by endangered or threatened wildlife or eco-systems.

The goal is to provide public access along and where appropriate, within open space corridors where the public may enjoy open space assets without risking intrusions that can detract from preservation or enhancement objectives and characteristics.

Interpretive centers and day-use parks

UGA open spaces preserve and protect significant natural resources, wildlife habitats, historical and cultural landmarks, scenic vistas and viewpoints, and other features of educational, interpretive, and informative interest to county residents and visitors.

These features should be provided appropriate interpretive opportunities including trail and viewpoint access, signage, exhibits, and even centers with educational materials and programs.

Where appropriate, open space related day-use park activities including fishing, boating, and camping may also be incorporated as open space adjuncts to increase public access and interpretive opportunities.

The concept of providing interpretive and day-use park activities was also vetted in the mail-out/phone-back survey of countywide registered voter households described in Appendix D. Survey respondents were also asked to rate interpretive center opportunities on a priority scale.

| <i>UGA public access systems - major activities</i> | <i>low / high</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Interpretive centers and day-use parks</i> - be installed where appropriate along the trail corridors identified above to increase interpretive opportunities and open space related day-use park activities? | 18% | 29% | 51% |

As shown, a majority of survey respondents gave interpretive centers and day-use parks a high priority (score 4-5).

The following pages describe the open space concepts currently adopted in each jurisdiction’s current comprehensive plans and currently under consideration by the appropriate jurisdiction’s planning and parks staff and advisory planning groups, and by elected officials as determined from a series of public workshops in each jurisdictional area.



3.2 Concrete Urban Growth Area

Concrete's UGA open space corridor concept - is defined by the Skagit River around the southern boundary of the UGA and extends through the city on Lorenzan Creek and the Baker River, then north to Lake Shannon.

The river corridors and floodplains surround and define the southern limits of feasible urban development. Additional open space definition is provided on the east along the Baker River by the former concrete plant and hydroelectric power plant and on the south below the private airport by city-owned properties.

The open space corridor and buffers along Lorenzan Creek extend through the historic 1909 era downtown, school, park, and other

city assets. Open space fingers could extend further north on Lorenzan Creek headwaters into the city's wooded watershed.

The Cascade Trail - currently extends from Burlington through Sedro-Woolley, Lyman, and Hamilton to Concrete on the former railroad right-of-way and track bed. Current plans propose to extend the trail further east on or adjacent the railroad right-of-way through Rockport to Marblemount and even eventually east parallel to SR-20 into Ross Lake National Recreational Area.

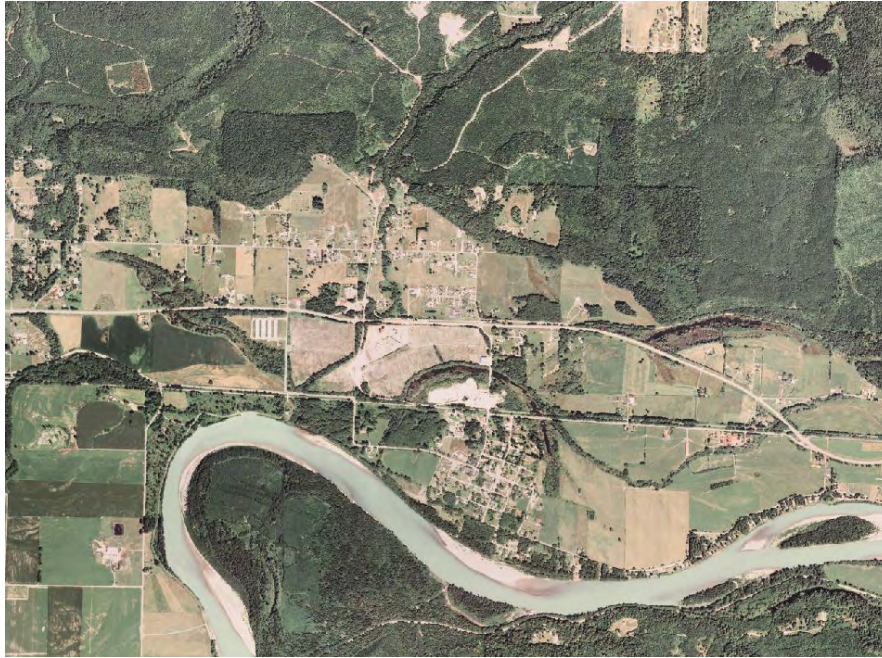
A potential local trail system could extend north from the Skagit River and the Cascade Trail along the Baker River to Lake Shannon Dam, then along the east shore of the lake on and adjacent to Baker River Road.

Another local trail system could extend south from the downtown across SR-20 and through school grounds and airport boundaries across the Skagit River to access the riverfront and South Skagit Highway/Concrete Sauk Valley Road.

The Concrete UGA concept plan was produced during public workshops conducted with town planning staff and Town Council. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|---|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <u><i>Concrete UGA open space corridors</i></u> - could focus on the Skagit River around the UGA and extend through the city on Lorenzan Creek and the Baker River, then north to Lake Shannon linking with the downtown, schools, parks, and other assets? | 15% | 30% | 53% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



The Hamilton UGA Open Space concept is being developed under a separate planning process.

3.3 Hamilton Urban Growth Area

Hamilton's UGA open space concept (not shown in the graphics)
- is defined by the Skagit River around the southern boundary of the UGA and the slough north of the developed town site.

Hamilton's UGA boundaries are currently being re-planned by a team of consultants and the Town Council. The new boundaries propose to relocate the town site established in 1891 north and out of the Skagit River floodway to reduce environmental and safety risks.

Depending on the final resolution of planning and design studies, the open space system could extend up Red Cabin, Alder, Mud, and Carey's Creeks to link with local trails and other facilities on the wooded hillsides north of the UGA.

The Cascade Trail - currently extends from Burlington east through Sedro-Woolley, Lyman, and Hamilton to Concrete on the former railroad right-of-way and track bed.

Possible local trail systems could extend from the Cascade Trail north around the slough and east adjacent to Careys Creek to Careys Lake, and north adjacent to Red Cabin Creek into the city's wooded watershed.

Other possible local trail systems could extend along the north Skagit River shoreline from the Cascade Trail around the river bend then east into the existing town site.

The Hamilton UGA concepts will eventually need to be reviewed and approved by the Hamilton planning team and Town Council. The

concept was vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low</i> | <i>/</i> | <i>high</i> |
|---|------------|----------|-------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Hamilton UGA open space corridors (not shown in the graphics)</i> - could focus on the Skagit River around the UGA? Depending on the final resolution of planning and design studies currently being accomplished for the city, the open space system could extend up Alder and | 21% | 32% | 41% |

| | |
|--|--|
| Mud Creeks to link with local trails and other facilities? | |
|--|--|

As shown, a significant percent, but not a majority of countywide voter household survey participants gave the concept a medium to high priority - though the results may have been affected by the lack of a graphic illustrating the potential UGA concept.



Lyman concept graphic is being prepared separately.

3.4 Lyman Urban Growth Area

Lyman's UGA open space concept - is defined by the Skagit River floodplain and floodway around the southern boundary of the UGA, and by Childs and Jones Creeks.

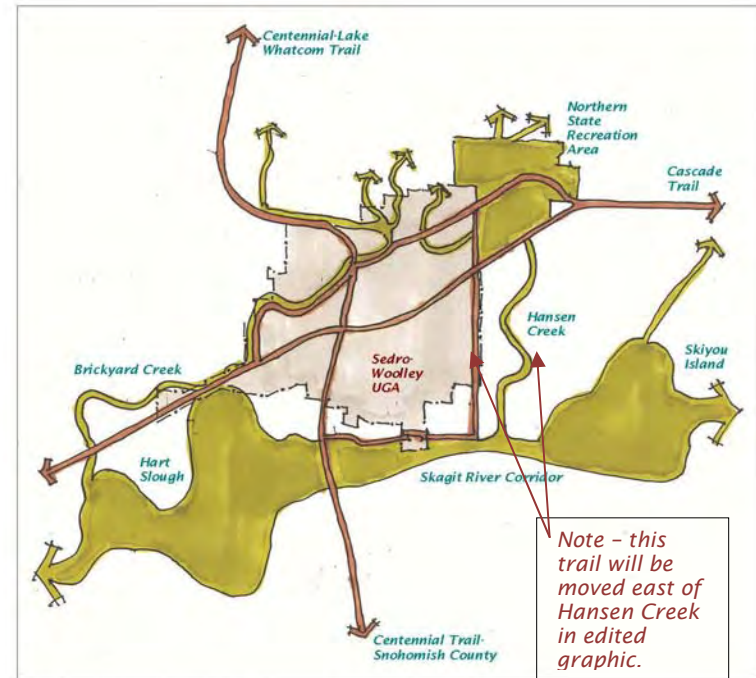
The wooded shoreline along the bends in the Skagit River are frequently flooded and therefore preserved as natural open space - particularly the western slough.

The open space corridors and buffers along Childs and Jones Creeks extend around the town and across SR-20 into the city's former watershed on the hillside at the headwaters and springs of Jones Creek.

The Cascade Trail - extends from Burlington east through Sedro-Woolley and Lyman's town center then east through Hamilton to Concrete. The trail corridor adjoins the large wooded area on the west slough and crosses over Childs and Jones Creeks.

Possible local trail systems could extend from the Cascade Trail north adjacent to Jones Creek tributaries north up the hillside into Washington State Department of Natural Resources forestlands.

The Lyman UGA concept plan was produced during a workshop with the Town Mayor. The concept was not finalized or vetted by the mail-out/phone-back survey of countywide registered voter households.



3.5 Sedro-Woolley Urban Growth Area

Sedro-Woolley's UGA open space corridors - is defined by the Skagit River, Hart Slough, and Skiyou Island south around the UGA, and by Brickyard and Hansen Creeks.

The Skagit River floodplains and floodway define the southern limits of feasible urban development. Additional linear open space definition is provided by overhead power transmission lines and railroad corridors.

The open space corridors and buffers along Brickyard and Hansen Creeks extend north from the river to link with the extensive landholdings of Northern State Recreational Area (former State Hospital) and the Upper Skagit Reservation lands. Open space

fingers could extend further north along the railroad corridors and numerous minor streams that extend off of Brickyard and Hansen Creeks.

The Cascade Trail - extends from Burlington through Sedro-Woolley's to the western edge of the downtown core then east of the downtown core through Lyman, and Hamilton to Concrete on the former railroad right-of-way and track bed. The downtown segment will eventually be created to provide a continuous link through the city.

The Centennial-Lake Whatcom Trail - has currently been completed from Snohomish to Arlington at the Snohomish/Skagit

County line on the former railroad right-of-way and track bed. The Lake Whatcom Trail segment has been completed around the eastern side of Lake Whatcom from North Lake Whatcom County Park to almost the southern end of the lake on former railroad right-of-way and track bed. The trail plan proposes to eventually link the two segments through Sedro-Woolley on some or all portions of the former and existing railroad corridors though portions may initially or ultimately be routed along or around some segments.

Potential local trail systems could be extended adjacent to Brickyard and Hansen Creeks to create a trail loop from Hart Slough through Northern State Recreational Area and back to the Skagit River.

Another potential local trail could be extended along the north bank of the Skagit River from the Centennial Trail east to Hansen Creek.

The Sedro-Woolley UGA concept plan was produced during public workshops conducted with city planning staff and City Council. The concept was also vetted by the mail-out/phone-back survey of countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Sedro-Woolley UGA open space corridors</i> - could focus on the Skagit River, Hart Slough, and Skiyou Island around the UGA and extend through the city on Brickyard and Hansen Creeks to link with Northern State Hospital County Park as well as the downtown, city trails, parks, schools, and other assets? | 14% | 23% | 59% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.6 Burlington Urban Growth Area

Burlington's UGA open space concept - is defined by the Skagit River around the southern edge of the UGA and by Gages Slough.

The Skagit River floodplain and floodways define the southern and eastern limits of feasible urban development - particularly within and around the original river oxbows.

The open space and buffers along Gages Slough loop from the Skagit River through the center of the city linking parks, schools, commercial areas, and older neighborhoods.

The Skagit River's original route extended north around the city to flow into the Samish River and Samish Bay before cutting the current channel. The former riverbed can also provide an open space extension along the northern developable limits of the city UGA.

The eastern slopes of Burlington Hill are being developed for low density residential uses, through slope stability and geological problems have slowed construction. The western slopes are steeper and largely undeveloped and could provide relief on the hillside.

The Cascade Trail - begins at the western edge of the historic downtown on the former railroad right-of-way and track bed and extends east through Sedro-Woolley, Lyman, and Hamilton to Concrete. Planning efforts have proposed extending the trail west through the downtown and across I-5 to create a linking trail within or adjacent to SR-20 right-of-way past Bayview to Anacortes.

The Skagit River Trail North Bank proposal - is to extend trail access along the north bank of the Skagit River from Gages Slough on the east through Burlington city parks and open spaces to Mount Vernon's Edgewater Park and areas further south. Depending on more detailed planning with affected property owners and interests,

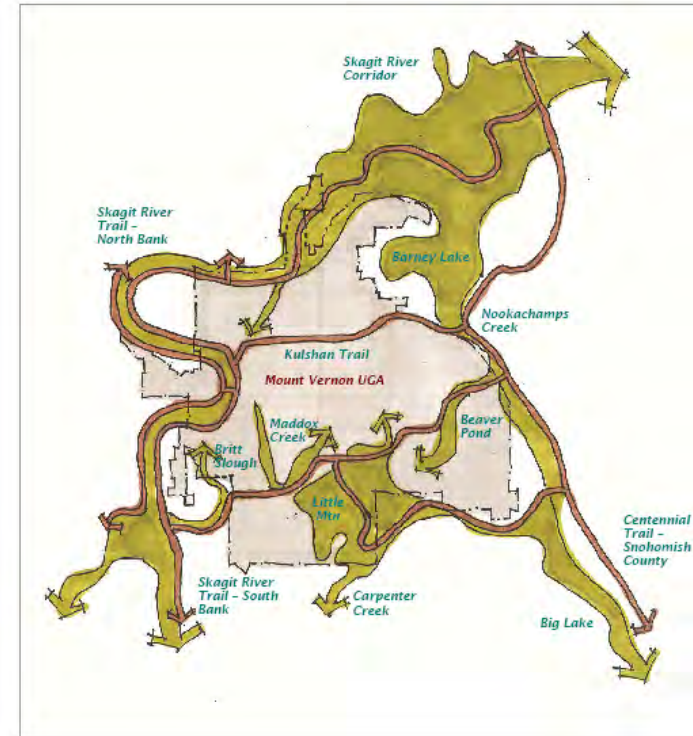
possible trail corridor alternatives could be located on or adjacent river dikes, local roadways, and city parklands.

Possible local trail systems could extend north from the Skagit River past the historic downtown to Burlington Hill adjacent railroad tracks and/or on local roadways, and to and around Burlington-Edison Regional Park and the high school within or adjacent to I-5 right-of-way.

The Burlington UGA concept plan was produced during working sessions with the City planner. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|---|--------------------------|-----------------|-------------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Burlington UGA open space corridors</i> - could focus on the Skagit River and Hart Slough around the UGA and extend through the city on Gages Slough to link with Burlington Hill as well as the downtown, city trails, parks, schools, and other assets. | 15% | 24% | 57% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.7 Mount Vernon Urban Growth Area

Mount Vernon's UGA open space concept - is defined by the Skagit River, Nookachamps Creek, Barney Lake, and Britt Slough around the east, north, and west boundaries of the UGA; and through the city by Maddox and Carpenter Creeks, and Little Mountain.

The Skagit River floodplains extend up the Nookachamps and Barney Lake on the east boundary of the UGA before being channeled by dikes through the corridor between Burlington, West Mount Vernon, and East Mount Vernon.

The east and south segments of the river corridor are defined by river oxbows and old channel cuts overgrown with woodlands and river habitat. Some portions of these corridors have been preserved through acquisitions and easements, and some public land in Mount Vernon's Edgewater Park have been restored and enhanced for salmon habitat.

The central segment of the river corridor is very constrained and except for Lions Park North and the sand bar along Dunbar Road, limited by dikes and shoreline improvements.

The open space corridors and buffers along Kulshan, Maddox, and Carpenter Creeks extend through and into the developed areas of the city linking the interior with the Skagit River, Nookachamps Creek and Big Lake, and Britt Sough open space systems.

These finger systems also define the edges and provide access to Beaver Pond and Little Mountain, significant natural and aesthetic resources in the center of the UGA.

The Centennial Trail - may extend along the eastern edge of the UGA within or adjacent or parallel to the original railroad right-of-way, portions of which have since reverted or been acquired by adjoining private property owners and developers.

The trail could link Big Lake, the Nookachamps, Barney Lake, and the Skagit River open spaces with Mount Vernon by Carpenter Creek and the city's Kulshan Trail.

The Skagit River Trail South Bank proposal - is to extend a trail access along the south bank of the Skagit River from the Centennial Trail and Nookachamps Creek on the east through Mount Vernon's Lions Parks, the downtown, and areas further south to Stanwood.

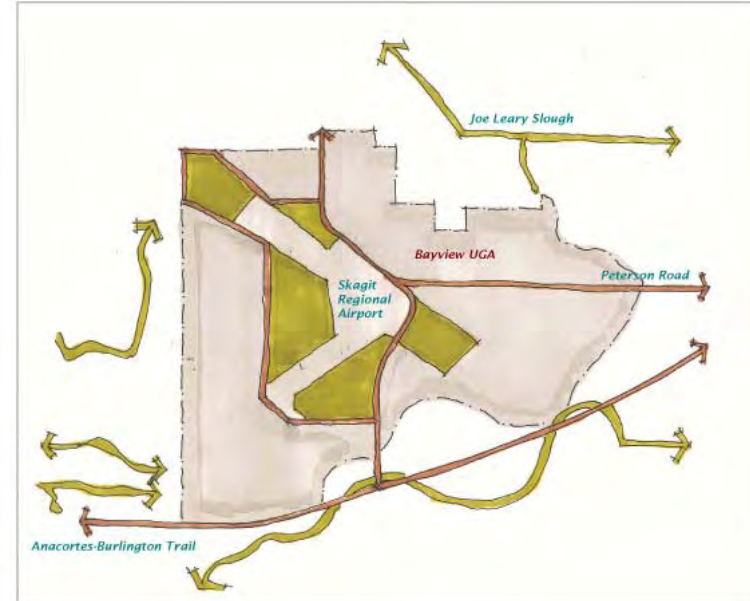
Depending on more detailed planning with affected property owners and interests, possible trail corridor alternatives could be located on or adjacent river dikes, local roadways, and city parklands.

Possible local trail systems could extend through the UGA to link the Centennial and Skagit River South Bank Trails by way of the Kulshan Trail, and adjacent to Beaver Pond, Little Mountain, and Big Lake on trails adjacent to Maddox and Carpenter Creeks, and Britt Slough.

The Mount Vernon UGA concept plan was produced during public workshops with city planning and parks staff, and City Council. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|--|--------------------------|-----------------|-------------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Mount Vernon UGA open space corridors</i> - could focus on the Skagit River, Nookachamps Creek, Barney Lake, and Britt Slough around the UGA and extend through the city on Maddox and Carpenter Creeks to link with the Kulshan Trail, Beaver Pond, Little Mountain as well as the downtown, city trails, parks, schools, and other assets. | 17% | 20% | 58% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.8 Bayview Ridge Urban Growth Area

Bayview's UGA open space concept – is defined by the lands surrounding the Skagit Regional Airport runways and storm retention areas, Joe Leary Slough, and the stream corridors that extend along SR-20 and west from the airport to Padilla Bay.

The FAA's required runway approach and buffer zones create sizable wooded preserves around the north, west, and south boundaries of the airport. The west edge of the property is adjoined by Paccar's testing facility which also contains sizable wooded buffer areas.

The airport stormwater retention system is located in the south airport boundary and includes a perimeter trail around the system that also extends north through the airport and industrial park to Josh Wilson Road.

The approach and buffer zone extends in open fields to the east across Avon Allen Road. Bayview's subarea plan proposes residential uses be developed to the edge of the buffer areas.

The Anacortes-Burlington Trail proposal – is to develop a trail linkage between the Centennial Trail in Burlington and the Tommy Thompson Trail in Anacortes.

Depending on more detailed planning with affected property owners and interests, possible trail corridor alternatives could be located within or adjacent to SR-20 right-of-way and/or adjacent to the drainage corridors and ditches that extend west to the Swinomish Channel.

The Bayview UGA concept plan was abstracted from public workshops and proposals conducted during the Bayview subarea planning process, and working sessions with Port of Skagit County staff. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|---|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>Bayview UGA open space corridors</i> - could incorporate the lands surrounding the runways and storm retention areas and extend through the UGA to link with Padilla Bay and Burlington? | 17% | 27% | 53% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.9 La Conner Urban Growth Area

La Conner's UGA open space concept - is defined by the Swinomish Channel, Sullivan Slough, and Skagit Bay through and around the UGA.

Skagit Bay and Sullivan Slough are relatively unconstrained natural estuary and freshwater drainage systems that extend along the eastern boundary of the UGA except where limited by a dike along the northern edge.

The Swinomish Channel is defined on the west edge by topography and along the entire east edge by dikes. A series of ditches drain the open farm fields into the Channel during low tides through a series of tidegates.

The channel through the La Conner UGA has been expanded for marinas and lined with buildings, piers, and docks on or adjacent to filled high ground or the dikes. The city has developed a series of overlook parks, landings, and segmented shoreline trails.

The Swinomish Channel Trail proposal - is to access a proposed ring dike around the town that would restore the town's original flood protection system. The dike would restore the segment on the north of the school and UGA limits.

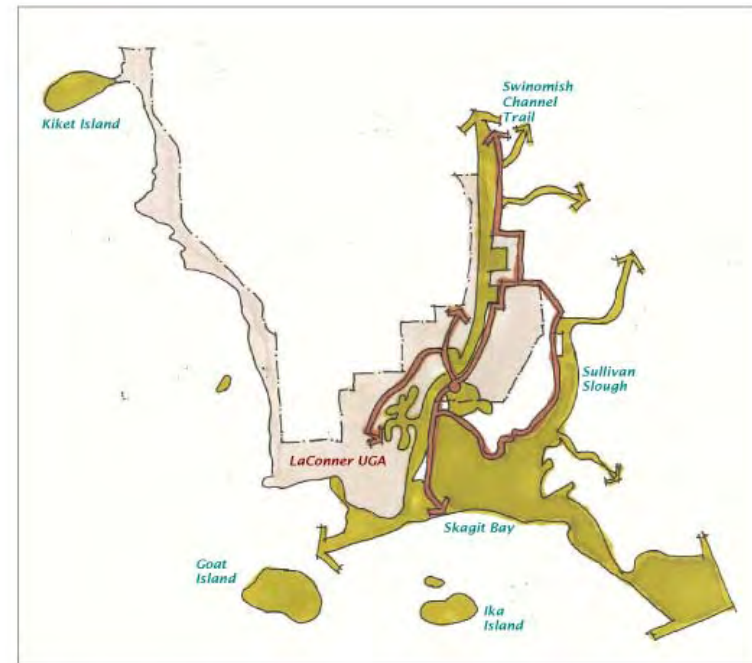
Depending on more detailed planning with affected property owners and interests, possible trail corridor alternatives could be located on or adjacent the ring dike and extend south along the Channel dike to Skagit Bay, and north along the dike to connect with the Anacortes-Burlington Trail proposal at SR-20.

The Town also proposes to eventually complete development of the shoreline trail system from the marina south through the downtown to Pioneer Park and a linkage with the proposed ring dike trail system.

The La Conner UGA concept plan was produced during public workshop sessions with the Town Planner and Planning Commission. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| | <i>low / high</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <u>UGA open space corridors</u> | | | |
| <u>LaConner/Swinomish UGA open space corridors</u> - could focus on the Swinomish Channel, Sullivan Slough, and Skagit Bay through and around the UGA and extend into the city, Swinomish Village, and Shelter Bay to link with the downtown, schools, trails, and parks? | 16% | 24% | 56% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.10 Swinomish Urban Growth Area

Swinomish's UGA open space concept - is defined by the Swinomish Channel, Shelter Bay, Skagit Bay, Saratoga Passage, and Kiket Island around the south and west sides of the UGA.

Skagit Bay shoreline below Eagle Crest and north of the Swinomish Channel jetty create a sandy and gravel beach under the high bank waterfront during low tides from the jetty through Shelter Bay's Martha Beach to the point of Pull & Be Damned Road along the southern boundary of the UGA. The beach shoreline extends north in Saratoga Passage under mostly high bank waterfront around Hope Island to Kiket Island Road.

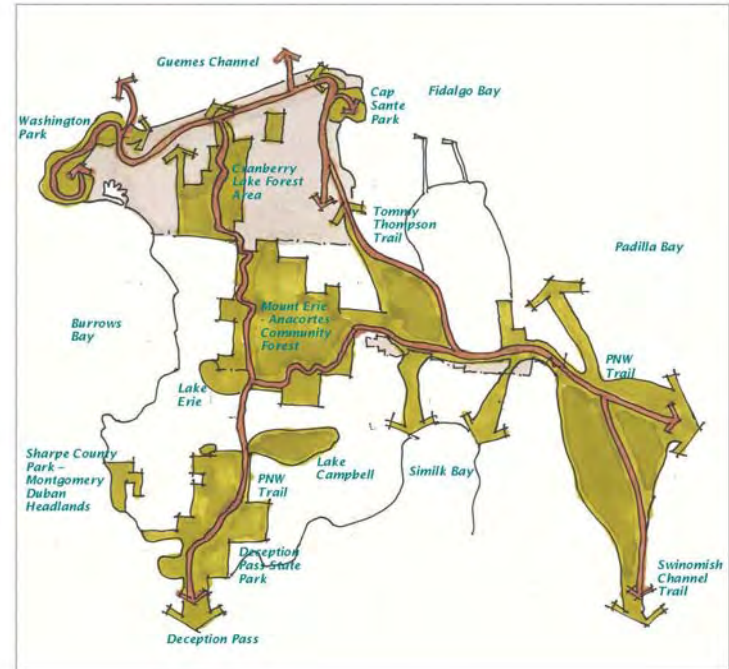
The Swinomish Channel defines the east edge of the Swinomish UGA through Shelter Bay marina, which is bordered by residential development on filled lands, the Tribal fish processing plant and marina, log sorting yard, and scattered rural residential developments.

A possible local trail system could be developed from Pioneer Park in La Conner across the channel on Rainbow Bridge and then through Shelter Bay on Shelter Bay Drive to Martha's Beach, and on Reservation Road through the village to access the Tribe's community center, longhouse, and public facilities. The trail could extend back to the channel shoreline on the former Morris Road alignment to the original swing bridge.

The Swinomish UGA concept plan was produced during working sessions with the Tribal Planners. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households as a combined La Conner/Swinomish UGA concept.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|--|--------------------------|-----------------|-------------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <u><i>La Conner/Swinomish UGA open space corridors</i></u> - could focus on the Swinomish Channel, Sullivan Slough, and Skagit Bay through and around the UGA and extend into the city, Swinomish Village, and Shelter Bay to link with the downtown, schools, trails, and parks? | 16% | 24% | 56% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.11 Anacortes Urban Growth Area

Anacortes's UGA open space concept - is defined by Similk and Fidalgo Bays, Guemes Channel, and Burrows Bay on the west, north, and east boundaries of the UGA, and by Cranberry Lake and the Community Forests, and Deception Pass State Park through the center of the UGA south across the unincorporated Fidalgo Island to Deception Pass.

The northeast and western edges of Fidalgo Bay have been modified since the city was established in 1891 by a series of piers, docks, marinas, and other waterfront constructions including oil refineries and railroad over water track extensions. The north edge of the city along Guemes Channel has also been modified by a successive

series of waterfront and shipping constructions. And the western edge of the city has been excavated and filled for Skyline Marina in Flounder Bay.

The north end of Similk Bay and south end of Fidalgo Bay, however, remain relatively undeveloped composed of a series of significant estuaries, tidelands, and wetlands. The city's Cap Sante and Washington Parks also preserve undisturbed natural shorelines, woodlands, and scenic vistas.

The city's Cranberry Lake Forest Area, Heart Lake State Park, and Mount Erie Community Forests preserve an extensive system of

woodlands, wetlands, and lakes extending from the center of the UGA south towards Lake Campbell that is accessed by an extensive system of local trails.

Open space fingers could connect these assets into an extended network of corridors extending around the waterfront and through the forests defining the edges of the UGA and linking with other parks, schools, residential neighborhoods, the historic downtown, and working waterfronts.

The Tommy Thompson Trail - currently extends south on former railroad right-of-way, track bed, and over water trestles from the Port of Anacortes's Cap Sante Marina past the Anacortes Marina and across Fidalgo Bay to SR-20. Future trail planning may extend the trail west within or adjacent to SR-20 to connect with the proposed Swinomish Channel Trail to La Conner, and the Anacortes-Burlington Trail past Bayview to Burlington and the Centennial Trail.

The Pacific Northwest (PNW) Trail proposal - is to extend a trail network south from the Pacific Northwest Trail at Mount Baker west and south through Bellingham and the Chuckanut Mountains to Anacortes, then south across Deception Pass and Whidbey Island to Coupeville, then across the Strait of Juan de Fuca to Port Townsend, and west to the Olympic Mountains.

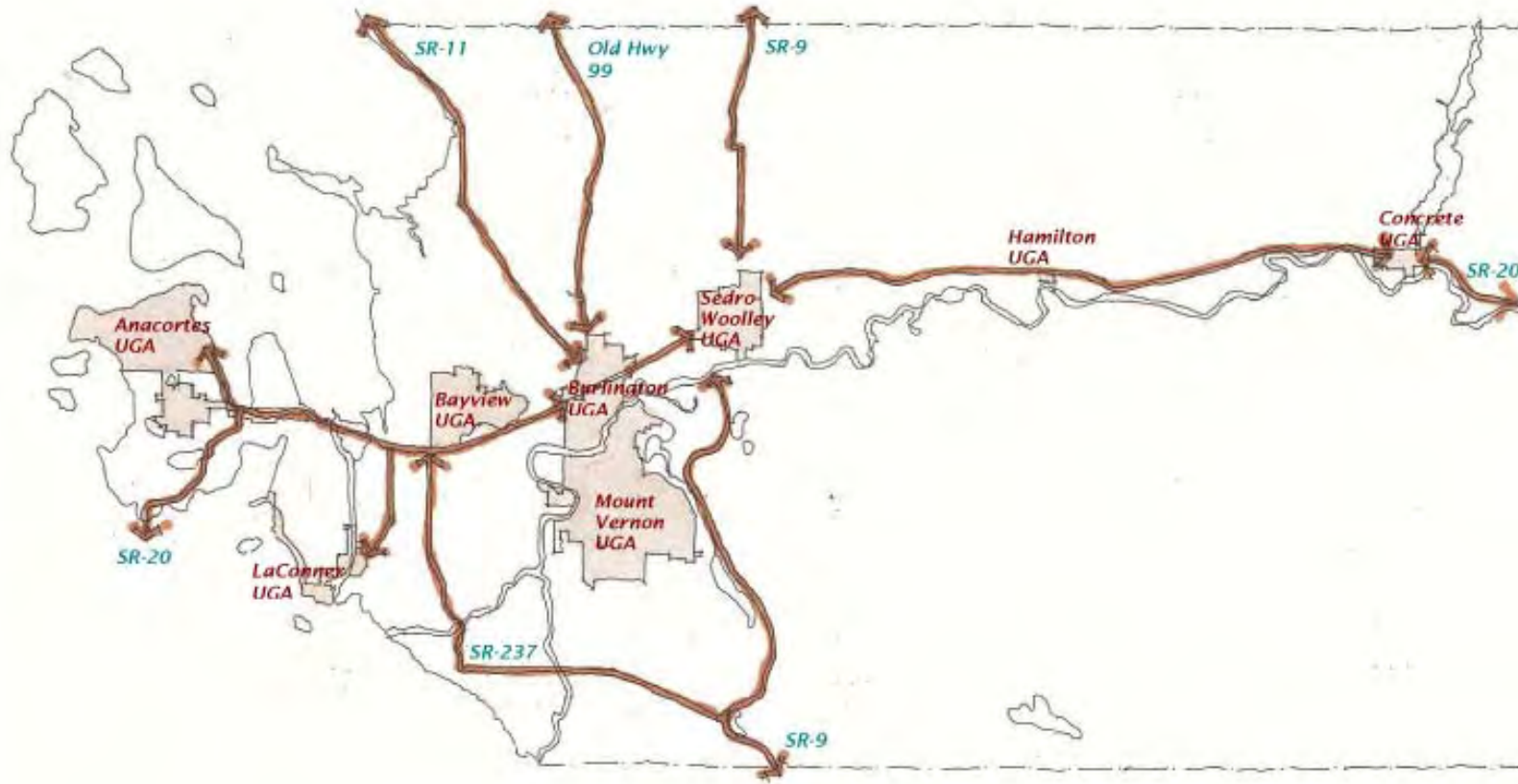
Depending on more detailed planning with affected property owners and interests, possible PNW trail corridor alternatives could be located on or adjacent dikes, roadways, utility rights-of-way, and city and state parklands through different trail segments.

The city also proposes to eventually complete development of the shoreline trail system from the end of the Tommy Thompson Trail at the Cap Sante Marina north through the downtown and waterfront then west to Washington Park. The trail would also provide linkages by ferry across the channel to Guemes Island, and into the San Juan Islands.

The Anacortes UGA concept plan was produced during public workshop sessions with the Park Planner and City Council. The concept was also vetted by the mail-out/phone-back survey with countywide registered voter households.

| <i>UGA open space corridors</i> | <i>low / high</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <u><i>Anacortes UGA open space corridors</i></u> - could focus on Cranberry Lake and Community Forests, and Deception Pass State Park through the UGA and extend into the city to link with the Tommy Thompson Trail, Cap Sante and Washington Parks, the downtown, marinas, city trails, schools, and other assets. | 12% | 22% | 61% |

As shown, a majority of countywide voter household survey participants gave the concept a high priority.



3.12 Scenic Roads

“Rural by Design” scenic overlay districts be established to conserve the “rural by design” scenic aspects (but not change land use allowances) for major roadway entries into and between UGAs including SR-9, SR-11, SR-20, Old Highway 99, and other significant rural county roads.

| | <i>low / high</i> | | |
|--|-------------------|----------|------------|
| | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| <i>UGA open space corridors</i> | | | |
| <i>“Rural by Design” scenic overlay districts</i> - be established to conserve the “rural by design” scenic aspects (but not change land use allowances) for major roadway entries into and between the UGAs including SR-9, SR-11, SR-20, Old Highway 99, and other significant rural county roads? | 16% | 31% | 50% |

Chapter 4: Implementation

Following is a summary description of the major tasks determined to be necessary to effectively implement the UGA Open Space Plan. The tasks represent the general priorities established by the SCOG coordinating group, workshops with interest groups and organizations, and the mail-out/phone-back survey of registered voter households.

As shown, a number of parties may be responsible for the lead and management, participation, and supporting aspects of each action – as described in the following summaries. The tasks are grouped according to subject matter and not priority.

4.1 Adopt plan

1 Adopt plan as GMA element – see Appendix A

Skagit County and the participating cities and UGAs including Concrete, Hamilton, Lyman, Sedro-Woolley, Burlington, Mount Vernon, Bay View, La Conner, and Anacortes, will complete actions necessary to adopt this planning document as a compliant element of the county, city, and UGA comprehensive and subarea plans in accordance with Growth Management Act (GMA) provisions outlined in Appendix A.

- **Participants** – County and City Councils with the assistance of the Skagit County Planning & Development Services Department and the participation of the Samish, Swinomish, and Upper Skagit Tribes, Port of Skagit County, Washington State Departments of Community, Trade & Economic Development (CTED), Natural Resources (DNR), Fish & Wildlife (DFW), Ecology (DOE), US Forest Service (USFS) and National Park Service (NPS), Skagit County Public Utilities District (PUD), Seattle City Light, and Puget Sound Energy (PSE), nonprofit organizations including Skagitians for Farmland Preservation, Nature Conservancy, and Skagit County Land Trust, among others, and citizens of the county.

Action

- Disseminate copies of this plan document – on county and city websites and CDs to appropriate public agencies and interested public and private parties in accordance with GMA adoption provisions.
- Conduct public hearing and record comments with County and City Planning Commissions – of this document as a stand-alone UGA open space element plan and make recommendations to County and City Councils in accordance with GMA provisions.
- Conduct public hearing and record comments with County and City Councils – of this document, comments received by Planning Commissions, recommendations made by Planning Commissions, and comments provided at hearing in accordance with GMA provisions.
- Adopt this plan and accompanying Capital Facilities Program (CFP) by County and City Councils – as an element of county and city comprehensive plans and implementing CFP in accordance with GMA provisions.

4.2 Create an implementation organization

2 Establish a Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) (see Appendix F)

Establish a countywide UGA Open Space Advisory Committee (SCUOSAC) to coordinate, oversee, and implement UGA open space programs and projects.

- **Participants** – at the Skagit County Council’s discretion, the membership of the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) may include members appointed from elected officials or staff of city, tribe, port, state departments, federal agencies, utility companies, nonprofit organizations, and private entities and individuals who have an interest in UGA open space, trail, and interpretive efforts but who do not present conflict-of-interest issues or perceptions during the submittal, award, or monitoring of subsequent UGA open space fund competitions.

Skagit County UGA Open space plan

Participants

A=approval role
 L=lead management role
 P=major participating role

- 1. County Council
- 2. Planning Commission
- 3. SCUOSC/Planning & Development Services
- 4. Parks & Recreation/Public Works Departments
- 5. Concrete, Hamilton, Lyman, Sedro-Woolley, Burlington, Mount Vernon, Bay View, La Conner, Anacortes
- 6. Samish, Swinomish, Upper Skagit Tribes
- 6. Port of Skagit County
- 8. CTED, DNR, DFW, DOE, WSDOT
- 9. USFS/NPS
- 10. Skagit PUD, Seattle City Light, PSE
- 11. Nonprofit organizations
- 12. Private and for-profit entities

| | | By year | | | | | | | | | | | | | | | | |
|--|---|---------|---|---|---|---|---|---|---|---|---|---|---|---|---|----|-----------------------------|--|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 0 | 1 | 2 | 3 | 6 | 7+ | Comments | |
| 4.1 Adopt plan | | | | | | | | | | | | | | | | | | |
| 1 | Adopt plan as GMA element | A | P | L | P | A | P | P | P | P | P | | | X | | | County and cities | |
| 4.2 Create an implementation organization | | | | | | | | | | | | | | | | | | |
| 2 | Establish UGA Open Space Committee (SCUOSC) | A | | L | P | A | P | P | P | P | P | P | | X | | | | |
| 4.3 Adopt financing strategy | | | | | | | | | | | | | | | | | | |
| 3 | Adopt impact fees - open space provisions | A | | L | P | A | P | P | | | | | P | X | | | With open space dedications | |
| 4 | Institute an UGA open space levy | A | | L | P | P | P | P | | | | | P | X | | | Countywide 6 year | |
| 4.4 Initiate UGA open space competitions | | | | | | | | | | | | | | | | | | |
| 5 | Establish public benefit criteria | A | P | L | P | P | P | P | P | P | P | P | P | X | | | | |
| 6 | Conduct open space RFP | A | | L | P | P | P | P | P | P | P | P | | X | X | X | Annual competitions | |
| 7 | Acquire/restore/enhance open spaces | A | | L | P | P | P | P | P | P | P | P | | X | X | X | | |
| 8 | Acquire/develop trails | A | | L | P | P | P | P | P | P | P | P | | X | X | X | | |
| 9 | Acquire/develop interpretive facilities | A | | L | P | P | P | P | P | P | P | P | | X | X | X | | |
| 4.5 Monitor progress | | | | | | | | | | | | | | | | | | |
| 10 | Conduct progress assessments | A | P | L | P | P | P | P | P | P | P | P | | X | X | X | With every CFP update | |

Action

- **The County Council will formally approve the role and responsibility** - of a Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) organization as the countywide UGA open space facilitating, coordinating, and implementation agent.
- **Coordinate UGA open space plans, programs, projects, and other actions** - to be accomplished by the county, cities, tribes, port, state, federal, utility, nonprofit, and for-profit participants.
- **Engage the public** - of the implications of current and forecast urban and rural development trends, the need to establish UGA open space separators and countywide open space and trail networks, and the impact open space issues have on the economic well being and development of the county-at-large.
- **Resolve a funding strategy** - necessary to effectively finance on a continuous basis the preservation, restoration, enhancement, and management of UGA and countywide networks of open space, trails, and interpretive facilities.
- **Monitor implementation** - to ensure the actions proposed in this plan are effectively realized by the assigned participants.

4.3 Adopt a financing strategy

3 Consider adopting growth impact fees for open space, trails, and interpretive facilities

Evaluate the option of adopting limited purpose county or countywide open space (park) and trail (traffic) impact fees to be dedicated to UGA and countywide networks of open space, trails, and interpretive facilities in or adjacent the UGAs and of the countywide networks connecting the UGAs.

- **Participants** - the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) with the participation and approval of the County and City Councils, Planning Commissions, Parks & Recreation Departments, Public Works Departments, property owners and developers, nonprofit organizations, and citizens.

Action

- **Design and test jurisdiction and public support** - for limited purpose open space (park) and trail (traffic) growth impact fees that would assess new residential and commercial developments the cost and value of maintaining the existing level-of-service (LOS) for open space, trails, and interpretive facilities on a UGA countywide basis to match contributions from the UGA open space levy and to be overseen by the Skagit County UGA Open Space Advisory Committee.
- **Where feasible, adopt and assess impact fees** - to be expended for open space, trails, and interpretive facilities by participating jurisdiction and UGA or on a countywide basis if all jurisdictions participate.
- **Capitalize the impact fee revenues** - to issue Revenue Bonds with which to initiate request-for-proposal (RFP) competitions for preservation through acquisition of development rights or property only - since restoration and enhancement projects, maintenance and management programs would not create added capacity and therefore not be eligible - with which to maintain the UGA and countywide open space, trail, and interpretive network level-of-service (LOS).

4 Institute countywide UGA open space levy (see Appendix F)

Submit and obtain voter approval of a special property tax levy with which to create a capital fund necessary for preserving, restoring, enhancing, and managing UGA and countywide networks of open space, trails, and interpretive facilities.

- **Participants** - the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) with active participation and support of city, tribe, port, state, federal, utility, nonprofit organizations, and private entities and individuals who have an interest in UGA open space, trail, and interpretive efforts.

Action

- **Design and test public support** - for a special property tax levy to match public and nonprofit donations, grants, loans, and other funding measures with which to create a capital fund necessary for implementing the preservation, restoration, enhancement, and management programs and projects to be

overseen by the Skagit County UGA Open Space Advisory Committee.

- Submit and approve a special property tax levy - to run at a fixed rate for a specified number of years and/or at an initially higher rate until a specified amount is created (at which time the levy sunsets) with which to create a capital fund necessary for implementing UGA and countywide open space, trails, and interpretive network.
- Capitalize the levy revenues - to issue Revenue Bonds with which to initiate request-for-proposal (RFP) competitions for preservation through acquisition of development rights or property, restoration and enhancement projects, maintenance and management programs with which to implement the UGA and countywide open space, trail, and interpretive networks.

4.4 Initiate UGA open space competitions

5 Establish public benefit criteria (see Appendix G)

The Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) will establish performance and participation criteria with which to issue request-for-proposal (RFP) competitions for use of countywide UGA open space levy and optional growth impact fee funds.

- Participants - the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) with active participation and support of city, tribe, port, state, federal, utility, nonprofit organizations, and private entities and individuals who have an interest in UGA open space, trail, and interpretive efforts.

Action

- Determine UGA open space objectives - including the preservation, restoration, enhancement, and maintenance objectives for each UGA and countywide based on each participating city and community planning area's adopted plans and proposals.
- Define public benefit criteria - to be used to judge and award competitive UGA open space, trail, and interpretive submittals and succeeding contracts including minimum requirements for matching funds, donations, labor, materials, performance agreements, and other particulars.

- Conduct public hearings and approve performance and participation criteria - including mandatory and performance-based project/program objectives and public benefit criteria, and the compliance terms for the awarding and monitoring of UGA open space funds.

6 Conduct UGA open space request-for-proposals (RFP) competitions

Conduct UGA open space request-for-proposal (RFP) competitions where the county, cities, tribes, port, state agencies, federal agencies, utility companies, nonprofit organizations, and private or for-profit entities compete for the opportunity of receiving grants from the UGA tax levy and growth impact fees for preservation, restoration, enhancement, and/or maintenance projects or programs.

- Participants - the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) with potential proposals to be submitted by the county, cities, tribes, port, state departments, federal agencies, utility companies, nonprofit organizations, and private entities and individuals who have projects and programs that qualify for UGA open space, trail, and interpretive funds.

Action

- Develop a competitive request-for-proposal (RFP) process - governing the submittal of project and program proposals for UGA open space, trail, and interpretive projects and programs.
- Judge proposals - by ranking proposals for compliance with and the furthering UGA open space project or program objectives and the public benefit rating criteria including consideration of open space characteristic intrinsic environmental and wildlife quality, extent of development threat, leveraged funds, UGA edge and rural land transitions, maintenance and management capabilities and commitments, and other factors adopted from task 5.
- Award projects and programs - following public hearings and review procedures, the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) may award UGA open space tax levy and growth impact fee monies to the project and program proposals ranked to realize the most objectives and have the

most open space, trail, and interpretive benefits to the UGAs, adjacent rural lands and uses, and on a countywide basis.

7 Acquire/restore/enhance open spaces

Based on the result of task 6, award and fund proposals that preserve through acquisition of development rights or property title, restore environmental character and wildlife habitat, enhance rural agricultural, forest, or other open space features and activities within, adjacent, or between the UGAs and countywide.

- **Participants** – the county, cities, tribes, port, state departments, federal agencies, utility companies, nonprofit organizations, and private entities and individuals who have projects and programs that qualify for and receive UGA open space, trail, and interpretive funds.

Action

- **Select project proposals and award funds** – from the UGA open space levy and/or growth impact fees based on the RFP proposal terms, conditions, and submitted performance agreements.
- **Approve contractual terms** – concerning the acquisition of development rights or property title, restoration of environmental and wildlife habitat, enhancement of rural agriculture, forest, or other open space features and activities and the matching funds, labor, materials, and other leveraging and commitments made by the submitting entity.
- **Monitor compliance** – with the contents of the selected proposal and resulting contractual terms from the award of UGA open space levy and/or growth impact fee funds.

8 Acquire/develop trails

Based on the result of task 6, award and fund proposals that acquire trail corridor easements, use rights, or property, develop, maintain, and manage public access trails alongside, within, or between UGA open space networks.

- **Participants** – the county, cities, tribes, port, state departments, federal agencies, utility companies, nonprofit organizations, and private entities and individuals who have trail

access projects and programs that qualify for and receive UGA open space, trail, and interpretive funds.

Action

- **Select project proposals and award funds** – from the UGA open space levy and/or growth impact fees based on the RFP proposal terms, conditions, and submitted performance agreements.
- **Approve contractual terms** – concerning the acquisition of easements, use rights, or property title, and develop, maintain, and manage public access trails alongside, within, or between UGA open space networks and the matching funds, labor, materials, and other leveraging and commitments made by the submitting entity.
- **Monitor compliance** – with the contents of the selected proposal and resulting contractual terms from the award of UGA open space levy and/or growth impact fee funds.

9 Acquire/develop interpretive facilities

Based on the result of task 6, award and fund proposals that acquire easements, use rights, or property; develop, maintain, and manage publicly accessible signage, exhibits, centers, tours, programs, and other facilities or activities that interpret the environment, wildlife, history or culture, rural land use, or other open space features within, adjacent, or between the UGAs.

- **Participants** – the county, cities, tribes, port, state departments, federal agencies, utility companies, nonprofit organizations, and private entities and individuals who have public interpretive projects and programs that qualify for and receive UGA open space, trail, and interpretive funds.

Action

- **Select project proposals and award funds** – from the UGA open space levy and/or growth impact fees based on the RFP proposal terms, conditions, and submitted performance agreements.
- **Approve contractual terms** – concerning the acquisition of easements, use rights, or property title, and develop, maintain, and manage publicly accessible interpretive signage, exhibits,

centers, tours, or programs alongside, within, or between UGA open space networks and the matching funds, labor, materials, and other leveraging and commitments made by the submitting entity.

- Monitor compliance – with the contents of the selected proposal and resulting contractual terms from the award of UGA open space levy and/or growth impact fee funds.

4.5 Monitor UGA open space initiatives

10 Issue annual and periodic reports and update the UGA Open Space Plan on a frequent basis

The Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) will issue annual reports and update the UGA Open Space Plan on a frequent basis to ensure the above measures achieve the UGA open space, trail, and interpretive results intended.

- Participants – the Skagit Countywide UGA Open Space Advisory Committee (SCUOSAC) with active participation and support of city, tribe, port, state, federal, utility, nonprofit organizations, and private entities and individuals who have an interest in UGA open space, trail, and interpretive efforts.

Action

- Conduct annual progress assessments - to review action on projects and policies identified in the UGA Open Space Plan and evaluate the:
 - Acreage preserved - adjacent, within, or between the UGAs by acquisition of development rights or property and the degree to which the projects resolved development threats, linked with other open space assets, reduced urban/rural edge conflicts,
 - Acreage restored – adjacent, within, or between the UGAs and the resulting environmental, wildlife, or rural qualities achieved,
 - Acreage enhanced – adjacent, within, or between the UGAs and the increased environmental, wildlife, or rural upgrade realized,
 - Miles of public access trails developed, maintained, or managed – adjacent, within, or between the UGAs and

the extent to which the trails connect with other city and county trail systems,

- Interpretive facilities and programs installed, developed, provided, or managed - adjacent, within, or between the UGAs and the extent to which the programs increased public access, awareness, education, and appreciation of the county and city's open space assets.
- Revise and update the UGA Open Space Plan and implementing strategies - and make revisions or adjustments to county, city, and other jurisdiction plans and policies necessary to improve methods, assign responsibilities, or take other measures necessary to be effective.



Appendix A: GMA UGA open space requirements & Skagit County policies

Following are abstracted sections of the Washington State Growth Management Act (GMA – RCW 36.70A) that define urban separator requirements and provisions that deal with the designation, acquisition, management, and other issues involving open space separators.

The sections are presented in the sequence as adopted or described in the RCW. *Specific text is highlighted that contains language and/or provisions that are most pertinent to the objective of creating UGA open space.*

The full text of these sections and the RCW proper is available on the Washington State website at:
<http://apps.leg.wa.gov/Rcw/default.aspx?Cite=36.70A>

A.1: RCW 36.70A.011 – Findings – Rural lands

The legislature finds that this chapter is intended to recognize the importance of rural lands and rural character to Washington's economy, its people, and its environment, while respecting regional differences. Rural lands and rural-based economies enhance the economic desirability of the state, help to preserve traditional economic activities, and contribute to the state's overall quality of life.

The legislature finds that to retain and enhance the job base in rural areas, rural counties must have flexibility to create opportunities for business development. Further, the legislature finds that rural counties must have the flexibility to retain existing businesses and allow them to expand. The legislature recognizes that not all business developments in rural counties require an urban level of services; and that many businesses in rural areas fit within the definition of rural character identified by the local planning unit.

Finally, the legislature finds that in defining its rural element under RCW 36.70A.070(5), a county should foster land use patterns and develop a local vision of rural

*character that will: Help preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and **preservation of open space**; and enhance the rural sense of community and quality of life.*
[2002 c 212 § 1.]

A.2: RCW 36.70A.060 – Natural resource lands and critical areas – Development regulations

(1)(a) Except as provided in *RCW 36.70A.1701, each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. **Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.**

(b) *Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands,*

forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(2) Each county and city shall adopt development regulations that protect critical areas that are required to be designated under RCW 36.70A.170. For counties and cities that are required or choose to plan under RCW 36.70A.040, such development regulations shall be adopted on or before September 1, 1991.

For the remainder of the counties and cities, such development regulations shall be adopted on or before March 1, 1992.

(3) Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may alter such designations and development regulations to insure consistency.

(4) Forest land and agricultural land located within urban growth areas shall not be designated by a county or city as forest land or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

[2005 c 423 § 3; 1998 c 286 § 5; 1991 sp.s. c 32 § 21; 1990 1st ex.s. c 17 § 6.]

NOTES:

*Reviser's note: RCW 36.70A.1701 expired June 30, 2006.

Intent -- Effective date -- 2005 c 423: See notes following RCW 36.70A.030.

A.3: RCW 36.70A.070 – Comprehensive plan – mandatory elements

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140.

Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses.

The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity.

Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound....

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital

facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. *Park and recreation facilities shall be included in the capital facilities plan element....*

(5) A rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. *To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.*

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;*
- (ii) Assuring visual compatibility of rural development with the surrounding rural area;*

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170....

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) *an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.*

Findings -- Intent -- 2005 c 360: "The legislature finds that regular physical activity is essential to maintaining good health and reducing the rates of chronic disease. The legislature further finds that providing opportunities for walking, biking, horseback riding, and other regular forms of exercise is best accomplished through collaboration between the private sector and local, state, and institutional policymakers. This collaboration can build communities where people find it easy and safe to be physically active. It is the intent of the legislature to promote policy and planning efforts that increase access to inexpensive or free

opportunities for regular exercise in all communities around the state."

[2005 c 360 § 1.]

A.4: RCW 36.70A.090 – Comprehensive plan – innovative techniques

A comprehensive plan should provide for innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments, *and the transfer of development rights.*

[1990 1st ex.s. c 17 § 9.]

A.5: RCW 36.70A.100 – Comprehensive plans – must be coordinated

The comprehensive plan of each county or city that is adopted pursuant to RCW 36.70A.040 shall be coordinated with, and consistent with, the comprehensive plans adopted pursuant to RCW 36.70A.040 of other counties or cities with which the county or city has, in part, common borders or related regional issues.

[1990 1st ex.s. c 17 § 10.]

A.6: RCW 36.70A.160 – Identification of open space corridors – Purchase authorized

Each county and city that is required or chooses to prepare a comprehensive land use plan under RCW 36.70A.040 shall identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030. Identification of a corridor under this section by a county or city shall not restrict the use or management of lands within the corridor for agricultural or forest purposes.

Restrictions on the use or management of such lands for agricultural or forest purposes imposed after identification solely to maintain or enhance the value of such lands as a

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Appendix A: GMA requirements
Skagit County UGA Open Space Plan

corridor may occur only if the county or city acquires sufficient interest to prevent development of the lands or to control the resource development of the lands.

The requirement for acquisition of sufficient interest does not include those corridors regulated by the interstate commerce commission, under provisions of 16 U.S.C. Sec. 1247(d), 16 U.S.C. Sec. 1248, or 43 U.S.C. Sec. 912. Nothing in this section shall be interpreted to alter the authority of the state, or a county or city, to regulate land use activities.

The city or county may acquire by donation or purchase the fee simple or lesser interests in these open space corridors using funds authorized by RCW 84.34.230 or other sources. [1992 c 227 § 1; 1990 1st ex.s. c 17 § 16.]

A.7: RCW 36.70A.165 – Property designated as greenbelt or open space – Not subject to adverse possession

The legislature recognizes that the preservation of urban greenbelts is an integral part of comprehensive growth management in Washington. The legislature further recognizes that certain greenbelts are subject to adverse possession action which, if carried out, threaten the comprehensive nature of this chapter.

Therefore, a party shall not acquire by adverse possession property that is designated as a plat greenbelt or open space area or that is dedicated as open space to a public agency or to a bona fide homeowner's association.

[1997 c 429 § 41.]

NOTES:

Severability -- 1997 c 429: See note following RCW 36.70A.3201.

A.8: RCW 36.70A.177– Agricultural lands – Innovative zoning techniques – Accessory uses

(1) A county or a city may use a variety of innovative zoning techniques in areas designated as agricultural lands of long-

term commercial significance under RCW 36.70A.170. The innovative zoning techniques should be designed to conserve agricultural lands and encourage the agricultural economy. Except as provided in subsection (3) of this section, a county or city should encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes.

(2) Innovative zoning techniques a county or city may consider include, but are not limited to:

(a) Agricultural zoning, which limits the density of development and restricts or prohibits nonfarm uses of agricultural land and may allow accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production, as provided in subsection (3) of this section;

(b) Cluster zoning, which allows new development on one portion of the land, leaving the remainder in agricultural or open space uses;

A.9: RCW 36.70A.210 – County-wide planning policies

(1) The legislature recognizes that counties are regional governments within their boundaries, and cities are primary providers of urban governmental services within urban growth areas. For the purposes of this section, a "county-wide planning policy" is a written policy statement or statements used solely for establishing a county-wide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent as required in RCW 36.70A.100. Nothing in this section shall be construed to alter the land-use powers of cities....

A.10: RCW 36.70A.560 – Viability of agricultural lands – Deferral requirements - Definition

(1) For the period beginning May 1, 2007, and concluding July 1, 2010, counties and cities may not amend or adopt critical area ordinances under RCW 36.70A.060(2) as they specifically apply to agricultural activities....

(3) For purposes of this section and RCW 36.70A.5601, "agricultural activities" means agricultural uses and practices currently existing or legally allowed on rural land or agricultural land designated under RCW 36.70A.170 including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, when the replacement facility is no closer to a critical area than the original facility; and maintaining agricultural lands under production or cultivation.

[2007 c 353 § 2.]

A.11: Skagit Countywide Planning Policies – 9. Open space and recreation

Following are abstracted sections of the Skagit County Comprehensive Plan that define open space policies. *Specific text is highlighted that contains language and/or provisions that are most pertinent to the objective of creating UGA open space.*

The full text may be viewed at the county website at http://www.skagitcounty.net/Common/asp/default.asp?d=PlanningAndPermit&c=General&p=comp_toc.htm

Skagit County shall:

9. Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

9.1 Open space corridors within and between urban growth areas shall be identified. These areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas.

9.2 To preserve open space and create recreational opportunities, innovative regulatory techniques and incentives such as but not limited to, purchase of development rights, transfer of development rights, conservation easements, land trusts and community acquisition of lands for public ownership shall be encouraged.

9.3 The use of Open Space Taxation Laws shall be encouraged as a useful method of land use control and resource preservation.

9.4 Expansion and enhancement of parks, recreation and scenic areas and viewing points shall be identified, planned for and improved in shorelands, and urban and rural designated areas.

9.5 Property owners shall be encouraged to site and design new construction to minimize disruption of visual amenities and solar resources of adjacent property owners, public road ways, parks, lakes, waterways and beaches.

9.6 Development of new park and recreational facilities shall adhere to the policies set out in this Comprehensive Plan document.

9.7 The Skagit Wild and Scenic River System (which includes portions of the Sauk, Suiattle, Cascade and Skagit Rivers) is a resource that should be protected, enhanced and utilized for recreation purposes when there are not potential conflicts with the values (fisheries, wildlife, and scenic quality) of the river system.

9.8 Incompatible adjacent uses including industrial and commercial areas shall be adequately buffered by means of landscaping, or by maintaining recreation and open space corridors.

9.9 A park and recreation system shall be promoted which is integrated with existing and planned land use patterns.

9.10 Indoor and outdoor recreation facilities shall be designed to provide a wide range of opportunities allowing for individual needs of those using these facilities.

9.11 School districts, public agencies and private entities should work together to develop joint inter-agency agreements to provide facilities that not only meet the demands of the education for our youth, but also provide for public recreation opportunities that reduce the unnecessary duplication of facilities within Skagit County.

9.12 In planning new park and recreation facilities, Skagit County shall take into consideration natural features, topography, floodplains, relationship to population characteristics, types of facilities, various user group needs and standards of access including travel time.

A.12: Skagit County Comprehensive Plan – Open space policies

Open Space

As discussed in greater detail in the Urban, Open Space and Land Use Profile, there are two major categories of Open Space in Skagit County: public, and private. Open space lands in private ownership play an important role in maintaining ecological, scenic, and natural resource values, but because of their private nature they are not shown on the Comprehensive Plan/Zoning Map. Public open space lands are those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive areas. *Where identified below to be of regional or statewide importance, such lands are designated on the*

Comprehensive Plan/Zoning Map. Other publicly held lands, such as local neighborhood parks, scenic roads and highways, shorelines, rivers and streams, and utility corridors, *although not designated as open space on the Comprehensive Plan Map*, nevertheless offer similar open space functions and benefits.

Goal B Open Space

Recognize the important functions served by private and public open space, designate and map public open space of regional importance, and designate open space corridors within and around urban growth areas.

2B-1.1 Public open space areas are those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive. They include:

a. Neighborhood and community parks. These should be linked by open space networks whenever possible.

b. Land that offers special natural resource-based and recreational opportunities, such as: federal, state and local regionally important parks and recreation areas; islands; federal wilderness areas; wildlife refuges; lakes; reservoirs; creeks; streams; river corridors; shorelines and areas with prominent views.

c. Lands which include a significant historic, archaeological, scenic, cultural or unique natural feature.

d. Areas that take advantage of natural processes, wetlands, tidal actions and unusual landscape features such as cliffs and bluffs.

2B-1.2 Of these public open space areas, the County has designated certain ones on the Comprehensive Plan/Zoning Map as Public Open Space of Regional/Statewide Importance (OSRSI). These areas are so identified because their recreational, environmental, scenic, cultural and other open space benefit extend beyond the local area to be regional or statewide in

significance. They include:

- Deception Pass State Park;
- Montgomery-Duban Headlands Park;
- Burrows Island;
- Saddlebag Island;
- Hope Island;
- Ika Island;
- Huckleberry Island;
- Skagit Island;
- Larrabee, Rasar, and Bayview State Parks;
- PUD #1 Judy Reservoir;
- Skagit Wildlife Refuge;
- North Cascades National Park;
- Noisy Diobsud Wilderness;
- Glacier Peak Wilderness;
- Ross Lake National Recreation Area;
- Mount Baker National Forest;
- Seattle City Light Wildlife Mitigation Lands;
- Rockport State Park;
- WA Department of Natural Resources Natural Resource Conservation Areas and Natural Area Preserves; and
- portions of the Northern State Recreation Area.

2B-1.3 *By December 1, 2007, Skagit County will develop a program to identify and prioritize open space corridors and greenbelts within and between UGAs that include lands useful for recreation, wildlife habitat, trails, and connection of critical areas. The program will include a list identifying and prioritizing open space and greenbelt lands desirable for public acquisition. Any potential acquisition that may be proposed by such a program will not include any condemnation actions, but instead will be achieved by voluntary donation, CaRD subdivision, or mutually agreeable sale.*

2B-1.4 Private Open Space is privately owned land that has been or will be set aside by the operation of the Critical Areas Ordinance, by voluntary conservation or by other means. These lands may include:

a. Critical areas as defined in the Critical Areas Ordinance.

b. Lands with conservation and land reserve easements in place.

c. Lands within urban growth areas that are wooded and serve a functional purpose in climate, noise, light or pollution control, or provide wildlife habitat or greenbelts.

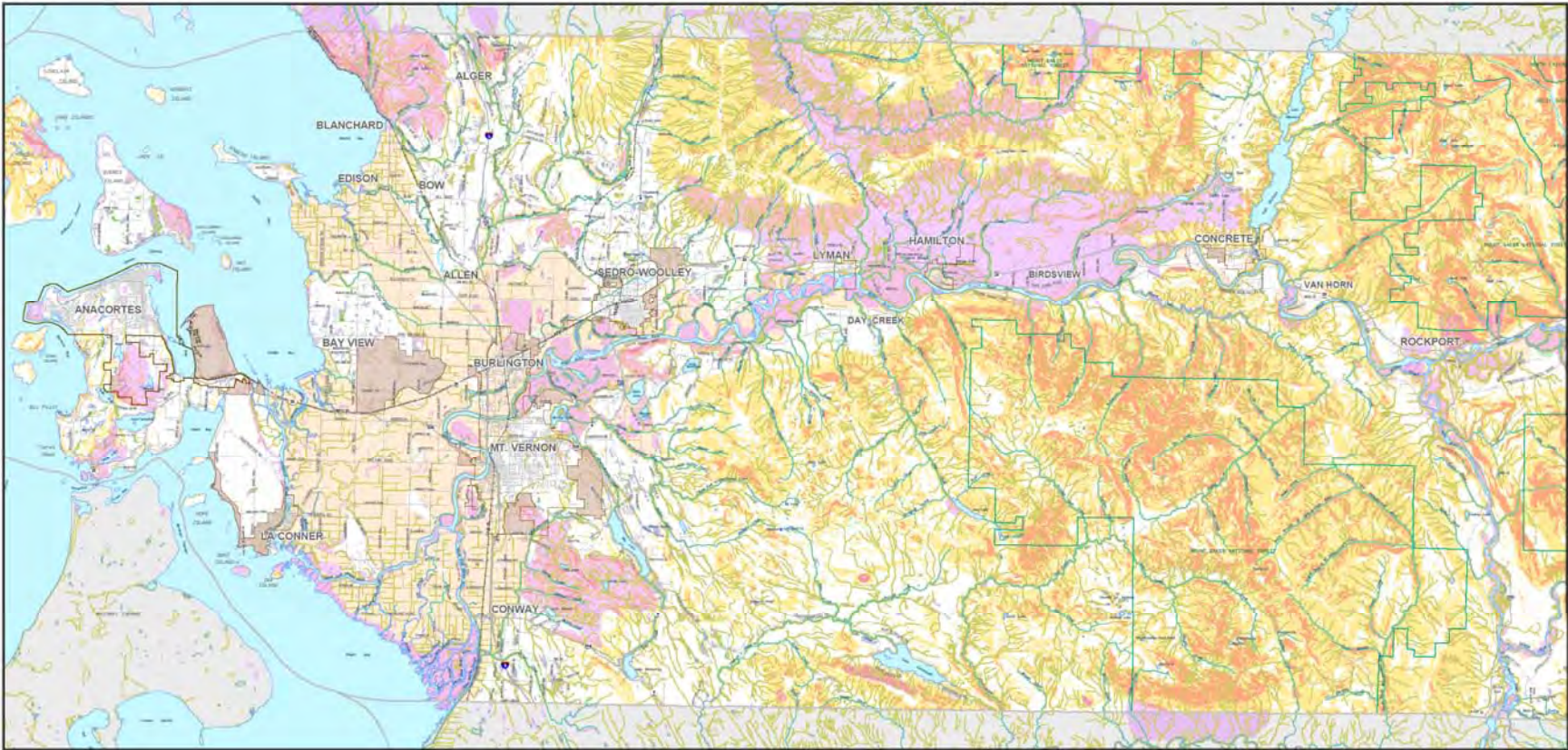
d. Lands that can provide for a separation between communities, minimize or prevent sprawl, provide a buffer between urban and rural areas, or between natural resource lands and rural areas.

2B-1.5 The Current Use Open Space Taxation Program includes properties utilized for agricultural, timber and open space uses as provided in RCW 84.34. Property owners should be encouraged to enroll in the Current Use Open Space Taxation Program



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Appendix A: GMA requirements
Skagit County UGA Open Space Plan



Appendix B: Resources

At least 35 public, non-profit, and private organizations are involved in open space preservation, enhancement, and maintenance within Skagit County – though not all are directly involved in such activities in or around the UGAs.

Workshops were conducted with most of these organizations at the beginning of this planning process in order to determine their mission, resources, programs, projects, and other particulars.

The following pages summarily describe each organization based on information provided during the workshop sessions, mapping data recorded in Skagit County's GIS system, and organization publications.

Each organization's land holdings are depicted in the graphic at the top of each jurisdiction's page based on the county's current GIS records. The county's records may be incomplete in some instances where the property record searches do not recognize all the titles under which an organization may own easements or lands – or

instances where the title includes other jurisdiction or landholder names or references.

Due to the extreme complexity of the GIS mapping characteristic overlays and map scale, the organization's graphic only shows UGA boundaries in relation to the property easements or title holdings on record for the western portions of Skagit County. The purpose of the graphic is to illustrate the dimensions of each organization's landholdings in relation to the county as a whole and the UGAs in particular.

The simplified organizational landholding graphics are correlated with the water, slope, roadway, and UGA base map shown on the first page of this introduction section. Large scale graphics that may include mapping characteristic overlays are too complex to display in this report format - but are available from the Skagit County GIS Department for those that are interested.



B.7: Padilla Bay National Estuarine Research Reserve (NERR)

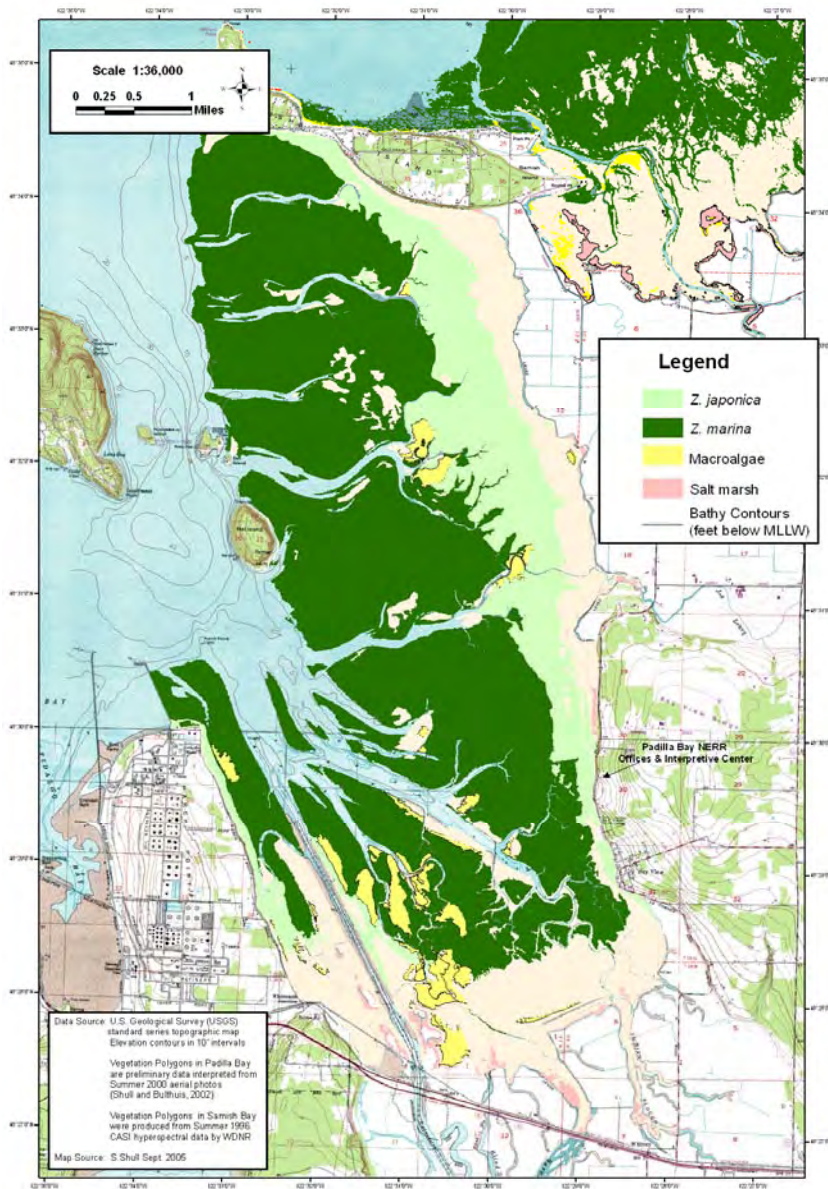
www.padillabay.gov



The National Estuarine Research Reserve System is administered by the National Oceanic & Atmospheric Administration (NOAA) under the US Department of Commerce. The system was created under the federal Coastal Zone Management Act of 1972 and includes reserves throughout the coastal United States and Puerto Rico. The system was created to promote scientific research and public education about valuable estuarine resources and to protect representative estuaries for long-term study.

Padilla Bay Reserve, part of NOAA’s National Estuary Research Reserve System and the only NERR in Washington State, was designated in 1980 and is managed by the Washington State Department of Ecology. The Reserve owns and manages approximately 11,000 acres of the bay and nearly 200 upland acres.

Thousands of years ago - the Skagit River meandered back and forth between Skagit and Padilla Bays. Huge brackish marshes lay north and south of Bay View Ridge, where the Center is now located.



When settlers arrived in the late 1900s, the Skagit River emptied into Skagit Bay. Agricultural dikes confine the river to its present course. Today Padilla Bay's fresh water comes from a number of small sloughs that drain directly into the bay and indirectly from rivers that flow into Puget Sound and the Strait of Georgia.

Padilla Bay - is part of the Puget Sound and Strait of Georgia estuary. The Bay is an estuary at the saltwater edge of the large delta of the Skagit River approximately 8 miles long and 3 miles across. Because the bay is filled with sediment from the Skagit River, the bottom is very shallow, flat, and muddy. The bay is so shallow that almost the whole bay is intertidal - meaning it is flooded at high tide. The whole bay empties when the tide goes out exposing miles and miles of mud flats that allow unusually large eelgrass meadows to grow. There are nearly 8,000 acres of eelgrass in Padilla Bay.

Padilla Bay's eelgrass meadows are the largest in the state, offering feeding areas for migratory waterfowl, nursery areas for young fish and crabs, and habitat for a complex community of organisms. Low tide exposes a vast mud flat supporting millions of worms, shrimp, clams, and other invertebrates.

The Coastal Training Program - provides training to professional who deal with coastal issues or work in businesses that affect coastal areas. Other education programs are offered for youth programs, school programs (pre-kindergarten-high school), and programs for the general public covering a wide range of estuarine topics.

Research is conducted at Padilla Bay to monitor plant and animal populations, evaluate sources of pollution, protect water quality, and to understand ecological process operating in the bay and the bay's relationship to greater Puget Sound. Research programs distribute information and data to resource managers and scientists to further understanding of estuaries.

The Breazeale Interpretive Center - sits on 64 upland acres and overlooks the bay. The center provides a place for people of all ages to learn more about estuaries, watersheds, and coastal areas. The center provides interactive exhibits, saltwater aquaria, hands-on room, curriculum and reference library, meeting rooms, a theater, and trails.

Other facilities include a field lab and overnight quarters for visiting researchers. The Breazeale House provides offices for staff and a small meeting room.



Shore Trail – is a level, 2.25 mile dike-top bike and hike trail that follows the southeastern shore of Padilla Bay. The trail includes interpretive signage explaining the natural history and ecology of the Padilla Bay estuary.

Upland Trail – is a 0.8 mile loop winding through meadows and forest habitat with a view of Mount Baker at the top. The trail begins at the parking lot behind the barn and continues halfway as a paved wheelchair access and the balance as a gravel path.

Observation Deck – a walkway from the Interpretive Center extends toward the beach and an observation deck overlooking the bay. A wheelchair access ramp and spiral stairs lead to the beach.

Volunteer and stewardship projects – include a wide variety of activities involving removal of invasive species (thistle, English ivy and holly, blackberry, and Spartina), monitoring of European green crab,

documentation of creosote logs, tires, and other wastes, and surveys of birds, amphibians, plants, and other species.

Upcoming stewardship activities will develop an Upland Management Plan, remove and dispose of old logs, tires, and other debris, classify habitats, and restore plantings.

Other public involvement programs include:

- **Stream Team** – citizen volunteers collecting water quality and monitoring data to assess the health of several sources of fresh water to Skagit County estuaries,
- **No Name Slough** – citizens improving environmental conditions in the watershed,
- **The Demonstration Farm** – an outdoor laboratory testing agricultural practices, providing demonstrations and education on minimizing agricultural non-point pollution impacts to water quality,
- **Padilla Bay Foundation** – member information on opportunities to protect Padilla Bay and support the Reserve,
- **Northwest Straits Commission** – a grassroots effort to protect marine resources in northwest Washington, from the Strait of Juan de Fuca and northern Puget Sound to the Canadian border.

No Name Slough – is the name of a small creek that drains into Padilla Bay at the Padilla Demonstration Farm. The slough is called No Name

because the lower reaches are in land so low and flat that it is affected by the tide. This land was diked and drained over a 100 years ago and the water of No Name passes through a tide gage under the Padilla Bay Shore Trail.



The upper reaches of the No Name Slough watershed are on Bay View Ridge – where a lot of growth is projected to occur in coming years. The No Name Slough project is to project ahead what can be done to improve conditions. The watershed study will develop options to address the issues of farm flooding, polluted waters, and fish and wildlife restoration opportunities. Decisions will utilize on-going data being collected on water quantity, water quality, water flow,

and habitat within the watershed.

The study is a unique, joint staff effort with the Skagit Conservation District and the Padilla Bay NERR. Both agencies are non-regulatory agencies interested in resource conservation and community solutions to the challenges caused by growth impacts.

The Demonstration Farm – was purchased in 1994 with funds from a NOAA property acquisition budget to test the effects of agricultural practices on water quality and ecosystem health in the bay, and address long-term solutions using an agricultural research site.

Padilla Bay Reserve is developing an operational plan for the Demonstration Farm with funds from a CZMA Section 308 grant provided by NOAA/OCRM. The operational plan will outline an approach for developing solutions to non-point pollution from agricultural crop production. The Demonstration Farm will provide a valuable link for implementing Section 6217 of the CZMA, as well as local, state, and other federal water quality programs.

Padilla Bay Reserve initiated a collaborative planning process under which demonstration, education, and research activities on the farm will be conducted with local farmers, agribusinesses, Washington State University Agricultural Research & Cooperative Extension, environmental groups, and Padilla Bay Reserve staff.

The plan will be implemented with the same collaborative approach using an advisory panel composed of a similar mix of organizations with expertise, program feedback, and guidance.





B.21: Skagit Land Trust (SLT)

www.skagitlandtrust.org



The Skagit Land Trust (SLT) was founded in 1992 by 3 visionary leaders and 31 Charter Members to help protect the scenic shorelines and open space, wildlife habitat, wetlands, agricultural, and forest lands of the mainland and islands of Skagit County for the benefit of current and future generations. The Trust currently has 4 staff, 15 Board members, and 40 active volunteers who are joined by over 550 members.

Skagit Land Trust focuses on permanently protecting all types of natural and resource lands with exceptional conservation value throughout all of Skagit County – and is the only organization within the county that has such a diverse mission. To do so, the Trust works in collaboration with over 20 local and regional organizations to leverage limited resources to achieve common goals.

Staff and volunteer resources

The Trust's professional staff have degrees in environmental planning, economics, and anthropology, among others, and

experience as former public planners for counties and tribes, wildlife rangers, and non-profit corporations.

Trust volunteers monitor properties as part of stewardship programs, as well as plant trees, fix fences, mow fields, clear brush, pull weeds, and otherwise maintain and restore lands, in addition to providing office assistance.

The Trust protects open space in a variety of ways including land or fee simple purchase, purchase of development rights or conservation easements, and through gifts or land donations or land sales in exchange for other conservation properties. The Trust works with a variety of other conservation groups and agencies, and with individual private landowners to do so.

Land Conservation Strategy - 2001

The Skagit Land Trust developed the following land conservation strategy in November 2001 to guide long-term conservation strategies (the strategy is to be updated on an on-going basis):

- **9 critical “values” were identified as deserving protection** - 1) forests, 2) freshwater wetlands, 3) rivers and streams, 4) estuaries and tidelands, 5) rocky shorelines, 6) special species, 7) open space and landscape connectivity, 8) scenic views, and 9) rural landscapes.
- **19 key “landscapes were identified through GIS ranging from** - saltwater islands to the Chuckanut Foothills, Lake Cavanaugh, and the Middle and Upper Skagit River. The landscapes were evaluated and rated according to the condition of, and threat to, the 9 critical values.



- **6 landscapes were rated high priority** - Middle Skagit, Chuckanut Foothills/Upper Samish, Upper Skagit, Devil’s Mtn/Big Lake, Lower Nookachamps, and Fidalgo Island/Pleasant Ridge though no one area was considered more important than another. The 6 landscapes are the current focus of the Trust’s land

conservation efforts.

- **Other areas in the county** - the Trust will continue to enlarge areas already protected either by Trust or other conservation organizations. The Trust will also continue to respond, as resources permit, to requests from landowners for property protection in other areas of the county.
- **Opportunity assessment** - the Trust uses a second rating procedure to evaluate and assess one potential opportunity against another in order to determine which opportunities to pursue with limited resources.

Evaluation policies

In November 2003 the Trust adopted the following criteria to guide rather than limit the actions of the Trust. The criteria are intended to provide guidance regarding the suitability of proposed projects to the mission and goals of the Trust. The criteria must typically be met for the Trust to consider a property for acquisition as a conservation property, though the Board will consider potential acquisitions not meeting the criteria on a case-by-case basis. The Trust encourages gifts of lands that lack conservation values for resale to generate funds to support the Trust’s mission – these criteria are not appropriate for lands acquired for unrestricted resale.

A. Purpose and goals criteria

To qualify for selection, property should meet all of the following applicable elements:

- (1) The property is located in Skagit County. Acquisitions may be made in Whatcom, Island, and Snohomish Counties if, after consultation with the appropriate land-conservation groups in those counties, it is agreeable with the landowner and the Trust Board deems it appropriate.
- (2) Protection of the property will conserve wildlife habitat, wetlands, agriculture and forest lands, scenic views, open space or shorelines.
- (3) The property is in relatively undisturbed natural condition or has potentially important conservation values that can be restored.
- (4) The property is of sufficient size that its conservation values are likely to remain intact, even if adjacent property is

developed, or sufficient neighboring property is protected, or is likely to be protected in the near future.

Or

Properties within an urban/urban growth area (UGA) should be considered that have intrinsic natural, scenic, and/or open space values and/or provide connections to existing or planned trails, open space, parks, and other public facilities. These lands will: 1) meet the mission of the Trust, 2) enhance community awareness of the Trust, and 3) provide a public benefit.

In addition, a parcel of land within an urban/urban growth area (UGA) should meet several of the following criteria:

- Allow for public access
- Is consistent with approved public programs and plans
- Protects natural, scenic, and open space values
- Provides for outdoor recreation opportunities
- Provides for outdoor education and interpretive opportunities
- Contains unique features or values within the local or regional landscape
- Preserves or provides for the opportunity to restore local or regional landscape processes
- Will protect a valued parcel of land from an existing or likely threat
- Potential partners and stewards are willing to participate in the management of the parcel

For Conservation Easements only:

- (5) The donor is willing to convey a Conservation Easement on the property through a legally binding agreement that is perpetual and enforceable.
- (6) The proposed acquisition meets the conditions of the Trust's Stewardship Endowment Policy.

B. Public Benefit Criteria

To qualify for selection, a property must meet one or more of these elements:

- (1) It provides habitat for plant or animal species classified by the Federal government as sensitive, candidate, proposed, or listed as threatened or endangered; or state listed priority habitats and species.
- (2) It provides crucial habitat for other important native plants or animals.

- (3) It contains or has the potential to contain ecosystems of educational or scientific value.
- (4) It contains wetlands, floodplains, riparian corridors, or aquifer recharge areas which provide watershed and water quality protection benefits for community water supplies or wetlands habitat.
- (5) It buffers significant wildlife habitat from residential, commercial or industrial land uses.
- (6) It buffers or enhances adjacent existing preserves or recreation areas.
- (7) It provides a corridor that connects parcels with significant wildlife values to other parcels with like conservation value.
- (8) It connects parcels of land or eliminates in-holdings in areas protected for conservation by the Trust of other organizations.
- (9) It protects scenic views that can be seen from public roadways, waterways, or recreation areas.
- (10) It protects significant forest or farmland.
- (11) It contains saltwater shorelines.
- (12) It contains unique or outstanding physical/geologic characteristics.

C. Disqualifying criteria

A property may pass the Purpose and Goals Criteria and the Public Benefit Criteria and still may not be appropriate for Trust involvement. Any one of the following elements would normally ***disqualify*** proposed acquisition.

- (1) The property's values are primarily scenic but are not readily visible or accessible to the general public.
- (2) The property is small and there is little likelihood of adjacent properties being protected.
- (3) The area proposed for protection is part of a development proposal that would, on



- aggregate, significantly degrade conservation value of the land.
- (4) Adjacent properties are being, or are likely to be developed in a manner that would significantly reduce the conservation value of the proposal under consideration.
 - (5) The land or Conservation Easement would likely be unusually difficult to manage or enforce, due to such things as multiple or fractured ownership, boundary disputes, destructive trespassing, fencing restrictions, irregular parcel configuration or difficult access.
 - (6) The landowner insists on provision in a Conservation Easement that the Trust believes would seriously diminish the conservation value of the easement or the Trust's ability to enforce the easement.
 - (7) Acquisition of land or an easement would require unreasonable management or enforcement costs in relation to the conservation value of the land.
 - (8) The property is found to be irreparably damaged or contaminated.
 - (9) Negative ethical or public perceptions exist in connection with the proposal that cannot be adequately resolved.
 - (10) Property may create significant liability to the trust.

Conservation easements

A conservation easement is a recorded, legal agreement between the landowner and the Trust that places perpetual restrictions on the use of the land. The Trust is responsible for enforcing such



restrictions into perpetuity.

Conservation easements range from restrictions limiting residential or commercial use of the land to those that state the land will remain forever wild.

The title stays in the landowner's name and the land may be used as before, leased, sold, or passed along to the landowner's heirs; always, however, subject to the restrictions of the easement.

- Most conservation easements are voluntary donations benefiting the public by protecting valuable land. The value of the restrictions may be considered a charitable gift.
- Each easement is specifically tailored to the needs and desires of the landowner and to protect the identified conservation values of the land.
- Easements are recorded with the title to the land ensuring protection forever.
- The long-term role of the Trust is to assume responsibility and legal right, through a Stewardship Fund, to enforce the terms of the agreement. The Trust usually asks for a tax-deductible contribution from the easement donor to offset the cost of future stewardship expenses.
- The property remains in private ownership, and subject to the conditions of the easement, may be used as before, leased, sold, or passed onto heirs.
- An easement does not grant public access to the property unless agreed to by the owner. *Generally, the Trust tries to keep properties open to the public if possible even though that costs more to monitor and maintain – unless the nature of the property is too sensitive to allow access.*

Cooperative efforts

The Trust teamed with The Nature Conservancy (TNC) to work with landowners with important salmon habitat in the upper Skagit River area. TNC received a grant from the Washington State Salmon Recovery Funding Board (SRFB) to identify and purchase high priority salmon habitat from willing sellers. TNC completed a land inventory and assessment identifying the most important habitat areas, but did not have the staff resources or experience with acquisitions and easements to complete the work. The Trust is providing that resource in the cooperative effort.

Assets

Skagit Land Trust is a 501©(3) non-profit organization recognized by the IRS. Over 75% of the Trust's operating budget comes from financial contributions of its more than 550 members. As of March 2006, the Trust owned and protected through easements more

than 4,500 acres including more than 18 miles of shoreline worth more than \$3,559,000. Following are current Trust assets:

Protected acres

| | |
|-------------------------|-------|
| Conservation easements | 3,164 |
| Trust-owned lands | 849 |
| Trust-assisted projects | 1,202 |

Total protected acres **5,215**

Conservation values protected

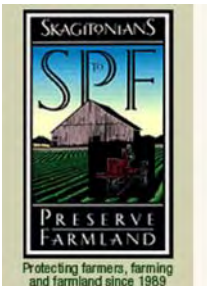
| | |
|---------------------|-----------|
| Forested habitat | 3,390 ac |
| Agricultural lands | 564 ac |
| Lakes and wetlands | 572 ac |
| Intertidal habitat | 532 ac |
| River shoreline | 22 miles |
| Saltwater shoreline | 11,060 lf |





B.23: Skagitonians to Preserve Farmland (SPF)

www.skagitonians.org



Skagitonians to Preserve Farmland (SPF) is a membership-based 501©(3) non-profit organization formed in 1989 by local farmers dedicated to preserving Skagit County's farmers, farming, and farmland. SPF focuses on protecting farmland from competing uses and enhancing the economic viability of farming itself. SPF supports wildlife, fish, water, and land conservation efforts, and builds strategic alliances.

SPF presumes a healthy Skagit Valley agricultural community depends on 4 elements:

- Farmland protection
- Economic viability
- Agricultural infrastructure
- Community support

Cooperation between farm organizations, governmental entities, environmental organizations, and the real estate industry is essential to the long-term success of farming in the Skagit Valley.

SPF Strategic Plan 2005-2010

SPF's mission - is to ensure the economic viability of Skagit County agriculture and its required infrastructure through farmland protection, advocacy, research, education, and public awareness.



SPF values

SPF endeavors are guided by the following 6 principles:

- **Stewardship of the land** – protecting farmland benefits for everyone by leading efforts to protect and

enhance farming and farmlands. SPF supports wildlife, fish, water, and land conservation efforts with a focus on protecting farming from competing uses.

- **Strategic and collaborative leadership** – working with community leaders and policy makers at the local, state, and national levels to demonstrate the importance of building strategic alliances.
- **Responsive, responsible, and persistent** – for the community’s heritage and quality of life for this and future generations.
- **Financial prudent** – conducting business with integrity and fiscal responsibility.
- **Community based, civic minded, and visible** – actively participating in local land use planning processes and in community events to ensure the success of the SPF mission.
- **Economic viability and quality of life** – working for a healthy community that supports farmers as responsible stewards of the land.

SPF goals and objectives

SPF’s goals are to preserve Skagit Valley as a working agricultural region and landscape by protecting farmland through acquisition of permanent property restrictions and by defending farming as an economically viable way of life. SPF seeks to ensure that Skagit farming remains a permanent part of the region’s identity for the benefit of:

- **Local stewards and residents** - whose livelihoods depend on the land
- **Puget Sound citizens and visitors** - who enjoy the natural beauty of a pastoral landscape
- **Waterfowl, raptors, salmon, and other wildlife** - that depend on the managed farm landscape as habitat

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To assure the long-term protection of this regional asset, SPF has operated since 1992 as a land trust, as an advocate for farmland protection, and as an education and community-building organization.

As a Land Trust - SPF’s vision is to permanently secure the critical mass of farmland in the Skagit Valley. The most cost effective way to protect farmland is to acquire rights for development (by purchase or donation) from willing landowners before the properties become too expensive for farming uses. Conservation easements restrict use of the land for farming, in perpetuity.

As an advocate for Skagit farming - SPF participates in maintaining and creating policies at the local, state, and federal level that presume a future for farming; works to implement programs to protect farmland; and creates partnerships for land protection with other conservation organizations, such as Skagit Land Trust, Trust for Public Land, American Farmland Trust, and The Nature Conservancy. SPF is also a key participant in the Skagit Watershed Council.

As a community-building organization – SPF sponsors community education, annual cultural and recreational events (Celebrate Skagit Harvest), informs the public about farmland issues, and builds community support in the Skagit Valley and throughout Puget Sound for Skagit farmland protection.

Farmland Legacy - SPF, using the results of an Elway Research poll commissioned by SPF and the Economic Development Association of Skagit County (EDASC), helped convince Skagit County Commissioners to impose a property tax levy to establish

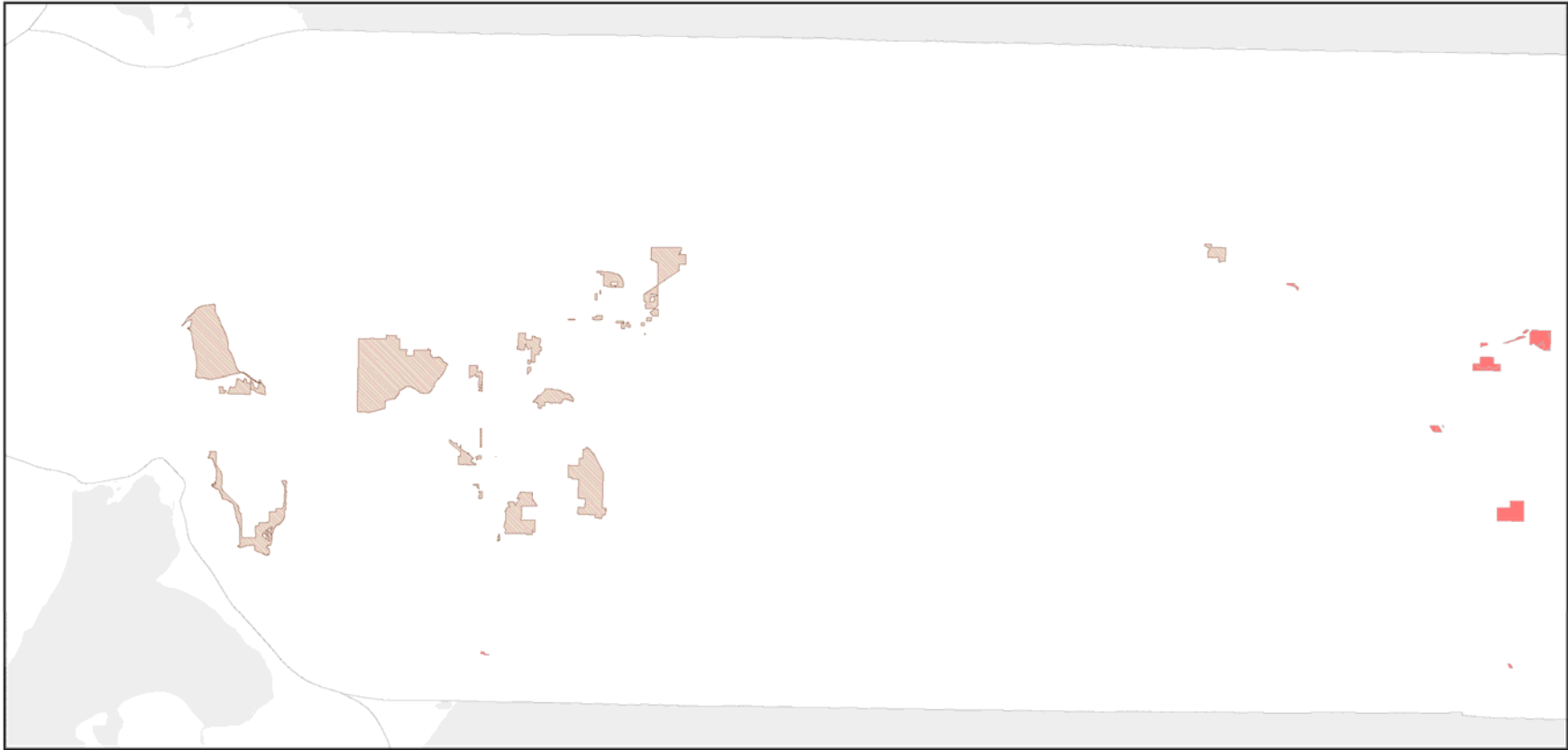


Conservation Futures and the Farmland Legacy program that purchases development rights from willing farmers.

2002 farmland easements

| | <i>easements</i> | <i>acres</i> |
|----------------------|-------------------------|---------------------|
| SPF | 10 | 324 |
| Conservation Futures | 36 | 3,060 |
| Skagit Land Trust | 9 | 79 |
| <i>Total</i> | <i>55</i> | <i>3,463</i> |





B.25: The Nature Conservancy – Washington www.nature.org/wherewework/northamerica/states/washington



The Nature Conservancy’s mission is to preserve the plants, animals, and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

- Since the Conservancy’s founding in 1951, the organization has:
- protected more than 117,000,000 acres of land and 5,000 miles of rivers worldwide – and operated more than 100 marine conservation projects globally,
 - attracted more than 1,000,000 members,
 - worked in all 50 states and more than 30 countries, and

- addressed threats to conservation involving climate change, fire, fresh water, forests, invasive species, and marine ecosystems.

The Conservancy’s biodiversity approach to conservation has caused the organization to focus on large scale projects and work in partnerships with publicly owned natural areas and working lands.

Core concepts

Ecoregions – are large units of land and water typically defined by climate, geology, topography, and associations of plants and animals – like the Skagit Watershed. Ecoregions, not political

boundaries, provide the framework for capturing ecological and genetic variation in biodiversity across a full range of environmental gradients.

Conservation by Design

The Conservancy developed a strategic, science-based planning process called Conservation by Design that helps the organization identify the highest-priority places – landscapes and seascapes that, if conserved, promise to ensure biodiversity over the long term.



The Conservation by Design concept is relatively straight-forward – set priorities through ecoregional planning and global habitat assessments, develop strategies as multiple scales to address ecoregional priorities and global threats, take direct conservation action, and measure conservation results.

Priorities – are set through global major habitat type assessments and through ecoregional planning. Scientific assessments of major habitat types examine the 30+ major habitat types and establish priorities for conservation at a global scale. Assessments examine biodiversity richness and threats to biodiversity and ecosystems.

The Conservancy also designs portfolios of conservation areas within and across ecoregions. Ecoregional portfolios represent the full distribution and diversity of native species, natural communities, and ecosystems.

Designing ecoregion-based portfolios is an iterative process based on 5 steps:

- Identify the species, communities, and ecosystems in an ecoregion,
- Set specific goals for the number and distribution of these conservation targets to be captured in the portfolio,
- Assemble information and relevant data on the location and quality of conservation targets,
- Design a network of conservation areas that most effectively meets the goals, and

B-2

Appendix B: Resources
Skagit County UGA Open Space Plan

- Identify the highest priority conservations areas wide-ranging targets and pervasive threats for conservation action.

Strategies - are developed with other organizations to meet the goals and priorities considering ecological and critical threats as well as the social, political, and economic conditions in play. The objective is to create solutions that meet the needs of species and ecosystems as well as people.

Actions - are varied, but typically include:

- Investing in science to inform decision-making,
- Protecting and managing land and waters,
- Forging strategic alliances with groups from other sectors,
- Creating and maintaining supportive public policies, practices, and incentives,
- Strengthening the institutional capacity of governments and non-governmental organizations to achieve conservation results,
- Developing and demonstrating innovative conservation approaches,
- Building an ethic and support for biodiversity conservation, such as community restoration projects,
- Generating private and public funding, including debt-for-nature swaps

Success - is measured by how well the biodiversity the maintenance of viable biodiversity, the abatement of critical threats, and effective protection and management of places where action is taken with partners. The results of the measurements are used to guide management actions, resource allocations, and future investments.

In addition to assessing the Conservancy’s conservation impact, the organization also measures its organizational performance including:

- The number of landscapes where the Conservancy is directly engaged,
- The number of other areas where the Conservancy is working to ensure conservation,
- Membership,
- Private fund-raising growth, and
- Public dollars secured for conservation areas.

Conservation methods – private lands conservation

The Conservancy works with landowners, communities, cooperatives, and businesses to establish local groups that can protect land using land trusts, conservation easements, private reserves, and incentives.

Conservation buyers - in recent years, the Conservancy has begun working with private, conservation-minded individuals, or “conservation buyers”, interested in acquiring and protecting ecologically-valuable lands. The Conservancy identifies and purchases target properties within priority conservation areas, or in zones that buffer and surround core natural areas. The Conservancy then widely and publicly markets the property, seeking a buyer committed to protecting the property’s important natural values and willing to ensure the land’s long-term conservation by placing a conservation easement on the land. The value of the land before and after the conservation easement restrictions is established by professional, independent appraisals. The Conservancy prohibits sales of conservation lands to any related parties.

Washington State

In Washington State, the Conservancy is actively working to safeguard 6 landscapes including the Skagit River & Delta, Port Susan Bay, Moses Coulee & Beezley Hills, Ellsworth Cree, South Puget Sound Prairies, and the Tieton River Canyon.

The Conservancy has been working in the Skagit River basin for the past 30 years or since 1976. What started as an eagle sanctuary



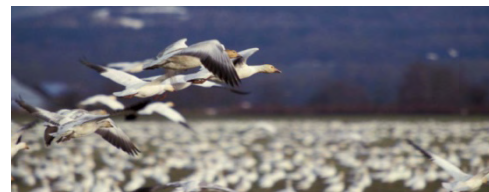
evolved into a watershed-wide, seas-to-summit program with a vision to safeguard an entire watershed and coastal ecosystem in a way where humans and natural communities can thrive.

According to the Conservancy, the Skagit’s salmon runs are the healthiest south of Canada and essential to the watershed’s vitality. The salmon nourish hundreds of wintering bald eagles and dozens of other fish and wildlife species, including the next generation of salmon. Mudflats, estuaries, and brackish marshes in the greater Skagit Delta draw tens of thousands of Wrangell Island snow geese each winter, along with trumpeter swans, black brants, green-winged teals, long-billed dowitchers, and countless other shorebirds. As many as 800 raptors, including the endangered peregrine falcon, also descend on the delta.

Upper Skagit - the Conservancy buys land from willing sellers, whenever that is the most effective strategy to advance the ecological health of the region. Recent acquisitions include 67 acres on the Sauk River that is interconnected with protected areas already owned by Seattle City Light, Washington State DNR, and the Conservancy that contain spawning and rearing habitat for salmon and trout, as well as wintering grounds for bald eagles. However, the Conservancy also recognizes that privately owned, working lands – farms, ranches, forests, also play a key role in ensuring the health and diversity of this ecosystem.

The Conservancy is also involved with more than 100 local landowners over the past 4 years to eliminate patches of knotweed along dozens of miles of the Sauk and upper Skagit Rivers. And, the Conservancy is lending expertise in a collaborative process with some 30 other partners to inform and agreement to improve water flows on the lower 55 miles of the Skagit River.

Skagit Delta - the Conservancy is also focused on the Skagit Delta and recently began an innovative “Farming for Wildlife” program that will test new treatments for farmlands of benefit to farmers



B-3

and shorebirds.

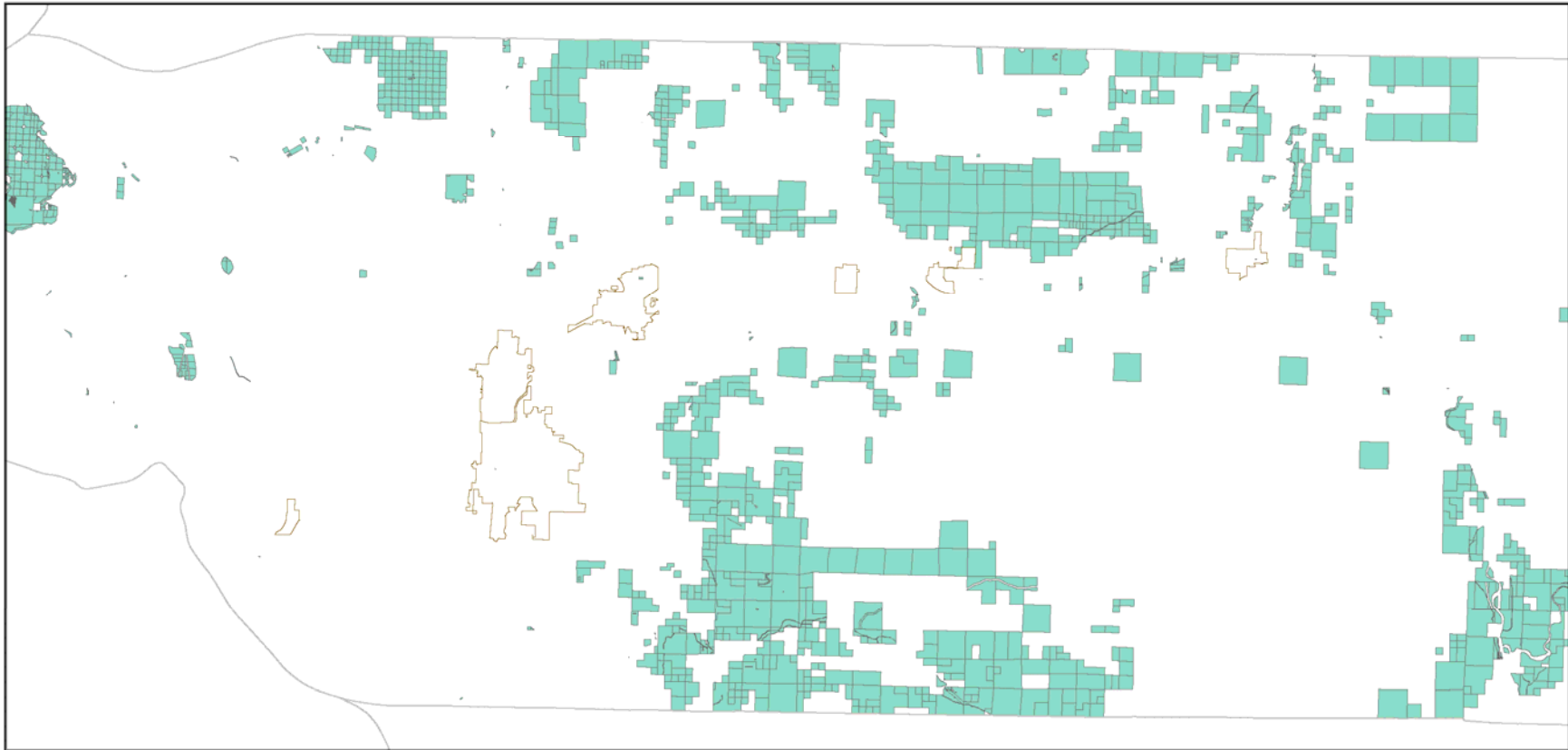
The program leases farmland and pays farmers to plant wildlife-friendly cover crops for a period of up to 3 years – after which, the land may be certified for organic crops since the soils will have been free of fertilizers and insecticides for the leased period.

The Conservancy is also cooperating with the Swinomish Tribe, the Skagit River Cooperative Systems, Western Washington Agricultural Association, Washington State University, Skagitians to Preserve Farmland, and Dike District 3 on a restoration plan for Fisher Slough and the Carpenter Creek watershed that could modify field drainage practices to improve fish habitat and drainage efficiency.

Fisher Slough is completely constrained on both banks by levees built decades ago to create farm fields out of tidal marshes. Carpenter and Fisher Creeks occasionally overtop the levees and flood the farm fields destroying the farm crops. The proposed restoration plan may pull the levees back from the slough to create more than 60 acres of tidal marsh and improve flood protection for farm fields located upland of the levees.

The project would acquire 45 acres along the slough, relocate the levee to create an alluvial fan, and replant the fan to create wetland and upland habitat for salmon, shorebirds, waterfowl, and neotropical songbirds.

In 2005 the EPA granted the Conservancy's Skagit Delta Project \$774,000 to help preserve farmland and aid in wild salmon recovery.



B.34: WA Department of Natural Resources (DNR)

www.dnr.wa.gov

DNR owns 3,000,000 and manages an additional 2,600,000 acres of forest, range, agriculture, aquatic, and commercial lands within Washington State that generate over \$200,000,000 annually to support public schools, universities, prisons and other state institutions, and fund county services such as libraries, firefighting, and hospitals.

DNR revenue producing activities on state trust lands include sustainable management and harvest of timber and forest products, leasing of agricultural lands (for orchards, vineyards, row

crops, dryland crops, and grazing), mineral leases, and leasing of communication sites and commercial properties. Since 1970, DNR-managed “trust” lands have generated \$6,000,000,000 for trust beneficiaries, counties, and the state general fund.

DNR also manages Natural Resource Conservation Areas (NRCAs) and Natural Area Preserves (NAPs) that protect unique and threatened native ecosystems, and that offer educational and research opportunities.



DNR manages all state forestlands to provide fish and wildlife habitat, clean and abundant water, and public recreational access. The Department protects public resources by regulating forest practices (or timber harvests) and preventing and suppressing wildfires on more than 12,700,000 acres of state, private, and federal land. The

Department also collects data about existing native ecosystems and species to provide an objective, scientific basis for determining protection methods and areas.

The management of Washington's State Trust Lands is governed by the Board of Natural Resources composed of the elected Commissioner of Public Lands, the Governor, Superintendent of Public Instruction, the UW and WSU Deans of the Colleges of Forest Resources, Agriculture, and Home Economics, and a county representative selected by the counties benefiting from State Forest trust lands.

The Department is organized around 13 Divisions, each focused on a specific business area, and 7 regions including the Northwest Region office in Sedro-Woolley that manages 387,000 acres of state forest lands for forestry, farming, and commercial uses in Whatcom, Skagit, San Juan, Island, and Snohomish Counties. The NW office also manages more than 35,000 acres of natural areas that protect high-quality wildlife and plant habitat and provides low-impact public use at 28 recreational sites and 118 miles of trails for hiking, horseback, and ORV use within the region.

State Forest Lands

The largest state landholdings are state forest tracts of land managed by the Washington State Department of Natural Resources (DNR). DNR owns forestlands scattered principally within

the Cascade foothills adjacent to US National Forest holdings, and in tracts located on the San Juan Islands.

The Washington State Department of Natural Resources (DNR) controls and manages a wide variety of property within Skagit County. These holdings include properties designated:

- **urban land** - for urban development or revenue enhancement,
- **school trust lands** - managed for the Washington Common School Indemnity & Escheat (CSI&E) that provide revenue for the state schools building programs, and
- **institutional lands** - held for use by other agencies.

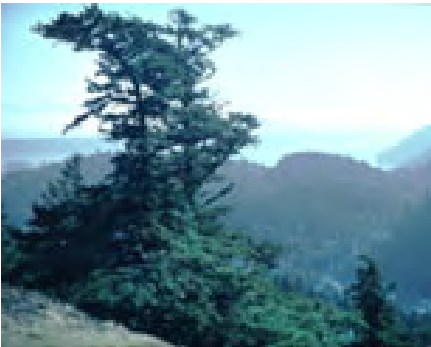
State tidelands

When Washington State was established on 11 November 1889, the state claimed ownership of all beds and shores of navigable waters up to and including the line of ordinary high water (mean high tide) or the tidelands. This claim included the tidelands or beach between mean high tide and mean low tide that had been used for public access for centuries before the federal government granted these lands to the state.

The 1889 Washington State Legislature authorized the sale of public tidelands including the beach rights to private individuals and adjacent property landowners. From 1889 to 1971, when all sales were discontinued, the state sold approximately 60% of all public tidelands in the state to private owners prior to the discontinuance.

Private ownership allows the owners to use the tidelands as private property that at times have included the right to erect structures, bulkheads, and other obstructions to public passage. Under state law, private property owners also have the right to control the use of privately-owned tidelands - particularly for recreational uses such as picnicking, swimming, camping, fishing, clamming, boating, and other activities.

In the early 1970s, the state rescinded the option of selling tidelands and retained tidelands as public property for public use and/or revenue benefit. DNR manages the remaining public tidelands within the state.



Uplands - are parts of the almost always-dry beach area located above the high water tide mark - although portions may be covered by extremely high tides or during storms. Uplands may be barren of vegetation and may consist of sand dunes, gravel bars, tide pools, or log and storm debris covered earthen shorelines. Private parties own uplands except where public agencies

have acquired title for parks, state uplands, road right-of-way, or other public facilities.

Tidelands - are the beach areas alternately covered and uncovered by the rising and falling tide. Tidelands are barren of vegetation and may consist of sand, gravel, or mud deposits and beaches. Tidelands may be publicly or privately owned. However, even when publicly owned, the upland property may be in private ownership - meaning some public tidelands may be landlocked or not be accessed from other public landholdings.

The swash line - or small floating debris that has been left on the beach when the tide is out - usually mark the boundary of the ordinary high tide. On some waterfront properties, however, the upland ownership extends to the meander line - which is some distance offshore from the line of ordinary high tide. In this instance, the property line will be located beyond the area normally indicated by the swash line.

DNR's public saltwater tideland holdings are classified and mapped by the department based on width of ownership and type of use. Generally, department maps include public use beaches, beaches leased to private parties, environmentally sensitive beaches, and beaches otherwise not suitable for public use. The department does not map tidelands less than 200 feet in length or freshwater ownership. DNR maps identify 3 types of tideland parcels around the county shoreline:

- Mean low tide to extreme low tide (which is about +3.0 feet above the mean lower low tide of 0.0 feet and the extreme low

tide which is -4.5 feet below the mean lower low tide of 0.0 feet or a total range of 7.4 feet.)

- Mean high tide to extreme low tide.
- Mean high tide to extreme low tide (which is +13.0 feet above the mean lower low tide of 0.0 feet and the extreme low tide which is -4.5 feet below the mean lower low tide of 0.0 feet or a total range of 17.4 feet.

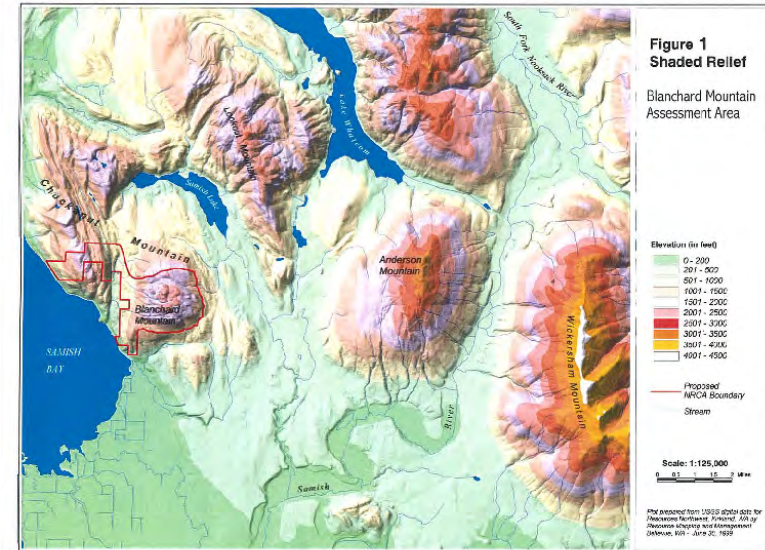
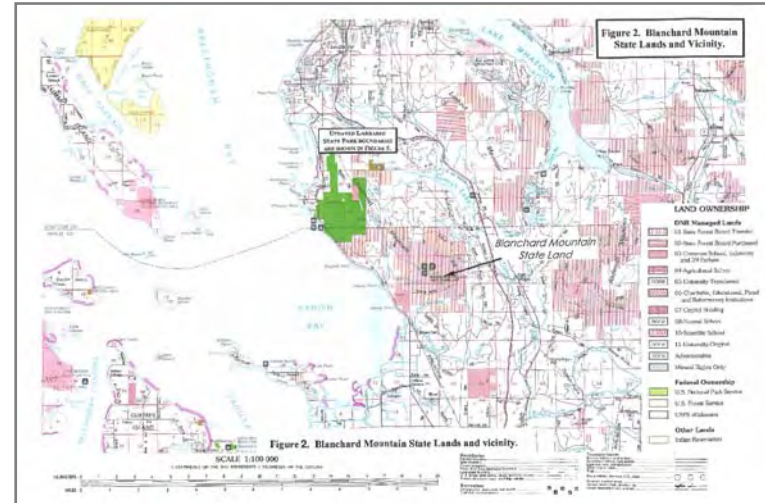
DNR tideland holdings in Skagit County are located in stretches along Samish, Padilla, Fidalgo, Burrows, Similk Bays.

Blanchard Mountain

In 2007, the Commissioner of Public Lands adopted management strategies for the 4,827-acre state forestlands located on the top of Blanchard Mountain on the north border of Skagit County. Blanchard Mountain is an integral part of a forested corridor that extends from Puget Sound to the Cascade Mountains and from Skagit farmlands north through the Chuckanut Mountains to Bellingham.

The strategies were developed by a 10-member Blanchard Forest Strategies Group that included representatives from Skagit County, Burlington-Edison School District, along with timber, environmental, and recreational interests. The Group's mission was to formulate a conceptual framework that would blend the continued revenue production of the state trust forestlands with diverse habitats, and different types of experiences for visitors.

The adopted strategies concept will manage a core of about 1,600 acres on top of the mountain for older forest conditions to provide an experience similar to an 'unmanaged forest' as well as scenic vistas for recreational visitors. Trails will link to Larrabee State Park to the north and Samish Bay in the southwest. Working forest interpretive exhibits will be located along different non-motorized trails throughout the mountain to provide education experiences.



Appendix C: Goals and objectives

The following goals and objectives were developed from the results of the workshops with open space agencies and organizations throughout Skagit County:

C.1: General goals

C.1.1: Land use – establish open space separators between the developing urban areas, and transitions between urban and rural land uses using Skagit County’s UGA open spaces.

C.1.2: Natural resources – protect sensitive natural resources including important aquatic and wildlife habitat, and productive farmlands and woodlands, by preserving natural spaces and rural resources within Skagit County’s UGA open spaces.

C.1.3: Scenic resources – preserve scenic landscapes and views that are important to the character of each community by including the resources within Skagit County’s UGA open spaces.

C.1.4: Cultural resources – protect and enhance important cultural, historical, and archaeological features by including them within Skagit County’s UGA open spaces.

C.1.5: Interpretation – provide opportunities for education and awareness programs by including interpretive natural and cultural exhibits and trails in Skagit County’s UGA open spaces.

C.1.6: Recreation – provide a recreational network of walking, jogging, biking, and horse trails that access potential interpretive and scenic resources within and adjacent Skagit County’s UGA open spaces.

C.1.7: Transportation – provide safe and direct non-motorized (hiking, biking, and horse) routes adjacent and through Skagit County’s UGA open spaces.

C.2: Land use

C.2.1: Separators – create open space networks that define “place” boundaries establishing breaks or separations between Concrete and Sedro-Woolley, Sedro-Woolley and Burlington, Burlington and Bayview Ridge, and transitions between urban and rural areas along SR-9, SR-20, Chuckanut Drive, and McLean Road, among others.

C.2.2: Public/private network opportunities – define a planned network of open spaces so that private developments can contribute or link privately-owned open space systems to be part of or extensions of the overall UGA open space system as in, for example, the Eglemont Development in Mount Vernon.

C.2.3: Flood control – include floodplains and flood-prone lands and the river dike and drainage systems along the Baker and Skagit Rivers, Nookachamps Creek, Gages Lake and Slough, Britts Slough, and Swinomish Channel in UGA open spaces.

C.3: Natural resources

C.3.1: Aquatic habitat – protect and enhance fresh and saltwater aquatic resources including fisheries, water fowl, and other species habitat in the Baker River, Skagit River including the North and South Forks, Samish River, Nookachamps Creek, Swinomish Channel, and Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit Bays, and significant freshwater bodies such as Shannon, Gages, Barney, Heart, Whistle, Erie, and Campbell Lakes, as well as estuarine rearing and foraging resources in Skagit, Similk, Padilla, and Samish Bays that encompass, adjoin, and extend UGA open spaces.

C.3.2: Wildlife habitat and corridors – protect and enhance wildlife habitat including plant species, birds, and mammals within the marine, estuarine, freshwater, and terrestrial environments that encompass, adjoin, and provide migration corridors within and between UGA open spaces.

C.3.3: Agricultural lands – protect heritage, prime soils, and working farms in the Skagit River Valley, Nookachamps Creek, Skagit River Delta, and Fir and Fidalgo Islands by including them within UGA open spaces.

C.3.4: Woodlands – protect old growth, working forests, and significant woodland stands on US Forest Service, DNR, and other public and private properties on Burlington Hill, Little Mountain, and the Community Forest on Mount Erie by including them within UGA open spaces.

C.4: Scenic resources

C.4.1: Landscapes – protect existing scenic landscapes especially those that exemplify unique features that are visible from UGA open space viewpoints including Cap Sante Point, Mount Erie, and Little Mountain, are incorporated into major parks such as Northern State Recreation Area and Deception Pass State Park, and are prominent features of protected areas such as Padilla and Skagit Bays.

C.4.2: Scenic byways – protect scenic roads, rivers, and shorelines by preserving rural and marine land uses and activities, natural environments and vegetation, and scenic or visual features along UGA open space road and shoreline edges especially including the established SR-11 and SR-20 scenic byway corridors.

C.4.3: Viewpoints – protect and enhance scenic viewpoints that look into and onto visual landscapes including prominent high points such as Cap Sante Point, Mount Erie, Little Mountain, and Burlington Hill, as well as strategic overlooks or look-into places alongside and within the UGA open space network at the Baker and Skagit Rivers, Gages Slough, Nookachamps Creek, and Swinomish Channel.

C.5: Cultural resources

C.5.1: Landmarks – protect and interpret cultural, historical, and archaeological places, sites, and structures within the UGA open space system such as the cement and powerhouse

structures in Concrete, Northern State Hospital in Sedro-Woolley, BNSF Railroad facilities in Burlington, river steamboat landings and waterfront improvements in Mount Vernon, historical business district in La Conner, railroad jetty and marine waterfront in Anacortes.

C.6: Interpretation

C.6.1: Interpretive exhibits, trails, and centers – create and incorporate education and awareness programs and facilities within UGA open space systems such as the Padilla Bay and Tommy Thompson Trails, and Padilla Bay National Estuarine Research Reserve (NEER) interpretative center.

C.7: Recreation

C.7.1: Regional multiuse trails – develop a network of regional or countywide multiuse (hike, bike, and horse) trails including the Cascade, Centennial, PNW, and Skagit-Snohomish Trails adjacent, through, and into countywide and UGA open spaces to increase access, awareness, and interpretive opportunities provided that such access does not jeopardize critical wildlife habitat, working farmlands or forests, or other private resources and properties.

C.7.2: Community connections – link the regional or countywide multiuse trails with city or local trails that increase urban and rural resident access to parks, recreational areas, schools, public facilities, commercial, and employment areas in Concrete, Hamilton, Lyman, Sedro-Woolley, Burlington, Mount Vernon, Bayview Ridge, La Conner, and Anacortes UGAs.

C.7.3: On/off-road linkages – where necessary and appropriate, extend regional and local multiuse trails within public road and utility rights-of-way that adjoin, cross, or access countywide and UGA open spaces to avoid off-road wildlife habitat intrusions, working farm or forest conflicts on a seasonal, interim, and sometimes permanent basis where it cannot be avoided.

C.7.4: Water trail linkages – where possible, connect on/off-road trails with water trails on the Guemes and San Juan Island Ferries and private excursion boat routes on the Skagit River, Swinomish Channel, Padilla, Similk, and Skagit Bays to increase public access and interpretive opportunities.

C.7.5: Accessibility – provide for disability access to encourage the use and enjoyment of all people with physical disabilities to the maximum extent possible similar to what has been provided on the Tommy Thompson, Padilla Bay, and Cascade Trails.

C.8: Transportation

C.8.1: Interconnections – link non-motorized transportation routes on SR-9, SR-11, SR-20, SR-237, SR-530, and SR-534 with the off-road Cascade, Centennial, PNW, and Skagit-Snohomish Trails systems to provide an interconnected network that parallels and provides access to UGA open spaces.

C.8.2: Rural access – extend non-motorized transportation routes outward from the UGAs to provide access to rural areas and landscapes as well as the UGA open space extensions on a countywide basis such as the biking designations on McLean



Road, Whitney-LaConner Road, and Chuckanut Drive.

C.8.3: Entry points – link non-motorized transportation routes with the surrounding counties and region specifically including on-road alignments on SR-9, SR-11, SR-20, SR-237, SR-530, and SR-534.

C.8.4: Water trails – designate hand-carry and other non-motorized water craft routes that flow alongside and through countywide and UGA open spaces on the Baker River, Skagit River including the North and South Forks, Samish River, Swinomish Channel, and Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit Bays.



C-4
Appendix C: Goals and objectives
Skagit County UGA Open Space Plan

Appendix D: Mail-out/phone-back survey

In June 2007 a random sample of resident voter households in Skagit County was contacted to participate in a controlled sample survey concerning open space needs and priorities.

450 households agreed to participate in the survey and were mailed a copy of a summary description of the plan and a copy of the questionnaire. Survey results were compiled for the first 200 households who completed the surveys by follow-up telephone call - the number planned for in the original survey scope.

The resulting survey results are accurate to within 8+/- percent of the opinions of the general population. The statistics are rounded and may not add to 100 percent and do not list “don’t know” responses. The statistics also account for undecided, did not know, or refused a response (which generally ranged from 0-7% depending on the question). The question numbers are listed in the left column and began with number 5 as 1-4 are reserved for questionnaire numbering. Following is a summary of the results for the total sample group.

Following are the summary results of the survey ranked in priority on a scale of 1 to 5 where 4-5 is the best condition or highest priority and 1-2 is the poorest condition or least priority. For analysis purposes, a 3 rating is considered to be an average condition or priority where the survey respondents could go in either direction (50:50 split) should a specific policy, plan, or program be proposed at this time. The undecided, did not know, or refused were not included in this summary analysis.

D.1: Survey participant characteristics

Question number

| | | |
|----|--|---|
| 63 | Which area of the county do you live in? | 27% Anacortes area 6% LaConner area 2% Bayview area 9% Burlington area 28% Mount Vernon area |
|----|--|---|

| | | |
|----|--|--|
| | | 1% Lyman area 2% Hamilton area 1% Concrete area 12% Sedro-Woolley 14% Other county area |
| 64 | How long have you lived in the county? | 0-1 2-5 6-10 10+ yrs 0% 13% 8% 80% |
| 65 | What type of housing do you live in? | own rent 95% 6% |
| 66 | What age group are you in? | 18-24 25-34 35-49 50-64 65+ 0% 3% 14% 55% 29% |

Place of residence - the distribution of survey participants closely approximates the distribution of households across the county with larger percentages residing in the cities compared with the smaller cities and rural areas.

Length of residence - heavily favors long time residents, which is likely to be common of frequent voters.

Tenure - survey occupants were predominantly owners, which is also likely to be common of frequent voters.

Age groups - were heavily represented in the middle to senior age spans (50+) compared to young to middle age adults (18-49) which is partly a reflection of older length of residence and the voting populations of the county.

D.2: Existing UGA open space and trail conditions

Survey respondents were asked to rate the following open space conservation and public trail access conditions within and adjacent to the urban growth areas (UGAs) in Skagit County in general on a scale of 1 to 5 where 1 is the poorest and 5 the best condition possible.

| <i>q#</i> | <i>UGA open space conservation efforts</i> | <i>poorest/best</i> <i>1-2 3 4-5</i> |
|-----------|--|---|
| 7 | Protection of prime agricultural soils and working farmlands adjacent to urbanizing areas? | 31% 33% 36% |
| 8 | Protection of scenic areas and landscapes including viewpoints and vistas from hilltops and along entry roads into urbanizing areas? | 25% 38% 36% |
| 5 | Conservation of wildlife habitat – especially within the Skagit River and its tributaries as they flow through the urban areas? | 27% 42% 30% |
| 9 | Identification and preservation of historical and cultural landmarks, sites, and features within and adjacent to urbanizing areas? | 27% 41% 30% |
| 6 | Preservation of woodlands – particularly mature, older forest stands within the urbanizing areas? | 39% 34% 26% |
| 13 | Picnic grounds, shelters, and other day use activity areas in open space systems in the urbanizing areas? | 21% 42% 36% |
| 11 | Public access trails for hike, bike, and horse (including handicap accessible) to or through open spaces in the urbanizing areas? | 31% 37% 31% |
| 12 | Waterfront access for fishing, swimming, kayaking, and canoeing in open spaces in the urbanizing areas? | 33% 35% 31% |
| 10 | Interpretive markers, exhibits, trails, and centers located in open spaces within or adjacent to urbanizing areas? | 32% 41% 25% |

As shown, the survey respondents did not rank any open space or trail feature to be of a best condition overall. In some instances, the respondents indicated conditions were equal (rating 3) or of worse condition (rating 1-2) than those that considered them to be in good condition (rating 4-5).

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Appendix D: Mail-out/phone-back survey
Skagit County UGA Open Space Plan

D.3: Open space trends in urbanizing Skagit County

Survey respondents were asked to what degree they agreed with the following statements made during workshops with open space organizations concerning trends that may be affecting the conservation of open spaces and trail developments within the UGAs of Skagit County.

| <i>q#</i> | <i>Open space trends</i> | <i>dis-/agree</i> <i>1-2 3 4- 5</i> |
|-----------|---|--|
| 14 | Skagit County has some of the most valuable and productive wildlife habitats, woodlands, and farms in the region if not the country? | 7% 10% 85% |
| 18 | Open spaces within the UGAs should be interconnected to flow through the cities into the surrounding countryside in a manner that conserves important assets and provides some logical and visible corridor networks? | 11% 16% 73% |
| 19 | Open space conservation efforts must do more than just preserve land – conservation programs should also restore, enhance, and manage the land to provide the valuable natural and ecological functions it once did? | 14% 17% 70% |
| 17 | Open spaces that are being created are often small, landlocked preserves within new residential developments that are not linked to a continuous open space network for the surrounding city or its residents – or between cities and urbanizing areas? | 14% 21% 63% |
| 15 | An unacceptable amount of these valuable open space assets (wildlife, woodlands, and farms) are rapidly being lost to urban development within UGAs? | 18% 19% 63% |
| 16 | An unacceptable amount of these valuable assets are also being lost to rural type land uses including roadside stands, hobby farms, big box houses, and other developments adjacent UGAs? | 28% 25% 46% |

| <i>q#</i> | <i>Scenic resources</i> | <i>dis-/agree</i> <i>1-2 3 4- 5</i> |
|-----------|---|--|
| 20 | Skagit County has some of the most diverse and scenic resources in the region including mountain, valley, waterfront, farms and viewpoints? | 2% 8% 90% |
| 22 | Rural roads and byways, especially the entry roads into and out of the urbanizing areas should retain an open and rural character (“rural by design”) that is not cluttered with commercial uses, advertising, and other urban characteristics? | 15% 16% 70% |
| 21 | “The view from the road”, however, is rapidly disappearing or being blocked or replaced with roadside clutter consisting of advertising signs, rural commercial uses, hobby farms, and/or inappropriate buildings or developments? | 21% 19% 59% |
| 23 | Skagit County public access trail systems and park activities could extend from open space corridors within the urbanizing areas out into the countryside to access some of the most diverse and scenic features in the county and region? | 12% 17% 72% |
| 25 | Public access trail systems and park activities should extend from the inner most urban areas out into the countryside within and through natural open space corridor networks to provide easy access to urban and rural residents alike? | 16% 19% 64% |
| 24 | Major existing public trail corridors, however, are located within park boundaries or on former railroad corridors and dikes located in rural areas that are not easily accessed by residents of the urbanizing areas on a daily basis? | 20% 25% 54% |

As shown, the survey respondents agreed overwhelmingly with the statements elicited from non-profit open space organizations concerning trends that are imperiling open space, scenic resources, and public access in the county at the present time.

D.4: Population growth impacts

Survey respondents were asked if in the next 20 years the Skagit County population is projected to increase by another 51,600 people or 46% more than the existing population of 113,100 persons, whether existing policies and programs will be sufficient to protect the county’s open space resources.

| | | |
|----|---|-------------------------------------|
| 26 | In your opinion, will <u>existing UGA open space and public access trail conditions, trends, policies, and programs</u> be enough to conserve and protect Skagit County’s UGA related open space resources? | 51% no 18% yes 32% don't know |
|----|---|-------------------------------------|

As shown, a majority of the respondents do not think existing policies and programs will be sufficient to conserve and protect Skagit County’s UGA related open space resources. However, a significant percent of the respondents may not know what existing policies and programs are. They may also not know whether they are or will be sufficient.

D.5: UGA open space and public access trail priorities

In light of the preceding, survey respondents were asked to rate the importance of the following open spaces within and adjacent to the urbanizing areas (UGAs) of the county in general whether such areas are protected by critical area ordinances, land use agreements, conservation easements, or land purchases by public or private organization efforts.

| <i>q#</i> | <i>UGA open space conservation needs</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|---|---------------------------------------|
| 29 | Productive and working farmlands adjacent the urbanizing areas? | 13% 14% 74% |

| q# | UGA open space conservation needs | low / high | | |
|----|---|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 28 | Mature and older growth forestlands within and adjacent the urbanizing areas? | 16% | 18% | 67% |
| 27 | Wildlife habitat and migration corridors within and through the urbanizing areas? | 19% | 20% | 62% |
| 30 | Scenic landscapes and roadside views entering and leaving the urbanizing areas? | 14% | 26% | 61% |
| 31 | Historical and cultural landmarks and sites within and adjacent urban areas? | 14% | 33% | 55% |

| q# | UGA public access trails and activities | low / high | | |
|----|--|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 33 | Public access trails and facilities that extend through and outwards from the urbanizing areas? | 15% | 22% | 64% |
| 34 | Fishing, swimming, car-top boating, picnicking, and other day use activities within open space corridor networks in and adjacent the urbanizing areas? | 15% | 21% | 65% |
| 32 | Interpretive trails, exhibits, and centers within open space corridor networks that extend outwards from the urbanizing areas? | 16% | 34% | 52% |

As shown, survey respondents overwhelmingly indicated **all** of the open space conservation and public access trails and activities were of the utmost importance (scores greater than 50% for ratings of 4-5) per the rank orders shown.

D.6: UGA open space and trails plan proposals

Under the proposed UGA open space and trails plan, public and private governments and organizations may jointly conserve and restore wildlife, forests, farms, scenic areas, historical, and cultural sites within and adjacent to the UGAs of the county. The survey respondents were asked to rate the following proposals - as shown on attached preliminary concept graphics.

| q# | UGA open space corridors | low / high | | |
|----|--|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 35 | <u>Countywide UGA open space corridors</u> - could focus on the Skagit River from Concrete through Hamilton, Sedro-Woolley, Burlington, and Mount Vernon, on the Swinomish Channel to LaConner, and on the Community Forests and State Park through Anacortes? As shown in the graphics, these corridors could extend from the cities outward into the most rural landscapes and features linking the UGAs into continuous greenway systems? | 12% | 18% | 71% |
| 43 | <u>Anacortes UGA open space corridors</u> - could focus on Cranberry Lake and Community Forests, and Deception Pass State Park through the UGA and extend into the city to link with the Tommy Thompson Trail, Cap Sante and Washington Parks, the downtown, marinas, city trails, schools, and other assets. | 12% | 22% | 61% |
| 38 | <u>Sedro-Woolley UGA open space corridors</u> - could focus on the Skagit River, Hart Slough, and Skiyou Island around the UGA and extend through the city on Brickyard and Hansen Creeks to link with Northern State Hospital County Park as well as the downtown, city trails, parks, schools, and other assets? | 14% | 23% | 59% |
| 40 | <u>Mount Vernon UGA open space corridors</u> - could focus on the Skagit River, Nookachamps Creek, Barnes Lake, and Britt Slough around the UGA and extend through the city on Maddox and Carpenter Creeks to link with the Kulshan Trail, Beaver Pond, Little Mountain as well as the downtown, city trails, parks, schools, and other assets. | 17% | 20% | 58% |

| <i>q#</i> | <i>UGA open space corridors</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|--|---------------------------------------|
| 39 | <u>Burlington UGA open space corridors</u> - could focus on the Skagit River and Hart Slough around the UGA and extend through the city on Gages Slough to link with Burlington Hill as well as the downtown, city trails, parks, schools, and other assets. | 15% 24% 57% |
| 42 | <u>LaConner UGA open space corridors</u> - could focus on the Swinomish Channel, Sullivan Slough, and Skagit Bay through and around the UGA and extend into the city, Swinomish Village, and Shelter Bay to link with the downtown, schools, trails, and parks? | 16% 24% 56% |
| 36 | <u>Concrete UGA open space corridors</u> - could focus on the Skagit River around the UGA and extend through the city on Lorenzan Creek and the Baker River, then north to Lake Shannon linking with the downtown, schools, parks, and other assets? | 15% 30% 53% |
| 41 | <u>Bayview UGA open space corridors</u> - could incorporate the lands surrounding the runways and storm retention areas and extend through the UGA to link with Padilla Bay and Burlington? | 17% 27% 53% |
| 37 | <u>Hamilton UGA open space corridors (not shown in the graphics)</u> - could focus on the Skagit River around the UGA? Depending on the final resolution of planning and design studies currently being accomplished for the city, the open space system could extend up Alder and Mud Creeks to link with local trails and other facilities? | 21% 32% 41% |
| <i>q#</i> | <i>UGA major trails and activities</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
| 49 | <u>Anacortes-Burlington Trail</u> - could extend west from Burlington along SR- | 16% 17% 64% |

| | | |
|----|--|-------------|
| | 20 through the proposed Bayview UGA to link with Swinomish Channel and PNW Trails to LaConner and Anacortes? The Anacortes-Burlington Trail would create a countywide trail linkage with all of the other major trail systems? | |
| 44 | <u>Cascade Trail</u> - could extend through the Skagit River open space corridor from Rockport through Concrete, Hamilton, Sedro-Woolley, and Burlington? An eastern extension of the trail could link with the Ross Lake National Recreation Area? | 13% 22% 63% |
| 48 | <u>Swinomish Channel Trail</u> - could extend north from LaConner along the Swinomish Channel to the PNW Trail and provide access to the estuaries and wetlands in Padilla and Fidalgo Bays. | 17% 21% 59% |
| 47 | <u>PNW/Interurban Trail</u> - could extend south from the Interurban Trail in Whatcom County through Bayview to the Swinomish Channel then west through Anacortes to Deception Pass and Whidbey Island? | 17% 22% 58% |
| 45 | <u>Centennial Trail</u> - could provide access from Snohomish County trail systems past Lake McMurray, Big Lake, the Nookachamps, Skagit River, and Northern State Hospital to link with Whatcom County trail systems to Lake Whatcom, Bellingham, and the Canadian border? | 17% 21% 58% |
| 46 | <u>Skagit-Snohomish Trail</u> - could extend from the Nookachamps south through Mount Vernon and Britt Slough then along the South Fork of the Skagit River to link with Fir Island, Conway, Stanwood and the Snohomish County trail systems. | 21% 20% 58% |

| <i>q#</i> | <i>Interpretive</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|---|---------------------------------------|
| 50 | <u>Interpretive centers and day-use parks</u> – be installed where appropriate along the trail corridors identified above to increase interpretive opportunities and open space related day-use park activities? | 18% 29% 51% |
| <i>q#</i> | <i>Scenic corridors</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
| 51 | <u>“Rural by Design” scenic overlay districts</u> – be established to conserve the “rural by design” scenic aspects (but not change land use allowances) for major roadway entries into and between the UGAs including SR-9, SR-11, SR-20, Old Highway 99, and other significant rural county roads? | 16% 31% 50% |

As shown, survey respondents ***gave overwhelming priorities*** to all of the open space, public access trail, and scenic corridor proposals - with the exception of Hamilton UGA for which there were no graphic representations.

However, the percents that did not have an opinion increased up to 7% for questions about some of the more rural UGAs where residents may not be as familiar with the physical proposals – and/or may not have been as interested.

On the other hand, survey respondents gave overwhelming support to all UGAs where graphics illustrated open space and trail proposals consistent with the county-wide theme, indicating their support for a county-wide as opposed to a parochial or local-only approach.

D.7: Role and responsibility alternatives

The county and cities could conserve UGA open space and trails proposed above under different policy priorities. Survey respondents were asked to prioritize the ***following functions that could be pursued by the county and cities for the***

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conservation of open space and trails within and adjacent to the UGAs.

| <i>q#</i> | <i>Role and responsibility alternatives</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|---|---------------------------------------|
| 53 | <u>Coordinator</u> – the county and cities create plans, financing strategies, and implementation programs but may be an active agent as well as a facilitator involving as many other public, non-profit, and private organizations as possible to conserve, restore, enhance, and manage <i>regional UGA related</i> open spaces and public access trails and activities? | 14% 16% 66% |
| 52 | <u>Regional conserver</u> – the county and cities be the principal agents to conserve, restore, enhance, and manage <i>regional UGA related</i> open spaces and public access trails and activities to the benefit and use of all residents on a <i>countywide basis?</i> | 23% 25% 48% |

As shown, survey respondents overwhelmingly favored a coordinator approach where public agencies involved as many other organizations as possible compared to a county-city or public agency approach primarily.

D.8: Joint venture opportunity and partner options

Besides Skagit County and the cities – the federal and state governments, tribes, ports, public utility and dike districts, non-profit organizations, and a variety of other public and private agencies own and maintain open spaces and trails within the county. Survey respondents were asked to rate joint venture projects to conserve open spaces and trails within and adjacent to the UGAs with the following organizations.

| <i>q#</i> | <i>UGA open spaces and public access trail systems</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|---|---------------------------------------|
| 55 | <u>With non-profit organizations</u> – like the Nature Conservancy, Skagitonians for | 12% 20% 66% |

| | | |
|----|---|-------------|
| | Farmland Preservation, or Skagit Land Trust? | |
| 54 | <u>With other public agencies</u> - like federal and state agencies, tribes, ports, utility and dike districts? | 14% 22% 63% |
| 56 | <u>With for-profit organizations</u> - like Puget Sound Energy (PSE), wetland mitigation developers, and private recreational facility developers and operators? | 31% 25% 42% |

As shown, survey respondents overwhelmingly favored non-profit and other public agencies. The survey respondents were somewhat receptive to the idea of also involving private organizations, though approval would likely depend on specifics.

D.9: Financing alternatives

Skagit County and its cities, like all jurisdictions in Washington State must structure fiscal policies to reflect recently adopted restraints on the use of property, license, and other taxes for the financing of general governmental services including the conservation of UGA open spaces and trail networks.

The following questions outline a number of alternative methods for conserving, restoring, and enhancing open space and trails within and adjacent the UGAs for your evaluation. The Skagit Council of Governments (SCOG) could adopt some, most, or all of the following ways and methods for structuring the way the county and cities deliver and finance UGA open spaces and trails depending on the results of this survey, and in some cases subsequent voter approvals.

D.10: Real estate excise, fuel tax, license fee, and sales tax options

Subject to voter approval, the Skagit County Commissioners could institute a variety of optional fees and taxes to be

dedicated exclusively to the conservation, restoration, enhancement, and management of UGA open spaces and public access trail systems **on a countywide basis**. Survey respondents were asked to rate each of the following optional approaches.

Optional UGA open spaced dedicated fees and taxes **low / high**
1-2 3 4-5

| | | |
|----|---|-------------|
| 60 | <u>Local Option Sales Tax</u> - an additional 0.1% sales tax (equal to \$0.10 for a \$100 purchase) to be paid by residents and tourists to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 38% 16% 47% |
| 57 | <u>Real Estate Excise Tax (REET-3)</u> - an additional 0.25% assessment of the sales price of all real estate property (equal to \$250 per \$100,000 of sale price) paid by the purchaser to be dedicated <u>exclusively</u> to the acquisition, restoration, enhancement, and management of UGA open spaces and public access trail systems on a countywide basis? | 49% 11% 40% |
| 59 | <u>Local Option Fuel Tax</u> - an additional \$0.023 per gallon sales tax to be paid by residents and tourists to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 57% 13% 30% |
| 58 | <u>Local Option Vehicle License Fee</u> - an additional \$15.00 per vehicle license registered in the county to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 55% 17% 28% |

As shown, survey respondents were **marginally supportive** of a Local Option Sales Tax - **and not at all in favor** of a 3rd REET, Local Option Fuel Tax, or Local Option Vehicle License Fee for the tax and fee amounts indicated where the funds generated

would be exclusively used for open space and public access trail purposes.

Approval to use the Local Option Sales Tax would depend on what extent a referendum on the issue would motivate the 16% who rated the proposal a 3 or mid-level priority at this time and in the abstract description provided.

D.11: Property tax levy

As an addition or as an alternative to any of the above tax and fee options, the Skagit County Commissioners could institute a ***limited duration*** property tax levy as a means of financing the conservation, restoration, enhancement, and management of UGA open spaces and trails ***on a countywide basis***. A countywide approach would ***share revenues*** between the county, cities, and/or other public or non-profit agencies that provide ***regional UGA related*** open space and public access trail system conservation projects and programs. Survey respondents were asked to rate this method.

| q# | | low / high | | |
|----|---|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 61 | <i>Countywide UGA approach</i> - where revenues are shared between county, cities, and/or other public and non-profit agencies that provide <i>regional UGA related</i> open space and trail projects and programs? | 36% | 23% | 39% |

| q# | | Amount per year | |
|----|--|-----------------------|-----|
| | | | |
| 62 | If a levy were to be put on the ballot <i>to finance regional UGA related open space and trail projects and programs on a countywide basis</i> , how much, if anything, would your <i>household</i> be willing to pay <i>per year</i> for this source of funding? | \$0 | 27% |
| | | \$1 - 99 | 19% |
| | | \$100-249 | 32% |
| | | \$250+ | 8% |
| | | Don't know | 14% |
| | | Mean = \$89.40 | |

As shown, survey respondents were almost evenly split statistically between favoring and not favoring a property tax levy that would be exclusively used for open space and public

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access trail purposes. Survey respondents were more receptive to the use of the Local Option Sales Tax than the property tax levy.

Even so, 59% indicated a willingness to pay some amount for a levy (compared to 27% that would not and 14% that did not know) for which the mean number was \$89.40 per household per year.

Approval to use a property tax levy or the Local Option Sales Tax would likely depend on what extent a referendum on the issue would motivate the respondents who rated the proposal a 3 or mid-level priority at this time and in the abstract description provided.

A proposal to use either approach will likely require more detailed descriptions of how much would be raised (and required of a levy or tax) to initiate more specific identified actions under what coordinating strategies to conserve open space, provide public access trails and activities, and protect scenic roads on a county-wide basis.

D.12: Comments

Survey respondents were asked if they had any specific comments or recommendations to make about the proposed UGA open space and public access trails plan or the survey - of which 57% of the respondents provided comments or suggestions described in the full technical results.

Appendix D: Mail-out/phone-back survey

In June 2007 a random sample of resident voter households in Skagit County was contacted to participate in a controlled sample survey concerning open space needs and priorities.

450 households agreed to participate in the survey and were mailed a copy of a summary description of the plan and a copy of the questionnaire. Survey results were compiled for the first 200 households who completed the surveys by follow-up telephone call - the number planned for in the original survey scope.

The resulting survey results are accurate to within 8+/- percent of the opinions of the general population. The statistics are rounded and may not add to 100 percent and do not list “don’t know” responses. The statistics also account for undecided, did not know, or refused a response (which generally ranged from 0-7% depending on the question). The question numbers are listed in the left column and began with number 5 as 1-4 are reserved for questionnaire numbering. Following is a summary of the results for the total sample group.

Following are the summary results of the survey ranked in priority on a scale of 1 to 5 where 4-5 is the best condition or highest priority and 1-2 is the poorest condition or least priority. For analysis purposes, a 3 rating is considered to be an average condition or priority where the survey respondents could go in either direction (50:50 split) should a specific policy, plan, or program be proposed at this time. The undecided, did not know, or refused were not included in this summary analysis.

D.1: Survey participant characteristics

Question number

| | | |
|----|--|---|
| 63 | Which area of the county do you live in? | 27% Anacortes area 6% LaConner area 2% Bayview area 9% Burlington area 28% Mount Vernon area |
|----|--|---|

| | | |
|----|--|--|
| | | 1% Lyman area 2% Hamilton area 1% Concrete area 12% Sedro-Woolley 14% Other county area |
| 64 | How long have you lived in the county? | 0-1 2-5 6-10 10+ yrs 0% 13% 8% 80% |
| 65 | What type of housing do you live in? | own rent 95% 6% |
| 66 | What age group are you in? | 18-24 25-34 35-49 50-64 65+ 0% 3% 14% 55% 29% |

Place of residence - the distribution of survey participants closely approximates the distribution of households across the county with larger percentages residing in the cities compared with the smaller cities and rural areas.

Length of residence - heavily favors long time residents, which is likely to be common of frequent voters.

Tenure - survey occupants were predominantly owners, which is also likely to be common of frequent voters.

Age groups - were heavily represented in the middle to senior age spans (50+) compared to young to middle age adults (18-49) which is partly a reflection of older length of residence and the voting populations of the county.

D.2: Existing UGA open space and trail conditions

Survey respondents were asked to rate the following open space conservation and public trail access conditions within and adjacent to the urban growth areas (UGAs) in Skagit County in general on a scale of 1 to 5 where 1 is the poorest and 5 the best condition possible.

| <i>q#</i> | <i>UGA open space conservation efforts</i> | <i>poorest/best</i> <i>1-2 3 4-5</i> |
|-----------|--|---|
| 7 | Protection of prime agricultural soils and working farmlands adjacent to urbanizing areas? | 31% 33% 36% |
| 8 | Protection of scenic areas and landscapes including viewpoints and vistas from hilltops and along entry roads into urbanizing areas? | 25% 38% 36% |
| 5 | Conservation of wildlife habitat – especially within the Skagit River and its tributaries as they flow through the urban areas? | 27% 42% 30% |
| 9 | Identification and preservation of historical and cultural landmarks, sites, and features within and adjacent to urbanizing areas? | 27% 41% 30% |
| 6 | Preservation of woodlands – particularly mature, older forest stands within the urbanizing areas? | 39% 34% 26% |
| 13 | Picnic grounds, shelters, and other day use activity areas in open space systems in the urbanizing areas? | 21% 42% 36% |
| 11 | Public access trails for hike, bike, and horse (including handicap accessible) to or through open spaces in the urbanizing areas? | 31% 37% 31% |
| 12 | Waterfront access for fishing, swimming, kayaking, and canoeing in open spaces in the urbanizing areas? | 33% 35% 31% |
| 10 | Interpretive markers, exhibits, trails, and centers located in open spaces within or adjacent to urbanizing areas? | 32% 41% 25% |

As shown, the survey respondents did not rank any open space or trail feature to be of a best condition overall. In some instances, the respondents indicated conditions were equal (rating 3) or of worse condition (rating 1-2) than those that considered them to be in good condition (rating 4-5).

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Appendix D: Mail-out/phone-back survey
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D.3: Open space trends in urbanizing Skagit County

Survey respondents were asked to what degree they agreed with the following statements made during workshops with open space organizations concerning trends that may be affecting the conservation of open spaces and trail developments within the UGAs of Skagit County.

| <i>q#</i> | <i>Open space trends</i> | <i>dis-/agree</i> <i>1-2 3 4- 5</i> |
|-----------|---|--|
| 14 | Skagit County has some of the most valuable and productive wildlife habitats, woodlands, and farms in the region if not the country? | 7% 10% 85% |
| 18 | Open spaces within the UGAs should be interconnected to flow through the cities into the surrounding countryside in a manner that conserves important assets and provides some logical and visible corridor networks? | 11% 16% 73% |
| 19 | Open space conservation efforts must do more than just preserve land – conservation programs should also restore, enhance, and manage the land to provide the valuable natural and ecological functions it once did? | 14% 17% 70% |
| 17 | Open spaces that are being created are often small, landlocked preserves within new residential developments that are not linked to a continuous open space network for the surrounding city or its residents – or between cities and urbanizing areas? | 14% 21% 63% |
| 15 | An unacceptable amount of these valuable open space assets (wildlife, woodlands, and farms) are rapidly being lost to urban development within UGAs? | 18% 19% 63% |
| 16 | An unacceptable amount of these valuable assets are also being lost to rural type land uses including roadside stands, hobby farms, big box houses, and other developments adjacent UGAs? | 28% 25% 46% |

| <i>q#</i> | <i>Scenic resources</i> | <i>dis-/agree</i> <i>1-2 3 4- 5</i> |
|-----------|---|--|
| 20 | Skagit County has some of the most diverse and scenic resources in the region including mountain, valley, waterfront, farms and viewpoints? | 2% 8% 90% |
| 22 | Rural roads and byways, especially the entry roads into and out of the urbanizing areas should retain an open and rural character (“rural by design”) that is not cluttered with commercial uses, advertising, and other urban characteristics? | 15% 16% 70% |
| 21 | “The view from the road”, however, is rapidly disappearing or being blocked or replaced with roadside clutter consisting of advertising signs, rural commercial uses, hobby farms, and/or inappropriate buildings or developments? | 21% 19% 59% |
| 23 | Skagit County public access trail systems and park activities could extend from open space corridors within the urbanizing areas out into the countryside to access some of the most diverse and scenic features in the county and region? | 12% 17% 72% |
| 25 | Public access trail systems and park activities should extend from the inner most urban areas out into the countryside within and through natural open space corridor networks to provide easy access to urban and rural residents alike? | 16% 19% 64% |
| 24 | Major existing public trail corridors, however, are located within park boundaries or on former railroad corridors and dikes located in rural areas that are not easily accessed by residents of the urbanizing areas on a daily basis? | 20% 25% 54% |

As shown, the survey respondents agreed overwhelmingly with the statements elicited from non-profit open space organizations concerning trends that are imperiling open space, scenic resources, and public access in the county at the present time.

D.4: Population growth impacts

Survey respondents were asked if in the next 20 years the Skagit County population is projected to increase by another 51,600 people or 46% more than the existing population of 113,100 persons, whether existing policies and programs will be sufficient to protect the county’s open space resources.

| | | |
|----|---|-------------------------------------|
| 26 | In your opinion, will <u>existing UGA open space and public access trail conditions, trends, policies, and programs</u> be enough to conserve and protect Skagit County’s UGA related open space resources? | 51% no 18% yes 32% don't know |
|----|---|-------------------------------------|

As shown, a majority of the respondents do not think existing policies and programs will be sufficient to conserve and protect Skagit County’s UGA related open space resources. However, a significant percent of the respondents may not know what existing policies and programs are. They may also not know whether they are or will be sufficient.

D.5: UGA open space and public access trail priorities

In light of the preceding, survey respondents were asked to rate the importance of the following open spaces within and adjacent to the urbanizing areas (UGAs) of the county in general whether such areas are protected by critical area ordinances, land use agreements, conservation easements, or land purchases by public or private organization efforts.

| <i>q#</i> | <i>UGA open space conservation needs</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|---|---------------------------------------|
| 29 | Productive and working farmlands adjacent the urbanizing areas? | 13% 14% 74% |

| q# | UGA open space conservation needs | low / high | | |
|----|---|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 28 | Mature and older growth forestlands within and adjacent the urbanizing areas? | 16% | 18% | 67% |
| 27 | Wildlife habitat and migration corridors within and through the urbanizing areas? | 19% | 20% | 62% |
| 30 | Scenic landscapes and roadside views entering and leaving the urbanizing areas? | 14% | 26% | 61% |
| 31 | Historical and cultural landmarks and sites within and adjacent urban areas? | 14% | 33% | 55% |

| q# | UGA public access trails and activities | low / high | | |
|----|--|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 33 | Public access trails and facilities that extend through and outwards from the urbanizing areas? | 15% | 22% | 64% |
| 34 | Fishing, swimming, car-top boating, picnicking, and other day use activities within open space corridor networks in and adjacent the urbanizing areas? | 15% | 21% | 65% |
| 32 | Interpretive trails, exhibits, and centers within open space corridor networks that extend outwards from the urbanizing areas? | 16% | 34% | 52% |

As shown, survey respondents overwhelmingly indicated **all** of the open space conservation and public access trails and activities were of the utmost importance (scores greater than 50% for ratings of 4-5) per the rank orders shown.

D.6: UGA open space and trails plan proposals

Under the proposed UGA open space and trails plan, public and private governments and organizations may jointly conserve and restore wildlife, forests, farms, scenic areas, historical, and cultural sites within and adjacent to the UGAs of the county. The survey respondents were asked to rate the following proposals - as shown on attached preliminary concept graphics.

| q# | UGA open space corridors | low / high | | |
|----|--|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 35 | <u>Countywide UGA open space corridors</u> - could focus on the Skagit River from Concrete through Hamilton, Sedro-Woolley, Burlington, and Mount Vernon, on the Swinomish Channel to LaConner, and on the Community Forests and State Park through Anacortes? As shown in the graphics, these corridors could extend from the cities outward into the most rural landscapes and features linking the UGAs into continuous greenway systems? | 12% | 18% | 71% |
| 43 | <u>Anacortes UGA open space corridors</u> - could focus on Cranberry Lake and Community Forests, and Deception Pass State Park through the UGA and extend into the city to link with the Tommy Thompson Trail, Cap Sante and Washington Parks, the downtown, marinas, city trails, schools, and other assets. | 12% | 22% | 61% |
| 38 | <u>Sedro-Woolley UGA open space corridors</u> - could focus on the Skagit River, Hart Slough, and Skiyou Island around the UGA and extend through the city on Brickyard and Hansen Creeks to link with Northern State Hospital County Park as well as the downtown, city trails, parks, schools, and other assets? | 14% | 23% | 59% |
| 40 | <u>Mount Vernon UGA open space corridors</u> - could focus on the Skagit River, Nookachamps Creek, Barnes Lake, and Britt Slough around the UGA and extend through the city on Maddox and Carpenter Creeks to link with the Kulshan Trail, Beaver Pond, Little Mountain as well as the downtown, city trails, parks, schools, and other assets. | 17% | 20% | 58% |

| <i>q#</i> | <i>UGA open space corridors</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
|-----------|--|---------------------------------------|
| 39 | <u>Burlington UGA open space corridors</u> - could focus on the Skagit River and Hart Slough around the UGA and extend through the city on Gages Slough to link with Burlington Hill as well as the downtown, city trails, parks, schools, and other assets. | 15% 24% 57% |
| 42 | <u>LaConner UGA open space corridors</u> - could focus on the Swinomish Channel, Sullivan Slough, and Skagit Bay through and around the UGA and extend into the city, Swinomish Village, and Shelter Bay to link with the downtown, schools, trails, and parks? | 16% 24% 56% |
| 36 | <u>Concrete UGA open space corridors</u> - could focus on the Skagit River around the UGA and extend through the city on Lorenzan Creek and the Baker River, then north to Lake Shannon linking with the downtown, schools, parks, and other assets? | 15% 30% 53% |
| 41 | <u>Bayview UGA open space corridors</u> - could incorporate the lands surrounding the runways and storm retention areas and extend through the UGA to link with Padilla Bay and Burlington? | 17% 27% 53% |
| 37 | <u>Hamilton UGA open space corridors (not shown in the graphics)</u> - could focus on the Skagit River around the UGA? Depending on the final resolution of planning and design studies currently being accomplished for the city, the open space system could extend up Alder and Mud Creeks to link with local trails and other facilities? | 21% 32% 41% |
| | | <i>low / high</i> <i>1-2 3 4-5</i> |
| <i>q#</i> | <i>UGA major trails and activities</i> | <i>low / high</i> <i>1-2 3 4-5</i> |
| 49 | <u>Anacortes-Burlington Trail</u> - could extend west from Burlington along SR- | 16% 17% 64% |

| | | |
|----|--|-------------|
| | 20 through the proposed Bayview UGA to link with Swinomish Channel and PNW Trails to LaConner and Anacortes? The Anacortes-Burlington Trail would create a countywide trail linkage with all of the other major trail systems? | |
| 44 | <u>Cascade Trail</u> - could extend through the Skagit River open space corridor from Rockport through Concrete, Hamilton, Sedro-Woolley, and Burlington? An eastern extension of the trail could link with the Ross Lake National Recreation Area? | 13% 22% 63% |
| 48 | <u>Swinomish Channel Trail</u> - could extend north from LaConner along the Swinomish Channel to the PNW Trail and provide access to the estuaries and wetlands in Padilla and Fidalgo Bays. | 17% 21% 59% |
| 47 | <u>PNW/Interurban Trail</u> - could extend south from the Interurban Trail in Whatcom County through Bayview to the Swinomish Channel then west through Anacortes to Deception Pass and Whidbey Island? | 17% 22% 58% |
| 45 | <u>Centennial Trail</u> - could provide access from Snohomish County trail systems past Lake McMurray, Big Lake, the Nookachamps, Skagit River, and Northern State Hospital to link with Whatcom County trail systems to Lake Whatcom, Bellingham, and the Canadian border? | 17% 21% 58% |
| 46 | <u>Skagit-Snohomish Trail</u> - could extend from the Nookachamps south through Mount Vernon and Britt Slough then along the South Fork of the Skagit River to link with Fir Island, Conway, Stanwood and the Snohomish County trail systems. | 21% 20% 58% |

| | | <i>low / high</i> | | |
|-----------|---|-------------------|----------|------------|
| <i>q#</i> | <i>Interpretive</i> | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| 50 | <u>Interpretive centers and day-use parks</u> – be installed where appropriate along the trail corridors identified above to increase interpretive opportunities and open space related day-use park activities? | 18% | 29% | 51% |
| | | <i>low / high</i> | | |
| <i>q#</i> | <i>Scenic corridors</i> | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| 51 | <u>“Rural by Design” scenic overlay districts</u> – be established to conserve the “rural by design” scenic aspects (but not change land use allowances) for major roadway entries into and between the UGAs including SR-9, SR-11, SR-20, Old Highway 99, and other significant rural county roads? | 16% | 31% | 50% |

As shown, survey respondents ***gave overwhelming priorities*** to all of the open space, public access trail, and scenic corridor proposals - with the exception of Hamilton UGA for which there were no graphic representations.

However, the percents that did not have an opinion increased up to 7% for questions about some of the more rural UGAs where residents may not be as familiar with the physical proposals - and/or may not have been as interested.

On the other hand, survey respondents gave overwhelming support to all UGAs where graphics illustrated open space and trail proposals consistent with the county-wide theme, indicating their support for a county-wide as opposed to a parochial or local-only approach.

D.7: Role and responsibility alternatives

The county and cities could conserve UGA open space and trails proposed above under different policy priorities. Survey respondents were asked to prioritize the ***following functions that could be pursued by the county and cities for the***

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conservation of open space and trails within and adjacent to the UGAs.

| | | <i>low / high</i> | | |
|-----------|---|-------------------|----------|------------|
| <i>q#</i> | <i>Role and responsibility alternatives</i> | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| 53 | <u>Coordinator</u> – the county and cities create plans, financing strategies, and implementation programs but may be an active agent as well as a facilitator involving as many other public, non-profit, and private organizations as possible to conserve, restore, enhance, and manage <i>regional UGA related</i> open spaces and public access trails and activities? | 14% | 16% | 66% |
| 52 | <u>Regional conserver</u> – the county and cities be the principal agents to conserve, restore, enhance, and manage <i>regional UGA related</i> open spaces and public access trails and activities to the benefit and use of all residents on a <i>countywide basis?</i> | 23% | 25% | 48% |

As shown, survey respondents overwhelmingly favored a coordinator approach where public agencies involved as many other organizations as possible compared to a county-city or public agency approach primarily.

D.8: Joint venture opportunity and partner options

Besides Skagit County and the cities – the federal and state governments, tribes, ports, public utility and dike districts, non-profit organizations, and a variety of other public and private agencies own and maintain open spaces and trails within the county. Survey respondents were asked to rate joint venture projects to conserve open spaces and trails within and adjacent to the UGAs with the following organizations.

| | | <i>low / high</i> | | |
|-----------|---|-------------------|----------|------------|
| <i>q#</i> | <i>UGA open spaces and public access trail systems</i> | <i>1-2</i> | <i>3</i> | <i>4-5</i> |
| 55 | <u>With non-profit organizations</u> – like the Nature Conservancy, Skagitonians for | 12% | 20% | 66% |

| | | |
|----|---|-------------|
| | Farmland Preservation, or Skagit Land Trust? | |
| 54 | <u>With other public agencies</u> - like federal and state agencies, tribes, ports, utility and dike districts? | 14% 22% 63% |
| 56 | <u>With for-profit organizations</u> - like Puget Sound Energy (PSE), wetland mitigation developers, and private recreational facility developers and operators? | 31% 25% 42% |

As shown, survey respondents overwhelmingly favored non-profit and other public agencies. The survey respondents were somewhat receptive to the idea of also involving private organizations, though approval would likely depend on specifics.

D.9: Financing alternatives

Skagit County and its cities, like all jurisdictions in Washington State must structure fiscal policies to reflect recently adopted restraints on the use of property, license, and other taxes for the financing of general governmental services including the conservation of UGA open spaces and trail networks.

The following questions outline a number of alternative methods for conserving, restoring, and enhancing open space and trails within and adjacent the UGAs for your evaluation. The Skagit Council of Governments (SCOG) could adopt some, most, or all of the following ways and methods for structuring the way the county and cities deliver and finance UGA open spaces and trails depending on the results of this survey, and in some cases subsequent voter approvals.

D.10: Real estate excise, fuel tax, license fee, and sales tax options

Subject to voter approval, the Skagit County Commissioners could institute a variety of optional fees and taxes to be

dedicated exclusively to the conservation, restoration, enhancement, and management of UGA open spaces and public access trail systems **on a countywide basis**. Survey respondents were asked to rate each of the following optional approaches.

Optional UGA open spaced dedicated fees and taxes **low / high**
1-2 3 4-5

| | | |
|----|---|-------------|
| 60 | <u>Local Option Sales Tax</u> - an additional 0.1% sales tax (equal to \$0.10 for a \$100 purchase) to be paid by residents and tourists to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 38% 16% 47% |
| 57 | <u>Real Estate Excise Tax (REET-3)</u> - an additional 0.25% assessment of the sales price of all real estate property (equal to \$250 per \$100,000 of sale price) paid by the purchaser to be dedicated <u>exclusively</u> to the acquisition, restoration, enhancement, and management of UGA open spaces and public access trail systems on a countywide basis? | 49% 11% 40% |
| 59 | <u>Local Option Fuel Tax</u> - an additional \$0.023 per gallon sales tax to be paid by residents and tourists to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 57% 13% 30% |
| 58 | <u>Local Option Vehicle License Fee</u> - an additional \$15.00 per vehicle license registered in the county to be dedicated <u>exclusively</u> to UGA open spaces and public access trail systems on a countywide basis? | 55% 17% 28% |

As shown, survey respondents were **marginally supportive** of a Local Option Sales Tax - **and not at all in favor** of a 3rd REET, Local Option Fuel Tax, or Local Option Vehicle License Fee for the tax and fee amounts indicated where the funds generated

would be exclusively used for open space and public access trail purposes.

Approval to use the Local Option Sales Tax would depend on what extent a referendum on the issue would motivate the 16% who rated the proposal a 3 or mid-level priority at this time and in the abstract description provided.

D.11: Property tax levy

As an addition or as an alternative to any of the above tax and fee options, the Skagit County Commissioners could institute a ***limited duration*** property tax levy as a means of financing the conservation, restoration, enhancement, and management of UGA open spaces and trails ***on a countywide basis***. A countywide approach would ***share revenues*** between the county, cities, and/or other public or non-profit agencies that provide ***regional UGA related*** open space and public access trail system conservation projects and programs. Survey respondents were asked to rate this method.

| q# | | low / high | | |
|----|---|------------|-----|-----|
| | | 1-2 | 3 | 4-5 |
| 61 | <i>Countywide UGA approach</i> - where revenues are shared between county, cities, and/or other public and non-profit agencies that provide <i>regional UGA related</i> open space and trail projects and programs? | 36% | 23% | 39% |

| q# | | Amount per year | |
|----|--|-----------------------|-----|
| | | | |
| 62 | If a levy were to be put on the ballot <i>to finance regional UGA related open space and trail projects and programs on a countywide basis</i> , how much, if anything, would your <i>household</i> be willing to pay <i>per year</i> for this source of funding? | \$0 | 27% |
| | | \$1 - 99 | 19% |
| | | \$100-249 | 32% |
| | | \$250+ | 8% |
| | | Don't know | 14% |
| | | Mean = \$89.40 | |

As shown, survey respondents were almost evenly split statistically between favoring and not favoring a property tax levy that would be exclusively used for open space and public

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access trail purposes. Survey respondents were more receptive to the use of the Local Option Sales Tax than the property tax levy.

Even so, 59% indicated a willingness to pay some amount for a levy (compared to 27% that would not and 14% that did not know) for which the mean number was \$89.40 per household per year.

Approval to use a property tax levy or the Local Option Sales Tax would likely depend on what extent a referendum on the issue would motivate the respondents who rated the proposal a 3 or mid-level priority at this time and in the abstract description provided.

A proposal to use either approach will likely require more detailed descriptions of how much would be raised (and required of a levy or tax) to initiate more specific identified actions under what coordinating strategies to conserve open space, provide public access trails and activities, and protect scenic roads on a county-wide basis.

D.12: Comments

Survey respondents were asked if they had any specific comments or recommendations to make about the proposed UGA open space and public access trails plan or the survey - of which 57% of the respondents provided comments or suggestions described in the full technical results.

Appendix E: Financial resources

An analysis was accomplished of recent financial trends in Skagit County and the impact federal and state program mandates, revenue sharing, and the county's urbanization have on the discretionary monies available for open space. The analysis also reviewed trends in county revenues and the affect alternative revenue sources may have on open space and trail project and program financial prospects. Following is a brief summary of major findings.

E.1: Revenue and expenditures - general government

Skagit County's annual general governmental expenditures are derived from the combination of general, special revenue, debt service, and enterprise funds – as well as state and federal grants. Following is a brief summary of the revenue accounts of most interest and application to countywide open space and trail projects and programs.

D.1.1: General fund

The General Fund is derived from property taxes, licenses and permits, intergovernmental revenues including state and federal grants, service charges and fees, fines and forfeitures, and other miscellaneous revenues. General funds are used to finance most government operations including staff, equipment, capital facility, and other requirements – ***and can be used to fund open space programs. None of the following general fund accounts, however, are currently funding open space projects and programs for the reasons outlined in the following descriptions.***

- ***Property tax*** - under Washington State's constitution counties may levy a property tax rate not to exceed \$1.80 per \$1,000 of the assessed value of all taxable property within the county jurisdictional limits. ***In the year 2005, the county General Fund property tax rate was \$1.7832 per \$1,000 assessed value or 99% of the allowable maximum.***

The total of all property taxes for all taxing authorities, however, cannot exceed 1.0% of assessed valuation, or \$10.00 per \$1,000 of value. If the taxes of all districts exceed the 1.0% or \$10.00 amount, each is proportionately reduced until the total is at or below the 1.0% limit.

In 2001, Washington State law was amended by Proposition 747, a statutory provision limiting the growth of regular property taxes to 1.0% per year, after adjustments for new construction. After years of appeal, the Washington State Supreme Court upheld Proposition 747 in 2007 limiting all jurisdictions in the state to a maximum increase per year of 1.0% over the total amount of revenue raised in the year before, after adjustments for new construction. Any proposed increases over this amount are subject to a voter referendum.

The statute was intended to limit local governmental spending by controlling the annual rate of growth of property taxes. In practice, however, the statute reduces the effective property tax yield to an annual level far below a county's levy authorization, particularly when property values are increasing rapidly.

As a result, city and county jurisdictions are losing their effective sources of revenue as revenue levels fall below the annual impacts of inflation and below the level of investment or cost population growth impacts are requiring in new infrastructure and services.

Generally, the county has not appropriated very much of the annual General Fund budget for capital improvements – including no open space acquisition programs. Skagit County has building and infrastructure construction requirements, but given the declining buying power of annual county budgets, not had the capital resources available to initiate major construction projects from the general funds or non-dedicated funds accounts.

The 1% statutory limit on local property tax yields combined with the sporadic and undependable nature of federal and state grants and revenue sharing prevents and discourages the county from making long term capital investments in infrastructure necessary to support the county's development.

- **Property tax levy lid lifts (resetting the rate)** - Proposition 747, the statutory provision limiting the growth of regular property taxes to 1.0% per year, can be waived by referendum approval of a simple (50%) majority of Skagit County's registered voters.

Voters can be asked to approve a permanent resetting of the property tax levy rate that would adjust the amount of revenue the county can generate. The new total revenue that can be generated by a resetting of the rate would be subject to the same annual 1.0% limitation, however, and the total amount of revenue and the resulting property tax rate would start to decline again in accordance with the proposition.

However, the adjusted rate and revenue could be dedicated exclusively to finance specific capital improvement projects – such as open space and trail projects and programs that involve **construction, maintenance, and operations** aspects that a majority of the voters are willing to pay for under the adjusted or reset rate.

- **Limited purpose property tax levy lid lifts** – RCW 84.55.050(3)(c) authorizes referendum approval of a simple (50%) majority of registered county voters the resetting of the property tax levy rate on a temporary basis where the rate is adjusted until a specific amount of revenue has been generated to finance **construction, maintenance, and operation** of a project or program – after which the rate reverts to the original or a specified amount defined in the referendum.

A “plain vanilla” lid lift lasts as long as the funds are dedicated to the specified purpose. The levy amount bumps up in the 1st year to the new total rate specified in the ballot proposition then increases subject to the 1% limitation in growth thereafter.

There is a 9-year limit to the special purpose levy lid lift ...“if the limited purpose includes making redemption payments on bonds”. Otherwise, the duration of the limited purpose levy lid lift may be for as long as the ballot specifies and the voters will approve.

- **Sales tax** - is the second largest General Fund revenue source and may be used for any legitimate public purpose. The county has no direct control over this source. The taxes are collected and distributed by the state and may fluctuate with general economic and local business conditions.

- **Local Option Sales Tax (LOST)** - in 2000 the Washington State legislature approved special statutory authorization allowing Pierce County to add and collect an additional 1/10th of 1% of the sales tax for the sole purpose of financing improvements to regional parks.

Validated by voter approval, the additional taxes tax funds are used to acquire, develop, and maintain parks owned, operated, and support by Pierce County and/or local city and park jurisdictions such as the Tacoma Metropolitan Park District.

The legislature has since authorized this additional optional add-on to be available to other counties within the state.

D.1.2: County Roads Fund

The County Roads Fund is derived from property taxes, gas taxes, license fees, inter-governmental revenues including state and federal grants, service charges and fees, and other miscellaneous revenues. The County Road Fund is used to finance most roadway operations including staff, equipment, capital facility, and other requirements.

The County Roads Fund may also finance non-motorized transportation improvements and recreational trail projects that provide a connection between destinations. **Generally, however, due to the rising cost of roadway maintenance and the 1.0% limitation on revenue growth, Skagit County has not been able to finance much on or off-road non-motorized**

transportation improvements from the following revenue sources:

- **Property tax** - the County may levy up to \$2.25 per \$1,000 assessed value for road construction and maintenance needs on the assessed value of taxable property within the unincorporated area of a county – or a total of \$4.05 for Roads and the General Funds combined. *In the year 2005, the county's Road Fund property tax rate was \$1.9454 per \$1,000 assessed value or 86% of the allowable maximum.*

Like the General Fund property tax, the Roads Fund property tax is also subject to Proposition 747's limit on the growth of the regular property tax levy at 1.0% per year, after adjustments for new construction. Any proposed increases over this amount are subject to a voter referendum.

Any amount that is not charged up to the maximum at the time of the referendum, however, may be "banked" for future authorization – meaning the base rate may be increased up to the allowable limit at the time the 1.0% limitation was invoked in 2007.

- **Motor Vehicle Excise Tax (MVET-PTR)** – Washington State (RCW 82.44) collects an annual excise tax paid by motor vehicle owners and administered by the Department of Licensing. Cities and counties receive a percent of the base tax allocation that must be spent on police and fire, or roadway improvements.

RCW 47.30.050 requires that local governments collect and dedicate not less than 0.005% of the total amount of MVET funds received during the fiscal year for the purpose of developing paths and trails (the Paths and Trails Reserve). The Paths and Trails Reserve was established to provide for the development and maintenance of paths and trails within the right-of-way of public roads.

Skagit County currently allocates this amount in a Special Paths account that is dispensed for on-road non-motorized improvements.

- **Motor Vehicle Fuel Tax – Arterial Streets (MVFT-AS)** – RCW 82.36 collects an annual tax paid by gasoline distributors and administered by the Department of Licensing. Cities and counties receive a percent of the base motor vehicle fuel tax receipts. The revenues must be spent for highway purposes including the construction, maintenance, and operations of streets, roads, and *non-motorized transportation systems*.

- **Local Option Fuel Tax (LOFT)** – RCW 82.80 authorizes a countywide voter approved tax equivalent to 10% of the statewide Motor Vehicle Fuel Tax and a special fuel tax of \$0.023 cents per gallon.

LOFT revenue may be distributed to the county on a weighed per capita basis. Revenues must be spent for highway (city streets, county roads, and state highways) construction, maintenance, or operation; the policing of local roads; or highway related activities – *including non-motorized transportation systems*.

- **Licenses and permits** – includes revenues generated from vehicle and truck license fees. Generally, these fees are used to pay for the inspections, processing, and other charges necessary to perform supporting highway and transportation services.

- **Local Option Vehicle License Fee (LOVLF)** - the Transportation Improvement Act (ESSB 6358 – RCW 82.80) authorizes countywide (no county levy – which does not require voter approval) local option fees up to \$15.00 maximum per vehicle registered in the county. Revenues are distributed back to the county and cities within the county levying the tax on a prorated per capita basis (1.0 for population in incorporated areas).

Revenues may be spent for "general transportation purposes" including the construction, maintenance, and operation of county streets, county roads and state highways, policing of local roads, public transportation, high capacity transportation, transportation planning and design and other transportation related activities – *including non-motorized transportation*.

- **Washington State intergovernmental revenue** – includes state grants or pass-through revenues, usually earmarked for specific programs. State grants are allocated under the Urban Arterial Trust Account (UATA) and Transportation Improvement Account (TIA) with a 20% matching requirement for alleviating roadways with traffic congestion or accident problems, and/or caused by economic development or growth. Both funds may be used for multi-modal improvements *including non-motorized transportation systems*.

- **Federal intergovernmental revenue** – includes federal grants or pass-through revenues, usually earmarked for specific programs. Federal grants are allocated under the Federal Transportation Equity Act for the 21st Century (TEA-21). Programs under this Act include the Surface Transportation Program (STP), Transportation Enhancement Program (STP-EH) and Safety Program (STPS) Funds which may be used for multi-modal improvements *including non-motorized transportation systems*. The US Department of Transportation and Federal Highway Administration administer federal governmental grants and pass-through funds.

D.1.3: Special revenues (taxes and fees)

Special revenues are derived from state and local option taxes dedicated to specific expenditure purposes, such as conservation futures, the real estate excise tax, motel and hotel tax, public art, criminal justice, convention center, and the like. Some special revenues may be used to finance limited capital facilities, such as open space projects and programs, where the local option allows.

Following is a description of local option taxes that may be used for open space purposes and the extent to which Skagit County is currently using them.

- **Real Estate Excise Tax (REET)** – RCW 82.46 gives county governments the option of adding up to three 0.0025% increments to the real estate excise tax (REET) for the sole purpose of financing local capital improvement projects –

including open space and trail systems. REET funds may not be used to finance operation and maintenance requirements.

Skagit County has adopted 2 REET options. *If approved by county voters, the county could adopt the 3rd REET option to be dedicated solely to park, recreation, and open space purposes if approved by county voters.*

REET is a viable financing tool for open space and trail acquisition and development projects. However, since REET funds are used for all county capital requirements, the funds may not be as easy to expense for open space and trail purposes as in years past when the county's General Fund was more significant and able to fund other county capital facility requirements.

- **Conservation Futures (CF)** – RCW 84.34 gives county governments the option of enacting by Council resolution or submitting a property tax levy for voter approval for the countywide acquisition of development rights or easements for the purpose of preserving open space, habitat areas, wetlands, agricultural, and timber lands.

The program may assess a range of rates per \$1,000 assessed value property tax on all taxable properties in the county, and dedicate the funds to the acquisition of farm, forest, open space, and recreation land.

A citizen-based Conservation Futures Advisory Committee must review and prioritize all projects submitted by eligible jurisdictions within the county including non-profit corporations or associations.

Skagit County's Conservation Futures currently funds the Farmland Legacy program that purchases development rights in the Ag-NRL zoning district. In conjunction with federal grants and non-profit ventures, the program is currently acquiring easements on about 700-900 acres per year. In 2005, the county's Conservation Futures tax rate was \$0.0576 per \$1,000 assessed value and generated \$603,777 in annual revenues.

D.1.4: Debt service funds

Debt service funds are derived from a dedicated portion of the property tax or general fund proceeds to repay the sale of general obligation (voted) and Councilmanic (non-voted) bonds. Both types of bonds may be used to finance open space and trail acquisitions – but not maintenance or operational costs.

- **Councilmanic (limited or non-voted) bonds** - may be issued without voter approval by the County Council for any facility development purpose. The total amount of all outstanding non-voted general obligation debt may not exceed 1.5% of the assessed valuation of all county property – *or \$173,920,497 in the year 2005 based on a total taxable property value of \$11,594,699,782.*

Limited general obligation bonds must be paid from general governmental revenues. Therefore, debt service on these bonds may reduce the amount of revenue available for current operating expenditures and the financial flexibility the County Council may need to fund annual budget priorities. For this reason, Councilmanic bonds are usually only used for the most pressing capital improvement issues.

- **Unlimited general obligation bonds** - must be approved by at least 60% of resident voters during an election which has a turnout of at least 40% of those who voted in the last state general election. The bond may be repaid from a special levy, which is not governed by the 1.0% statutory limitation on the property tax growth rate.

Total indebtedness as a percent of the assessed valuation that may be incurred by limited and unlimited general obligation bonds together, however, may not exceed:

- 2.5% - provided that indebtedness in excess of 1.5% is for general purposes (*in 2005, the 2.5% lid equaled \$289,867,495 including the 1.5% Councilmanic option*),
- 5.0% - provided that indebtedness in excess of 2.5% is for utilities, and

7.5% - provided that indebtedness in excess of 5.0% is for parks and open space development.

Monies authorized by limited and unlimited types of bonds must be spent within 3 years of authorization to avoid arbitrage requirements unless invested at less than bond yield.

Councilmanic and Unlimited General Obligation or GO Bonds may be used to construct but not maintain or operate facilities. Facility maintenance and operation costs must be paid from general governmental revenue or by voter authorization of special annual or biannual operating levies or by user fees or charges.

D.1.5: State grants

Washington State funds and administers a number of programs for wildlife habitat, open space, and non-motorized transportation and trails purposes using special state revenue programs.

- **Endangered Species Act (ESA)** - a Department of Ecology administered water quality program provides grants for up to 75% of the cost of water quality/fish enhancement studies. Referendum 39 monies can be applied to open space developments that propose to restore, construct or otherwise enhance fish producing streams, ponds or other water bodies.
- **Washington Wildlife Recreation Program (WWRP)** - provides funds for the acquisition and development of conservation and recreation lands. The Habitat Conservation Account of the WWRP program provides funds to acquire critical habitat, natural areas, and urban wildlife categories. The Outdoor Recreation Account of the WWRP program provides funds for local parks, state parks, trails, and water access categories.
- **Capital Projects Fund for Washington Heritage** - initiated on a trial basis in 1999, and since renewed, provides funds for the restoration and renovation projects for historical sites and buildings by local governments and non-profit agencies. The program is administered by the Heritage Resource Center (HRC).

- **Boating Facilities Program** – approved in 1964 under the state Marine Recreation Land Act, the program earmarks motor vehicle fuel taxes paid by watercraft for boating-related lands and facilities. Program funds may be used for fresh or saltwater launch ramps, transient moorage, and upland support facilities.
- **Aquatic Lands Enhancement Act (ALEA)** - initiated on a trial basis in 1985, and since renewed and expanded, uses revenues obtained by the Washington Department of Natural Resources from the lease of state owned tidal lands. The ALEA program is administered by the Washington State Recreation & Conservation Office (RCO – formerly the Interagency Committee for Outdoor Recreation or IAC) for the development of shoreline related trail improvements and may be applied for up to 50% of the proposal.
- **Washington State Public Works Commission** - initiated a program that may be used for watercraft sanitary pump-out facilities.

D.1.6: Federal grants

Federal monies are available for the construction of outdoor park facilities from the National Park Service (NPS) Land and Water Conservation Fund (LWCF). The Washington State Recreation & Conservation Office (RCO – formerly the IAC) administers the grants.

- **NPS (National Park Service) grants** - usually do not exceed \$150,000 per project and must be matched on an equal basis by the local jurisdiction. The RCO assigns each project application a priority on a competitive statewide basis according to each jurisdiction's need, population benefit, natural resource enhancements and a number of other factors.

In the past few years, project awards have been extremely competitive as the federal government significantly reduced the amount of federal monies available the NPS program. The state increased contributions to the program over the last few years using a variety of special funds, but the overall program could

be severely affected by pending federal deficit cutting legislation.

Applicants must submit a detailed comprehensive park, recreation, and open space plan to be eligible for NPS funding. The jurisdiction's plan must demonstrate facility need, and prove that the jurisdiction's project proposal will adequately satisfy local parks, recreation, and open space needs and interests. Due to diminished funding, however, RCO grants have not been a significant source of project monies for city, county, or other local jurisdictions in recent years.

- **TEA21 (Transportation Equity Act for the 21st Century)** - can be used to finance on and off-road non-motorized trail enhancements along major and minor arterial collectors roads or sometimes, within separate trail corridors. The program was adopted in 1993 and is administered by the Regional Transportation Organization (RTO) on behalf of the US Department of Transportation.

Applicants must demonstrate the proposed trail improvements will increase access to non-motorized recreational and commuter transportation alternatives.

- **National Recreational Trails Program (NRTTP)** – is the successor to the National Recreational Trails Act (NRFTA). Funds may be used to rehabilitate and maintain recreational trails that provide a backcountry experience. In some cases, the funds may be used to create new “linking” trails, trail relocations, and educational programs.

D.1.7: Enterprise funds

Enterprise funds are derived from the user fees and charges levied for utility operations including water and sewer, storm drainage, regional water, solid waste, and cemetery. Enterprise revenues may be used to pay operating costs, retire capital facility debt, and plan future replacement and expansion projects.

Enterprise funds may be created for an open space activity that has a revenue source sufficient to finance all costs. Enterprise

funds have been used on a limited basis for gun ranges, golf courses, equestrian centers, marinas, and similar self-financing operations – and may be used for storm mitigation banks or ponds or similar activities that charge fees.

E.2: Revenue prospects

Based on the preceding analysis, the following options could be used to finance countywide open space projects and program:

D.2.1: User fees and charges

Skagit County could enact by resolution an increasing array of special user fees, charges, and special assessments to pay for open space projects and program. One of the most promising may be the:

- **Local Option Vehicle License Fee (LOVLF)** - described earlier which allows up to an additional \$15.00 fee to be added to vehicle license fees for the purpose of **constructing, operating, and maintaining** non-motorized transportation.

The LOVLF fee could be used to develop the on and possibly some of the off-road trail proposals that frame and provide access to the UGA open space networks on a countywide basis.

Based on 2005 vehicle registrations within the county, the \$15.00 added fee would generate at least \$2,251,800 annually if enacted for non-motorized transportation or trail purposes.

D.2.2: Optional local dedicated taxes

Skagit County could seek voter approval to enact a variety of the special taxes and fees. One or more of the most promising may be those described earlier including the:

- **Local Option Sales Tax (LOST)** - which, if approved by voter referendum, could add **on a continual basis** an additional \$0.010 per \$1.00 of retail sales to be dedicated exclusively for **acquisition, operation, and maintenance** of open space projects and programs on a countywide basis.

Based on year 2005 retail sales statistics, LOST would generate at least \$924,868 annually for open space purposes and be paid by in-county residents as well as out-of-county residents and tourists.

- **Real Estate Excise Tax (REET 3)** - which, if approved by voter referendum, could generate **on a continual basis** \$0.0025 per \$1.00 of real property sales to be dedicated exclusively for **acquisition** of open space and trail projects and programs on a countywide basis.

Based on year 2005 real estate sales, REET 3 would generate at least \$164,134 annually for open space purposes and would be paid exclusively by in-county property sales and acquisitions.

- **Local Option Fuel Tax (LOFT)** - which, if approved by voter referendum, could add **on a continual basis** up to an additional \$0.023 per gallon of gas to be dedicated exclusively for non-motorized transportation **construction, operation, and maintenance** on a countywide basis.

Based on year 2005 estimated gasoline sales by county residents (not including sales to out-of-county residents and tourists, LOFT would generate at least \$1,425,990 annually for open space purposes and be paid by in-county residents as well as out-of-county residents and tourists.

D.2.3: General levy rate referendums

Skagit County could seek voter approval to reset or lift the levy rate lid on a permanent or temporary special purpose basis in accordance. One of the most promising options may be the special purpose levy lid lift described earlier where:

- **Property Tax Levy (PTL - Levy Lid Lift)** - which, if approved by voter referendum, could add **on a limited duration** (to be specified in the referendum but typically 6 years) an additional property tax to be dedicated exclusively for the **acquisition, operation, and maintenance** of open space projects and programs on a countywide basis.

Based on year 2005 assessed values, a \$0.00011 rate per \$1.00 valuation or \$24.48 annually for an average county house value of \$222,500 would generate \$1,641,082 annually, a \$0.00016 rate or \$35.60 annually would generate \$2,387,028 annually, or a \$0.00022 rate or \$48.95 annually would generate \$3,282,163 annually.

E.3: Regulatory approaches

In addition to the financing sources analyzed above, Skagit County could also use some of the following regulatory approaches to creating open space and trail systems using the State Environmental Protection Act (SEPA) and Growth Management Act (GMA) provisions.

D.3.1: SEPA impact mitigation – subdivision regulations

County subdivision policies require developers of subdivisions within the county, or on lands that may eventually annex to adjacent cities, to provide suitably designed and located open spaces, woodland preserves, trail systems, and other park or recreational facilities.

Such facilities may include major components of the open space and trail system that may be affected by the project's location or development. The county may also consider requiring developers provide acceptable long-term methods of managing and financing open space and trail maintenance and enhancement requirements. Attractive management systems could include:

- **ownership by a non-profit organization** - like a land trust, conservancy, or other agency who assumes responsibility for all operation and maintenance responsibilities and costs,
- **ownership by a homeowners or common property owners association** - who may contract maintenance responsibilities and assess property owner's annual costs, or
- **dedication of property** - to the county or an adjacent city or park district who assumes maintenance responsibilities using local city or park district funds.

The county should not accept title and maintenance responsibility unless the land or facility will be a legitimate open space and trail element that may be supported using public financing.

The county may be contracted by any of the other agencies to provide or oversee an operation and maintenance contract on the owner's behalf provided all county costs are reimbursed by an approved method of local financing.

D.3.2: GMA growth impact fees

Skagit County could expand upon the growth impact fee provisions provided in the Washington State Growth Management Act (GMA). Park and traffic impact fees could be applied to all proposed residential developments within the unincorporated county as a means of maintaining existing park, recreation, and open space and traffic levels-of-service (ELOS).

The ordinances could estimate the impact each development project will have on the open space and trail components of the park and traffic LOS within a countywide or UGA local service zone and make provisions for setting aside the resources, including lands or monies, necessary to offset the project's regional or local open space and trail impacts.

The dollar value of the project's open space and trail impacts could be offset by the project developer of an amount equal to the combined facility acquisition and development costs that the county and/or another providing agency would incur to maintain the same existing level-of-service (ELOS).

A developer may be allowed to choose any combination of land or cash mitigation measures including credit for any open space or trail facilities to be included within the project development. The ordinance should consider the following when determining the types of mitigation measures or development credits to be made available to the developer:

- **will the open space or trail** - be available to the public,



- **have a designated owner** - responsible for continuing operation and maintenance (the owner may be a common property owner's association, park district or other agency), and
- **correspond to and not exceed or vary from** - the types of open space and trail facilities that are being impacted (a developer could provide but should not be able to take full credit value for facilities for which there is no shortage, impact or local interest).

Land contributions can be accepted in lieu of monies if the lands will be suitable sites for future open space and trail systems. Land and monies accumulated under the proposed ordinance must be invested within a reasonable time of impact assessment or be returned to the contributing developer.

The county could conduct periodic program reviews with residents, user groups, cities, park districts, and other agencies to decide the most efficient and representative way of delivering the open spaces and trails mitigated by the ordinance.

D.3.3: Inter-local agreements

Skagit County should work with the cities to determine an equitable means whereby the open space and trail components

of park and traffic impact fees can be collected from residential developments occurring within the urban growth area outside of existing city limits, but within the area each city eventually expects to annex.

A joint growth impact fee could be collected where the county and city maintain the same local and regional or citywide level-of-service (LOS) presently existing within the incorporated (city) and unincorporated (county) sections, and for the urban growth area in total.

A common fee could be collected by each agency then shared on a project by project basis for open space and trail improvements benefiting the residents of the UGAs as well as the county-at-large.

Appendix F: UGA Property Tax Levy & Open Space Advisory Committee

AN ORDINANCE of Skagit County related to policies for the implementation of the Skagit Countywide UGA Open Space Plan and Program including the submission of a property tax levy as allowed by RCW 84.55 to provide an estimated amount of tax revenues for the purpose of acquiring through purchase or easement, restoring, enhancing, developing, and maintaining a network of UGA open spaces, regional trail linkages, and interpretive facilities.

WHEREAS, the Growth Management Act (GMA) stipulates Skagit County must have environmental element plans that protect critical areas such as floodplains, wetlands, steep slopes, geological hazards, and significant wildlife habitat and migration corridors; and resource lands including working and productive forestlands, agricultural lands, and mines; and cultural resources including historical sites and landmarks, scenic views and aesthetic landscapes; and

WHEREAS, the GMA also stipulates Skagit County's Urban Growth Areas (UGAs) must have open space separators or definitions that incorporate the above in addition to park and recreational sites and facilities, regional and community trails, open space linkage corridors, and interpretive facilities; and

WHEREAS, multiple public, non-profit, and private agencies and organizations are currently actively preserving, protecting, restoring, enhancing, and managing wildlife, forestland, agricultural, and scenic open space resources through land purchases, easements, development and use agreements, among other methods in rural Skagit County including along the Skagit River, in the Skagit River agricultural valley, in the Skagit River delta, and in Padilla Bay, among other locations; and

WHEREAS, these agencies and organizations are not pursuing lands within or adjacent to Skagit County's UGAs due to cost, complexity, parcel fragmentation, policy confusions, and other factors such that there is a gap in projects, programs, and funding necessary to implement a Skagit Countywide UGA Open

Space Plan that meets GMA requirements; and

WHEREAS, a mail-out/phone-back survey of registered county voter households indicated clear and significant majorities favored the implementation of a Skagit Countywide UGA Open Space Plan that creates and links open space separators, regional trail linkages, interpretive facilities, and scenic roads and byways around the UGAs with the open spaces being created by public, non-profit, and private agencies and organizations; and

WHEREAS, the survey of registered voter households also indicated significant majorities also favored the enactment of a financing method to provide for the UGA open space funding gap that matched and partnered or joint ventured with existing and potential public, non-profit, and private agency and organization efforts and resources;

NOW, THEREFORE, SKAGIT COUNTY DOES ORDAIN:

Section 1: Findings

1.1: The general fund of Skagit County does not have sufficient resources - to provide for the acquisition whether by purchase or easement, restoration, enhancement, development, and maintenance of open spaces, regional trail linkages, and interpretive facilities within, adjacent, and between the UGAs.

1.2: The Skagit County Board of County Commissioners (BOCC) recognizes the need - to provide funds for the acquisition, restoration, enhancement, development, and maintenance of existing and future UGA related open spaces, regional trail corridor linkages, and interpretive facilities.

1.3: The Skagit County Board of County Commissioners finds and declares it is in the best interests of the County - that its voters have an opportunity to vote on the question of whether to acquire, restore, enhance, develop, and maintain UGA open

spaces, regional trail linkages, and interpretive facilities the cost of which is to be paid from an increase in the County's regular property tax levy above the limitations established in RCW _____ for a period of 10 years commencing in the year 20__.

1.4: The Skagit County Board of County Commissioners finds and declares that an emergency exists - requiring the submission to the qualified electors of the County the proposition whether the County shall levy regular property taxes above the limitation established in RCW 84._____ for their ratification or rejection at a special election on _____.

Section 2: Use of UGA Open Space funds

It is intended that proceeds from the additional tax levied pursuant to this ordinance shall be applied to acquire through purchase or easement, restore, enhance, develop, and maintain UGA open spaces, regional trail linkages, and interpretive facilities as outlined in Exhibit A: the Skagit Countywide UGA Open Space Plan. Interest earnings on such proceeds shall also be applied to these purposes. The allocations are intended to be as follows:

2.1: Land acquisitions - approximately __% of the proceeds and interest of the levy are intended to be dedicated to land acquisition through fee simple, land easements, or other preservation method.

2.2: Development and improvement - approximately __% of the proceeds and interest of the levy are intended to be dedicated to the restoration, enhancement, development, and improvement of UGA open spaces, regional trail linkages, and interpretive facilities.

2.3: UGA open space preservation endowment - approximately __% of the proceeds of the levy are intended to be set aside to accrue interest. Interest earnings are to be spent on the maintenance of properties acquired or developed with UGA open space levy funds.

2.4: Funds raised thereby - shall also be used for all administrative and implementation costs to the County in

carrying out this program.

2.5: The above described program components are only illustrative guidelines - for implementation of the Skagit Countywide UGA open space program. In annual County budgets or by separate ordinance, the County shall from year to year determine the budget and allocations among the program components, change the scope of activities or the emphasis, and within a budget year reallocate unexpended and unencumbered funds from one program to another. Proceeds and appropriates unexpended at the end of any budget year shall automatically be carried over to the next budget year.

Section 3: UGA Open Space Advisory Committee

The Skagit County Board of County Commissioners shall establish a UGA Open Space Advisory Committee that shall provide citizen advice regarding the use of UGA Open Space Levy funds to acquire through purchase or easement, restore, enhance, develop, and maintain UGA open spaces, regional trail linkages, and interpretive facilities within and adjacent Skagit County's UGAs.

3.1: Committee membership - shall consist of 9 members who shall be appointed by the Board of County Commissioners. Each member shall be a citizen of the United States, an elector of Skagit County, a resident of the State of Washington for at least 3 years and of Skagit County for at least 2 years prior to appointment to the Committee. Members shall be appointed from among community-minded citizens who are active in civic matters, supportive of the intent and objectives of the UGA Open Space Plan and Program, and geographically representative of the county's UGAs. The Committee may make recommendations to the Board of County Commissioners for re-appointment and replacement of its members.

3.2: Terms - members shall be appointed to serve for a term of 3 years. Any vacancy in the membership of the committee shall be filled in the same manner as the original appointment with the replacement filling the remainder of the unexpired

term. Members may serve for no more than 3 full consecutive terms.

3.3: Compensation-conflicts of interest - committee members shall serve without compensation from Skagit County, or from any trust, donation or legacy to Skagit County for their services; this limitation shall not preclude a member of their firm receiving compensation from the County under contract or otherwise for services rendered outside their duties as a Committee member; provided, that any Committee member having an interest or who contemplates acquiring an interest in any particular transaction, contract, or project must disqualify them self from any official action contributing towards an official recommendation to the County on that subject.

3.4-Authority and duties - the UGA Open Space Advisory Committee shall be authorized to do the following:

3.4.1: Evaluate current and future conditions, needs, opportunities, and priorities - and identify and develop annual and long range open space land, regional trail linkage, and interpretive facility acquisitions whether purchase or easement, restorations, enhancements, improvements, and maintenance project and program lists that implement the Skagit Countywide UGA Open Space Plan for the county-at-large and each UGA.

3.4.4: Develop procedures and processes for soliciting requests-for-proposals (RFPs) - from public, non-profit, and private agencies and organizations for Skagit Countywide UGA open space, regional trail linkages, and interpretive facility projects and programs.

3.4.4: Develop public benefit evaluation and selection criteria for RFP submissions - from public, non-profit, and private agencies and organizations for Skagit Countywide UGA open space, regional trail linkages, and interpretive facility project and program submittals.

3.4.4: Award (on the Board of County Commissioners behalf) Skagit Countywide UGA open space levy funds - for UGA open

space, regional trail linkages, and interpretive facility projects and programs.

3.4.4: Monitor compliance and expenditures - for UGA open space, regional trail linkages, and interpretive facility projects and programs.

3.4.5: Issue annual evaluation reports and consult with the Board of County Commissioners and the public-at-large - identifying current UGA open space conditions and the actions taken each year to further the implementation of the Skagit Countywide UGA Open Space Plan.

3.4.6: Issue in the annual report or at any time the Committee deems appropriate, any revisions, modifications, or other actions that should be undertaken - to improve upon funding sources, RFP solicitation, public benefit criteria evaluation, project and program awards, project and program compliance and expenditures that would improve upon the Plan or its implementation.

Section 4: Organization

4.1: A chair and vice-chairperson - shall be elected annually from the Committee members and may serve for up to 3 consecutive 1-year terms. The Committee shall adopt its own rules of procedure and shall have authority to make by-laws for the conduct of its business under this Ordinance.

4.2: The Committee shall hold at least 1 regular meeting each month - on such date as shall be fixed and publicly advertised by the Committee at its regular place of meeting. Additional meetings may be held as the Committee deems necessary. All meetings of the Committee shall be public meetings; provided that, to the extent necessary or appropriate, the Committee shall consider the selection of sites and the acquisition of real property in purchase or easement confidentially in executive session when public knowledge regarding such consideration would cause a likelihood of increased price.

4.3: Written minutes and records of meetings and actions of the Committee shall be kept - and all such records shall be public.

4.4: Skagit County Planning & Development Services Department staff - shall provide appropriate support to the Committee.

Section 5: Effective dates

This Ordinance establishing a Skagit Countywide UGA Open Space Advisory Committee shall be in effect for so long as a UGA Open Space Levy (whether the current proposed levy or any successor thereto) is in effect in the County or there are funds collected through such a levy to be expended. In the event that the proposed UGA Open Space levy or any successor thereto expires without being replaced or extended, the Committee shall be disbanded.

Section 6: Election-ballot title

The Skagit County Board of County Commissioners requests that the Auditor of Skagit County, as an ex officio supervisor of elections, find the existence of an emergency pursuant to RCW 29A 04.330 (2) and call and conduct a special election in the County on _____, for the purpose of submitting to the qualified voters of the County for their approval the proposition authorizing the County to increase its regular property tax to \$___ per thousand of assessed valuation on all of the taxable property within Skagit County, for collection in ____ and to increase such levy for each of the 9 succeeding years as allowed by RCW 84.55 to be used for the cost of UGA open space and regional trail acquisition, restoration, enhancement, development, and maintenance as set forth in this ordinance.

The County Clerk is authorized and directed to certify to the County Auditor of Skagit County, Washington, as an ex officio supervisor of elections, as least 45 days prior to the _____ election date, a copy of this ordinance and the proposition to be

submitted at that election in the form of a ballot title in the following form pursuant to RCW 29A.36.071:

**SKAGIT COUNTY
PROPOSITION NUMBER __**

Skagit County's Proposition Number _ concerns a levy for UGA open space and regional trails.

For the purpose of funding the acquisition, restoration, enhancement, development, and maintenance of UGA open spaces and regional trails, this proposition would authorize Skagit County to increase its regular property tax levy up to \$___ per \$1,000 for collection in _____, and to levy the additional amount for 9 succeeding years together with annual increases thereon as allowed under RCW 84.55. Should this proposition be approved?

Yes_____

No_____

Passed by this Board of County Commissioners this ___ day of _____, 200_.

Appendix G: UGA Open Space - Public Benefit Rating Criteria

The following criteria will be used to evaluate properties or programs submitted for funding consideration under the proposed UGA Open Space program by the UGA Open Space Advisory Committee (UGA-OSAC).

Initial evaluations may simply add the number of checked boxes to determine which projects score the highest for funding consideration. Eventually, the UGA Open Space Advisory Committee may perfect a graduated scoring system that prioritizes the categories listed and the scores that may be achieved by applicant submittals.

1: Land use

1.1 Separators - does the property or program create open space networks that define “place” boundaries establishing breaks or separations between Concrete and Sedro-Woolley, Sedro-Woolley and Burlington, Burlington and Bayview Ridge, and transitions between urban and rural areas along SR-9, SR-20, Chuckanut Drive, and McLean Road, among others?

1.2: Public/private network opportunities - does the property or program define a planned network of open spaces so that private developments can contribute or link privately-owned open space systems to be part of or extensions of the overall UGA open space system as in, for example, the Eaglemont Development in Mount Vernon?

1.3: Flood control - does the property or program include floodplains and flood-prone lands and the river dike and drainage systems along the Baker and Skagit Rivers, Nookachamps Creek, Gages Lake and Slough, Britts Slough, and Swinomish Channel in UGA open spaces?

2: Natural resources

2.1: Aquatic habitat - does the property or program protect and enhance fresh and saltwater aquatic resources including fisheries, water fowl, and other species habitat in the Baker

River, Skagit River including the North and South Forks, Samish River, Nookachamps Creek, Swinomish Channel, and Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit Bays, and significant freshwater bodies such as Shannon, Gages, Barney, Heart, Whistle, Erie, and Campbell Lakes, as well as estuarine rearing and foraging resources in Skagit, Similk, Padilla, and Samish Bays that encompass, adjoin, and extend UGA open spaces?

2.2: Wildlife habitat and corridors - does the property or program protect and enhance wildlife habitat including plant species, birds, and mammals within the marine, estuarine, freshwater, and terrestrial environments that encompass, adjoin, and provide migration corridors within and between UGA open spaces?

2.3: Agricultural lands - does the property or program protect heritage, prime soils, and working farms in the Skagit River Valley, Nookachamps Creek, Skagit River Delta, and Fir and Fidalgo Islands by including them within UGA open spaces?

2.4: Woodlands - does the property or program protect old growth, working forests, and significant woodland stands on US Forest Service, DNR, and other public and private properties on Burlington Hill, Little Mountain, and the Community Forest on Mount Erie by including them within UGA open spaces?

3: Scenic resources

3.1: Landscapes - does the property or program protect existing scenic landscapes especially those that exemplify unique features that are visible from UGA open space viewpoints including Cap Sante Point, Mount Erie, and Little Mountain, are incorporated into major parks such as Northern State Recreation Area and Deception Pass State Park, and are prominent features of protected areas such as Padilla and Skagit Bays?

3.2: Scenic byways – does the property or program protect scenic roads, rivers, and shorelines by preserving rural and marine land uses and activities, natural environments and vegetation, and scenic or visual features along UGA open space road and shoreline edges especially including the established SR-11 and SR-20 scenic byway corridors?

3.3: Viewpoints – does the property or program protect and enhance scenic viewpoints that look into and onto visual landscapes including prominent high points such as Cap Sante Point, Mount Erie, Little Mountain, and Burlington Hill, as well as strategic overlooks or look-into places alongside and within the UGA open space network at the Baker and Skagit Rivers, Gages Slough, Nookachamps Creek, and Swinomish Channel?

4: Cultural resources

4.1: Landmarks – does the property or program protect and interpret cultural, historical, and archaeological places, sites, and structures within the UGA open space system such as the cement and powerhouse structures in Concrete, Northern State Hospital in Sedro-Woolley, BNSF Railroad facilities in Burlington, river steamboat landings and waterfront improvements in Mount Vernon, historical business district in La Conner, railroad jetty and marine waterfront in Anacortes?

5: Interpretation

5.1: Interpretive exhibits, trails, and centers – does the property or program create and incorporate education and awareness programs and facilities within UGA open space systems such as the Padilla Bay and Tommy Thompson Trails, and Padilla Bay National Estuarine Research Reserve (NEER) interpretative center?

6: Recreation

6.1: Regional multiuse trails – does the property or program develop a network of regional or countywide multiuse (hike, bike, and horse) trails including the Cascade, Centennial, PNW, and Skagit-Snohomish Trails adjacent, through, and into

countywide and UGA open spaces to increase access, awareness, and interpretive opportunities provided that such access does not jeopardize critical wildlife habitat, working farmlands or forests, or other private resources and properties?

6.2: Community connections – does the property or program link the regional or countywide multiuse trails with city or local trails that increase urban and rural resident access to parks, recreational areas, schools, public facilities, commercial, and employment areas in Concrete, Hamilton, Lyman, Sedro-Woolley, Burlington, Mount Vernon, Bayview Ridge, La Conner, and Anacortes UGAs?

6.3: On/off-road linkages – does the property or program where necessary and appropriate, extend regional and local multiuse trails within public road and utility rights-of-way that adjoin, cross, or access countywide and UGA open spaces to avoid off-road wildlife habitat intrusions, working farm or forest conflicts on a seasonal, interim, and sometimes permanent basis where it cannot be avoided?

6.4: Water trail linkages – does the property or program where possible, connect on/off-road trails with water trails on the Guemes and San Juan Island Ferries and private excursion boat routes on the Skagit River, Swinomish Channel, Padilla, Similk, and Skagit Bays to increase public access and interpretive opportunities?

6.5: Accessibility – does the property or program provide for disability access to encourage the use and enjoyment of all people with physical disabilities to the maximum extent possible similar to what has been provided on the Tommy Thompson, Padilla Bay, and Cascade Trails?

7: Transportation

7.1: Interconnections – does the property or program link non-motorized transportation routes on SR-9, SR-11, SR-20, SR-237, SR-530, and SR-534 with the off-road Cascade, Centennial, PNW, and Skagit-Snohomish Trails systems to provide an interconnected network that parallels and provides access to UGA open spaces?

7.2: Rural access – does the property or program extend non-motorized transportation routes outward from the UGAs to provide access to rural areas and landscapes as well as the UGA open space extensions on a countywide basis such as the biking designations on McLean Road, Whitney-LaConner Road, and Chuckanut Drive?

7.3: Entry points – does the property or program link non-motorized transportation routes with the surrounding counties and region specifically including on-road alignments on SR-9, SR-11, SR-20, SR-237, SR-530, and SR-534?

7.4: Water trails – does the property or program designate hand-carry and other non-motorized water craft routes that flow alongside and through countywide and UGA open spaces on the Baker River, Skagit River including the North and South Forks, Samish River, Swinomish Channel, and Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit Bays?

8: Jurisdictional and leveraging

8.1: Land use policy - does the property or program conform to Skagit County and the affected city/UGA land use policies, zoning designations, and other goals and objectives?

8.2: Local leverage - does the property or program generate matching funds, donations, expertise, or labor from other local governments or non-profit organizations within the county?

8.3: State and federal leverage - does the property or program generate matching funds, donations, expertise, or labor from state and federal sources?

8.4: Public support - does the property or program have significant public support from the affected jurisdiction, participants or sponsors, local community, and affected adjacent property owners?

9: Feasibility and timing

9.1: Threatened status - is the property or program threatened with development or likely to be lost for open space if not acted upon?

9.2: Restoration - will the property or program restore or enhance open space, wildlife, woodland, farm, or other natural features that once characterized the site before urban development?

9.3: Stewardship - does the property or program have a sponsor who will assume responsibility for the operation, maintenance, and other stewardship requirements?

9.4: Distribution - will the property or program provide a geographic distribution of open space funds in order to maintain some equity between funds and population distribution within the county?

9.5: Feasibility - can the property or program be completed on time, within budget, within the scope as outlined in the submittal?

9.5: Hazard - does the property or program have any potential hazardous waste, environmental problem, special permit requirements, dilapidated structures, or other feature which could jeopardize its accomplishment with the funds or its long term open space potential?



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Appendix G: Public Benefit Rating System (PBRs)
Skagit County UGA Open Space Plan