

Comments on the Skagit Countywide UGA Open Space Plan March 17, 2009

The UGA Open Space oral presentation at the March 3, 2009 Planning Commission Study Session emphasized acquisition of Open Space along the borders of the Urban Growth Areas. In other sessions I attended the focus seemed to be more on trails through rural areas to provide links between urban areas (See Attachment for my June 20, 2008 comments). I support the former but not the latter. While I like trails, I feel it is more critical at this time to obtain and preserve Open Spaces, especially in or near urban areas, while there is still undeveloped land available.

Unfortunately, the written plan document has not changed substantially, only the "interpretation" of it. This means that the committee controlling the money could spend it based on its own interpretation. We have all seen recently (with the "bailout" money to banks and insurance companies) that tax dollars are not always spent the way the taxpayers envision.

Definitive criteria for the committee needs to be established as part of the plan. For example:

- Defining the term "adjacent" to a specified distance from existing UGA boundaries
- Limiting the term "between" to a buffer rural and urbanizing areas, not a linking of urban areas
- Apportioning monies so that the majority of funds go to investments (acquisition of new Open Space) rather than expenses (enhancement, maintenance, etc.)
- Protection for private property owners impacted by public access to Open Spaces (trespassing, loose dogs, unauthorized fires, trash, liability, etc.)
- Critical Area protection for habitat impacted by public access.
- Non-motorized transportation routes should be differentiated from rustic, recreational hiking trails and developed along existing thoroughfares, not through rural farms, forests, and critical areas.
- The committee should provide periodic, public reports on the distribution of funds

Without precise guidelines, how can the Plan or the Advisory Committee be impartially evaluated as to whether or not it is meeting its goals? There must be transparency and accountability for taxpayer dollars.

And as for funding this project, I am in favor of a property tax levy with a Sunset Clause. This would allow taxpayers to discontinuing funding if the committee does not spend taxpayer dollars wisely.

Also, in my opinion, "camping" (Chapter3, page11) should be deleted from the plan. Camping is not a "day-use facility" but definitely implies at least an overnight stay.

Respectfully submitted by,


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I came to this process late and was unable to participate fully or to voice my concerns earlier. Since meetings for this plan were labeled **UGA** Open Space Plan, I erroneously assumed the process was for **Urban Growth Area** residents and not for rural residents. I only attended the last UGA Open Space Plan workshop. However, I would like to submit the following comments on the final draft plan as presented at that workshop.

As a conceptual comprehensive plan for county-wide parks and trails, it may be a start. As an UGA Open Space Plan to curb creeping urban sprawl, it falls short of meeting its objective.

Problems with this Plan stem from a lack of common definitions involving the scope and intent of the study:

1. UGA? All areas of the county? Or Urban Growth Area – a designated area for future growth agreed on by city, county and Growth Management Hearings Board?
2. Open Space? Parks and Trails for recreational use? Or protection of rural lands from urban sprawl?
3. Between? A link between or a separator? Or, as I like to refer to it, a moat or a bridge? The phrase "within and adjacent" to the UGA was gradually replaced in the workshop with the phrase "within and between". "Within and between" is a phrase used in the Skagit Comprehensive Plan, but a careful reading of the entire section on Open space clearly uses the word "between" as a separator.
4. Corridor? A term that can also mean connecting or separating, depending on one's viewpoint and bias.
5. Adjacent? Is this anywhere in this county? Or is this abutting or nearby? (In other county definitions, doesn't this term have a legal meaning of ¼ mile?)

In each case, the Plan maps and recommendations place heavy emphasis on the former choice of definitions and very little, if any, on the latter. When this point was raised at the workshop, the consultant said each jurisdiction could decide for itself how to interpret the words! This will only lead to confusion, arguments and litigation, not co-operation.

If I stop nit picking over words and look at the bigger picture, I ask what is the most likely intent of the GMA, and the GMHB rulings and the Skagit County Comprehensive Plan? The answer is to prevent urban sprawl into rural areas and to protect resource lands. The purpose of this Plan should be to provide buffers separating urban (current and planned) from rural lands. Then the meaning of the disputed terms becomes clear and more closely matches the intent described in the early pages of the Plan.

From Chapter 1: Introduction "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. (Emphasis added)

From Chapter 1: Introduction Section 1.2 Approach "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 ... **efforts to preserve and enhance open space assets around and within the UGA areas.** (Emphasis added)

Chapter 2 Section 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." (Emphasis added)

Appendix A Section A.11 Skagit Countywide Planning Policies – 9. Open space and recreation "9.1 (page A-6) Open space corridors **within and between urban growth areas** shall be identified." Goal B Open Space (page A-7) "designate open space **corridors within and around urban growth areas.**"

A.12.28.1.4.d (A-8) "**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." (Emphasis added)