

**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

**Applicant:** Mount Baker Council  
Boy Scouts of America  
1715 100<sup>th</sup> Place SE, Suite B  
Everett, WA 98208

**Contact:** Kevin Nichols

**Request:** Shoreline Substantial Development Permit, PL20-0210

**Location:** Fire Mountain Boy Scout Camp near the shore of Lake Challenge.  
The site is at 26027 Walker Valley Road, within SE1/4 Sec. 32,  
T34N, R5E, W.M.

**Shoreline Designation:** Rural

**Summary of Proposal:** To construct a picnic shelter to replace a nearby picnic shelter that was recently removed. The structure will be placed about 130 feet from the Ordinary High Water Mark of the lake. The roof of the structure will measure 28' by 68' with two-foot overhangs. The roof will be supported by 12" by 12" posts and the floor will be a concrete slab. The height of the shelter will be approximately 22 feet.

**Public Hearing:** July 14, 2021 via electronic means. Testimony by Planning and Development Services (PDS) and Applicant's representative. No public testimony.

**Decision/Date:** The application is approved, subject to conditions. July 26, 2021

**Reconsideration/Appeal:** Reconsideration may be requested by filing with PDS within 5 days of this decision. Appeal is to the Board of County Commissioners by filing with PDS within 5 days of this decision, or decision on reconsideration if applicable.

**Online Text:** The entire decision can be viewed at:  
[www.skagitcounty.net/hearingexaminer](http://www.skagitcounty.net/hearingexaminer)

## **FINDINGS OF FACT**

1. The Boy Scouts of America seek a Shoreline Substantial Development Permit to build a new picnic shelter at Fire Mountain Boy Scout Camp, near the shore of Lake Challenge.

2. The camp is at 26027 Walker Valley Road, within the SE1/4 Sec.32, T34N, R5E, W.M.

3. The structure, to be called Janicki Shelter, will replace an old picnic shelter that was recently removed.

4. The new shelter will be situated approximately 130 feet from the Ordinary High Water Mark of the lake. The roof structure will be 28' by 68' with two-foot overhangs. The roof will be supported by 12" x 12" posts. The floor will be a concrete slab. The height of the new shelter will be approximately 22 feet.

5. The camp encompasses about 645 acres, accessed by Walker Valley Road. It is located on Cultus Ridge east of Big Lake. To the east, north and south are commercial timber operations. To the southeast is a large off-road vehicle park.

6. The camp is mostly wooded. It includes a variety of shelters, camp sites, support buildings and recreational facilities. Onsite activities include camping, swimming, boating, climbing and shooting. Near the proposed picnic shelter site are a lodge, fire pit, general store, climbing tower, restrooms and a maintained lawn.

7. Lake Challenge is located in the southwestern portion of the camp. Its shoreline is designated Rural under the local Shoreline Master Program (SMP). There is a lake-fringe wetland along the shore. The proposed picnic shelter will be located beyond the lakeshore and wetland buffers, but it will lie within the shoreline zone and thus requires a shoreline permit.

8. The proposal will not increase the capacity of the camp. It will meet applicable zoning setbacks. Appropriate erosion and sedimentation control measures will be in place during construction.

9. The application was circulated to the various County departments. None had objections.

10. Environmental review resulted in issuance of a Determination of Non-Significance (DNS) on June 8, 2021. The DNS was not appealed.

11. The County Staff evaluated the application in light of the SMP and determined that the proposal, as conditioned, will be consistent with the applicable shoreline regulations. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

12. Any conclusion herein which may be deemed a finding is hereby adopted as such.

## **CONCLUSIONS OF LAW**

1. The Hearing Examiner has jurisdiction over these proceedings. SMP 9.06.
2. The requirements of the State Environmental Policy Act (SEPA) have been satisfied.
3. The proposal, as conditioned, is consistent with the requirement of the Shoreline Master Program for a shoreline Substantial Development Permit. SMP 9.02(1).
4. Any finding herein which may be deemed a conclusion is hereby adopted as such.

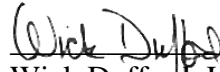
## **CONDITIONS**

1. The proposal shall be carried out as described in the application materials, except as the same may be modified by these conditions.
2. The recommendations of the Wetland Resources site assessment, dated May 12, 2020, shall be considered conditions of approval.
3. The applicant shall obtain all required permits and approvals and shall abide by the conditions of same.
4. A Protected Critical Area (PCA) site plan shall be recorded within the County Auditor's office prior to the approval of the building permits application
5. Temporary erosion/sedimentation control measures shall be used in accordance with Chapter 14.32 SCC (Stormwater Management).
6. The applicant shall comply with all other relevant State and County regulations.
7. The project shall be commenced within two years of final shoreline permit approval and shall be completed within five years thereof.
8. If the applicant proposes any modification of the subject proposal, as approved, it shall notify Planning and Development Services prior to the start of construction.
9. Failure to comply with any permit condition may result in permit revocation.

**ORDER**

The requested Shoreline Substantial Development Permit (PL20-0210) is approved, subject to the conditions set forth above.

**SO ORDERED**, this 26<sup>th</sup>, day of July, 2021.



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Wick Dufford, Hearing Examiner

Transmitted to Applicant and County Staff July 26, 2021