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SKAGIT COUNTY
PDS

May 3, 2012

Skagit County Planning Commission
1800 Continental Place
Mt Vernon, WA 98273

Re: Supplementary Testimony - Proposed Comprehensive Plan Revision - Lake Erie Trucking (Bill Wooding) - PL11-0250

During the May 1st Planning Commission meeting, Mr. Wooding's advocate, Mr. Ravnik, referred to the Citizen Advisory Committee's (CAC's) "final draft" Plan, dated January 2006 as the FINAL subarea Plan for Fidalgo Island. It most definitely is NOT!

The January 2006 DRAFT Plan was simply the latest in a sequence of draft revisions, assembled and submitted for comment by the CAC. It is only "final" because it was the last draft published by the CAC. The major proposal in this January 2006 Plan version was to up-zone (and LAMIRD) Fidalgo Island's RRv zoning, clearly a violation of the Growth Management Act. This proposal was rejected by the project's Plan consultant, the county Planning Staff, the residents of South Fidalgo Island, the Technical Advisory Committee (TAC) and, in November 2006, by the County Commissioners. Attached is a copy of the April 2006 TAC report which details the factors leading to the TAC's rejection of the CAC's RRV to RI "rezoning" proposal.

For the above reasons, any suggestion that this last "draft plan" is relevant to your deliberations in this matter should absolutely be minimal.

A Final Fidalgo Island Subarea Plan does not yet exist.

NOW, regarding Mr. Wooding's CaRD, I offer one of two options:

- Option 1 - Deny this up-zone pending completion of an GMA APPROVED Subarea Plan. Per Mr. Glade's testimony, this may be a legal requirement (from GMA Hearing's Board). Without completion of the required studies (drainage, geo-hazard, etc.), the effects of increased density are not known. Prime examples of ill-advised up-slope development are the Point (to the north) and Seaview (to the south).
- Option 2 - Grant this up-zone with the provision that the open space of the CaRD be labeled a "critical area", to be preserved in its natural and undisturbed state. This will minimize the downslope flow while granting Mr. Wooding his seven building lots. This option is only available if Option 1 is not mandated.

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(360) 299-2090



ATT: TAC Report, dated April 6, 2006

CC: Kirk Johnson, Senior Planner

April 6, 2006

TO: Skagit County Board of County Commissioners
- Don Munks, Commissioner (District 1)
- Kenneth A. Dahlstedt, Commissioner (District 2)
- Ted W. Anderson, Commissioner (District 3)
Skagit County Planning Commission
Skagit County Planning and Development Services
- Gary Christensen, Director

SUBJECT: SOUTH FIDALGO ISLAND SUBAREA PLAN -
(TECHNICAL ADVISORY COMMITTEE Recommendation)

We, the undersigned members of the South Fidalgo Island Sub-Area Plan's TECHNICAL ADVISORY COMMITTEE (appointed by Skagit County's Board of County Commissioners, in Resolution No. 20030276, dated August 11, 2003) recommend that the South Fidalgo Island Sub-Area's Citizens Advisory Committee's (CAC's) proposal to re-zone 4,872 acres of South Fidalgo Island from Rural Reserve (RRv) to Rural Intermediate (RI) be rejected for the following TECHNICAL reasons:

- 1) The proposal is based on the wrong growth forecast. The CAC discarded the growth objective provided by the County Council of Governments (a PLANNED capacity) of 900 additional people (equating to about 350-375 homes) by 2025 and substituted their own "forecasted" growth (or, an UNPLANNED growth) of 700-950 homes. Unmanaged growth has caused many problems on South Fidalgo Island. We don't need to continue making these mistakes. The CAC has neither the technical expertise nor the authority to inflate this input from the County Government.
- 2) The proposal is in conflict with the Plan's VISION STATEMENT published in the LAND USE ELEMENT, wherein "residents enjoy the same type of community that the residents of 2005 enjoyed." This statement clearly implies that, if possible, land use patterns and zoning should be preserved wherever possible. Current South Fidalgo Island residents have consistently and repeatedly expressed preference for maintaining the EXISTING rural character and zoning. In surveys, residents supported the existing zoning by 66% (before CAC re-zone proposal) and 83% (after CAC re-zone proposal).
- 3) The County's consultant (Berryman & Henigar, Inc., Seattle, WA), after two-years of study and analysis, concluded their analysis "indicating that the subarea has enough theoretical capacity under existing zoning to accommodate the 20-year growth" and that "(existing) capacity could support 400-500 new houses" equating to "between 1,000 and 1,200 new people" by 2025. When asked about capacity for 950 houses (i.e., the CAC's inflated forecast) in Nov 2005, the consultant answered "almost". Analysis does NOT justify a massive rezoning of nearly 5,000 acres from Rural Reserve to Rural Intermediate.
- 4) Washington's GROWTH MANAGEMENT HEARINGS BOARD (GMHB) has recently ruled (in cases in Thurston and Whatcom counties) that one residence per five acres is the highest housing density for RURAL areas. Since there is no proven necessity to re-zone nearly 5,000 acres at this time to meet the County's 20-year growth objective, a legal battle to reverse a likely negative GMHB ruling (and attempting to overturn GMA) will probably fail for lack of necessity.

- 5) What's the hurry? Even using the CAC's own "950 new homes" forecast, we appear to have sufficient capacity UNDER CURRENT ZONING to accommodate growth for several years (i.e., "almost" to 2025). We have time to do the necessary supportive studies of drainage, soil and geology, water quality, wildlife habitat and economic impact. And we have time to plan and construct the supporting utilities and infrastructure.
- 6) If a 20-year capacity shortfall exists at all, the evidence, even assuming the CAC's inflated 950-home growth "forecast", indicates it would be small. Surely it would be a far less expensive and disruptive alternative to re-zone a few acres adjoining Gibraltar Road or Highway 20 where water service is already available. Even re-zoning as little as 500 acres from RRv to RI could provide an additional 100-150 home sites.

For these reasons, it is our TECHNICAL recommendation that the CAC's proposal to re-zone 4,872 acres of South Fidalgo Island from Rural Reserve (RRv) to Rural Intermediate (RI) be rejected.

Instead, the TAC recommends approval of the NO-ACTION alternative (Ordinance No. 18375, Step 3.g) identified in Attachment A of Resolution No. R20030276, dated August 11, 2003. We believe that this alternative fully conforms with the results of our TECHNICAL analysis, with the Sept. 2005 recommendation of the County's outside consultant and with the overwhelming preference of the Island's residents to maintain the existing RURAL CHARACTER and existing ZONING at this time.

(NOT PRESENT, OUT OF TOWN)

David Larson	Date
<i>David Cortelyou</i>	3/31/06
David Cortelyou	Date
<i>James Mecca</i>	3/31/06
James Mecca	Date
<i>Bob Bell</i>	03/31/06
Bob Bell	Date
<i>Konrad Kurp</i>	3/31/06
Konrad Kurp	Date
<i>Ross Barnes</i>	3/31/06
Ross Barnes	Date
<i>David Pearson</i>	3/31/06
David Pearson	Date
<i>Ian Munce</i>	3/31/06
Ian Munce	Date
<i>Tony Kubena</i>	3/31/06
Tony Kubena	Date