

SKAGIT COUNTY ENVIRONMENTAL CHECKLIST

A. BACKGROUND INFORMATION

1. Name of proposed project, if applicable:

Skagit County Compliance Order Response - Western Washington Growth Management Hearings Board (WWGMHB) Case No. 07-2-0025c, Friends of Skagit County, June Kite and Evergreen Islands v. Skagit County

2. Name of applicant/proponent:

Skagit County Planning & Development Services Department.

3. Address and phone number of applicant/proponent and contact person:

Mailing address: 1800 Continental Place, Mount Vernon, WA 98273

Physical address: 1700 College Way, Mount Vernon, WA 98273

360-336-9410

Contact: Carly Ruacho

4. Date checklist prepared:

September 23, 2008

5. Agency requesting checklist:

Skagit County Planning & Development Services

6. Proposed project timing or schedule (including phasing, if applicable):

The proposal is to adopt amendments to the Skagit County Comprehensive Plan and Title 14, Zoning, of the Skagit County Code, to achieve compliance with the final decision and order issued by the Western Washington Growth Management Hearings Board in the Case No. 07-2-0025c, Friends of Skagit County, June Kite and Evergreen Islands v. Skagit County. The proposed review and adoption schedule is as follows:

- *Tuesday, October 14 - Planning Commission Public Hearing;*
- *Tuesday, October 28 - Planning Commission deliberations; and*

- *Late November 2008 – Review of Planning Commission Recommendation and adoption by the Skagit County Board of Commissioners.*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No. The proposal is a non-project action relating to the compliance order issued by the Hearings Board. No further related amendments are anticipated.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

No environmental information directly relating to this proposal has previously been prepared. This SEPA checklist, including a supplemental sheet for non-project actions is the only environmental documentation that specifically pertains to the proposed plan and code amendments. However, a number of environmental documents have previously been prepared that relate to the initial adoption and subsequent amendments to the Skagit County Comprehensive Plan and implementing regulations, including the following:

- Draft Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Skagit County Department of Planning and Community Development, January 13, 1994;*
- Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Volume I: FEIS Text and Appendices A-G, Skagit County Department of Planning and Community Development, June 30, 1994;*
- Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Volume II: Appendices H-L, Skagit County Department of Planning and Community Development, June 30, 1994;*
- Addendum to the Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Skagit County Department of Planning and Community Development, May 24, 1995;*
- Addendum to the Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Skagit County Classification and Designation of Natural Resource Lands, Skagit County Planning and Permit Center, May 23, 1996;*
- Draft Supplemental Environmental Impact Statement for the Skagit County Comprehensive Plan, Skagit County Planning and Permit Center, November 13, 1996;*
- Final Supplemental Environmental Impact Statement for the Skagit County Comprehensive Plan, Skagit County Planning and Permit Center, May 2, 1997; and*

h. *Addendum (Proposed Comprehensive Plan Amendments and Development Regulations Intended to Satisfy Skagit County's Outstanding GMA Obligations, Including Resolution of Issues Connected to Pending Appeals before the Western Washington Growth Management Hearings Board) to the Draft Environmental Impact Statement, Final Environmental Impact Statement, Supplemental Draft Environmental Impact Statement, and Supplement Final Environmental Impact Statement for the Skagit County Comprehensive Plan, February 3, 2000.*

9. Do you know of pending applications for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable; there is no other pending governmental approval related to the proposal.

10. List any government approvals or permits that will be needed for your proposals, if known:

No permits are required for the proposal. Environmental review under SEPA is required, as is a Planning Commission public hearing, recommendation to the Board of County Commissioners (BCC), and final legislative action by the BCC via adoption ordinance.

11. Give a complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The proposal is to adopt amendments to the Skagit County Comprehensive Plan and Unified Development Code to bring them into compliance with the ruling of the Western Washington Growth Management Hearings Board in Case No. 07-2-0025c, Friends of Skagit County, June Kite and Evergreen Islands v. Skagit County. The amendments involve the following:

- *Revisions intended to place appropriate restrictions on the size and scope of caretaker and/or owner/operator dwelling units through amendments to SCC 14.04.020;*
- *Clarifications to Plan Policies 3C-1.4 and 3C-2.1, and revisions to the list of permitted uses, administrative special uses, and Hearing Examiner special uses permitted in the RVC, SRT, RI, RVR, and RRv zones to be consistent with the revised policies and to more clearly differentiate rural commercial zones from rural residential zones;*

- *Amendments to Comprehensive Plan Policy 3C-2.18(b) to eliminate the potential to expand LAMIRDs to include areas developed after July 1, 1990;*
- *Striking Comprehensive Plan Policy 3C-2.2(b) in its entirety; and*
- *Amending Comprehensive Plan Policy 3A-2.2 to clearly indicate that resource areas are part of the non-urban area.*

12. Location of the proposal. Please give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal should occur over a range of area, please provide the range or boundaries of the site(s). Please provide a legal description, site plan, vicinity map, and topographic map if possible. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. (Indicate if maps or plans have been submitted as part of a permit application).

The proposed Plan and Code amendments would affect much of unincorporated Skagit County, located within Ranges 1-12 East and Townships 33-36 North, W.M., Skagit County, WA.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): flat, rolling, hilly, steep, slopes, mountainous, other (describe).

Most of the zone designations that would be affected by the proposed amendments lie within the Puget Lowlands in the western section of Skagit County. The Cascade Mountains are located to the east and are the source of the river systems that drain to the west into Puget Sound. Landforms have been shaped by past glacial periods leaving a complex series of sediments up to 2,000 feet thick. The areas that will potentially be affected by the proposed amendments range significantly in topographical conditions. For further information, refer to the Comprehensive Plan DEIS.

- b. What is the steepest slope on the site (approximate % slope)?

The proposed action is a non-project action under SEPA and would not affect, or be affected by, topographical conditions.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, please specify and note any prime farmland.

The U.S. Department of Agriculture Soil Conservation Service Soil Survey of Skagit County Area, WA, provides detailed information on the soils within affected areas of the County. However, the proposed amendments are a non-project action under SEPA and would not affect, or be affected by, on-site soil conditions.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe:

Areas with a history of unstable soils exist in a number of locations in Skagit County that could be affected by the proposed plan and code amendments. The County's Critical Areas Maps show known landslide and erosion hazard areas within the County; however, the proposed amendments are a non-project action under SEPA and would not affect, or be affected by, unstable soils.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No filling or grading is proposed; the proposed action is a non-project action under SEPA and would not involve physical improvements of any kind.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable; as noted previously, the proposal is a non-project action and would not involve clearing, construction or use that would result in erosion.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable; as noted previously, the proposal is a non-project action and would not involve the construction of new impervious surfaces.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable; because the proposal would have no impacts, no mitigation measures are proposed.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction, and

when the project is completed? If any, generally describe and give approximate quantities if known.

No direct impacts to air quality would result from the proposed amendments; the proposal is a non-project action and would not involve emissions to the air.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No – no off-site emissions sources would affect the proposal.

- c. What are the proposed measures to reduce or control emissions or other impacts, if any:

Not applicable; because the proposal would have no significant impacts to air quality, no mitigation measures are proposed.

3. Water

- a. Surface:

- 1) Is there any surface water on or in the immediate vicinity of the site (including year-round and seasonal stream, saltwater, lakes, ponds, or associated wetlands)? If yes, describe type, provide names, and, if known, state what stream or river it flows into.

Skagit County contains a wide variety of natural and human modified aquatic resources. These diverse aquatic resources have their own hydrological functions as well as other important and sometimes, competing functions, such as economic, recreational, wildlife and fisheries habitat, open space and aesthetic functions. For additional information, refer to the Comprehensive Plan DEIS.

- 2) Will the project require any work over or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No; the proposal is a non-project action and would not involve project-related improvements over or adjacent to the surface waters of Skagit County.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None; the proposal is a non-project action and would not involve filling or dredging in any amount.

- 4) Will surface water withdrawals or diversions be required by the proposal? Give general description, purpose, and approximate quantities if known.

No. The proposal is a non-project action and would not necessitate any surface water withdrawals or diversions.

- 5) Does the proposal lie with a 100-year flood plain? Note location on the site plan, if any.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. The proposal is a non-project action and would not involve any discharges of waste materials to surface waters.

b. Ground:

- 1) Will ground water be withdrawn or recharged? Give general description, purpose, and approximate quantities if known.

No. The proposal is a non-project and would not involve any ground water withdrawals or recharging.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None.

c. Water runoff (including storm water):

- 1) Describe the source of runoff and storm water and method of collection and disposal, if any (including quantities, if known). Where will this water flow? Will this water flow into other waters? If so, please describe.

Inapplicable. The proposal is a non-project action and would not result in the generation of any new impervious surfaces or stormwater impacts.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The proposal is a non-project action and would not result in the generation of any new waste materials that might potentially enter ground or surface waters.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None. Because the proposal would pose no impacts to surface, ground or runoff water, no mitigation measures are proposed.

4. Plants

- a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation.

- b. What kind and amount of vegetation will be removed or altered?

None. The proposal is a non-project action and would not require the removal or alteration of any vegetation.

- c. List threatened or endangered species known to be on or near the site.

Inapplicable. The proposal is a non-project action and would not require any site alteration or modification that might impact threatened or endangered species.

- d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None. Because the proposal would pose no impacts to vegetation, no mitigation measures are proposed.

5. Animals

- a. Circle (or highlight) any birds and animals that have been observed on or known to be on or near the site:

birds: *hawk, heron, eagle, songbirds, other*
mammals: *deer, bear, elk, beaver, other*
fish: *bass, salmon, trout, shellfish, other*

- b. List any threatened or endangered species known to be on or near the site:

The proposal is a non-project action and would not require any site alteration or modification that might impact threatened or endangered species; this question is inapplicable.

- c. Is the site part of a migration route? If so, explain.

As is the case with nearly all of the lowland areas of Western Washington, much of Skagit County lies in the Puget Sound lowlands, within the Pacific Flyway. However, because the proposal is a non-project action, it would not be expected to pose any impacts to migratory animal use.

- d. Proposed measures to preserve or enhance wildlife, if any:

Because the proposal occasions no impacts, no mitigation measures are proposed.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. The proposed non-project Plan and Code amendments would not create any additional energy needs.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No. The proposal is a non-project action and would not involve any structural improvements that would affect the solar access of adjacent or nearby properties.

- c. What kinds of energy conservation features are included in the plans of this proposal?

No specific energy conservation features are proposed.

- d. What are the proposed measures to reduce or control energy impacts, if any?

No specific mitigation measures are proposed.

7. Environmental Health

- a. Are any environmental health hazards, exposure to toxic chemicals, including risk of fire and explosion, spill, or hazardous waste, likely to occur as a result of this proposal? If so, describe.

No. Again, the proposal is a non-project action to ensure consistency with the GMA and external consistency between the Plan and Code. As such, the proposal would not increase the risk of environmental health hazards.

- b. Describe special emergency services that might be required.

No special emergency services would be required as a result of the proposal.

- c. What are the proposed measures to reduce or control environmental health hazards, if any?

Because the proposal occasions no environmental health hazards, no mitigation measures are proposed.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

Because the proposal is a non-project action involving amendments to the Skagit County Comprehensive Plan and the implementing regulations contained within the Skagit County Code, it has the potential to affect a wide variety of areas within the limits of the unincorporated County.

- b. Has the site been used for agricultural purposes? If so, describe.

Considerable portions of unincorporated Skagit County are considered "current use agriculture" by the Skagit County Assessor's Office. A review of the S.C.S. Soil Survey Map reveals that widespread areas of "prime" agricultural soils are found within alluvial plains of western Skagit County.

- c. Describe any structures on the site.

The areas of unincorporated Skagit County that could be affected by the proposed legislative amendments possesses a wide diversity of residential, commercial, manufacturing, and public/institutional structures.

- d. Will any structures be demolished? If so, what?

No structures will be demolished; the proposal is a non-project action to address inconsistencies with the GMA.

- e. What is the current zoning classification of the site?

The zones that would be most directly affected by the proposed legislative amendments to permitted and special uses include the following: Rural Village Commercial (RVC); Small Scale Recreational and Tourism (SRT); Rural Intermediate (RI); Rural Village Residential (RVR) and Rural Reserve (RRv).

- f. What is the current comprehensive plan designation of the site?

The land use designations that would be most directly affected by the proposed legislative amendments to permitted and special uses include the following: Rural Village Commercial (RVC); Small Scale Recreational and Tourism (SRT); Rural Intermediate (RI); Rural Village Residential (RVR) and Rural Reserve (RRv).

- g. If applicable, what is the current shoreline master program environment designation of the site?

Because the proposal is a nonproject action involving amendments to the Skagit County Comprehensive Plan and implementing regulations within the Skagit County Code, it would potentially affect Shoreline Master Program (SMP) designations County-wide.

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

Yes. Please refer to the Comprehensive Plan DEIS and the County's Critical Areas Maps for the precise location and extent of ESAs in the affected area.

- i. What are proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal is a non-project action to remedy policy and code language found to be non-compliant with the GMA by the Western Washington Growth Management Hearings Board. Because the proposal is remedy these Plan and Code deficiencies, it may in itself be viewed as a mitigation measure, ensuring consistency with State law and consistency between the Plan and implementing regulations within the Skagit County Code.

- j. Approximately how many people would reside or work in the completed project?

None.

- k. Approximately how many people would the completed project displace?

No one would be displaced as a result of the proposal.

- l. What are proposed measures to avoid or reduce displacement or other impacts, if any?

Because no impacts have been identified, no mitigation measures have been proposed.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No housing units would be provided as a result of the proposal.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units would be eliminated as a result of the proposal.

- c. What are proposed measures to reduce or control housing impacts, if any?

Because the proposal would not result in any housing impacts, no mitigation measures are proposed.

10. Noise

- a. What types of noise exist in the area that may affect your project (for example: traffic, equipment, operation, other)?

Noise sources are not likely to affect the proposal.

- b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?

No construction would occur as a result of the proposal – therefore, no noise would be created by or associated with the proposal..

- c. What are the proposed measures to reduce or control noise impacts, if any?

No measures are necessary or proposed.

11. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No structures are proposed. The question is inapplicable.

- b. What views in the immediate vicinity would be altered or obstructed?

No views would be altered or obstructed as a result of the proposal.

- c. What are the proposed measures to reduce or control aesthetic impacts, if any?

Because no impacts have been identified, no mitigation measures have been proposed.

12. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Because the proposal is a non-project programmatic action, it would not produce any light or glare.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. Because the proposal is a non-project action, it would not create light or glare safety hazards or view obstructions.

- c. What existing off-site sources of light or glare may affect your proposal?

None.

- d. What are the proposed measures to reduce or control light and glare impacts, if any:

Because no significant impacts have been identified, no mitigation measures have been proposed.

13. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

A wide variety of designated and informal recreational opportunities are available in the unincorporated portions of Skagit County. The original DEIS prepared for the Skagit County Comprehensive Plan, as well as the Plan itself, describe these opportunities in detail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No – no displacement impacts would be occasioned by the proposal.

- c. What are the proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any?

Because no impacts have been identified, no mitigation measures are proposed.

14. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Listed structures are located within unincorporated Skagit County; however, because the proposal is a non-project legislative action to remedy GMA non-compliant Plan and Code provisions, no impacts to listed structures are anticipated.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on the site.

No landmarks or evidence of historic, archaeological, scientific or cultural importance would be affected by the proposed legislative amendments.

- c. What are the proposed measures to reduce or control impacts, if any?

Because no impacts have been identified, no mitigation measures have been proposed.

15. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Skagit County has many miles of platted and/or dedicated public rights-of-way and opened and maintained streets and highways. The Comprehensive Plan DEIS provides greater detail on the inventory of roadways within the unincorporated County.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

SKAT (Skagit County Public Transit) serves many areas within the unincorporated County, including many of the areas designated as limited areas of more intensive rural development (LAMIRDs).

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Inapplicable. The proposal is a non-project action to amend policy language within the Comprehensive Plan and Skagit County Code to ensure compliance with the GMA. As such, the proposal does not involve or necessitate the construction of additional parking areas.

- d. Will the proposal require any new roads or streets, or improvements to any existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No; the proposal is not anticipated to require road improvements, or affect level of service standards on existing roadways.

- e. Will the project use or occur in the immediate vicinity of water, rail, or air transportation? If so, generally describe.

The proposed action would not affect water, rail, or air transportation facilities.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None. As a non-project action, the proposal would not generate traffic. Any future development applications would be subject to SEPA review unless categorically exempt.

- g. What are proposed measures to reduce or control transportation impacts, if any?

Because no impacts have been identified, no mitigation measures are proposed.

Future project applications that are not categorically exempt pursuant to Chapter 197-11-800 WAC, and which require issuance of a County license or permit will be subject to review under the County's SEPA Implementing Ordinance and the Critical Areas provisions of the Skagit County Code. After reviewing such development applications, Skagit County may determine that mitigation measures are necessary to avoid probable significant adverse environmental impacts, including impacts related to transportation.

16. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No. Because the proposal is a nonproject action, it will not generate a need for increased public services.

However, as growth and development occurs in unincorporated Skagit County, demands for public services will increase. The Capital Facilities & Element of the Comprehensive Plan is intended to ensure that new growth and development is provided with adequate public services and facilities concurrent with the approval of new development.

- b. What are proposed measures to reduce or control direct impacts on public services, if any?

Because no impacts have been identified, no specific mitigation measures have been proposed.

17. Utilities

- a. Circle/highlight the utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other (describe).

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities of the site or in the immediate vicinity that might be needed.

No additional utilities are proposed, or made necessary by the proposal.

C. SIGNATURE

The answers above and on the attached supplemental sheet for non-project actions are true to the best of my knowledge. I understand that the lead agency, Skagit County, is relying on them to make its decision.

Signature: _____
Carly Ruacho, Senior Planner,
Skagit County Planning & Development Services

Date Submitted: September 23, 2008

D. SUPPLEMENT SHEET FOR NONPROJECT ACTIONS
(DO NOT USE THIS SHEET FOR PROJECT ACTIONS)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production or noise?

The proposal is not likely to increase discharges to water, or production, storage or release of toxic or hazardous substances. Any specific development occurring subsequent to the adoption of these proposed Plan and Code amendments will be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

The proposal would not be likely to have any affect plants, animals, fish or marine life beyond what is already occurring or permitted. Any specific development occurring subsequent to the adoption of these proposed amendments will be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

Proposed measures to protect or conserve plants, animals, fish or marine life?

Because no impacts have been identified, no mitigation measures have been proposed.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments will not be likely to deplete energy or natural resources beyond what is already occurring or permitted.

Proposed measures to protect or conserve energy and natural resources are:

Because no impacts have been identified, no specific energy resource conservation measures are proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farm lands?

The proposal is unlikely to use or affect environmentally sensitive areas. The proposal does not include any changes to the County's current designation and regulation scheme for critical areas (i.e., environmentally sensitive areas). Any future development proposals would be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

Proposed measures to protect such resources or to avoid or reduce impacts are:

No specific mitigation measures are proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is intended to bring the Skagit County Comprehensive Plan and implementing regulations (codified principally within Title 14 of the Skagit County Code) into compliance with the GMA. The proposed amendments would also eliminate current inconsistencies that exist between the Plan and Code. The proposal would affect land use to the extent that it proposes to modify the permitted uses, administrative special uses and Hearing Examiner special uses within many of the zones of unincorporated Skagit County, including: Rural Village Commercial (RVC); Small Scale Recreational and Tourism (SRT); Rural Intermediate (RI); Rural Village Residential (RVR) and Rural Reserve (RRv). Thus, the proposal would ensure external consistency with the GMA, and consistency between the Plan and Code; no incompatibilities would result.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposal is a non-project action to remedy policy and code language found to be non-compliant with the GMA by the Western Washington Growth Management Hearings Board. Because the proposal is remedy these Plan and Code deficiencies, it may in itself be viewed as a mitigation measure, ensuring consistency with State law and consistency between the Plan and implementing regulations within the Skagit County Code.

6. How would the proposal be likely to increase demands on transportation or public services and utilities.

The proposal would not be likely to increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Because no impacts have been identified, no specific mitigation measures have been proposed. Nevertheless, future development activity occurring within those designations and zones affected by the proposed action will continue to be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

No aspect of the proposal is in conflict with local, state, or federal environmental protection requirements.