

Meeting # 6 Shoreline Advisory Committee
Thursday, January 12, 2012
Skagit County Board of Commissioners' Hearing Room

SAC members present: Herb Goldston, Brian Lipscomb, Shirley Solomon, Michael Hughes, Ward Krkoska, Kevin Bright, Chuck Haigh, Oscar Graham, Scott Andrews, Kim Mower, Jon Ostlund, Kraig Knutzen, Diane Cooper (alternate for Bill Dewey) and Tim Hyatt.

SAC members absent: Bill Dewey, Daryl Hamburg and Jim Wiggins

Others present: Betsy Stevenson, Skagit County SMP Update Project Manager, Dan Nickel and Mark Daniel from The Watershed Company.

The summary from SAC Meeting #5 (December 8, 2011) was not available for review. It will be sent out separately.

Handout materials were made available to the committee members:

Agenda for SAC Meeting #6

Discussion Guide for Meeting #6 (Shoreline Modification Matrix)

The topic of **Environment Designations** was continued from the December SAC meeting, beginning with a discussion regarding state owned forest lands. Is the Natural designation appropriate? Forest practice activities are regulated under the Forest Practices Act. What would change under a Natural Shoreline designation? It may impact conversions to other uses. Also for shorelines of statewide significance, selective timber cutting is allowed (no more than 30% of the merchantable trees within a ten year period). One member mentioned that Pierce and Mason counties were recommending their forest lands be designated as Conservancy, since they are working forest lands. The Natural designation was perceived as too restrictive in those counties. There was also a concern that the Natural designation might affect land values. One member commented that the Natural designation for forest lands would be appropriate for hazard areas and also for habitat value and stream buffers. Would a Natural designation permit logging? It could be written that way in the Master Program. Need to be sure that it is clear about what would be allowed in Natural designated areas. The Use Matrix shows commercial forestry as a conditional use under the Natural designation, which is too restrictive. Forest practice permits and the forest fish agreement would cover the concerns and issues, so it was recommended by one SAC member that the forest lands be designated Rural Conservancy. If the timber harvest precluded another use of the property (a conversion), then that type of use would fall under different County regulations.

The designation map was revised to show Kiket Island as Natural. Should it change? Under State Parks and Swinomish Tribal ownership. There will be a management plan and the SMP should be consistent with that plan. An oversight board was formed to prepare a management plan, so we should be able to coordinate our designation with their future plans for the site (Kukulali Preserve). The Swinomish have designated Kiket Island as Natural in their Shoreline and Sensitive Areas Ordinance in 2005.

Areas along the Skagit River that contain higher density residential development and smaller lots have been given a preliminary designation of Shoreline Residential. Many of these areas and lots are, at least,



partially in the floodway. The SAC had discussed changing the designations of the properties in the floodway from Shoreline Residential to Rural Conservancy. Should the parcels that are partially out of the floodway also be designated as Rural Conservancy? Most of the lots are smaller and developed at a higher density. A question was asked about the floodplain and floodway mapping in an area like Hamilton? We will need to keep in mind that making changes may cause more development proposals that come in to beat the new development regulations. A discussion about parallel shoreline designations ensued.

The consultant summarized some prior discussions about specific designations for the mid-channel (Skagit) islands being changed to Natural, the state owned lands in the Skagit delta being changed to Natural and the area south of Anacortes should not be designated Natural.

A member questioned the designation of Allan Island as Natural, while Burrows Island is Rural Conservancy. Both islands should be the same, probably Rural Conservancy.

The area on Cypress Island near Strawberry Island (Strawberry Bay) should be considered for Rural Conservancy designation rather than Natural. There are small lots there, with several cabins.

Another member wanted to look at the area at the northeast end of Big Lake, where Nookachamps Creek flows out of the lake. Would that be considered a parallel designation? The lake shoreline jurisdiction area is designated Shoreline Residential, but the shoreline area along Nookachamps Creek is designated Rural Conservancy. At least one landowner there has lake frontage and Nookachamps Creek on his property. We should take a look at that area carefully (parcel by parcel basis) and see if there is overlap. How is that regulated?

If there is a critical area on a parcel, that area becomes excluded from development. The shoreline regulations should only impact the portion of the property within the shoreline jurisdictional area.

One member would still like to have the discussion about the floodway and floodplain mapping and what portion of that is actually within shoreline jurisdiction. A drawing or site plan would help visualize that scenario. The shoreline area includes the floodway and the area 200 feet (measured horizontally) beyond the floodway, provided the floodplain extends at least 200 feet. Otherwise the shoreline area would include the floodway and the 100-year floodplain (which distance would be measured horizontally and would be less than the above 200 feet). Associated wetlands also need to be considered.

The environment designations topic was concluded with an opportunity for each SAC member to weigh in with thoughts and comments.

- Was consensus reached on the Natural designation being applied only to publicly owned lands? The response was no. Was it the intent of the designation process to apply the WAC guidelines criteria (for Natural) to any property that is ecologically intact? Would the Natural designation be applied to every parcel that meets the criteria? That could make a map that is similar to what spot zoning was. Not in favor of something like that.
- Most of the conservation areas purchased with public funds are encumbered, which is something to think about when considering a Natural designation. What do we really accomplish by doing it for those lands?
- The Middle Skagit Reach Analysis (The Watershed Council) between Sedro-Woolley and Lyman shows a lot of parcels with encumbrances that have been set aside and protected.
- The South Fork Skagit Delta shows Rural Conservancy and it's already set aside. We need to be careful applying the Natural designation on every parcel where it fits. That isn't good planning.
- This was carried further to areas that may be designated Natural that are currently in agriculture. That may need to change.

- It is important to pay attention to what's going on in the area, too. Don't apply designations that won't be compatible with the existing activities.
- One member against the Natural designation for any privately owned lands. Especially in the middle Skagit. It would be too restrictive for existing and possible future uses.

The consultant indicated that they would take a close look at the areas that are proposed for a Natural designation that are under private ownership. Doesn't want to preclude it at this time, but will identify those lands that are privately owned and be sensitive to the issue.

- Also want to look at the areas where shoreline jurisdiction overlap like the Big Lake and Nookachamps Creek example discussed earlier.
- Shouldn't preclude private lands from being designated Natural, if they fit the criteria. Agricultural lands probably don't fit the criteria and will probably be Rural Conservancy. Will need to look at it on a case by case basis.
- Agrees with the last statement. It makes sense. If the landowner wants the Natural designation, then it would be okay to have it on private lands.
- Also agrees with that statement. Burrows Bay should not be designated as Natural.
- Natural does not preclude residential development or other activities. It does affect the density. Agriculture is exempt, so it wouldn't apply. The designation isn't the big issue. It's what you allow there as a community.
- Agrees with not precluding Natural designation for private lands. There is some flexibility within the Natural designation for development activities.

The next SAC meeting is February 9, 2012.

MEETING ADJOURNED