



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

Public Comments on 3rd Draft 2025 Comprehensive Plan Update and 2nd Draft Development Regulations Update

Count	Name	Organization/ Address	Comment Method	Date Received
1	Kyle Loring	Evergreen Islands	Email	05/23/2025
2	Carolyn Gastellum	14451 Ashley Place Anacortes, WA 98221	Email	06/10/2025
3	Mary Ruth Holder	201 S. 7 th Street Mount Vernon, WA 98274	Email	06/12/2025
4	Heather Spore	Swinomish Indian Tribal Community	Email	06/12/2025
5	Lin McJunkin		Email	06/12/2025
6	Virginia Moore	22342 Shady Lane Mount Vernon, WA 98274	Email	06/14/2025
7	Susie Horan		Email	06/14/2025
8	Jake Koopmans		Email	06/15/2025
9	Beth Rosenstiel	18870 Sulfer Springs Rd Mount Vernon, WA 98274	Email	06/15/2025
10	John Verdoes	18870 Sulfer Springs Rd Mount Vernon, WA 98274	Email	06/15/2025
11	Kimberley Hamburg Sanford		Email	06/15/2025
12	Jovian Finch Nordgren	111 Woodworth St #301 Sedro Woolley, WA 98284	Email	06/16/2025
13	Jim Sanders	17202 Lakeview Blvd Mount Vernon, WA 98274	Email	06/16/2025
14	Niki Levai		Email	06/15/2025
15	Nicholas Levai		Email	06/15/2025
16	Teresa Dix	3124 Dakota Drive Mount Vernon, WA 98274	Email	06/15/2025
17	Jeff Nelson		Email	06/13/2025
18	Eiren McKay	22953 Bumblebee Lane Mount Vernon, WA 98273	Email	06/16/2025
19	Jan M. Edelstein	17173 West Big Lake Blvd Mount Vernon, WA 98274	Email	06/16/2025
20	Andrea Xaver		Email	06/16/2025

21	Robert Knoll	Puget Sound Energy	Email	06/16/2025
22	Victoria Hattersley	18779 West Big Lake Blvd Mount Vernon, WA 98274	Email	06/16/2025
23	Karen Gardiner	726 N 14 th Street Mount Vernon, WA 98273	Mail	06/16/2025
24	Anne Winkes	18562 Main Street Conway, WA 98238-0586	Email	06/16/2025
25	Ellen Bynum	Friends of Skagit County	Email	06/16/2025
26	Molly Doran	Skagit Land Trust	Email	06/16/2025
27	Eddy Ury	ReSources	Email	06/16/2025

From: Kyle Loring <kyle@loringadvising.com>
Sent: Friday, May 23, 2025 1:11 PM
To: PDS comments
Cc: Marlene Finley
Subject: 2025 Comp Plan Update 2nd draft -- comments
Attachments: Evergrn Isls cmts -- BOCC draft Skagit Comp Plan update.pdf

Dear Planning and Development Services,

Please find attached for the Board of Commissioners' review comments submitted on behalf of Evergreen Islands to address the 2nd draft of the 2025 Comprehensive Plan update.

Sincerely,

Kyle

Kyle A Loring *(he/him)*

LORING ADVISING PLLC

PO Box 3356 | Friday Harbor, WA 98250

360-622-8060 | www.loringadvising.com

CONFIDENTIALITY NOTICE--The information contained in this email message may be privileged, confidential, and protected from disclosure and is intended for the use of the addressee(s) only. If you are not an intended addressee, please be advised that any dissemination, distribution or copying of this e-mail is prohibited. If you receive this communication in error, please notify the sender by reply email and delete the message and any attachments.



By Email

May 23, 2025

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
pdscomments@co.skagit.wa.us

Re: Skagit County's 2025 Comprehensive Plan Update – public comments on 2nd Draft of Comprehensive Plan Update

Dear Skagit County Planning & Development Services and Board of County Commissioners:

I am submitting these comments on behalf of Evergreen Islands to address the 2nd Draft of the 2025 Comprehensive Plan Update, which is scheduled for hearing before you on June 16, 2025. As an initial matter, we would like to take a moment to express our appreciation for the effort that Planning and Development Services staff and consultants have made to improve the Comprehensive Plan's goals and policies to preserve natural resource lands, to address climate change and greenhouse gas emissions, and take on housing affordability. The Update boasts many improvements.

For our comments at this stage, we continue to rely on and have attached the comments that we submitted on the previous draft of the Update. In resubmitting those comments, we ask that you pay particular attention to our concerns about: (1) transitioning toward lower carbon industries (page 2); (2) better addressing landslide risk (page 3); (3) establishing a narrowly tailored set of rules for any accessory dwelling unit development in rural residential zoning designations (page 3); and (4) retaining existing Comprehensive Plan protections for wetlands, geologically hazardous areas, and other critical areas (pages 4-5).

Thank you for your attention to these recommendations, and please do not hesitate to contact me with any questions at kyle@loringadvising.com or 360-622-8060.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle A. Loring", written over a light blue circular stamp or watermark.

Kyle A. Loring

CC: Marlene Finley

Attachment



By Email

March 7, 2025

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
pdscomments@co.skagit.wa.us

Re: Skagit County's 2025 Comprehensive Plan Update – public comments

Dear Skagit County Planning & Development Services:

I am submitting these comments on behalf of Evergreen Islands to address the current (undated) draft of the Skagit County Comprehensive Plan update. Evergreen Islands appreciates the effort that Skagit County has made to improve its Comprehensive Plan to address climate change and greenhouse gas emissions, as well as housing affordability. We offer the comments below first to identify areas of support, and second, to provide additional recommended changes, including some that we are reiterating from November 2024.

A. Supported Amendments.

Evergreen Islands appreciates and supports each of the following amendments.

- Agricultural Designations. Policy 4A-1.1(e). The new policy to ensure holistic review of the land use maps when making designation decisions: "Site-specific proposals to de-designate natural resource lands must be deferred until a comprehensive countywide analysis is conducted."
- Critical Areas. Goal 5B. The new goal to "Address climate hazards and GHG reductions through protection, enhancement, and restoration of the natural environment," and related policies.
- Housing. Goal 7. The focus on increasing housing in limited areas of more intensive development and on increasing the housing types that may be constructed there.
- Transportation. Element 8. The new policies to promote active and multimodal transportation and areas identified for upgrades to non-motorized infrastructure. In addition, we are impressed by the County's willingness to measure MultiModal Level of Service ("MMLOS") for its active transportation infrastructure. However, we recommend that the County incorporate the Level of Traffic Stress into its Level of

Service assessment for its active transportation network. While the Comprehensive Plan proposes to exclude factors like traffic volume, speed, and physical separation (characterized as Level of Traffic Stress) from its MMLOS, these factors directly impact whether active transportation infrastructure provides a viable option for many potential users. Furthermore, they are easily and objectively measured. Because they directly affect whether people will use the active transportation infrastructure, their omission would create significant inaccuracies in the level of service measured by the County.

- Energy Conservation. Goal 9A-5. The amended goal to “prioritiz[e] the use of renewable energy sources and energy-efficient technologies,” and related policies to phase out non-renewables where possible and use lower carbon building materials.
- Solid Waste Management. Goal 9A-6. The revision to Policy 9A-6.1 to “maintain” the countywide recycling program and the new Policy 9A-6.3 to “Divert food waste from landfill to compost or anaerobic digestion.”
- Climate and Resiliency. Element 12. The new goals and policies related to Climate resilience.

B. Additional Recommended Changes.

- **Climate and Resiliency Element, No. 12.** We appreciate and fully support the robust new climate goals and policies. We reiterate the following recommended additions from our November 2024 comment letter:
 - **Environmental Advisory Board (EAB).** We recommend that Skagit County establish an EAB to provide recommendations on goals, policies, and development regulations related to climate change and sea level rise. The EAB would consist of people with professional and lived experience regarding environmental issues like climate science, wildlife corridors and habitat, sea level rise, and shoreline processes and conservation.
 - **Goal 12E (Economic Development).** We recommend the addition of a policy promoting a transition from high carbon intensity industries and commercial activities to low carbon intensity industries and commercial activities.
 - **Goal 12G (Transportation).** We recommend the addition of a policy promoting increased nonmotorized transportation to support the goal of reduced Vehicle Miles Traveled. While proposed revisions to the Transportation Element appear

to address nonmotorized transportation, adding the policy above in the Climate Element will increase consistency and send a stronger message.

- **Goal 12J (Sea level rise).** We recommend a more thorough treatment of the landslide risk likely to be exacerbated by more severe storms. This could be achieved with:
 - updated identification, mapping, and zoning of high-risk areas for flooding and landslides and strict limitations on new development and major redevelopment in these areas;
 - the addition of a training policy, such as: “Skagit County will develop internal resources and training materials for staff to use when reviewing permit applications that involve proposals with landslide risks.”
 - a focus on reducing landslide and flooding hazards and risks at the scale of the geologic risk, rather than at a parcel scale, to reflect the geographic extent of shoreline processes and geologic hazards.
- **Housing Policies.** We recommend that you decline to adopt the following two new policies:
 - 7A-1.2. A blanket new policy to “Permit accessory dwelling units (ADUs) in rural residential zones to provide additional housing choices for all economic levels, multi-generational, and smaller households.” While housing affordability is a critical issue to be addressed, the Growth Management Hearings Board has ruled that sprawl may not provide the solution and violates the Growth Management Act (“GMA”). In *Friends of the San Juans, et al. v. San Juan County*, the Growth Board ruled that, “[t]o allow a freestanding accessory dwelling unit on every single-family lot without regard to the underlying density in rural residential districts, including shoreline rural residential districts, fails to prevent urban sprawl, contain rural development, and, instead, allows growth which is urban in nature outside of an urban growth area.” WWGMHB No. 03-3-0003 (Corrected FDO, 4-17-03). The Growth Board reached this conclusion after noting that they had consistently stated that densities of more than one unit per five acres constitute urban growth, and thus allowing a principal residence and an ADU with the same characteristics on parcels smaller than ten acres qualified as urban sprawl. Thus, a housing policy to allow ADUs on rural lands must be narrowly tailored to ensure that it does not promote urban sprawl.

- 7B-1.5. A new policy that would preclude more restrictive standards for ADUs than for the principal units, which could contribute to urban sprawl in violation of the GMA by preventing the narrow tailoring necessary for ADUs allowed in some instances on rural lands.
- **Environmental Policies.** To ensure the protection of critical areas required by the GMA, we continue to recommend that Skagit County decline to make the revisions below. We have used the same convention as the draft Update, with strikethrough indicating language that the County proposes to delete and underline indicating language that would be added.
 - **Comp Plan Goal 5A.** Preserve and protect wetlands to ~~prevent their continual loss and degradation~~ maintain no net loss of wetland functions and values. *While the County must achieve no net loss of wetland functions and values, we also recommend that it prevent their continued loss and degradation.*
 - **Comp Plan Goal 5A.** Minimize risk to life, property, infrastructure, and resources caused by ~~disrupting geologically hazardous areas or by locating development in areas subject to~~ naturally hazardous geologic processes. *This text should be retained because it provides helpful instruction for residents and County staff alike in contemplating areas for new development. It also acknowledges that alterations to geologic processes can increase the risk.*
 - **Comp Plan Policy 5A-5.1.** Critical Areas shall be designated and protected to maintain no net loss of wetland functions and value ~~prevent their continued loss and degradation~~. *Based on the scientific literature that demonstrates that wetland mitigation efforts typically fail, the original language is more likely to achieve protection and no net loss of wetlands and their functions and values.*
 - **Comp Plan Policy 5A-5.1(a)(iii).** Mitigation projects ~~shall~~ should, whenever feasible, ~~contribute to an existing wetland system or restore an area that was historically a wetland~~ achieve no net loss of wetland area. *As an initial matter, mitigation projects must, at a minimum, achieve no net loss to satisfy the GMA requirement to protect critical areas, so the proposal to render this a suggestion rather than a mandate violates the GMA. Further, while retaining the same area of wetland is a valuable goal that should be included in this policy, it does not alone ensure no net loss due to the different classes of wetland. Therefore, this policy should be further revised to ensure the same area of the same quality of wetland, as well as no net loss of wetland functions and values. In addition, as noted above the scientific literature indicates that creating new wetlands is not likely to compensate for impacts*

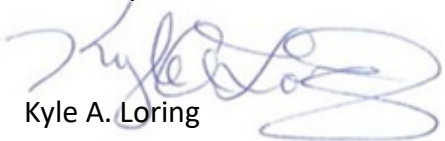
to existing wetlands, and thus the existing language should be retained to promote mitigation in areas proven to function as wetlands.

○ **Comp Plan Policy 5A-5.4(b)** Land used for critical area mitigation should be preserved in perpetuity. ~~Monitoring and maintenance of critical area mitigation sites shall be provided until the success of the site is established. A minimum 44~~ monitoring period should be established to ensure successful establishment of approved mitigation plans. ~~of the mitigation site should take appropriate measures utilizing one or more of the following: (i) Applicants should develop comprehensive mitigation plans in order to ensure long term success of the mitigation project. Such plans should provide for sufficient monitoring, maintenance, and contingencies to ensure mitigation persistence. By revising the mandatory “shall” to “should” for monitoring and maintenance of mitigation sites, the new language would no longer ensure that mitigation functions as required for the project. In addition, while there may be some redundancy in the second portion of deleted language, it nevertheless provides useful instruction and should be retained.~~

○ **Comp Plan Policy 5A-5.4(d).** Critical area mitigation proposals should ~~improve overall~~ provide equivalent or greater critical area functions, recognizing that it may be inappropriate to impact certain critical areas. All critical area functions shall be considered. *The text to be removed acknowledges the reality that the implementation of mitigation proposals typically results in a decrease in critical area functions and values, and thus should be retained to promote the aspirational goal of improved functions.*

Thank you for your attention to these recommendations. If you have any questions, please do not hesitate to contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,


Kyle A. Loring

From: Carolyn Gastellum <cgastellum67@gmail.com>
Sent: Tuesday, June 10, 2025 8:24 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

To Skagit County Commissioners Browning, Janicki, and Wesen:

Thank you for the opportunity to comment on the 3rd and final draft of the County's 2025 Comprehensive Plan Update. I appreciate the work that has been done by Skagit County Planning & Development staff to make this process as informative as possible with notifications about the timeline, drafts, and opportunities to make public comments.

I commented previously that I feel it is important that the County establish an Environmental Advisory Committee (EAB) in the Environmental Element of the Plan. To date, an EAB is not yet included. Other advisory boards have been established: a Forest Advisory Board, the Agricultural Advisory Board, and the County Parks and Recreation Advisory Board.

An Environmental board made up of people with expertise in environmental issues like impacts from climate change, conservation and restoration of habitats, mitigation, reducing greenhouse gas emissions in the county, research, education, and so forth is needed now more than ever. People with expertise in these critical areas working together to advise county decision makers based on best available science is an ideal worth achieving through inclusion in the 2025 Comprehensive Plan Update.

We live in a beautiful place that the vast majority of people of all backgrounds value. Skagitonians volunteer and donate dollars to protect diverse ecosystems from mountain forests, to salmon habitat on the Skagit River, down through and including our farmlands, and on to fresh water and salt water habitats. Now is the time to establish an EAB of experts to help guide Skagit County into an ever more complicated and challenging future through the implementation of scientifically credible projects that will contribute to the overall well being of our varied environments.

Thank you for your work and dedicated attention to these concerns.

Carolyn Gastellum
14451 Ashley Place
Anacortes, WA 98221

From: Mary Ruth Holder <mruthholder@gmail.com>
Sent: Thursday, June 12, 2025 3:15 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Please accept our comment on the *Third Draft 2025 Comprehensive Plan Policies* for the Skagit County 2025 Comprehensive Plan and Development Regulations Update. We submitted comments previously on the 2025 Comprehensive Plan ("Comp Plan" or "Plan") Policies and again wish to thank both the Planning Department staff and the contractor for their hard work on the Plan. We particularly commend them for their public outreach efforts, including open houses held in different parts of the county and outreach to marginalized communities. We are, however, disappointed that the policies set forth in the Plan do not include the establishment of an Environmental Advisory Board (EAB). Like a majority of those who commented previously, we called for a 2025 Plan Policy to establish an EAB. We do so again.

We treasure the agricultural, forested, rural lands and natural ecosystems in our county that support communities, wildlife and water quality, and we want them to be protected. Like others, as we are able, we volunteer time and funding to help protect these precious resources in Skagit. We have lived here for nearly 20 years and like other commenters (and as previously detailed in our previous comments on the Plan) we have witnessed and understand the many ways that climate change is upon us. Skagit must be resilient in the face of its impacts. We believe an EAB is essential to help the Skagit County Board of Commissioners implement the Comp Plan, and to take actions and make decisions that can meaningfully address climate change and protect Skagit's sensitive and diverse natural environment as well as the health, welfare and safety of Skagit's citizens.

Once again, we strongly recommend that the Board of Commissioners create an Environmental Advisory Board (EAB). This Board would give advice on topics not covered by any citizen advisory board at present. For example, the Forest Advisory Board and Agriculture Advisory Board, are narrower in focus and different in scope and makeup. These Boards focus on the economic viability and uses of resource lands.

An Environmental Advisory Board with appointed members having appropriate expertise and experience enabling them to make recommendations based on best available science would help County decision makers address environmental issues in light of the complex and varied ecosystems of Skagit County. Appropriate member backgrounds would include persons from fields such as environmental studies, natural resource conservation and restoration, climate science, scientific research, environmental education and urban planning. Members would report to the Board of County Commissioners and give advice to the County Commissioners and, where appropriate, the Planning Commission. Issues that could be considered by appointed EAB members include: natural resource conservation; habitat restoration; climate science; greenhouse gas emissions reduction; climate impacts mitigation; appropriate use of open spaces like bike and walking paths; protection of wildlife habitat and wildlife corridors; natural resource and environmental plans, policies, and programs (including legislation affecting natural lands, open space, water bodies and wildlife habitat); land use decisions affecting the long-term sustainability of natural processes like rivers and marine shorelines; natural solutions to improve climate preparedness; environmental justice and environmental stewardship.

Other counties [as well as the City of Anacortes] have created this type of Board, sometimes using different names. As our county grows in population and planning decisions grow in complexity, the Board of Commissioners could call upon its Environmental Advisory Board to ensure that consistent with current County policy, the ‘best available science’ is included in local decision making.

It is time to establish an Environmental Advisory Board. Please include this in the Environmental Element of the Plan’s Policies. Thank you again for your work on the 2025 Comprehensive Plan Update and for your close consideration of our comment.

Sincerely,
Mary Ruth and Phillip Holder
201 S. 7th St.,
Mount Vernon WA 98274

From: Heather Spore <hspore@swinomish.nsn.us>
Sent: Thursday, June 12, 2025 6:13 PM
To: PDS comments; Robby Eckroth
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update
Attachments: SITC Ltr to SkagitCounty-RevisedCompPlanUpdate_06122025.pdf

Planning and Development Services,

The Swinomish Tribe is submitting comments on the 3rd Draft Comprehensive Plan and Appendix, as well as the Public Comment Matrix. Comments are attached and also included in the body of this email below.

Thank you.

June 12, 2025

Robby Eckroth, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Sent electronically via email to: pdsccomments@co.skagit.wa.us

RE: Skagit County Comprehensive Plan Response to Public Comments

Dear Mr. Eckroth,

The Swinomish Indian Tribal Community (“Swinomish Tribe” or the “Tribe”) is submitting these comments on the County’s response to public comment in “Attachment B- Public Comment Matrix” that was included as part of the County’s 2025 Comprehensive Plan update, as well as the 3rd version of the Draft Comprehensive Plan Update. In summary, the Swinomish Tribe has numerous concerns with how the County addressed the Tribe’s comments submitted on the Draft Comprehensive Plan (“Draft Plan”), and how in some cases, did not address them at all, as well as the updated 3rd Draft. The Draft Plan still lacks enforceability, scientific rigor, and regulatory alignment to ensure resiliency goals are effectively achieved. In addition, the Tribe objects to the County fast-tracking the public comment process. The County is not providing sufficient time for the Tribe or the public to review the County’s response to comments as well as the updated 3rd version of the Draft Plan – and this is all while the Critical Areas Ordinance is being updated, put out for public comment and being considered by the Planning Commission. The Tribe was unable to complete a comprehensive review of the 3rd draft due to the size of the document, limited staff capacity, and abbreviated comment period, and as such the comments below are limited in scope. In short, **the County needs to slow down and allow a minimum of 30 days for the public to review any new draft document.**

Background and setting for our objections and concerns

The Swinomish Indian Tribal Community is a federally recognized Indian tribe and political successor in interest to certain tribes and bands that signed the 1855 Treaty of Point Elliott, which among other things reserved fishing, hunting and gathering rights and established the Swinomish Reservation on Fidalgo Island in Skagit County, Washington. The Swinomish Reservation sits at the mouth of the Skagit River, the largest river system draining to Puget Sound and the only river in the Lower 48 states that still has all species of wild Pacific salmon and steelhead spawning in its waters.

Since time immemorial, the Swinomish Tribe and its predecessors have occupied and utilized vast areas of land and water in the northern Salish Sea up to the Canadian border to support the Swinomish Tribe's cultural and traditional lifeways.

Swinomish is the primary guardian of the Skagit and Samish River basins and surrounding coastal areas. The Tribe is an adjudicated co-manager of Washington fisheries along with the Washington Department of Fish and Wildlife (WDFW) and have worked with WDFW and NOAA Fisheries for decades in this capacity to ensure protection and restoration of fishery resources in the Skagit and Samish basins, as well as shellfish resources in Washington's coastal zone. Coastal zones and critical areas serve as vital nursery grounds, feeding areas, and migration routes for salmon and steelhead, including ESA-listed stocks. Past and current degradation of coastal habitat, critical areas and water quality due to human development, agriculture, and habitat destruction and modification are significant barriers to recovery of salmon and shellfish stocks, and therefore a key factor impacting the Tribe's treaty-reserved resources. Climate change-related impacts to shorelines such as sea level rise, ocean acidification, erosion, and intensified weather patterns further exacerbate these issues and threaten resources and the cultural lifeways of coastal tribes.

Skagit County Failed to Address Substantial Comments from the Swinomish Tribe

The Tribe has reviewed the County's response to the Tribe's comments on the Draft Plan and submits the following concerns and objections:

- The County failed to include any discussion of how best science and technical data were relied upon in its Draft Comp Plan {version BOCC5.4_withappendix}.
- The County failed to include a comprehensive list of best available science in its Vulnerability Assessment for metrics related to the predicted increased risk from drought, wildfire, sea level rise, extreme precipitation and flooding.
- The Draft Plan Introduction does not mention that Skagit County is home to three federally recognized Treaty Tribes that have stewarded the lands and waters for millennia.
- The Draft Plan Introduction fails to acknowledge that the Skagit River is home to all five species of Pacific Salmon, including ESA-listed Chinook Salmon, as well as ESA-listed Bull Trout and Steelhead, and that these species are economically and culturally important to Skagit Treaty tribes.
- The Draft Plan falls woefully short of achieving the recommendations outlined in the Vulnerability Assessment and Climate Policy Assessment.
- The Draft Plan should mandate that any proposed permitted decision involving critical areas or variances require an independent third-party scientific review that is subject to public review and comment.
- The Draft Plan does not establish clear regulatory mechanisms to ensure riparian habitat protection.
- The Draft Plan fails to establish mandatory riparian buffer zones, restrict development in floodplain-adjacent wetlands, and require habitat restoration as a condition for approval, and this omission must be corrected.
- The Draft Plan's Vulnerability Assessment fails to address the Tribe's repeated request for alignment with the Shoreline Master Program (SMP). The Tribe stressed the need for consistency between the SMP and climate resilience policies, particularly to ensure the protection of salmon habitats and wetland ecosystems, yet the County again failed to include this.
- The Draft Plan's Vulnerability Assessment fails to adequately address the Tribe's concerns about maintaining instream flows critical for salmon populations.

Specific Comments on Comprehensive Policies

The Tribe appreciates the County staff recommendation to the Planning Commission to delete the section "Linking Past to the Present", which had included a grossly inaccurate portrayal of tribal presence and stewardship in Skagit Valley prior to colonization. However, Attachment D, Staff Recommendation to the Planning Commission, recommends deleting the section due to "*concern that the section is misrepresenting history of Skagit County*". I would like to correct our comment, for the record, and refer you back to our March 12 letter and that the rationale for our request was because the section contained "*misinformation and oversimplification of tribal lifeways it provides, and misrepresentation of the importance of salmon and presence of historical tribal villages*".

The Tribe recommends that the County change language in Goal 5A and 5A policies from "prevent continued loss and degradation" to "no net loss of wetland functions and values": The Comment Matrix states that policies "*were drafted to*

be consistent with guidance provided from the Department of Ecology as they relate to critical areas ordinances, comprehensive planning, and shoreline management”. The County claims consistency and use of best available science (“BAS”) but the response does not address the specific concerns to the contrary that we outlined in our comments.

The Tribe reiterates that Goal 5A and policy 5A-5.1 fail to integrate BAS. The revised Draft Plan still does not address integration of BAS. Our comment clearly refers to the Environment Element (Chapter 5) but the Draft Plan references the critical areas ordinance (“CAO”). The County instead mentions the separate CAO revision process and makes no reference to the Tribe’s comment on how the proposed policy changes contradict the Shoreline Master Program (“SMP”). Additionally, the Draft Plan fails to address the Tribe’s stated concern that the new policy would allow mitigation without prioritizing protection (avoidance) as the first priority.

The Tribe maintains its strong objection to the Additional Water Rights for Agriculture: Policy 12A-1.6. We reject the idea that a mainstem water right is necessary to ensure the long-term viability of agriculture in the Skagit. The Tribe believes that Skagit agriculture currently has reasonable access to Skagit River mainstem water to support long-term viability. Given the current frequency of drought determinations and the current inadequate water supply to maximize salmon production, additional water rights for agriculture are not warranted, particularly in light of additional water supplies that can be provided by Skagit PUD #1, or through interruptible water rights. Further, most studies indicate that summer stream flows will be further reduced as a result of global climate change. In support of the Joint Legislative Water Task Force, the Climate Impacts Group published the Skagit Water Supply and Demand Synthesis^[1] in 2021 which concluded that:

“The current net effect of seasonal water supply and use patterns in the Skagit River basin is that the Skagit River flows are often below the flow levels of the 2001 Skagit Instream Flow Rule from late July through November, potentially causing stress for river-based ecosystem services and salmonid fisheries that the Instream Flow Rule was designed to protect.”

The federally-approved Skagit Chinook Recovery Plan, Chapter 7, has multiple recommendations regarding the preservation and protection of instream flows necessary to ensure adequate water supply for spawning and rearing salmon. Among them, Recommendation 1 states that new water rights permits should only be issued *“when there will be no new impairment of current instream flows as established by rule or when appropriately mitigated”*. As such, any additional out of stream uses can only be authorized if there are no expected adverse impacts to fisheries resources.

The Tribe continues to object to the County’s Draft Plan because it still contains policy changes that modify 4A-4.6 from “habitat restoration projects are a permitted use on agricultural lands” to “Prohibit habitat restoration on agricultural lands except through a hearing examiner special use permit process”. Habitat restoration projects should remain permitted on agricultural lands without a special use permit. There has been no justification provided for this new, overly burdensome and frankly outrageous requirement placed on landowners that will undoubtedly delay and likely prevent important restoration projects. **The County cannot say that it supports salmon recovery and propose – let alone adopt – a policy like this.** This new burden will not only prevent restoration, it will also drive up the cost of land development as the mitigation for projects will now require additional time and support from professionals to navigate this process. This policy must be withdrawn.

The County did not respond to or substantively address the Tribe’s recommended revisions to the following sections, rather they were relayed to the Planning Commission for consideration:

- CE 1.1: Farmland Conservation and Habitat Restoration Conflicts;
- CE 1.4; CE 1.6: Integrated Strategic Investment Plan;
- CE 9.4: Water Resources;
- CE 10.3: Restrict Development in Flood-Prone Areas with Best Available Climate Science;
- CE 10.4: Shoreline Stabilization with Science-Based Justification.
- Add Policy CE 9.5 Climate Resilience; Drought; Agriculture.

The County needs provide substantive, detailed responses to the issues that the Tribe raised on these topics in its letter dated March 12, 2025 before proceeding further.

Conclusion

The Tribe remains very concerned about the direction of the Draft Comp Plan, particularly given the County's failure to respond or address numerous comments on highlight important topics for salmon recovery. Without specific language to ensure salmon habitat protections, enforce adherence to best available science, and clarify alignment with the Shoreline Master Program, these policies fail to meet requirements and risk reinforcing past prioritizations that favored agriculture and development over ecosystem health. The Swinomish Tribe remains committed to collaborating with the County to refine these policies to reflect a balanced, sustainable, and habitat-sensitive approach to climate resilience. In addition, the County must provide more time for public review and consultation on the next Draft Comp Plan after it provides meaningful responses to the concerns and objections previously raised by the Tribe.

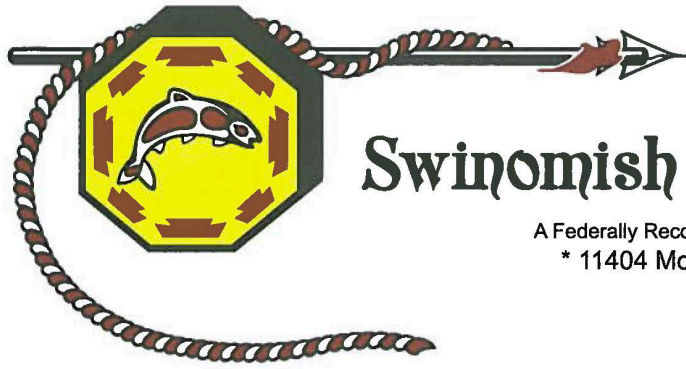
Sincerely,



Heather Spore
Environmental Policy Manager
Swinomish Indian Tribal Community

Heather Spore, MSc.
Environmental Policy Manager
Swinomish Indian Tribal Community
11404 Moorage Way
LaConner, WA 98257
Mobile: 360-503-9226
hspore@swinomish.nsn.us

^[1] <https://cig.uw.edu/projects/skagit-water-supply-and-demand-synthesis/>



Main Office: 360.466.3163

Facsimile: 360.466.5309

Swinomish Indian Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476

* 11404 Moorage Way * La Conner, Washington 98257 *

June 12, 2025

Robby Eckroth, Senior Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Sent electronically via email to: pdscomments@co.skagit.wa.us

RE: Skagit County Comprehensive Plan Response to Public Comments

Dear Mr. Eckroth,

The Swinomish Indian Tribal Community (“Swinomish Tribe” or the “Tribe”) is submitting these comments on the County’s response to public comment in “Attachment B- Public Comment Matrix” that was included as part of the County’s 2025 Comprehensive Plan update, as well as the 3rd version of the Draft Comprehensive Plan Update. In summary, the Swinomish Tribe has numerous concerns with how the County addressed the Tribe’s comments submitted on the Draft Comprehensive Plan (“Draft Plan”), and how in some cases, did not address them at all, as well as the updated 3rd Draft. The Draft Plan still lacks enforceability, scientific rigor, and regulatory alignment to ensure resiliency goals are effectively achieved. In addition, the Tribe objects to the County fast-tracking the public comment process. The County is not providing sufficient time for the Tribe or the public to review the County’s response to comments as well as the updated 3rd version of the Draft Plan – and this is all while the Critical Areas Ordinance is being updated, put out for public comment and being considered by the Planning Commission. The Tribe was unable to complete a comprehensive review of the 3rd draft due to the size of the document, limited staff capacity, and abbreviated comment period, and as such the comments below are limited in scope. In short, **the County needs to slow down and allow a minimum of 30 days for the public to review any new draft document.**

Background and setting for our objections and concerns

The Swinomish Indian Tribal Community is a federally recognized Indian tribe and political successor in interest to certain tribes and bands that signed the 1855 Treaty of Point Elliott, which among other things reserved fishing, hunting and gathering rights and established the Swinomish Reservation on Fidalgo Island in Skagit County, Washington. The Swinomish Reservation sits at the mouth of the Skagit River, the largest river system draining to Puget Sound and the only river in the Lower 48 states that still has all species of wild Pacific salmon and steelhead spawning in its waters. Since time immemorial, the Swinomish Tribe and its predecessors have occupied and utilized vast areas of land and water in the northern Salish Sea up to the Canadian border to support the Swinomish Tribe's cultural and traditional lifeways.

Swinomish is the primary guardian of the Skagit and Samish River basins and surrounding coastal areas. The Tribe is an adjudicated co-manager of Washington fisheries along with the Washington Department of Fish and Wildlife (WDFW) and have worked with WDFW and NOAA Fisheries for decades in this capacity to ensure protection and restoration of fishery resources in the Skagit and Samish basins, as well as shellfish resources in Washington's coastal zone. Coastal zones and critical areas serve as vital nursery grounds, feeding areas, and migration routes for salmon and steelhead, including ESA-listed stocks. Past and current degradation of coastal habitat, critical areas and water quality due to human development, agriculture, and habitat destruction and modification are significant barriers to recovery of salmon and shellfish stocks, and therefore a key factor impacting the Tribe's treaty-reserved resources. Climate change-related impacts to shorelines such as sea level rise, ocean acidification, erosion, and intensified weather patterns further exacerbate these issues and threaten resources and the cultural lifeways of coastal tribes.

Skagit County Failed to Address Substantial Comments from the Swinomish Tribe

The Tribe has reviewed the County's response to the Tribe's comments on the Draft Plan and submits the following concerns and objections:

- The County failed to include any discussion of how best science and technical data were relied upon in its Draft Comp Plan {version BOCC5.4_withappendix}.
- The County failed to include a comprehensive list of best available science in its Vulnerability Assessment for metrics related to the predicted increased risk from drought, wildfire, sea level rise, extreme precipitation and flooding.
- The Draft Plan Introduction does not mention that Skagit County is home to three federally recognized Treaty Tribes that have stewarded the lands and waters for millennia.
- The Draft Plan Introduction fails to acknowledge that the Skagit River is home to all five species of Pacific Salmon, including ESA-listed Chinook Salmon, as well as ESA-listed Bull Trout and Steelhead, and that these species are economically and culturally important to Skagit Treaty tribes.

- The Draft Plan falls woefully short of achieving the recommendations outlined in the Vulnerability Assessment and Climate Policy Assessment.
- The Draft Plan should mandate that any proposed permitted decision involving critical areas or variances require an independent third-party scientific review that is subject to public review and comment.
- The Draft Plan does not establish clear regulatory mechanisms to ensure riparian habitat protection.
- The Draft Plan fails to establish mandatory riparian buffer zones, restrict development in floodplain-adjacent wetlands, and require habitat restoration as a condition for approval, and this omission must be corrected.
- The Draft Plan’s Vulnerability Assessment fails to address the Tribe’s repeated request for alignment with the Shoreline Master Program (SMP). The Tribe stressed the need for consistency between the SMP and climate resilience policies, particularly to ensure the protection of salmon habitats and wetland ecosystems, yet the County again failed to include this.
- The Draft Plan’s Vulnerability Assessment fails to adequately address the Tribe’s concerns about maintaining instream flows critical for salmon populations.

Specific Comments on Comprehensive Policies

The Tribe appreciates the County staff recommendation to the Planning Commission to delete the section “Linking Past to the Present”, which had included a grossly inaccurate portrayal of tribal presence and stewardship in Skagit Valley prior to colonization. However, Attachment D, Staff Recommendation to the Planning Commission, recommends deleting the section due to *“concern that the section is misrepresenting history of Skagit County”*. I would like to correct our comment, for the record, and refer you back to our March 12 letter and that the rationale for our request was because the section contained *“misinformation and oversimplification of tribal lifeways it provides, and misrepresentation of the importance of salmon and presence of historical tribal villages”*.

The Tribe recommends that the County change language in Goal 5A and 5A policies from “prevent continued loss and degradation” to “no net loss of wetland functions and values”: The Comment Matrix states that policies *“were drafted to be consistent with guidance provided from the Department of Ecology as they relate to critical areas ordinances, comprehensive planning, and shoreline management”*. The County claims consistency and use of best available science (“BAS”) but the response does not address the specific concerns to the contrary that we outlined in our comments.

The Tribe reiterates that Goal 5A and policy 5A-5.1 fail to integrate BAS. The revised Draft Plan still does not address integration of BAS. Our comment clearly refers to the Environment Element (Chapter 5) but the Draft Plan references the critical areas ordinance (“CAO”). The County instead mentions the separate CAO revision process and makes no reference to the

Tribe's comment on how the proposed policy changes contradict the Shoreline Master Program ("SMP"). Additionally, the Draft Plan fails to address the Tribe's stated concern that the new policy would allow mitigation without prioritizing protection (avoidance) as the first priority.

The Tribe maintains its strong objection to the Additional Water Rights for Agriculture: Policy 12A-1.6. We reject the idea that a mainstem water right is necessary to ensure the long-term viability of agriculture in the Skagit. The Tribe believes that Skagit agriculture currently has reasonable access to Skagit River mainstem water to support long-term viability. Given the current frequency of drought determinations and the current inadequate water supply to maximize salmon production, additional water rights for agriculture are not warranted, particularly in light of additional water supplies that can be provided by Skagit PUD #1, or through interruptible water rights. Further, most studies indicate that summer stream flows will be further reduced as a result of global climate change. In support of the Joint Legislative Water Task Force, the Climate Impacts Group published the Skagit Water Supply and Demand Synthesis¹ in 2021 which concluded that:

"The current net effect of seasonal water supply and use patterns in the Skagit River basin is that the Skagit River flows are often below the flow levels of the 2001 Skagit Instream Flow Rule from late July through November, potentially causing stress for river-based ecosystem services and salmonid fisheries that the Instream Flow Rule was designed to protect."

The federally-approved Skagit Chinook Recovery Plan, Chapter 7, has multiple recommendations regarding the preservation and protection of instream flows necessary to ensure adequate water supply for spawning and rearing salmon. Among them, Recommendation 1 states that new water rights permits should only be issued *"when there will be no new impairment of current instream flows as established by rule or when appropriately mitigated"*. As such, any additional out of stream uses can only be authorized if there are no expected adverse impacts to fisheries resources.

The Tribe continues to object to the County's Draft Plan because it still contains policy changes that modify 4A-4.6 from "habitat restoration projects are a permitted use on agricultural lands" to "Prohibit habitat restoration on agricultural lands except through a hearing examiner special use permit process". Habitat restoration projects should remain permitted on agricultural lands without a special use permit. There has been no justification provided for this new, overly burdensome and frankly outrageous requirement placed on landowners that will undoubtedly delay and likely prevent important restoration projects. **The County cannot say that it supports salmon recovery and propose – let alone adopt – a policy like this.** This new burden will not only prevent restoration, it will also drive up the cost of land development as the mitigation for

¹ <https://cig.uw.edu/projects/skagit-water-supply-and-demand-synthesis/>

projects will now require additional time and support from professionals to navigate this process. This policy must be withdrawn.

The County did not respond to or substantively address the Tribe's recommended revisions to the following sections, rather they were relayed to the Planning Commission for consideration:

- CE 1.1: Farmland Conservation and Habitat Restoration Conflicts;
- CE 1.4; CE 1.6: Integrated Strategic Investment Plan;
- CE 9.4: Water Resources;
- CE 10.3: Restrict Development in Flood-Prone Areas with Best Available Climate Science;
- CE 10.4: Shoreline Stabilization with Science-Based Justification.
- Add Policy CE 9.5 Climate Resilience; Drought; Agriculture.

The County needs provide substantive, detailed responses to the issues that the Tribe raised on these topics in its letter dated March 12, 2025 before proceeding further.

Conclusion

The Tribe remains very concerned about the direction of the Draft Comp Plan, particularly given the County's failure to respond or address numerous comments on highlight important topics for salmon recovery. Without specific language to ensure salmon habitat protections, enforce adherence to best available science, and clarify alignment with the Shoreline Master Program, these policies fail to meet requirements and risk reinforcing past prioritizations that favored agriculture and development over ecosystem health. The Swinomish Tribe remains committed to collaborating with the County to refine these policies to reflect a balanced, sustainable, and habitat-sensitive approach to climate resilience. In addition, the County must provide more time for public review and consultation on the next Draft Comp Plan after it provides meaningful responses to the concerns and objections previously raised by the Tribe.

Sincerely,



Heather Spore
Environmental Policy Manager
Swinomish Indian Tribal Community

Robby Eckroth

From: LIN MCJUNKIN <mcjunkin@wavecable.com>
Sent: Thursday, June 12, 2025 7:56 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

I am very disappointed not to see an EAB included in this third draft, especially after so many people asked for it previously. We already have advisory boards for the commercial uses of forest and ag (plus parks and rec), but we need an Environmental Advisory Board. We have a complex system that requires the input of experts to help guide our growth and development. Please put an EAB into the plan. Thank you. Lin McJunkin, PO Box 333, Conway, WA 98238 360-941-6742

Robby Eckroth

From: Ginger Moore <gingermoore5@hotmail.com>
Sent: Saturday, June 14, 2025 7:58 AM
To: PDS comments
Subject: Protect Big Lake..STEP UP and Protect Nature

- PLEASE TAKE ACTION NOW TO PROTECT WHAT WE STILL HAVE AND FOR THE FUTURE OF OUR WORLD. GIVEN THE CHANGES WROUGHT BY THE CURRENT REGIME, WE ARE ALREADY DEGRADING OUR ENVIRONMENT BY WALKING BACKWARDS ON LAWS WHICH HAVE BEEN HARD FOUGHT TO PROTECT OUR REMAINING NATURAL AREAS.
- Change the Critical Areas Ordinance to protect Big Lake, and all other critical areas, from stormwater pollution and other off-site impacts of ALL new development, not just projects within 200' of the lake.
- Maintain the Big Lake Rural Village Special Provisions adopted in 2007.

Sincerely,
Virginia L Moore
22342 Shady Lane
Mount Vernon, WA 98274
(360)3406077

Get [Outlook for iOS](#)

From: Susie Horan <SusieHoran@bhhsnwre.com>
Sent: Saturday, June 14, 2025 5:34 PM
To: PDS comments
Subject: Critical Areas Ordinance to Protect Big Lake

With this email I am respectfully reaching out to the Planning Commission for Skagit County regarding the Critical Areas Ordinance to protect Big Lake. All current developments and ALL new developments that could have any storm water or drainage flowing into Big Lake need to conduct a Critical Areas Site Assessment that expands into all critical areas likely to be affected and not just within 200 feet of the property to be developed.

Further, the county needs to consider how new developments will potentially adversely impact anadromous fisheries as well. It has been proven that Big Lake is already contaminated and any more pollution will kill the fish and make the lake so that people and pets can no longer be safe in the water. I ask you to protect the lake, the fish, the people, and the pets who live in the area.

Please do the right thing and change the Critical Areas Ordinance to protect Big Lake and to protect all other critical areas from offsite impacts and stormwater pollution that will result from any and all new developments. Expand the critical area assessment from 200 Ft to 800 Feet and beyond to include all potential affected areas.

The county also needs to maintain the Big Lake Rural Village Special Provisions adopted in 2007.

The guidelines need to be clear, protective, and easy for developers and staff to understand.

Thank you,

Susie Horan

From: Jake Koopmans <jakekoopmansbl@gmail.com>
Sent: Sunday, June 15, 2025 8:16 AM
To: PDS comments; Commissioners
Subject: Please drop the 200' limitation on critical area review and maintain the Big Lake SPECIAL PROVISIONS

Hello Skagit County Commissioners and PDS,

I write to urge you to please:

1. Change the Critical Areas Ordinance to protect Big Lake, and all other critical areas, from stormwater pollution and other off-site impacts of ALL new development, not just projects within 200' of the lake.
2. Maintain the Big Lake Rural Village Special Provisions adopted in 2007.

Big Lake is not in good health and will continue to degrade unless change is made. Big Lake is a critical area and although projects may be more than 200' feet away, if not assessed properly, those projects can further degrade the health of the lake.

Thanks,
Jake Koopmans

From: Beth Rosenstiel <biglakex2@gmail.com>
Sent: Sunday, June 15, 2025 1:45 PM
To: PDS comments; comissioners@co.skagit; John and Beth
Subject: Big Lake

Commissioners,

Regarding development in and around Big Lake, I urge you to expand the Critical Areas Ordinance beyond 200 feet of the lake. As a long time resident on Sulfer Springs Road, I have witnessed the changes in storm water run off and health of the lake as more and more residential development has occurred in the hills behind our home.

Additional housing density will only serve to endanger the health of the lake if development does not include mitigation and measurement of any stormwater runoff water pollution, onsite use of chemicals, Artificial Light At Night and other environmental impacts.

I also urge the Commissioners to not expand development beyond the Big Lake Rural Village Special provisions adopted in 2007.

Beth Rosenstiel
18870 Sulfer Springs Road

From: John and Beth <verose@usa.net>
Sent: Sunday, June 15, 2025 1:56 PM
To: PDS comments; comissioners@co.skagit
Subject: protect Big Lake

Commissioners,

Regarding development in and around Big Lake, I urge you to expand the Critical Areas Ordinance beyond 200 feet of the lake. As a long time resident on Sulfer Springs Road, I have witnessed the changes in storm water run off and health of the lake as more and more residential development has occurred in the hills behind our home.

Additional housing density will only serve to endanger the health of the lake if development does not include mitigation and measurement of any storm water runoff water pollution, onsite use of chemicals, Artificial Light At Night and other environmental impacts.

I also urge the Commissioners to not expand development beyond the Big Lake Rural Village Special provisions adopted in 2007.

John Verdoes
18870 Sulfer Springs Road

From: Kim Sanford <kimsanford@msn.com>
Sent: Sunday, June 15, 2025 7:50 PM
To: PDS comments
Subject: Comprehensive Plan Update & Development Regulationtns

Subject: Comprehensive Plan Update & Development Regulations

Dear Planning Department and Services

Please read my concerns on some changes to the Comprehensive Plan Update and Development Regulations.

Change the Critical Areas Ordinance to protect Big Lake, and other all other critical areas, from stormwater pollution and other off-site impacts of All new development, Not just development projects within 200' of the lake or critical area. All land downward from the project towards the critical area need to be considered. Please eliminate the 200' limitation on review for off-site impacts areas.

Additionally, maintain the Big Lake Rural Village Special Provisions adopted 2007. Change the ordinances to require subdivisions if 5 or more lots to prove that the public stormwater facilities will be adequate to serve the development as established standards.

Change the county ordinances to prevent 'no notice' Type 1 approvals of revisions to approved Permits, plat, fill & grade, land disturbance, or stormwater.

Sincerely,
Kimberly Hamburg Sanford
Big Lake Community Member

From: Jovian Finch <jovianfinch@gmail.com>
Sent: Monday, June 16, 2025 4:28 AM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update
Attachments: Nordgren - Comments on "Skagit County 2025 Comprehensive Plan.docx"

Please find attached my comments regarding the Skagit County 2025 Comprehensive Plan and Development Regulations Update, especially pertaining to the Critical Areas Ordinance update draft. Thank you.

- Jovian Finch Nordgren

June 15, 2025

Planning and Development Services
Comments on "Skagit County 2025
Comprehensive Plan and Development
Regulations Update"
1800 Continental Place
Mount Vernon WA 98273

Dear Planning and Development Services and other interested parties,

Please forgive me for speaking plainly. This is the first time I have felt compelled to participate in the legislative process.

I've read a number of the public comments regarding these proposed updates, and would like to offer another perspective I haven't yet seen represented.

I'm a millennial who has been priced out of the housing market. There is no way I am going to be able to afford a house at a median sale price of \$500,000 with my mountain of student debt for a college degree that failed to fulfill its promises.

I looked for "fixer uppers"... you know, the types of homes that my parents' generation started out with. But they're not available to people like me. Even if a bank would finance one (which is already a long shot), house flippers with capital are snatching them up with cash offers, slapping on a new coat of paint, adding cheap but fancy looking appliances, installing the same gray fake wood pattern flooring from Lowes, then reselling for double the price. I'd love to see some legislation that would address that, for example limiting the resale price to under a 25% increase (+ accounting for market rise) within 3 years unless proof is shown of the added value.

But until we can get a handle on this, my generation is stuck either drowning under the weight of impossible mortgage payments (if you can qualify at all), or else throwing money into the endless void of overpriced rentals. Or living with your parents... That's still an option, even if no one is happy with it.

So I tried what countless previous generations have done – acquire some land to build a home myself, with the goal of using salvaged/reclaimed materials, and as ecologically sustainable as I can. But as we have learned more about how to better preserve and restore our world, we've erected barriers to building self sufficiency. For the most part, the only people anymore who have the capital and the ability to navigate the complexities of new regulations are commercial developers. Not only am I priced out, I'm regulated out too.

Any land that can be feasibly and economically developed already has been (and as previously illustrated, priced far above my means). And lenders won't finance undeveloped land, so that drastically limits the pool based on cash budget. I carefully researched the zoning, looked at

surveys on neighboring properties, poured over the GIS maps, and learned about all the critical areas, buffers, variances, and reasonable use exceptions provisions before deciding to buy my meager 3.6 acres of wild land at the end of a cul-de-sac. It's a gorgeous place with marshes, meadows, and forests and I want to keep it that way, but I also want to be able to live here or else what is the point?

However, as I discovered upon completing the wetland delineation, nearly the whole thing is within buffers for streams or wetlands or is a wetland itself. Just to get enough data to say where the critical area boundaries and buffers are has cost me over \$12,000 out of pocket before I can even complete the Critical Areas Report and start on permitting. But I had done my homework, and was ready to work out a variance and mitigation plan.

Then I found out about the new proposed Critical Areas Ordinance. Some of the changes would remove a lot of the options I would have had available - options that were material to my decision to purchase.

The definition for Land Use Impact would put my project into a High Impact wetland buffer according to Planning and Development's interpretation, since I'm on less than 5 acres. That would be the same category as commercial, industrial, and agricultural land uses. In comparison the Department of Ecology guidance (pub no. 05-06-008) recommends only Moderate Impact for "1 unit/acre or less" while SCC lists "no more than one home per five acres". Neither publication is explicit about how this applies to a unit on lots under that size, though the addition of "or less" in Ecology leads me to believe the Moderate Impact buffer should apply here rather than the High Impact I was told by Planning. The definition here could be made more clear, and aligning with Ecology's wording by using "one home per five acres or less" would do that I think.

I was relying on 14.24.240 (3)(a) to bring it down to Moderate Impact by implementing measures to minimize impact as referenced in Ecology appendix 8C-8, but the proposed update would get rid of that remedy so I'm back to High Impact standard buffer which leaves me an extremely small area. Buffer averaging would not help since there is nowhere to expand it.

Additionally, with variances being made now a last resort requiring Hearing Examiner review and adding much more strict and somewhat impossible requirements to the Reasonable Use Exception (more details on that to follow), I'm seeing fewer and fewer viable options.

I am grateful to the critical areas protections for preserving a place like this so that it hasn't been developed already. But I'm also finding it impossible to meet the moving goalposts that would allow me to build my house even with the most sustainable and least impactful practices.

Everyone who hears about my challenges says "Why are you even bothering? Just build it and don't tell them!" The common consensus seems to be "ask for forgiveness rather than permission", or "what they don't know won't hurt them". This worries me. While I have decided not to take their advice, I wonder how many others will.

I've also learned I'm not the only one taking on an endeavor like this. I've heard from many peers who have acquired some small plot of land who want to build a tiny house or barndominium, but are daunted by all the regulation because they too could only afford a lot that is mostly wetland-adjacent. Their dreams of independence are being dashed.

I worry that the increased barriers to entry will cause many of them to avoid the regulation entirely, causing further unknown impact to the critical areas when they build without all the knowledge of what their impacts are. We need to make it easier, not harder, for good people to do the right thing.

One approach recommended by Dept of Ecology (pub no. 05-06-008) that could address this need is in 8C.2.4.3 Condition 3: Reduction in Buffer Widths Through an Individual Rural Stewardship Plan:

A Rural Stewardship Plan (RSP) is the product of a collaborative effort between rural property owners and a local government to tailor a management plan specific for a rural parcel of land. The goal of the RSP is better management of wetlands than what would be achieved through strict adherence to regulations. In exchange, the landowner gains flexibility in the widths of buffers required, in clearing limits, and in other requirements found in the regulations. For example, dense development in rural residential areas can be treated as having a low level of impact when the development of the site is managed through a locally approved RSP. The voluntary agreement includes provisions for restoration, maintenance, and long-term monitoring and specifies the widths of buffers needed to protect each wetland within the RSP.

While Skagit County has adopted the Voluntary Stewardship Program, it does not serve the same purpose that the Ecology RSP outlines. It only applies to agriculture, and does not offset the CAO regulations. But a RSP as described in Ecology would work with land owners like myself who care about protecting and stewarding the land and want to build in symbiosis, not opposition to it. The current regulations do a great job at protecting the critical areas from developers who would otherwise pave it over. But there is no carve-out for more ecologically minded land owners who want to build sustainably but have limited options with the regulations. I would love to see Skagit adopt a similar provision.

The Reasonable Use Exception could be an alternative for me, but there are a few provisions in the current draft that could make it impractical to impossible in situations like mine.

14.24.140 (5)

(a) " RUE will only be applicable to sites that do not have an area of 4000 square feet or more available for development outside the standard buffer,"

(b)"the maximum total combined development area outside the buffer and within the critical area or critical area buffer will be 4000 square feet. All area available for development outside the standard buffer must be utilized before any buffer impacts can be approved."

Depending on the interpretation of "available for development", this could be unreasonably restrictive if it fails to take into account whether the area outside the standard buffer is even

feasible to develop, and any other limitations separate from critical areas such as minimum distance between a proposed septic drain field and a neighboring existing well. In some scenarios, only a small portion of the <4000 sq ft may be able to be developed, but the entire portion could possibly count against the 4000 sq ft maximum.

Additionally,

(d) To the maximum extent feasible, the disturbance area must be located away from the critical area and critical buffer and to avoid the removal of existing native vegetation with emphasis on preservation of conifers greater than or equal to 24 inches diameter at breast height (dbh), deciduous trees greater than or equal to 20 inches dbh, and forested areas with an established duff layer.

How would this apply to a (real) scenario where the critical area is itself dominated by invasive reed canarygrass, but the area outside of the standard buffer is all native vegetation with large trees and established duff layer? Would it be appropriate to locate the disturbance closer to the critical area to prevent disturbance of the vegetation? This provision does not establish any preference here. I feel like some of this could be guidelines for the approver, rather than codified, to allow a little more flexibility in extenuating circumstances.

Vegetated buffer standards also appear in a number of places. I appreciate this new addition, but I find it a little confusing.

14.24.230(1)(c):

(c) Vegetated buffer standards: All wetland buffer widths presume the buffer is densely vegetated with a native plant community appropriate for the ecoregion, consisting of an average of 80% native cover comprised of trees, shrubs and groundcover plants. If the existing buffer is sparsely vegetated or vegetated with invasive species, the buffer must either be enhanced through an approved mitigation plan or increased per SCC

14.24.240(1)(c) to ensure the buffer provides adequate functions.

I'm thinking of the case where the critical area itself is dominated by invasive grass, and a portion of the buffer is also invasive grass but the rest is mostly dense native vegetation. The "average of 80% native..." could be interpreted a few different ways, like % total area (80% of the square footage is covered by natives and 20% is invasive) vs biodiversity in a given area (most of it is covered with trees but there's invasive himalayan blackberry peppered underneath). It should also say "average of 80% **or over**" for clarity.

I will continue with my plan to build my little home, because at this point I have no other option. And I'm trying so hard to do it the right way. But in tightening the regulations to protect against bad actors and big developers, we're also squeezing the homesteaders and DIYers out of the possibility of homeownership and independence. This county was founded on people like me and the others I've met setting out to build something of their own, to feed their neighbors, and to build resilient communities. Please give us a chance to plant that seed.

Jovian Nordgren
111 Woodworth St #301
Sedro Woolley, WA 98284
(425) 239-8167

Robby Eckroth

From: James Sanders <satch@nwlinc.com>
Sent: Monday, June 16, 2025 6:53 AM
To: PDS comments
Subject: Big Lake

Good Morning,

I am writing to in regards to my concerns about the development issues around the Big Lake neighborhood. Please drop the 200' limitation on critical area review and maintain the Big Lake Special Provisions please!!

There should be critical area assessments on any new subdivision which has potential for stormwater pollution to our lakes!!

They cannot build new lakes.

Thank You.

Jim Sanders
17202 Lakeview Blvd
Mt.Vernon,WA

206-930-6594

Robby Eckroth

From: Niki Levai <likin81@gmail.com>
Sent: Sunday, June 15, 2025 8:29 AM
To: PDS comments
Subject: Possible Spam: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Spam

Good morning,

I am so disappointed to learn of the 2025 Comprehensive Plan's failure to include an Environmental Advisory Board. I know this is something many constituents spoke their mind about in November and they were ignored. Even though an EAB would point us in the right direction for the future in Skagit County.

It seems that people that are stuck in the past with the belief that we can trash the planet with no consequence are the ones making decisions and quite frankly I am over people who are not qualified making decisions. It is time for real experts to guide us.

Thank you,
Niki Levai

From: Nicholas Levai <lkc1369@gmail.com>
Sent: Sunday, June 15, 2025 8:36 AM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Spam

Skagit County's natural environment is multi-layered, with a variety of diverse ecosystems and critical areas. Skagit County policy states that decisions about these complex areas will be based on best available science, yet Skagit County has no environmental advisory board to assist it as it addresses these issues, complicated by the impacts of climate change.

The County needs an environmental advisory board. There is a Forest Advisory Board and an Agricultural Advisory Board, both concerned with the commercial uses of those lands. The County Parks and Rec advisory board focuses on recreational aspects of lands within the county park system.

An Environmental Advisory Board made up of a variety of experts on the environment, conservation, restoration, climate change, mitigation, greenhouse gas emissions reduction, open space issues like bike and walking paths, and wildlife connector trails would be able to look at the county's natural lands and waterways from a holistic point of view and inform the Commissioners about these issues, allowing the commissioners to make decisions based on the best available science. An Environmental Advisory Board could be composed of individuals involved in conservation and restoration, climate science, research organizations, educational institutions, conservation businesses, and urban planning. The environmental advisory board could also include younger people and underserved communities, so that the commissioner can hear from individuals who do not currently have a voice in the process. Do better.

Respectfully,

Nicholas Levai



ReplyReply allForward

You can't react with an emoji to a large group

Compose:
**Skagit County 2025 Comprehensive Plan and
Development Regulations Update**



pdscomments@co.skagit.wa.us

[]

Very Respectfully,

Nicholas S. Levai

From: tdixrainier@frontier.com
Sent: Sunday, June 15, 2025 1:32 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan

Spam

I have commented two times before about the need for an Environmental Advisory Board (EAB) in Skagit County's Comprehensive Plan and Development Regulations. Skagit county has a diversity of ecosystems and critical areas and any decisions concerning the future of these areas should be made with the best available science, especially in the face of climate change.

It is absolutely critical that experts in the environment, conservation, restoration, mitigation and open space issues be the ones to advise county representatives so they can make the best decisions for these areas.

I moved to Mount Vernon because of it's diverse ecosystems, their beauty and the resources they provide. In the 18 years I have lived in Mount Vernon I have seen a lot of growth. People come as I did for the beauty of the place and for the opportunities for recreation and work. Population growth and the challenges of climate change will put increased pressures on these ecosystems.

Everything possible should be put in place, especially an Environmental Advisory Board to insure that our county's resources, it's beauty and spaces for recreation will be protected and used in ways based on the best science available.

Please include an Environmental Advisory Board in your final 2025 Comprehensive Plan.

Respectfully,
Teresa Dix
3124 Dakota Drive
Mount Vernon, WA

Robby Eckroth

From: Jeff Nelson <jeffmnelson@yahoo.com>
Sent: Friday, June 13, 2025 7:36 PM
To: Kiera Wright - gmail; jed.ed.holmes@skagitgov.net; T. Candler - gmail; Tim Raschko - gmail; Joe woodmansee - gmail; Amy Hughes - gmail; Angela Day - gmail; Vincent Henley - gmail; patsygoodship@skagitgov.net; PDS comments
Subject: Possible Spam: Big Lake Water Quality Protection

Greetings,

As a lifelong Skagit County resident and Big Lake property owner, I am writing in support of actions to protect the water quality of Big Lake.

Big Lake is the primary recreational lake in our county. Please take considerations to protect the water quality to continue to allow it to be used for healthy recreation. In recent years, the water quality has become so poor that recreation has been limited.

Sincerely,
Jeff Nelson

Robby Eckroth

From: Richard McKay <mckay@wavecable.com>
Sent: Monday, June 16, 2025 7:10 AM
To: PDS comments
Subject: Possible Spam: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Dear County Commissioners,

I am writing to express my disappointment that there is not a policy creating an ENVIRONMENTAL ADVISORY BOARD isn't in the final draft of the Revised 2025 Comp Plan Update.

The county needs an environmental advisory board. We have a variety of diverse ecosystems and critical areas here. There is a Forest Advisory Board and an Agricultural Advisory Board, both concerned with the commercial uses of those lands. The County Parks and Rec Advisory Board focuses on recreational aspects of lands within the county park system.

An Environmental Advisory Board made up of a variety of experts on the environment, conservation, restoration, climate change, mitigation, greenhouse gas emissions reduction, open space issues like bike and walking paths, and wildlife connector trails would be able to look at the county's natural lands and waterways from a holistic point of view and inform the Commissioners about these issues, allowing the commissioners to make decisions based on the best available science. An Environmental Advisory Board could be made up of people involved in conservation and restoration, climate science, research organization, educational organizations, conservation businesses and urban planning. It could also include younger people and underserved people, so that the commissioners could also hear from people that do not currently have a voice in the process.

In my opinion, it is a crucial component for a forward-thinking plan to include what so many respondents have requested be included. I would like to urge you, once again to create a policy for an Environmental advisory Board in the 2025 Comprehensive Plan.

Thank you for considering my comments.

Sincerely,

Eiren McKay

22953 Bumblebee Lane

Mount Vernon. WA 98273

mckay@wavecable.com

Robby Eckroth

From: Commissioners
Sent: Monday, June 16, 2025 8:13 AM
To: PDS comments
Subject: FW: Public Comment for June 16, 2025 1:00 hearing on Updates to Code and Comp Plan
Attachments: Final JME Comments on Dev Reg to BOCC June 15 2025 Dev .docx

From: Jan Edelstein <jmeten@comcast.net>
Sent: Sunday, June 15, 2025 5:34 PM
To: Lisa Janicki <ljanicki@co.skagit.wa.us>; Peter Browning <pbrowning@co.skagit.wa.us>; Ron Wesen <ronw@co.skagit.wa.us>
Cc: Commissioners <commissioners@co.skagit.wa.us>
Subject: Public Comment for June 16, 2025 1:00 hearing on Updates to Code and Comp Plan

Dear Commissioners,

I submit herewith comments for the Monday hearing. I'm submitting them directly in case you might want to review comments before the hearing.

Thank you for your attention.

Respectfully submitted,
Jan M. Edelstein

Jan M. Edelstein

17173 West Big Lake Blvd.
Mt. Vernon, WA 98274
jmeten@comcast.net
208-720-0709

June 15, 2025

Re: 2nd draft Development Regulations, including
failure to comply with “Local Project Review”
Growth Management Act

Board of County Commissioners, Skagit County
Via E-mail

Dear Commissioners:

I respectfully submit the following comments which identify the areas in which I believe the existing code and 2nd draft of Development Regulations do not comply with the requirements of Growth Management Act and/or the Comprehensive Plan.

Hopefully there will be an opportunity to discuss these at length with the appropriate staff.

Respectfully submitted,

Jan M. Edelstein

1. Review of Permit Procedure:

- a. RCW 36.70B. 010 – 140 require notice to the public of land use applications for permits, and decisions thereon. At this time, your writer is unaware of RCW 36.70B provisions that would exempt the list of permits described below from compliance with the RCW 36.70B provisions that require public notice of application and Director’s decision.
- b. SCC 14.06.150 specifies “No [Public] Notice.” Both existing code and the 2nd Draft Development Regulations provide “No [Public] Notice” for permit applications, or decisions thereon, listed on the Level of Review Table as Type 1 – Director – No Notice.
- c. Significant permit reviews and decisions hidden from public.
 - i. The types of permits allowed to be kept hidden from the public include land disturbance permits (without regard to disturbance acreage or nature of disturbance) and critical areas review, among others.

- ii. The “No Notice” list (Type 1), also includes revisions to permits that originally required a SEPA Review (and were therefore subjected to Type 2 – “with notice” review procedure) without addressing the Director’s obligation under WAC 197-11-158(3) to update existing SEPA DNS or MDNS when there are changed conditions or new information that indicates that there are project specific impacts that have not yet been adequately addressed.
- d. Public prevented from filing a timely local appeal of Type 1 permit decisions.
 - i. Public’s right to local appeal as provided in RCW 36.70B.110 (9) and SCC 14.06.410(3)(a) is thwarted by Skagit Code “no notice” review procedure.
 - ii. The ability to appeal is further thwarted by Planning Department’s recent interpretation of when the time in which the public may file local appeal begins to run. That is, the time begins to run whenever the Director states that the Director has issued a decision even if:
 - 1. The decision is not in writing,
 - 2. The decision goes beyond what was stated by Applicant in response to “Detailed Revision Description” (Ex: Revise one page of 117 page approved engineering for an approved land division, to reshaping and locating all lot lines of the approved land division and replacing all 117 pages of engineering to be consistent with the new lot lines.)
 - 3. The decision is not supported by a Staff Report as required by SCC 14.06.350, and/or
 - 4. The decision is not publicly available on the Civic Access website.
- 2. RCW 36.70B.40 Determination of consistency (concurrency).
 - a. (1)(c) Requires the local government’s development regulations to require the local government during project review to consider “Infrastructure, including public facilities and services needed to serve the development”.
 - b. SCC 14.28.030 specifically limits the review of adequacy of public facilities and services to only designated public services.
 - c. For example:
 - i. Rural Areas: County Roads, Public water Systems, Police, Fire. [No stormwater facility review for adequacy.]
 - ii. Big Lake Rural Village: Sanitary Sewer.

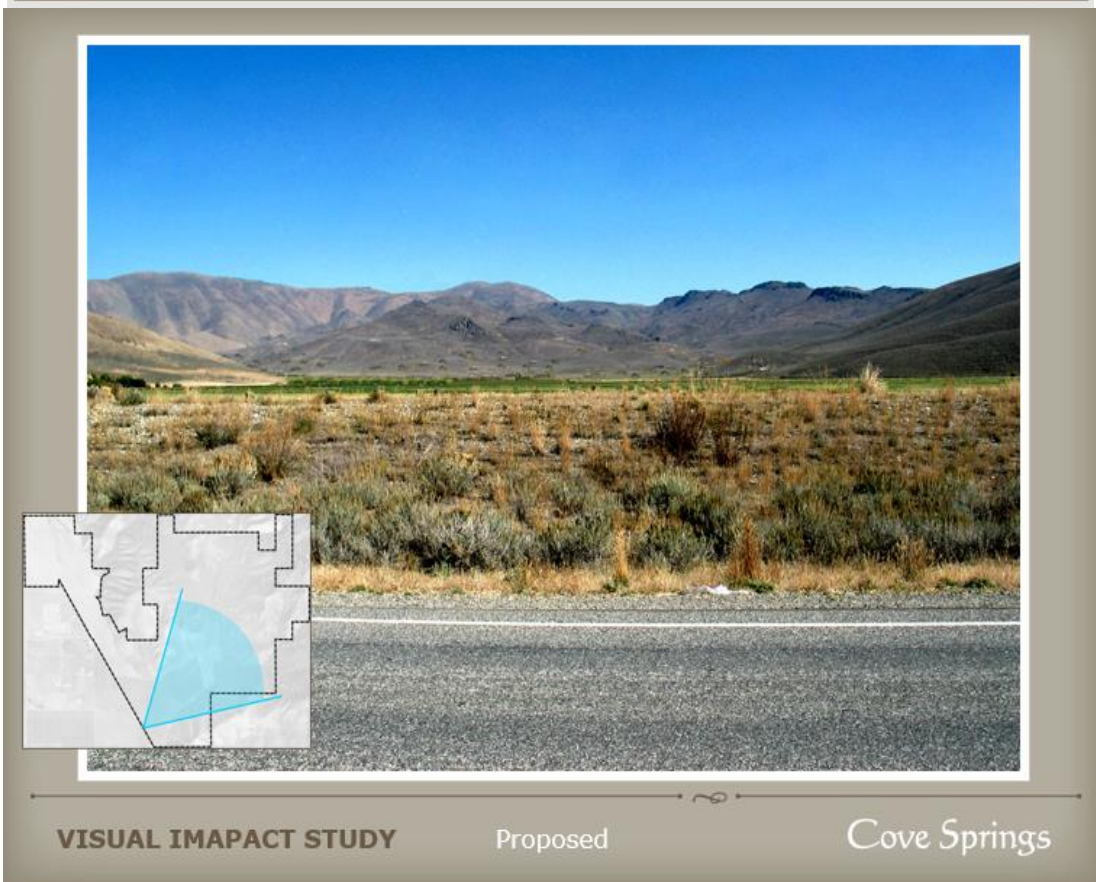
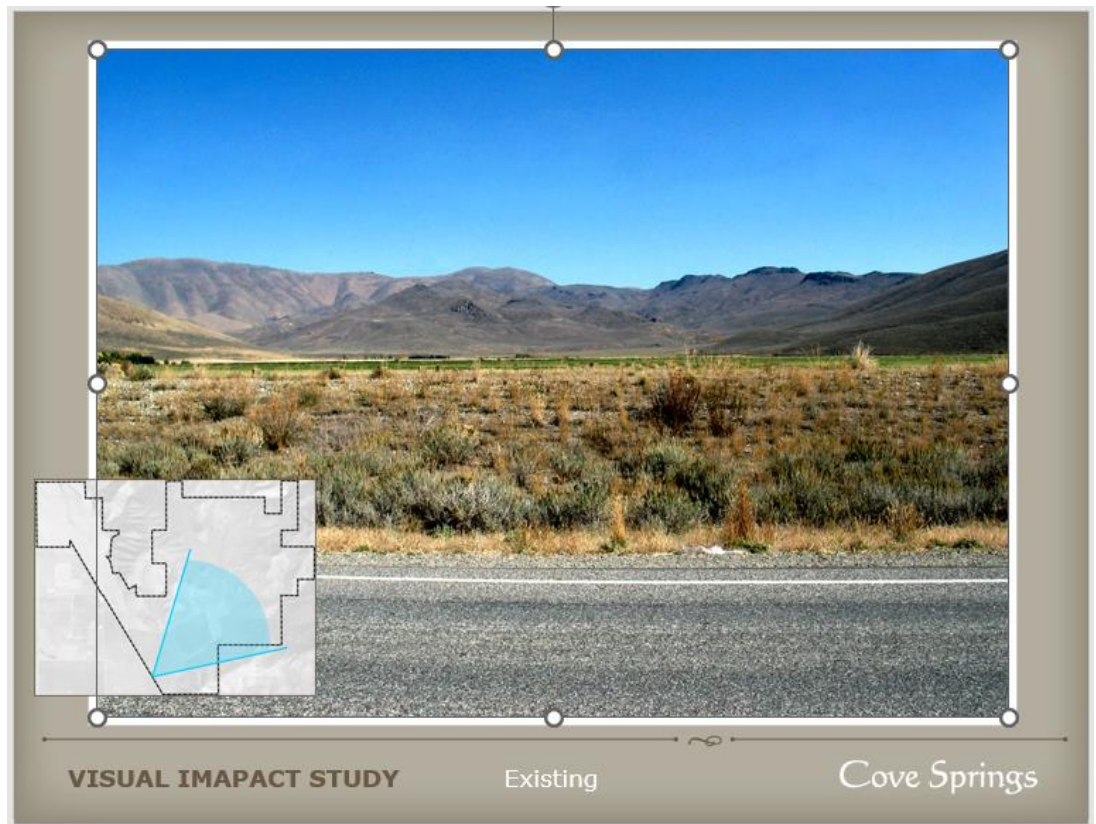
- d. At a minimum, review for concurrency should include stormwater facilities for all zones and contemplate not only stormwater runoff, but also, for uses with higher than average fire-fighting expectations, fire-fighting water runoff which also uses the stormwater drainage facilities.
 - e. Current public stormwater facilities are generally inadequate: Please see 2007 Big Lake Drainage Management Plan, 2023 Stormwater Management Action Plan-Big Lake East Catchment, and 2010 Skagit County Comprehensive Drainage Plan.
 - f. Best Available Science: It is well established that stormwater runoff is the leading cause of pollution to our lakes, rivers, and streams.¹ Regarding state of Big Lake water quality and impact of stormwater runoff specifically, see Opinion of Dr. Richard Horner dated November 19, 2024, as provided to Planning Department on November 25, 2024.
3. Restore SCC 14.16.310(7)(b) in its entirety. As shown on the 2nd Draft Redline, changes to the provision are no longer dependent on the adoption of a Big Lake Rural Village Community Plan as provided by the 2007 ordinance. The acceptance of that restriction on future changes would likely have been an essential element of the settlement of the Growth Management Act litigation that gave rise to the provision, and should be retained.
4. Protect Rural Character of the view shed from non-rural type residential density development.
- a. Adopt rural land plan and view shed standards, and review criteria to avoid this:



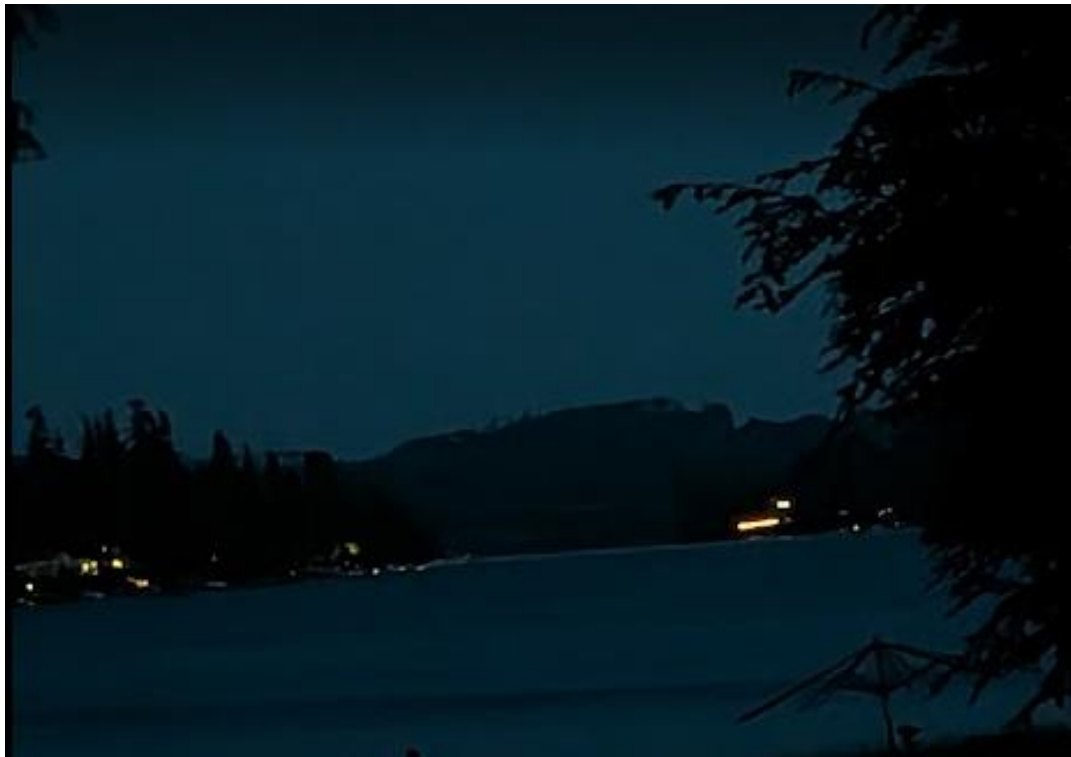
¹ <https://apps.ecology.wa.gov/publications/documents/1103060.pdf>;
https://www.skagitcounty.net/PublicWorksSurfaceWaterManagement/Documents/Stormwater/2025_SWM_P_PLAN_FINAL_clean_20250324.pdf?utm_medium=email&utm_source=govdelivery See PDF Pg. 7

- b. Resources for designing in the rural environment:
- i. Rural By Design, Randall Arendt for American Planning Association. (2d edition 2019.)
 - ii. True West, Authentic Development Patterns for Small Town and Rural Areas, Duerksen and van Hemert, for American Planning Association (2003)
 - iii. Above and Beyond, Visualizing change in small towns and rural areas, Campoli, Humstone and MacLean (2002).
- c. At a minimum, require application for Long CaRD subdivisions in elevated areas to provide Visual Impact Study. The following “Visual Impact Study” is from a 350 lot cluster development which would protect 4000 acres of productive farm and ranch with senior water rights. The study was provided to demonstrate that the Applicant’s approach to clustering complied with the local “Mountain Overlay” district and was respectful of the view shed.

INTENTIONALLY LEFT BLANK



5. Protect Rural Character, Human Health and anadromous fish and other wildlife: Amend the County's exterior night lighting standards to effectively protect the night time rural character of Skagit County, human health and anadromous fish habitat and other wildlife.
- a. Current standards do not provide a peaceful, rural nighttime experience.
 - b. Current standards do not protect human health and wildlife health from the adverse effects of Artificial Light At Night (ALAN).
 - c. Photo below: Taken from north end of Big Lake, looking 1 mile away to the south. Illustrates the incredible power of modern high intensity LED exterior lights available at local hardware stores. Rather than illuminate only the ground around one's home, either or night time use or to create a sense of security, these lights pollute for miles away.



- d. The photo below was taken on west side of Big Lake at north end of Big Lake, looking east to Lakeview Road. The lights on top of slope are from Nookachamps Hill, 9/10s of a mile away. Note Glare on Fish Habitat, in addition to impact to neighbors' experience of the night.



- e. Best Available Science:
- i. For a survey of studies on night lighting see American Medical Association Journal of Medical Ethics, October 2024, Policy Forum.²
 - ii. See recent Puget Sound studies on adverse impacts of Artificial Light At Night (ALAN) on juvenile salmonids, including USGS Report on Western Fisheries Research Project, November, 2024.³
 - iii. See also studies on disruption of migration patterns and other adverse impacts on wildlife of modern, powerfully bright exterior lighting.
- f. For guidance on exterior lighting code revisions see:
- i. Leadership in Energy and Environmental Design (LEED) standards for exterior lighting for rural areas.

²<https://journalofethics.ama-assn.org/article/were-all-healthier-under-starry-sky/2024-10>

³ <https://www.usgs.gov/centers/western-fisheries-research-center/news/artificial-light-night-update-field>

- ii. National Association of Illuminating Engineering
<https://www.usgbc.org/resources/model-lighting-ordinance-users-guide>
- iii. Blaine County Idaho Night Lighting code:
https://codelibrary.amlegal.com/codes/blainecountyid/latest/blaineco_id/0-0-0-12262

From: Andrea Xaver <dancer@fidalgo.net>
Sent: Monday, June 16, 2025 9:02 AM
To: PDS comments
Subject: Protect Big Lake and adjacent areas
Attachments: Protect Big Lake - June 15, 2025.doc

Please read the attached.
Thank you.
- Andrea Xaver

To: Skagit County Commissioners and Planning Commissioners

6-16-2025

From: Andrea Xaver

Subject: Protecting Big Lake and adjacent areas

I'm asking that you seriously regard the effects of off-site impacts from nearby developments or other significant projects, which – in the Critical Areas Ordinance - are now only considered if 200 feet away. Many things can impact adjacent areas, regardless of distance...as they can be connected.

Big Lake is already polluted. Parts of Lake Creek that flows into Big Lake, and through the Skagit Land Trust's (SLT) wetland at the south end of the lake, are also being further polluted because of invasive Reed Canary Grass (RCG). It's toxic, warms water, and absorbs oxygen - concerns that nobody (specifically Wa Fish and Wildlife) does anything about because they say cleaning the creek of RCG will kill the fish (they're dying already because of RCG). This also impacts other wildlife. Adding more pollutants won't help.

Lake Creek also flows through some of my organic farmland that my family has owned and operated for 124 years. Some of our fields are being flooded near the SLT wetland because of the RCG falling into the creek and causing higher water and less drainage. Trees along the creek and other affected areas are dying. I have never seen this manner of consistent flooding here. Much more water will go into Big Lake if Overlook Crest is fully developed. Then what are the cumulative effects? Those of us with nearby lands - whether lakeshore, wetlands, plus farm property along Nookachamps Creek - will experience increased flooding and pollution. Flooding could possibly undermine the nearby state and county roads.

What I've seen, along the way, is that people can build things, but they often don't take care of them. Is that what "we" want in Skagit County? Don't we need people to be accountable?

Robby Eckroth

From: Knoll, Robert <Robert.Knoll@pse.com>
Sent: Monday, June 16, 2025 10:56 AM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan
Attachments: SkagitCountyCompPlanLtr mrp (LCR).pdf

Good afternoon –

Please see attached comment from PSE on the Draft 2025 Comprehensive Plan Update.

Thank you,
Robert

Robert Knoll
Local Government Affairs
Puget Sound Energy
Text/Call: 425-418-0987

Learn about our commitment to clean energy at pse.com/TOGETHER



Puget Sound Energy
P.O. Box 97034
Bellevue, WA 98009-9734
[PSE.com](https://www.pse.com)

June 16, 2025

Jack Moore, Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Skagit County 2025 Comprehensive Plan

Dear Director Moore:

On behalf of Puget Sound Energy (PSE), I write to convey our thoughts for your consideration as part of the 2025 update to the comprehensive plan and development regulations under the Revised Code of Washington (RCW), specifically Chapters 36.70A and 43.21C.

PSE encourages the County to review PSE's 2021 Integrated Resource Plan (IRP) and 2023 Electric Progress Report. Puget Sound Energy plans years in advance to ensure we have the supply and infrastructure necessary to deliver clean, safe and reliable energy. The IRP is a 20-plus year view of PSE's energy resource needs, which is developed through a planning process that evaluates how a range of potential future outcomes could affect PSE's ability to meet our customers' electric and natural gas supply needs. The analysis considers policies, costs, economic conditions and the physical energy systems, and proposes the starting point for making decisions about what resources may be procured in the future.

PSE filed its first Electric Progress Report in 2023 as an update to the 2021 IRP. A product of the Clean Energy Transformation Act, it is designed to streamline reporting as we work toward our clean energy goals. This report was our first opportunity to reinforce the commitments in PSE's 2021 Clean Energy Implementation Plan (CEIP), which includes eliminating coal-fired resources by 2025, achieving greenhouse gas neutrality by 2030, and supplying 100 percent renewable and non-emitting electric energy by 2045.

The 2021 IRP can be accessed at:

<https://www.pse.com/en/IRP/Past-IRPs/2021-IRP>

The 2023 Electric Progress Report can be found at:

<https://www.pse.com/en/IRP/Past-IRPs/2023-IRP>

We offer the following comments for the City's consideration:

Utilities Element: P300

The introduction to “Electrical Power” references PSE’s 2013 IRP as “the current plan” and includes background information on PSE that is no longer accurate. We recommend reviewing the 2021 IRP and 2023 Electric Progress Report (links provided above).

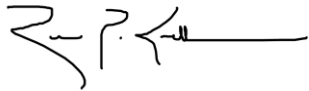
Utilities Element: P300-301

The Comprehensive Plan references potential major construction anticipated in Skagit County and three of PSE’s potential projects. Below are updates on those projects.

- Rebuilding the Sedro-Woolley to Bellingham #4 transmission line
 - This line is currently in the construction phase and will be completed this year.
- A new substation in South/Central Skagit County
 - PSE is in the needs assessment phase for a Port of Skagit area substation or distribution expansion.
- A new substation in the vicinity of Fidalgo Bay
 - PSE is not planning a new substation in this area.

PSE would like to thank the County for the opportunity to provide comments as part of this Comprehensive Plan update process. PSE also offers its assistance in updating the existing Utilities Element with respect to the electric system in Skagit County. Should there be any questions or further Information that we can provide to assist, please do not hesitate to contact me at (425) 418-0987 or at Robert.Knoll@pse.com.

Sincerely,

A handwritten signature in black ink, appearing to read "R. P. Knoll", followed by a horizontal line extending to the right.

Robert Knoll

Puget Sound Energy Local Government Affairs

From: Victoria Hattersley <hattersv@gmail.com>
Sent: Monday, June 16, 2025 2:57 PM
To: PDS comments
Subject: Comprehensive Plan AND Critical Areas Ordinance comments.

Hello - I was at the public hearing today and want to support Jan Edelstein's comments submitted on May 2, 2025 and today's presentation.

- Change the Critical Areas Ordinance to protect Big Lake, and all other critical areas, from stormwater pollution and other off-site impacts of ALL new development, not just projects within 200' of the lake. It does no good to tick a box so that we can say that there are restrictions on stormwater pollution when the restriction doesn't address the actual issue. Big Lake is already at risk, and, in addition, we have the toxic algae blooms that eliminate usage of the lake altogether at times in the summer. This lake is a gem in Skagit and must be protected, along with other similar gems.
- Maintain the Big Lake Rural Village Special Provisions adopted in 2007- Why would this be removed when the Lake is in such need of attention? Please include it.

Please address both of these in subsequent meetings and reporting. Thank you.

--

Victoria Hattersley
18779 West Big Lake Blvd
Mount Vernon, WA
781-956-3354

From: Karen Gardiner <kgardinerb@gmail.com>
Sent: Monday, June 16, 2025 3:08 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Thank you for all your work on this plan so far.

I have lived in Skagit County for over 35 years and am very concerned about preserving our rural character and farmland. I am part owner of a small blueberry farm that has been producing blueberries for over 50 years.

I would like to see the establishment of an environmental advisory board. Support for this was expressed previously but it is not in the latest third draft. Knowledgeable citizens and professionals would be able to help the County Commissioners and Planning Commission look holistically and make decisions based on the best available science.

Our county needs an Environmental Advisory Board. Please add this to the comprehensive plan now.

Thank you

Karen Gardiner
726 N 14th Street
Mount Vernon, WA 98273
(360) 428-5627

From: Anne Winkes <annewinkes@gmail.com>
Sent: Monday, June 16, 2025 3:18 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update

Dear County Commissioners,

The planning department staff, consultants and planning commission have considered carefully the 2025 comprehensive plan update before you. Now it's your turn. Many of the changes recommended are excellent. In particular, I recommend you agree, without hesitation, to support policy 2G-1.1 which allows an existing house to be separated from the larger parcel of natural resource land on which it sits, be that parcel agricultural, secondary forest or rural natural resource land, as long as a conservation easement is put on the larger parcel at the same time, ensuring it will not be developed-- a win for the landowner and a win for protection of natural resource lands and their ecosystems.

What follows is a somewhat longer version of what I said before you at the public hearing you held today at 1 pm. I am including all of it here because creation of an Environmental Advisory Board is perhaps the most important step you will take as county commissioners to protect Skagit County's unique and extraordinarily diverse environment as our earth warms and our population grows.

I am always somewhat awed when I think about how much information County Commissioners must digest as they make decisions about the well-being of Skagit County. I know, and am sure you all know too, that no matter how smart and how knowledgeable each of you might be, you don't know all you need to know to make decisions based on the most current information and thinking about areas as broad and diverse as economic development, open space, transportation, utilities, land use, capital facilities, housing, rural and natural resource lands. In acknowledgment that you lack the all-encompassing knowledge necessary to govern a county, you have created boards on which sit a variety of experts to advise you. You have an Agricultural Board, a Forestry Board, and a Parks and Recreation Board to advise you about the commercial and recreational uses of Skagit County's lands.

That is all to the good. But limited as those boards' interests are to commercial and recreational use, they sidestep consideration of larger environmental issues. Skagit County's lands are large and greatly varied. They include salt water, freshwater and their shorelines, farmland, forest land, mountains, and wetlands. No one person, or even three county commissioners, could have the background to understand what is best for so diverse an environment, or for the people and wildlife that inhabit it. And now added to the complexity are the rapidly occurring effects of our warming planet.

Such complexity calls for the creation of an Environmental Advisory Board to provide insight and understanding of what is best for Skagit County's environment as a whole. It could be made up of experts from all fields concerned with different aspects of the environment, a group as varied as the environment itself—some with academic experience, some with practical experience, some young, some middle aged, some old, scientists, technical experts, educators, conservation-focused business people, researchers, environmental professionals, land owners and community leaders---all with a deep caring for what we all love about Skagit County— its mountains, rivers, lakes, marine waters, farmland, forests and open spaces; its great natural beauty.

The County's vision and mission statements emphasize "enhancement of the natural environment." Adding an Environmental Advisory Board to the Environment element of the 2025 Comprehensive Plan Update would certify Skagit County's commitment to that goal.

Thank you for considering my thoughts.

Anne Winkes
18562 Main St.
Conway, WA 98238-0586
360-445-6914
annewinkes@gmail.com

From: Ellen Bynum <skye@cnw.com>
Sent: Monday, June 16, 2025 3:48 PM
To: PDS comments
Subject: Friends of Skagit County comments on the 2025 Comp Plan and codes periodic update

June 16, 2025

TO: Skagit County Board of County Commissioners
FROM: Ellen Bynum, Executive Director, Friends of Skagit County, Mount Vernon, WA.

RE: Comments on the 2025 Periodic Comprehensive Plan update and Development Regulations.

Thank you for the opportunity to comment on the periodic update to the Comprehensive Plan and Development Regulations that guide and direct Skagit County's land use decisions.

Over the years Skagit County has amended both documents and made changes either required by state law, legal decisions or recommended by the public. The process of creating these documents initially used the results of a county-wide survey creating a vision for the county. The vision information was used by citizen advisory committees, assisted by staff, to create the original comprehensive plan.

The current update process is a far cry from the original as the County engaged numerous consultants who did not appear to fully consider past plans. Without local understanding of why particular information is included in a certain section, the tendency is to omit that information. There is a tendency to create more efficient language to reduce the size of the documents which we agree is important; however, we ask that the staff and/or consultants review the proposed revisions against at least the 2016 periodic update and if needed prior periodic updates, to ensure that the language has not been dropped from this current update.

An example is the Overlook properties special rule language adopted from the Growth Management Hearings Board's decisions and the settlement language that was included in both the Comprehensive Plan and the development regulations. The agreement gave additional development capacity to the landowners in exchange for environmental protection for Big Lake by requiring no pollution or degradation IF the property was developed.

Friends of Skagit County, other individuals and parties filed numerous early appeals that changed the County's required actions and created the language of these documents. Carrying the meaning and intent forward, including the references to all Ordinances, Resolutions and settlement contracts is essential if the County is to make informed and accurate decisions now and into the future.

We did not see this analysis and review completed for the current draft of the Comprehensive Plan. Ryan Walters, the County's consultant on the development regulations, did restore the special rule language. However, the new language does not include all of the settlement criteria.

We request that all of the criteria of this settlement be addressed in the plan and regulations including the development, with citizens, of a Big Lake Community Plan, a criteria for permitting development of these properties, and, to our knowledge, has never been completed to date. As an original appellant and a party of record in the recent appeal, Friends supports the work and comments of the Protect Big Lake groups, including Jan Edlestein and other citizens.

This is just one example of how changing the language of the Comprehensive Plan and development regulations can inadvertently change the rules for developments. Staff and consultants spent many hours wordsmithing these documents. We hope that in so doing they did not create omissions which now compromise the public's ability to oversight current and future decisions on land use.

The draft Comp Plan includes numerous consultant reports that have large amounts of tables and data. We are concerned that these specialized reports are not included in the text of the plan, but are summarized with the full reports referenced and available as needed. The public must have clear and accurate language and meaning in the plan in order to understand PD&S, Planning Commission and BOCC decisions with appropriate references where needed.

We recommend in the final review of the Comprehensive Plan and development regulations that language is restored that supports the original intent of decisions.

Additional issues:

We support the Planning Commission and the Agricultural Advisory Board's recommendations, particularly the decision to include every acre of Ag-NRL with the removal of the land required to be in the 100 year floodplain.

Please consider not allowing accessory dwellings on 1 acre Ag-NRL properties that were part of a 40 acre parcel, or other incentives to NOT subdivide the 40 acres. We understand the division only applies to existing houses and that the requirement of a permanent conservation easement with no additional residential development on the remaining 39 acres. The preservation of Skagit soils is essential to the successful future of Skagit's agricultural industry.

Please strengthen the language on the de-designation of natural resource lands to prevent continued loss of these lands.

Please update the Comprehensive Planning Timeline. Much has happened since 1995 and the public needs to have an overview of the years from the last update in the table.

We suggest staff discuss the Appendix A: Skagit County Climate Element Workbook, 3.1-3.5 with the Ag Advisory Board to correct language that may not accurately portray farming practices in Skagit County. An example is the statement "Skagit County has a rich agricultural industry and many important ecosystems, historically shaped by the unconfined Skagit River delta. Approximately 90% of the county's farmgate value is produced on around 60,000 acres in the Skagit and Samish Deltas, areas that rely on specialized diking, drainage, and irrigation districts to maintain productivity. In addition, local farmers produce approximately \$350 million worth of crops, livestock, and dairy products on approximately 90,000 acres of land. Over 90 different crops are grown in the County. "

Please remove the first contradicting sentence. The use of the word "rich" implies farmers are wealthy and the "... historically shaped by the unconfined Skagit River delta.... implies there are no dikes and drainage systems which are then mentioned in the next sentence. Suggested edit: The agricultural industry is the largest economic driver in Skagit County. Approximately...".

Another example is "Farms are mainly located in the delta where agricultural burns are permitted. Asset is predominantly not located in WUI zone (State UI webapp). Impacts to food systems are minimal." and "Farms utilize controlled burns to reinforce nutrient density in soil. Asset is sited in areas not exposed to wildfire risk and is protected by County legacy programs to protect asset."

Please verify with agricultural producers that crop burning is still practiced, how prevalent, and how many acres are affected. Remove "Asset is predominantly not located in the WUI zone." The location is stated in the previous sentence. Suggested rewrite for last sentence: The County Farmland Legacy Program removes development rights from agricultural land and reduces wildfire risk by eliminating homes in the area.

Should you have questions, please contact us on 360-488-3244 or 360-419-0988.

Thanks very much for your time and public service.

From: Molly Doran <mollyd@skagitlandtrust.org>
Sent: Monday, June 16, 2025 3:48 PM
To: PDS comments
Subject: Skagit County 2025 Comprehensive Plan and Development Regulations Update, Skagit Land Trust

**Skagit Land Trust Comments on Final Draft of Comp Plan and Development Regulations
Submitted by Molly Doran, Executive Director
Skagit Land Trust
1020 S 3rd Street, Mount Vernon WA 98273**

Thank you for the opportunity to comment on the final draft of Skagit County's 2025 Comprehensive Plan and Development Regulations Update.

We have participated in open houses and focus group meetings hosted by the county and submitted comments on preliminary drafts of the Comprehensive Plan elements and the development regulations. We appreciate this opportunity to comment directly to the Board of County Commissioners as you consider final adoption of the 2025 Comprehensive Plan Update. We also appreciate the thoroughness and professionalism that Planning and Development Services staff and the consultant team have exhibited throughout this process.

Skagit Land Trust conserves wildlife habitat, working agricultural and forest lands, scenic open space, wetlands, and shorelines for the benefit of our community and as a legacy for future generations. Our organization has over 1,700 family and business supporters (members) and 500 active volunteers who work to protect the most important and beloved places in Skagit County. Today, the Trust protects more than 11,000 acres, including more than 50 miles of shoreline. The Trust has many conservation partners; this includes a long successful history of joint projects with Skagit County Parks, Public Works Departments, and the Farmland Legacy Program.

Our comments draw from the Trust's mission. We seek to ensure that the Skagit County Comprehensive Plan works to maintain the resilience of Skagit County's natural environment in the face of population growth and the impacts of climate change.

Comments on the Comprehensive Plan

Community Values

- **We are concerned about the wording in the paragraph at the top of p. 24 titled "Emphasis on the preservation of resource land band."** The sentence reads: "In particular, the transfer of resource lands to non-profit corporations and other agencies for purposes of habitat protection or enhancement results in farms and forest land being taken out of natural resource production."

This statement needs to recognize that partnerships with non-profits play an important role, including in the preservation of resource lands. We do not believe this statement reflects Skagit's community values. Clearly there is strong support for local non-profit land conservation

in Skagit County. **We urge you to revise this statement to emphasize seeking partnership with nonprofits and agencies in protecting resource lands, rather than excluding them.** The current wording overlooks the environmental and social complexity of resource land preservation, and the valuable contributions these organizations and agencies make.

Nonprofits and agencies often secure grant funding to purchase land or conservation easements where sustainable farming and forestry practices continue. Many habitat conservation efforts are compatible with ongoing natural resource management activities. In other instances, restoration efforts are focused on specific areas of resource land like wetlands or riparian zones. In addition, Skagit Land Trust has partnered with the Farmland Legacy Program (FLP) to both place County held Farmland Legacy easements and then sell the land to local farmers or to donate conservation easements to the FLP. We also actively manage hundreds of acres of agricultural lands, lease farmland, and hold conservation easements that protect both wildlife habitat and working lands. **In 2024, alone, the land trust permanently protected approximately 250 acres of agricultural land- that remains in agricultural use. The land trust also owns and holds conservation easements on working forests.**

Conservation organizations and agencies are important partners with Skagit County in protecting natural resource land for ongoing resource production while also restoring important fish and wildlife habitat and improving Skagit County's resilience against flooding, sea level rise and other natural disasters.

Urban, Land Use and Open Space

- **We strongly support policy 2A-8.7, “Collaborate with the SCOG to investigate the feasibility of revising Countywide Planning Policy 1.2 by reducing target growth allocations in rural areas.”** Our comment letter recommended the rural allocation drop from the current 20% to 10%.

With climate change, many of the factors that previously dictated where growth and development should go must be updated with greater emphasis on natural hazards and limited resources. Thus, things such as water supply, single source aquifers, flood plain hazards, forest fire hazards, erosion, landslides, and transportation routes in floodplains all need to be considered. Skagit' growth should be strongly focused in urban areas. Affordable housing and environment conservation goals are also best served by targeting most new residential growth to the urban areas.

Rural Element

- **We have concerns with language in policy 3C-1.6 allowing accessory dwelling units (ADUs), duplexes, triplexes, fourplexes, manufactured homes, and tiny homes, in Rural Village Residential without concurrently addressing the cumulative development in rural areas.** These “middle housing types” can increase housing affordability, which we support -- and which the County is required to encourage. However, they can also increase the overall amount of development in the rural area, which we do not support.

If the County is going to allow more affordable housing types in Rural Village Residential, it should simultaneously seek to decrease the amount of development potential elsewhere in

the rural area through stepped up efforts to a) purchase and extinguish rural development rights; b) transfer them to urban area; or c) reduce the overall population allocation to the rural area, as you are exploring in policy 2A-8.7.

Natural Resource Lands

- We support proposed changes to policies 4A-3.1, 4B-1.1, and 4B-1.3, requiring that site specific proposals to de-designate Ag-NRL, Industrial Forest-NRL, and Secondary Forest-NRL natural resource lands must be deferred until a comprehensive countywide analysis is conducted; they may not be considered on an individual basis.
- We support new policy 4B-2.13, “Identify and implement strategies for reducing residential development pressure in the Urban Wildland Interface.” This is critical to managing wildfire risk in the future, especially with warmer and drier summers resulting from climate change. Residential development in the Urban Wildland Interface can also lead to the conversion of natural resource lands and to land use conflicts.
- We support policy 2G-1.1 which would allow the separation of an existing house from the larger parcel where it is located on lands designated Secondary Forest-Natural Resource Land, and Rural Resource-Natural Resource Land in addition to Agricultural-Natural Resource Land (exist policy) in combination with a conservation easement simultaneously attached to the larger parcel. **A similar process should be allowed in other qualifying Rural Land Use designations to leverage voluntary actions that help lessen rural development pressures.**

Transportation

- We support new policy 8A-1.4, “Work with Skagit Council of Governments Non-Motorized Transportation Advisory Committee (NMAC) to coordinate non-motorized transportation projects.” The County’s Open Space Concept Plan should be referenced for multi-mode trail corridor ideas. Making sure our cities are connected to each other and to nature is important.

Utilities

- We support the Staff/Consultant response to comment 67 in the document titled “Skagit County 2025 Periodic Comprehensive Plan Update Planning Commission - Public Comment Summary Matrix” which states: “Skagit County is planning to conduct a countywide analysis of potential areas to site clean energy projects and develop new regulations for clean energy generation and storage projects.” However, we would like to see that intent formalized by adding a corresponding policy in the Comprehensive Plan’s Utilities Element.

Climate and Resiliency

- **We recommend a watershed approach for policy 12A-1.6** which states “Protect the +/-88,000 acres of remaining prime farmland in Skagit County and an integrated, strategic investment plan

in partnership with Skagit tribes and diking/drainage districts, to holistically address sea level rise, habitat enhancement, and farmland preservation on the Skagit/Samish Delta...”

We praise the recognition of the need to truly address the issues of preserving prime farmland holistically, with “an integrated, strategic investment plan in collaboration, to holistically address sea level rise, habitat enhancement, and farmland preservation”. As noted in our earlier comment letter, **we urge Skagit County to consider planning associated with climate impacts that looks at the watershed as a whole.** The issues of maintaining a strong agricultural economy, infrastructure, drought, climate change, our forests, Tribal rights, fishery restoration, conservation etc. extend well beyond the western part of Skagit County and into much of the Skagit watershed. Since watersheds are interconnected systems, the Skagit will face interdependent challenges as the climate changes.

There are many excellent Goals in the climate section of the Comprehensive Plan draft which we strongly support including:

- 12 B Enhance the resilience and reliability of energy infrastructure. Promote and support building designs that better withstand climate change impacts.
- 12 C Protect community health and well-being from the impacts of climate exacerbated hazards and ensure that the most vulnerable residents do not bear disproportionate health impacts.
- 12 D Promote climate resilience and equity through culturally sensitive outreach and education, and strengthen collaborative relationships with Tribal governments, local leaders, and non-profit groups that work with vulnerable communities to effectively manage climate change risks.
- 12 F Protect and enhance natural ecosystems to support climate change resilience, carbon sequestration, and GHG emissions reduction.

While we also strongly support the overall goal of 12 J, there are some specific issues that should be addressed:

- 12 J 1.1 Develop regulations, if appropriate after in-depth analysis and stakeholder engagement, for elevating or setting back new and substantially improved structures to reduce the risk of damage caused by sea level rise.
Development regulations are needed regarding elevation and setbacks for new and existing structures to address the risks of sea level rise. However, the current phrasing of Policy 12J 1.1 calls this overall reality into question. This goal should not be watered down with conditional support for the larger goal. There is no question that such regulations are needed; instead, it is a question of where and when regulations should be applied. We suggest the following language:
- *Develop regulations for elevating or setting back new and substantially improved structures to reduce the risk of damage caused by sea level rise. Application of such elevation or setback for specific structures or locations may be determined after analysis and stakeholder engagement.*
- **Goal 12 J 1.6 Establish development regulations that incorporate best practices for reducing the risks and consequences of wildfire, extreme heat, flooding, and other climate-exacerbated hazards.**

We strongly agree with this goal. However, it would be improved by clarifying and specifically calling out sea level rise; in the long-term this will be one of the most critical impacts of climate change in Skagit County. Development regulations must incorporate best practices for addressing the risks associated with Sea Level Rise. We recommend the following language.

- *Establish development regulations that incorporate best practices for reducing the risks and consequences of wildfire, extreme heat, flooding from sea level rise and associated storm surge and changes in precipitation, as well as other climate-exacerbated hazards.*

Comments on the Development Regulations

- We support the allowance for vehicle charging stations in the NRI, IF-NRL, SF-NRL, URP-OS, and OSRSI zones. The allowance of more EV charging stations throughout the county, and especially east county, will assist Skagit Land Trust with its work and encourage more widespread use of EVs throughout the county.
- We recommend decreasing rural growth area goals generally if allowing middle housing types in the Rural Village Residential zone, including duplexes, triplexes, fourplexes, and manufactured home parks. Adding more density in rural villages without concurrently taking steps to decrease other rural growth just adds to the County's struggle of containing rural growth.
- We support amendments to the Legislative Actions chapter (SCC 14.08) to require countywide analysis for any proposed de-designation of natural resource lands, and a climate impact analysis prior to altering urban growth areas.

There is a significant amount of infill potential within the existing urban growth areas in Skagit County, especially as cities show an increasing willingness – and face stronger state requirements – to increase densities and allow a wider range of “middle housing” options. Promoting more compact, walkable, and transit-oriented development within cities and their existing UGAs will significantly reduce GHG and VMT impacts associated with population growth compared to UGA expansions.

Creation of an Environmental Advisory Board (EAB)

- Skagit Land Trust again urges the Board of County Commissioners to establish an Environmental Advisory Board (EAB). This past Fall in response to the Planning department's call for public participation, 59 of the 90 comments submitted to PDS recommended the revised 2025 Periodic Comprehensive Plan Update draft support the creation of an Environmental Advisory Board. We ask that you include in the Environmental Element of the revised 2025 Comprehensive Plan a policy directing the establishment of an EAB.

An EAB would complement the focus on the commercial aspects of natural resources of the County's existing natural resource boards—the Agricultural, Forestry and Conservation Futures Advisory Boards—with a specific focus on the protection and stewardship of Skagit County's natural ecosystems and their critical role in climate adaptation and resilience.

Why an Environmental Advisory Board (EAB) Is Needed

An EAB would help the Skagit County Commissioners, the Planning Department and the Planning Commission broaden their understanding of our county's unique interconnecting ecosystems that work together to support biodiversity, mitigate climate impacts, store and purify water, naturally, and enable low carbon solutions. No current advisory board is charged with taking a comprehensive, science-based view of these natural systems.

An EAB would help local government make evidence based, informed judgements, about:

- How to best protect natural lands, waterways, wildlife habitat and open space
- How to thoughtfully plan for dealing with the challenges caused by the intensifications of climate change's impacts on our county far into the future

while at the same time:

- Building community support for climate preparedness and carbon reduction
- Promoting environmental stewardship
- Integrating best available science into land use and conservation decisions
- Acting as a bridge with the public

Proposed Functions of the EAB

This Board could evaluate and advise Commissioners and Planning Dept on the following areas:

- Land use impacts on ecological processes (e.g., rivers, shorelines)
- Natural solutions for climate resilience
- Relevant planning documents (e.g., Comp Plan), particularly in the areas of climate impacts, fish and wildlife habitat and corridors
- Updates to the County's Open Space Plan that incorporate projected climate impacts
- Emerging legislation affecting natural systems

Board Composition would represent a broad range of community perspectives and technical knowledge with the ability to provide specialized expertise on environmental challenges and opportunities.

Appointments could include:

- Scientists with an environmental or climate focus
- Environmental professionals
- Technical experts who offer data-driven insights
- Representatives from education and research programs with an environmental or climate focus
- Conservation-oriented businesses and landowners
- Community leaders with an environmental or climate interest, including youth and those from underserved populations.

Local governments, Tribal and public agency management would be consulted as needed.

From: Eddy Ury <eddyu@re-sources.org>
Sent: Monday, June 16, 2025 4:17 PM
To: PDS comments
Cc: Kaia Hayes; Ander Russell
Subject: 2025 Comprehensive Plan & Development Regulations Update
Attachments: RE Sources comment re Skagit 25 Comp Plan - June 2025.pdf

Thank you for your thoughtful consideration of our comments, here attached.

--

Eddy Ury
Climate & Energy Policy Manager
RE Sources
(360) 733 8307 x 215
[RE-Sources.org](https://re-sources.org) | [Facebook](#) | [Blog](#) | [E-News](#)

Transmitted by email to pdscomments@co.skagit.wa.us

June 16th, 2025

To: Skagit County Board of Commissioners
Skagit County Planning and Development Services
Re: 2025 Comprehensive Plan & Development Regulations Update

Honorable Commissioners,

RE Sources is a non-profit organization located in northwest Washington and founded in 1982. We work to protect the health of northwest Washington's people and ecosystems through the application of science, education, advocacy and action. RE Sources has thousands of supporters in Whatcom, Skagit and San Juan Counties, on behalf of whom we appreciate the opportunity to review the third draft of the updated 2025-2045 Skagit County Comprehensive Plan.

Overall we see the proposed 2025 Plan as forward-moving, with measured policies framed broadly to allow flexibility in interpretation. We commend Skagit County's efforts to adapt long-range planning to better reflect the considerations of a region contending with a climate-changed future. With forward-thinking approaches – to land use, climate resilience, and energy transition – Skagit County can ensure a sustainable future for Skagit communities, businesses and ecosystems.

We hope you take more time to attentively consider, address and incorporate the robust volume of substantive input provided over the course of the last year from dedicated constituents including the Swinomish Tribe, Skagit Land Trust, and Evergreen Islands. Appointing an Environmental Advisory Board, and a Climate Adaptation Advisory Board and/or Task Force could help utilize the remarkable local resource of expertise found in Skagit communities, through the challenging work of policy implementation.

We've noted a few opportunities to strengthen existing policies and address gaps in the Plan, organized topically by chapter below, with suggested additions underlined.

4: Natural Resource Lands

- **Narrative and policy section for *Agricultural Natural Resource Lands (Ag-NRL)* misses a key threat to the Agricultural Land Base.**

“Pressure to convert agricultural lands to... wildlife habitat (p 92)” is named as a ‘significant challenge’ to long term viability of the industry. In framing this impact within the narrow scope of the short term, the plan misses an opportunity to name the larger context for these investments— securing the climate resilience of the region needed to retain a working Agricultural land base *at all*.

The Skagit Climate Science Consortium’s [Flood Scenario Map](#) shows the devastating effect of Sea Level Rise and riverine flooding on the Skagit Valley over the next decades, with Agricultural lands being some of the most heavily inundated as early as the 2040 scenario— five years before the next comprehensive plan update has even begun. [Natural Climate Solutions \(NCS\)](#) like riparian buffers and other floodplain restoration projects are the most cost-effective way to secure resilience against these impacts at a watershed level, and are essential to any plan that aims to maintain the ‘*long-term commercial significance*’ of agriculture in the Skagit Valley.

5: Environment

- **Adopt Net Ecological Gain (NEG) as a planning standard throughout Environment Goals and Policies to maintain “No Net Loss” outcomes.**

A number of policies related to Critical Areas reference No Net Loss as a standard for mitigating development impacts to these areas, and maintaining critical ecological function across the region as a whole. When we account for the compounding effects of climate change on these impacts, it becomes clear that our current NNL approach is a necessary but insufficient means to fill the widening “impact gap” created by climate change. Net Ecological Gain (NEG) seeks to address this and is increasingly elevated in state [planning and legislative conversations](#) as the new baseline for protecting Critical Areas.

See our [NEG-related comment](#) on the Critical Areas Ordinance for more on this topic (Comment #29, p1304).

9: Utilities

- **Inconsistencies and ambiguities should be resolved**

Policy 9A-5, 9A-3.3 in particular are not reflected in the Unified Development Code. We look forward to seeing clear parameters established for projects through the forthcoming process to amend land use code for energy facility siting, as elaborated further below in our comment on the accompanying 2025 code updates.

12: Climate and Resiliency

- **Supporting safe housing and wellbeing of Farmworkers**

We applaud the County for including Goal 12A-1 : *“Promote a resilient and sustainable agricultural sector by preserving farmland, supporting climate resilience efforts, and ensuring the well- being of farmworkers and farming communities”* along with Goal 7E of the Housing element, *“Strive for an adequate supply of housing to meet the needs of farmworkers and the agricultural industry.”* Access to housing is a critical human right as well as an essential prerequisite for preserving the celebrated agricultural character of the Skagit Valley. We hope to see the policies implemented with meaningful participation and inclusion of local farmworker organizations in the processes.

- **Strengthen language across policies to support successful implementation.**

For example, *“Policy 12I-1.3 ~~Support~~ Incentivize water conservation practices such as rainwater catchment, onsite retention, water reuse, and gray water treatment to conserve water resources.”* Or, *“Policy 12J-1.4 Require that proposals for shoreline stabilization demonstrate a need, and require and enforce the use of soft shore stabilization methods to the extent practicable to protect sites from wave-driven erosion or flooding exacerbated by sea level rise”*

- **Address the increased risk to public safety— and resource-intensity of protecting structures— associated with development in the Wildland Urban Interface (WUI) across all relevant land designations.**

For example, *“Policy 12J-1.6 Establish development regulations that incorporate best practices for reducing the risks and consequences of wildfire, extreme heat, flooding, and other climate-exacerbated hazards including zoning and policies”*

that discourage new development within the Wildland Urban Interface (WUI) and set standards for hardening homes and other structures within the WUI."

- **Add policies that leverage multi-benefit Natural Climate Solutions (NCS) to build resilience in forests at a watershed scale.**

For example, under Goal 12K ("Promote climate resilience through ensuring healthy resilient forests that are sustainably managed"):

Suggested new policy 12K-1.6: "Leverage the natural climate and wildfire resilience of older, structurally complex forests through strategic conservation of areas with high ecological value, and enhance function in other conserved forest systems through active restoration projects focused on forest health."

Skagit County Code Title 14 reorganization

The updated goal and policies of 9A-5 (Utilities) cannot be implemented unless Skagit County amends Title 14 to clarify the parameters for utility development in various zones. The rules and definitions for "utility development" in Title 14 are exceptionally broad, ambiguous, and inconsistent.

For instance, the updated draft version of SCC 14.10.060 lists major utility development to be allowed in all zones by approval of the Hearing Examiner. In contradiction, Chapter 14.18 Part VIII (Utility uses) specifies limitations in the Ag-NRL zone, including a prohibition on major utility developments for generation and storage of electricity. Under SCC 14.13 (Natural Resource Zones and Uses) however, utility development is neither allowed nor explicitly prohibited in any zone, including the Ag-NRL zone.

We applaud Skagit County for motioning to further amend SCC Title 14, following adoption of the 2025 Comp Plan, with a land use ordinance that sets clear parameters around industrial development for both new and existing facilities. With clear and specific rules in place, concerned parties could be better assured of conditions upfront, while project applicants would gain more predictable and expeditious outcomes. All involved — businesses, government administrators, project proponents and opponents alike — should benefit from transparent rules and guidelines that clarify expectations.

Conclusion

We do appreciate the County's commitment to strong, cohesive, and intentional fulfillment of the commendable goals in your updated Comprehensive Plan. We're looking forward to next steps ahead for implementation through subsequent updates to Unified Development Code as well as the Critical Areas Ordinance, Shoreline Management Program, Natural Hazards Mitigation Plan etc. which are essential to securing the long-range outcomes and benefits detailed in the Plan. We hope to see Skagit County continue engaging the public in conversations and decision-making processes related to implementation over the next few years. Thanks again for your service and inclusion of public participation in these consequential decisions to shape our shared future.

Sincerely,

Kaia Hayes

Land & Water Policy Manager

Eddy Ury

Climate & Energy Policy Manager