

Comprehensive Plan (2016) - Goal - Number	Comprehensive Plan (2016) - Policy Number	Comprehensive Plan (2016) - Page Number	Theme / Subheading	Existing Policy	FIRST DRAFT Proposed Policy Revision This first draft is for early discussion with the Planning Commission and to collect early feedback from the public. The policies will undergo several rounds of revision before their estimated final adoption in June 2025	Reasoning for Proposed Policy Change
5A		164	Critical Areas	<p>Preserve and protect wetlands to prevent their continual loss and degradation.</p> <p>Encourage the voluntary restoration and enhancement of lost or degraded wetlands.</p> <p>Protect aquifer recharge areas, and well-head areas, ground and surface water quality and quantity for supplying all needs within Skagit County, including potable water for human use</p> <p>Protect hydrologic functions and reduce the potential for physical injury and property damage associated with flooding.</p> <p>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.</p> <p>Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats.</p>	<p>Preserve and protect wetlands to <del>prevent their continual loss and degradation</del> <u>maintain no net loss of wetland functions and values.</u></p> <p>Encourage the voluntary restoration and enhancement of lost or degraded wetlands.</p> <p>Protect aquifer recharge areas, and well-head areas, ground and surface water quality and quantity for supplying all needs within Skagit County, including potable water for human use <u>and groundwater support for base stream flows.</u></p> <p>Protect hydrologic functions, <u>plan for changing climate conditions</u>, and reduce the potential for physical injury and property damage associated with flooding.</p> <p>Minimize risk to life, property, infrastructure, and resources caused by <del>disrupting geologically hazardous areas or by locating development in areas subject to</del> naturally hazardous geologic processes.</p> <p>Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats, <u>including corridor connections and tree canopy.</u></p>	<p>Recommend uses ‘no net loss’ language for wetland policy.</p> <p>CARAs are also regulated to support stream flows (RCW 90.94 Stream flow restoration act).</p> <p>Flood management needs to consider climate change.</p> <p>Corridor connections and tree canopy are also important factors in FWHCA management.</p>
5A	5A-1	165	Classification and Designation of Critical Areas	<p>In cooperation with local, state, federal, and tribal agencies and jurisdictions, Skagit County shall identify, classify, designate, and map critical areas to protect and conserve them.</p>	<p>In cooperation with local, state, federal, and tribal agencies, <del>and</del> jurisdictions, <u>and regional partners</u>, Skagit County shall <u>collaborate on continued health and protection of critical areas. identify, classify, designate, and map critical areas to protect and conserve them.</u></p>	<p>Recommend modifying this policy to highlight broad collaboration for critical area protection.</p>

**Comprehensive Plan Element: Environment**

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5A	5A-1.1	165-166	Classification and Designation of Critical Areas	<p>Critical areas shall be identified based on the best available science.</p> <p>(a) The National Wetland Inventory Maps, U.S.D.A. Soil Conservation Service Soil Survey, Washington Department of Fish and Wildlife Priority Habitats and Species Database and aerial photo overlays are examples of the information that shall be utilized in determining the approximate distribution and extent of wetlands in Skagit County.</p> <p>(b) Soil logs and surveys, geological information, well logs, and geological reports shall be utilized in identifying aquifers and aquifer recharge areas.</p> <p>(c) Hydrologic information such as Washington Department of Natural Resources water type maps, United States Geological Services streamflow data, and Federal Emergency Management Agency maps should be utilized in identifying frequently flooded areas.</p> <p>(d) Soil, geologic, topographic, seismic, volcanic, and hydrologic data shall be utilized in identifying geological hazardous areas.</p> <p>(e) Fish and Wildlife Habitat Conservation Areas shall be identified in accordance with Washington State Fish and Wildlife Priority Habitats and Species program, WA State Department of Natural Resource Aquatic Lands and Resources and Nearshore Habitat programs, and other extant programs.</p>	<p>Critical areas <u>as defined by RCW 36.70A.030</u> shall be identified based on the best available science. <u>Publicly available maps and inventories should be referenced and verified through site-specific assessment by a qualified professional.</u></p> <p><del>(a) The National Wetland Inventory Maps, U.S.D.A. Soil Conservation Service Soil Survey, Washington Department of Fish and Wildlife Priority Habitats and Species Database and aerial photo overlays are examples of the information that shall be utilized in determining the approximate distribution and extent of wetlands in Skagit County.</del></p> <p><del>(b) Soil logs and surveys, geological information, well logs, and geological reports shall be utilized in identifying aquifers and aquifer recharge areas.</del></p> <p><del>(c) Hydrologic information such as Washington Department of Natural Resources water type maps, United States Geological Services streamflow data, and Federal Emergency Management Agency maps should be utilized in identifying frequently flooded areas.</del></p> <p><del>(d) Soil, geologic, topographic, seismic, volcanic, and hydrologic data shall be utilized in identifying geological hazardous areas.</del></p> <p><del>(e) Fish and Wildlife Habitat Conservation Areas shall be identified in accordance with Washington State Fish and Wildlife Priority Habitats and Species program, WA State Department of Natural Resource Aquatic Lands and Resources and Nearshore Habitat programs, and other extant programs.</del></p>	<p>Lists of potential data sources are extraneous at the policy-level and may be better suited to administrative guidance documents, if required. This may be combined with 5A-1.</p>

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5A	5A-1.2	166	Classification and Designation of Critical Areas	<p>Critical areas shall be designated by definition and site assessment for conservation and protection.</p> <p>(a) Critical Areas shall be designated and mapped from general sources of critical area information based on best available science.</p> <p>(b) Critical areas shall be designated by performance standards or definitions.</p> <p>(c) Critical areas shall be designated upon completion of a site assessment done by a qualified professional during the process of a permit or development application.</p>	<p><del>Critical areas shall be designated by definition and site assessment for conservation and protection.</del></p> <p><del>(a) Critical Areas shall be designated and mapped from general sources of critical area information based on best available science.</del></p> <p><del>(b) Critical areas shall be designated by performance standards or definitions.</del></p> <p><del>(c) Critical areas shall be designated upon completion of a site assessment done by a qualified professional during the process of a permit or development application.</del></p>	Recommend deletion. Redundant with revised 5A-1.1 above.
5A	5A-1.2	166-167	Classification and Designation of Critical Areas	<p>Critical areas shall be classified for conservation, protection, and risk.</p> <p>(a) The Washington State Rating System for Western Washington (2014 Update) shall be utilized to classify wetlands according to the function, value and uniqueness of wetlands in Skagit County.</p> <p>(b) Aquifer recharge areas shall be classified based on their vulnerability, susceptibility to contamination, and potable water quality and quantity.</p> <p>(c) Frequently flooded areas should be classified utilizing the 100-year floodplain designations as adopted by the Federal Emergency Management Agency and the National Flood Insurance Program.</p> <p>(d) Geologically hazardous areas (areas subject to erosion, sliding, earthquakes, or other geologic events) shall be classified based on the degree of risk to health, life, property and resources.</p> <p>(e) "Fish and Wildlife Habitat Conservation Areas" (HCA's) shall be classified according to the type of conservation area which include:</p> <p>(i) Areas with which endangered, threatened, and sensitive species have a primary association;</p> <p>(ii) Habitats and species of local importance that have been designated by the County at the time of application;</p>	<p><del>Critical areas shall be classified for conservation, protection, and risk.</del></p> <p><del>(a) The Washington State Rating System for Western Washington (2014 Update) shall be utilized to classify wetlands according to the function, value and uniqueness of wetlands in Skagit County.</del></p> <p><del>(b) Aquifer recharge areas shall be classified based on their vulnerability, susceptibility to contamination, and potable water quality and quantity.</del></p> <p><del>(c) Frequently flooded areas should be classified utilizing the 100-year floodplain designations as adopted by the Federal Emergency Management Agency and the National Flood Insurance Program.</del></p> <p><del>(d) Geologically hazardous areas (areas subject to erosion, sliding, earthquakes, or other geologic events) shall be classified based on the degree of risk to health, life, property and resources.</del></p> <p><del>(e) "Fish and Wildlife Habitat Conservation Areas" (HCA's) shall be classified according to the type of conservation area which include:</del></p> <p><del>(i) Areas with which endangered, threatened, and sensitive species have a primary association;</del></p> <p><del>(ii) Habitats and species of local importance that have been designated by the County at the time of application;</del></p>	Recommend deletion. This level of detail is more appropriately covered in the Critical Areas Ordinance.

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				(iii) All public and private tidelands suitable for shellfish harvest; (iv) Kelp and eelgrass beds, and herring, smelt, and other forage fish spawning areas; (v) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat; (vi) Waters of the state as defined by WAC 222-16; (vii) Lakes, ponds, streams, and rivers planted with game fish by a government or Tribal entity; (viii) Areas with which anadromous fish species have a primary association and; (ix) State Natural Area Preserves, Natural Resource Conservation Areas, and State Wildlife Areas.	<del>(iii) All public and private tidelands suitable for shellfish harvest;</del> <del>(iv) Kelp and eelgrass beds, and herring, smelt, and other forage fish spawning areas;</del> <del>(v) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;</del> <del>(vi) Waters of the state as defined by WAC 222-16;</del> <del>(vii) Lakes, ponds, streams, and rivers planted with game fish by a government or Tribal entity;</del> <del>(viii) Areas with which anadromous fish species have a primary association and;</del> <del>(ix) State Natural Area Preserves, Natural Resource Conservation Areas, and State Wildlife Areas.</del>	
5A-2		167	Education	Provide educational opportunities and the involvement of a well-informed citizenry in developing programs and regulations for the conservation and protection of critical areas.	<del>Utilize existing programs, grants, and other funding opportunities to p</del> Provide educational <del>opportunities outreach</del> and the involvement of a well-informed citizenry in developing programs, <del>voluntary stewardship,</del> and regulations for the conservation and protection of critical areas.	Recommend additional detail to support implementation of the policy.
5A-2	5A-2.1	167-168	Education	Educational opportunities should be encouraged that increase public and governmental understanding of the economic, social, cultural, and environmental values of critical areas. (a) Public access to publicly owned critical areas for scientific, educational and limited recreational use should be encouraged. (b) Educational programs should improve the understanding of storm water management, groundwater recharge, and groundwater and surface water quality and quantity issues, and encourage citizens to be water resource stewards. (c) Educational opportunities should increase public understanding of stream hydrology and the potential for major flooding in the Skagit River Basin.	Educational opportunities should be encouraged that increase public and governmental understanding of the economic, social, cultural, and environmental values of critical areas. (a) Public access to publicly owned critical areas for scientific, educational and limited recreational use should be encouraged. (b) Educational programs should: (i) improve the understanding of storm water management, groundwater recharge, and groundwater and surface water quality and quantity issues; <del>and</del> (ii) <del>encourage citizens to be water resource stewards; and</del>	Recommend edits for clarity.

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					This first draft is for early discussion with the Planning Commission and to collect early feedback from the public. The policies will undergo several rounds of revision before their estimated final adoption in June 2025	
					(iii) <a href="#">increase public understanding of stream hydrology and the potential for major flooding in the Skagit River Basin.</a>	
5A-2	5A-2.2	168	Education	Readily available information should be assembled and distributed to educate and inform the public about: risks of known frequently flooded areas and geologic hazards; development practices that increase the risks to lives, property, infrastructure, resources and measures to minimize these risks.		
5A-3		168	Incentives	Utilize economic incentives, such as density credit transfers, transfer of development rights, tax incentives, cluster housing, conservation easements, and public benefit rating systems, as appropriate, to encourage citizens to conserve, protect and restore critical areas.		
5A-3	5A-3.1	168	Incentives	Areas of native vegetation and riparian corridors that connect wetland systems should be conserved and protected whenever feasible through incentive programs.	<a href="#">Wildlife corridors and connections between a</a> Areas of native vegetation, <del>and</del> riparian corridors, <del>that connect</del> wetland <del>systems, and open space</del> should be conserved and protected whenever feasible through incentive programs.	Recommend revising to emphasize wildlife corridor needs.
5A-3	5A-3.2	168	Incentives	Public and private programs should be encouraged and utilized to support the ability of wetlands to function naturally and provide landscape diversity.	Public and private programs should be encouraged and utilized to support the ability of wetlands, <a href="#">streams, and habitat conservation areas</a> to function naturally and provide landscape diversity.	Recommend additional text to apply policy more broadly.
5A-3	5A-3.3	168	Incentives	Public and private acquisition of critical areas should be encouraged for permanent conservation. (a) Critical areas of local and regional uniqueness and significance should be prioritized for acquisition.	Public and private acquisition of critical areas should be encouraged for permanent conservation. <del>(a)</del> Critical areas of local and regional uniqueness and significance should be prioritized for acquisition.	Correct error, there is (b) in the current policy.

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5A-3	5A-3.4	169	Incentives	Economic incentive programs shall be implemented to encourage private participation in protecting and enhancing aquifer recharge and surface and ground water quality. (a) Reuse of water shall be encouraged and incentives provided for use of best management practices. (b) Incentives shall be developed that encourage industries, businesses and homes to use water conservation technologies and practices. (c) Incentive programs shall be established to maintain and restore conveyance capacity and natural water storage areas	Economic incentive programs shall be implemented to encourage private participation in protecting and enhancing aquifer recharge and surface and ground water quality <u>and quantity following best available science</u> . <del>(a) Reuse of water shall be encouraged and incentives provided for use of best management practices.</del> <del>(b) Incentives shall be developed that encourage industries, businesses and homes to use water conservation technologies and practices.</del> <del>(c) Incentive programs shall be established to maintain and restore conveyance capacity and natural water storage areas</del>	Recommend referring to best available science (BAS) instead of promoting specific actions that may not align with BAS-based best practices for a specific site. Options for surface and groundwater management vary based on site-specific conditions.
5A-3	5A-3.5	169	Incentives	Incentives shall be developed to protect critical areas in agriculture and forestry land		
5A-3	5A-3.6	169	Incentives	The protection of Habitat Conservation Areas shall be encouraged through acquisition, incentives, and other techniques.		
5A-3	5A-3.7	169	Incentives	Native plant communities and fish and wildlife habitat enhancement shall be promoted through voluntary incentive programs.		
			<b>Incentives</b>			
5A-4		169	Intergovernmental Coordination/Cooperation	Improve communication and seek cooperation and coordination among county, city, state, tribal, federal agencies, and the public to avoid duplication and achieve efficiency and effectiveness in development of standards, policies, regulations, programs, projects, planning and funding efforts that conserve and protect critical areas.		

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5A-4	5A-4.1	169-170	Intergovernmental Coordination/Cooperation	The use of inter-agency agreements among county, city, state, federal and tribal agencies shall be encouraged for conservation and protection of critical areas when developing regulations, incentives, and monitoring/enforcement strategies. (a) Local, state, federal and tribal governments shall be consulted in the development of land use plans and development review to identify and protect habitat networks on an inter-jurisdictional basis. (b) Local, state, federal agencies, tribes, <b>regional stakeholders</b> , and private interests shall be encouraged to plan and implement methods to protect and enhance water quality at commercial, recreational, and subsistence shellfish beds, including controlling potential new pollution sources, reducing pollution from existing sources, and establishing shellfish protection districts. (c) Coordinate with state and tribal programs to protect plant species and communities listed in the Natural Heritage Program, the Priority Habitats and Species (PHS) Program and plant species of cultural (tribal) significance should be maintained.	The use of inter-agency agreements among county, city, state, federal and tribal agencies shall be encouraged for conservation and protection of critical areas when developing regulations, incentives, and monitoring/enforcement strategies. (a) Local, state, federal and tribal governments shall be consulted in the development of land use plans and development review to identify and protect habitat networks on an inter-jurisdictional basis. (b) Local, state, federal agencies, tribes, regional stakeholders, and private interests shall be encouraged to plan and implement methods to protect and enhance water quality at commercial, recreational, and subsistence shellfish beds, including controlling potential new pollution sources, reducing pollution from existing sources, and establishing shellfish protection districts. (c) Coordinate with state and tribal programs to protect plant species and communities listed in the Natural Heritage Program, the Priority Habitats and Species (PHS) Program and plant species of cultural (tribal) significance <b>should be maintained</b> .	Awkward wording. Recommend text deletion.
5A-4	5A-4.2	170	Intergovernmental Coordination/Cooperation	Wetland inspections/delineation training requirements should be coordinated with other Federal and State agencies.	Wetland <b>identification, inspections/delineation and classification training requirements methodology</b> should be <b>coordinated consistent</b> with other Federal and State agencies.	Recommend either editing text as shown or deleting this policy; it is covered more broadly by Policy 5A-1.1.
5A-4	5A-4.3	170	Intergovernmental Coordination/Cooperation	Critical area conservation and protection strategies shall be coordinated with watershed planning efforts and watershed implementation plans.		
5A-4	5A-4.4	170	Intergovernmental Coordination/Cooperation	All existing county land use regulations shall be reviewed and, where appropriate, modified to eliminate redundancies or conflicts with other county, state or federal requirements for conserving and protecting critical areas and the public to promote a consistent and more efficient regulatory framework.	<b>To promote a consistent and efficient regulatory framework, A</b> ll existing county land use regulations shall be reviewed and, where appropriate, modified to eliminate redundancies or conflicts with other county, state or federal requirements for <b>conserving and protecting</b> critical areas <b>and the public to promote a consistent and more efficient regulatory framework</b> .	Recommend rewording for clarity.

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5A-4	5A-4.5	170	Intergovernmental Coordination/Cooperation	Annual evaluations and prioritized recommendations for non-point source pollution control (such as from Watershed Action Plans and Water Quality Management Plans) shall be implemented where found to be feasible and most cost-effective.		
5A-4	5A-4.6	170	Intergovernmental Coordination/Cooperation	Skagit County shall continue to work cooperatively with the cities, towns, state and federal agencies and tribes as needed in flood hazard mitigation planning and projects to minimize potential for flood damage throughout Skagit County.	Skagit County shall continue to work cooperatively with the cities, towns, state and federal agencies and tribes as needed in flood hazard mitigation planning, <b>including climate change projections</b> , and projects to minimize potential for flood damage throughout Skagit County.	Recommend including a reference to climate change.
5A-4	5A-4.7	170	Intergovernmental Coordination/Cooperation	The County shall encourage the restoration of appropriate degraded critical areas through coordinated cooperative public and private efforts.		
5A-5		171	Protection and Conservation Measures	Skagit County shall, protect and conserve critical areas in cooperation with federal, state, local, and tribal jurisdictions.	<del>Skagit County shall, protect and conserve critical areas in cooperation with federal, state, local, and tribal jurisdictions.</del>	This policy is repetitive when compared to 5A-4.1, -4.4 and -4.6.

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5A-5	5A-5.1	171-174	Protection and Conservation Measures	<p>Critical Areas shall be designated and protected to prevent their continued loss and degradation. Furthermore, priority shall be given to the avoidance of impacts to Critical Areas, followed by the minimization of impacts and full mitigation respectively.</p> <p>(a) Wetlands</p> <p>(i) The greatest level of protection should be provided to wetlands of exceptional resource value, based on the Washington State Wetland Rating System for Western Washington (2014 Update).</p> <p>(ii) Measures shall be taken to protect the natural ability of wetlands to improve the quality of surface water runoff, hold and gradually release storm water, function as primary producers of plant matter, provide habitat for fish and wildlife, provide recreational opportunities, and provide historical and cultural values.</p> <p>(iii) Mitigation projects shall, whenever feasible, contribute to an existing wetland system or restore an area that was historically a wetland.</p> <p>(iv) A wetland buffer zone of adequate width should be maintained between a wetland and any adjacent development to protect the functions and integrity of the wetland. Where buffers are required, adequate buffer widths and protective mechanisms, using best management practices to sustain the buffer functions, shall be established.</p> <p>(v) Wetland buffer zones should be retained in their natural condition to the greatest extent possible. Re-vegetation may be required to restore the functional value of the buffer zone.</p> <p>(vi) Regulated wetlands and their associated buffer zones shall be protected from adverse wetland impacts to their overall functions. No wetland or buffer zone alteration should be authorized unless it can be shown that the impact is unavoidable and that the adverse impacts are offset by deliberate restoration, creation or enhancement</p>	<p>Critical Areas shall be designated and protected to <del>maintain no net loss of wetland functions and values prevent their continued loss and degradation.</del> <b>Furthermore, p</b>Priority shall be given to the avoidance of impacts to Critical Areas, followed by the minimization of impacts and full mitigation, respectively.</p> <p>(a) Wetlands</p> <p>(i) The greatest level of protection should be provided to wetlands of exceptional resource value, based on the Washington State Wetland Rating System for Western Washington (2014 Update, <b>Version 2 or as amended</b>).</p> <p>(ii) Measures shall be taken to protect the natural ability of wetlands to improve the quality of surface water runoff, hold and gradually release storm water, function as primary producers of plant matter, provide habitat for fish and wildlife, provide recreational opportunities, and provide historical and cultural values.</p> <p>(iii) Mitigation projects shall, whenever feasible, <del>contribute to an existing wetland system or restore an area that was historically a wetland</del> <b>achieve no net loss of wetland area and provide equivalent or greater functions and values.</b></p> <p>(iv) A wetland buffer zone of adequate width should be maintained between a wetland and any adjacent development to protect the functions and integrity of the wetland. <del>Where Required buffers are required, adequate buffer widths and protective mechanisms, must be protected using best management practices and managed</del> to sustain the buffer functions, <del>shall be established.</del></p> <p>(v) Wetland buffer zones should be retained in their natural condition to the greatest extent possible. Re-vegetation may be required to restore the functional value of the buffer zone.</p> <p><del>(vi) Regulated wetlands and their associated buffer zones shall be protected from adverse wetland impacts to their</del></p>	<p>Recommend changes for clarity and consistency with recommend changes to 5A. Mitigation sequencing requirements to first avoid, then minimize and lastly mitigate for impacts is stated at the beginning for this policy. Duplicate references to this requirement are recommended for deletion.</p>

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				<p>of wetlands and buffer zones.</p> <p>(b) Aquifer Recharge Areas</p> <p>(i) Water resources shall be protected using natural systems and non-structural methods wherever possible.</p> <p>(ii) Ground Water Management Areas (according to WAC 173-100), Wellhead Protection Areas and Significant Use Zones shall be established to further protect the quality and quantity of ground and surface water.</p> <p>(iii) Skagit County will review and update its Saltwater Intrusion Policy for the islands and those coastal areas of the mainland where seawater intrusion has been documented.</p> <p>(iv) Skagit County will update the county code to address instream flow, mandated sewage code changes and water code changes. Aquifer recharge areas will be evaluated and protected under the revisions to the Critical Areas Ordinance.</p> <p>(v) Consistent with State law (RCW 19.27.097), Skagit County will not issue a permit for a building requiring potable water unless the applicant can demonstrate they have a legal and adequate source of water and the source meets drinking water standards.</p> <p>(c) Frequently Flooded Areas</p> <p>(i) Undisturbed natural rivers, streams, lakes, wetlands, and floodplains shall be protected to avoid increases in flood elevations, to reduce flood damage, and to allow proper conveyance of flood flows.</p> <p>(ii) When reviewing proposed developments or designing infrastructure, consider the potential effects of tsunami, high tides with strong winds, sea level rise, and extreme weather events, including those potentially resulting from global climate change, and apply conditions of approval to ensure adaptation to future conditions and mitigation of potential impacts.</p> <p>(d) Fish and Wildlife Habitat Conservation Areas</p> <p>(i) Stream and wetland buffers shall be set so as to protect</p>	<p><del>overall functions. No wetland or buffer zone alteration should be authorized unless it can be shown that the impact is unavoidable and that the adverse impacts are offset by deliberate restoration, creation or enhancement of wetlands and buffer zones.</del></p> <p>(b) Aquifer Recharge Areas</p> <p>(i) Water resources shall be protected using natural systems and non-structural methods wherever possible.</p> <p>(ii) Ground Water Management Areas (according to WAC 173-100), Wellhead Protection Areas and Significant Use Zones shall be established to further protect the quality and quantity of ground and surface water.</p> <p>(iii) Skagit County will review and update its Saltwater Intrusion Policy for the islands and those coastal areas of the mainland where seawater intrusion has been documented.</p> <p>(iv) Skagit County will update the county code to address instream flow, mandated sewage code changes and water code changes. Aquifer recharge areas will be evaluated and protected under the revisions to the Critical Areas Ordinance.</p> <p>(v) Consistent with State law (RCW 19.27.097), Skagit County will not issue a permit for a building requiring potable water unless the applicant can demonstrate they have a legal and adequate source of water and the source meets drinking water standards.</p> <p>(c) Frequently Flooded Areas</p> <p>(i) Undisturbed natural rivers, streams, lakes, wetlands, and floodplains shall be protected to avoid increases in flood elevations, to reduce flood damage, and to allow proper conveyance of flood flows.</p> <p>(ii) When reviewing proposed developments or designing infrastructure, consider the potential effects of tsunami, high tides with strong winds, sea level rise, and extreme weather events, including those potentially resulting from global climate change, and apply conditions of</p>	

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				<p>habitats associated with riparian dependent species.</p> <p>(ii) Habitat fragmentation shall be minimized to enhance wildlife diversity by protecting important wildlife areas, open space, and interconnecting corridors that form a continuous habitat network.</p> <p>(iii) Protective measures will be required in all areas that have the potential to introduce sediments into fish bearing streams, unless the applicant can adequately demonstrate that other mitigating measures will avoid impacts to instream resources.</p> <p>(iv) Habitats or species that have been identified as priority species or priority habitats by the state, federal or tribal governments should not be reduced and should be preserved through regulation, acquisition, incentives and other techniques. The County should determine which habitats are of local importance.</p> <p>(v) The level of protection for HCAs shall be commensurate with the resource population status and management objectives as determined by appropriate resource managers.</p> <p>(vi) Native vegetation shall be preferred and retained over exotic species in Fish and Wildlife Conservation Areas.</p> <p>(vii) Native plant communities should be integrated with land uses wherever possible.</p> <p>(viii) Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.</p>	<p>approval to ensure adaptation to future conditions and mitigation of potential impacts.</p> <p>(d) Fish and Wildlife Habitat Conservation Areas</p> <p>(i) <del>Landscape-scale habitat corridors shall be considered in stream/riparian and wetland buffer regulations as feasible. Stream and wetland buffers shall be set so as to</del> protect habitats associated with riparian dependent species.</p> <p>(ii) Habitat fragmentation shall be minimized to enhance wildlife diversity by protecting important wildlife areas, open space, and interconnecting corridors that form a continuous habitat network.</p> <p>(iii) Protective measures will be required in all areas that have the potential to introduce sediments into fish bearing streams, unless the applicant can adequately demonstrate that other mitigating measures will avoid impacts to instream resources.</p> <p>(iv) Habitats or species that have been identified as priority species or priority habitats by the state, federal or tribal governments should not be reduced and should be preserved through regulation, acquisition, incentives and other techniques. The County should determine which habitats are of local importance.</p> <p>(v) The level of protection for HCAs shall be commensurate with the resource population status and management objectives as determined by appropriate resource managers.</p> <p>(vi) Native vegetation shall be preferred and retained over exotic species in Fish and Wildlife Conservation Areas.</p> <p>(vii) Native plant communities should be integrated with land uses wherever possible.</p> <p>(viii) Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.</p>	

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5A-5	5A-5.2	174-175	Protection and Conservation Measures	<p>Land uses that are incompatible with critical areas shall be discouraged.</p> <p>(a) Frequently Flooded Areas</p> <p>(i) Low intensity land use activities such as agricultural, forestry, and recreational land uses should be encouraged in floodplain areas and other land uses in these areas should be discouraged.</p> <p>(ii) Land uses, densities, and development activities in the floodplain and coastal high hazard areas should be limited to protect public health, safety, and welfare, to minimize expenditure of public money and costly flood control projects, and to maintain hydrologic systems, and to protect habitat for threatened and endangered species consistent with the National Marine Fisheries Service Biological Opinion (September 2008).</p> <p>(b) Geologically Hazardous Areas</p> <p>(i) Low land use densities and intensities or open space shall be preferred in geologically hazardous areas where this practice can provide site specific mitigation.</p> <p>(ii) Land use regulations and practices for geologically hazardous areas shall be established so that development does not cause or exacerbate natural processes that endanger lives, property, infrastructure, and resources on or off site.</p> <p>(c) Fish and Wildlife Habitat Conservation Areas</p> <p>(i) Fish and Wildlife Habitat Conservation Areas shall be protected against habitat degradation to the fullest extent possible while allowing reasonable use of property.</p> <p>(ii) Urban density development in the County and adjacent to Habitat Conservation Areas shall be sited such that HCA functions and values are protected.</p>		

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5A-5	5A-5.3	175-178	Protection and Conservation Measures	<p>Development allowed in critical areas shall be conducted without risk to lives, and with minimum risk to property, infrastructure, and resources.</p> <p>(a) Wetlands                      (i) Development adjacent to wetlands should be sited such that wetland and buffer functions are protected and an adequate buffer around the wetland is left undisturbed.                      (ii) Alterations to wetlands that are allowed in order to maintain or enhance specific wetland functions and values, shall consider all quantitative and qualitative functions of the wetlands and required buffers.</p> <p>(b) Aquifer Recharge Areas                      (i) Consistent with state and federal laws and regulations, the County shall develop in unincorporated areas and facilitate on a county-wide basis performance standards and regulate uses for activities which can adversely impact water quality or quantity in aquifers, watersheds, and surface waters.                      (ii) Performance standards shall be established to maintain aquifer recharge and protection and require that new developments meet these performance standards and that existing facilities be retrofitted, where feasible, to meet the standards.</p> <p>(c) Frequently Flooded Areas                      (i) Development regulations shall be adopted that prohibit intensive uses such as urban subdivisions, multi-family dwellings, commercial buildings, and industrial parks in the floodplain.                      (ii) The construction of critical facilities (i.e. schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited within the 100 year floodplain.                      (iii) Development shall protect water quality and minimize run-off by limiting impervious surfaces, grading and filling,</p>		

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				<p>as well as maximizing vegetative cover and other best management practices.</p> <p>(iv) Flood-proofing of substantial improvements and new structures in frequently flooded areas shall be required.</p> <p>(v) Where the effects of hazards can be mitigated, appropriate design standards shall be required for site development and livestock sanctuary areas within the 100-year floodplain.</p> <p>(vi) Best management practices shall be required for maintaining the river channel configurations during dredging and gravel removal.</p> <p>(vii) Compensatory storage and a "no net loss" land use approach to maintaining flood water storage capacity and conveyance shall be required in frequently flooded areas.</p> <p>(d) Geologically Hazardous Areas</p> <p>(i) Critical facilities (i.e., schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited in geologically hazardous areas.</p> <p>(ii) Development proposals in designated geologically hazardous areas, where applicable, shall include a geotechnical report and a mitigation plan for development activities, with the amount of information required based on the severity of the geologic hazard and the susceptibility of the development on or off site.</p> <p>(iii) Independent third party review of geotechnical reports for development in designated geologically hazardous areas may be required by the planning director when the report is found to be deficient with the review to be paid for by the applicant as a way of expediting development permits.</p> <p>(iv) Any development should be carried out in a way that will not cause or exacerbate hazardous geological conditions.</p> <p>(v) Public or private utility service or extensions (sewer,</p>		

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				<p>water, natural gas, and electric) should be discouraged in geologically hazardous areas and carefully sited to avoid potential damage to the utility or properties.</p> <p>(vi) When residential development is proposed in areas subject to geologic hazards it should be clustered and the development designed to minimize risk to human life, property, and the natural environment.</p> <p>(e) Fish and Wildlife Habitat Conservation Areas</p> <p>(i) New development within or adjacent to HCAs should incorporate design elements that protect wildlife habitat values.</p> <p>(ii) All development that may significantly adversely impact HCAs shall require a mitigation plan, prior to any permit approval. A threshold shall be established on a case by case basis by a qualified professional.</p> <p>(iii) Storm water runoff, flow rates, flow volumes and pollution caused by site development shall be managed so that detrimental impacts to water resources and property are maintained at pre-development levels.</p> <p>(iv) Clearing and grading ordinances shall be developed to avoid impacts of erosion on critical areas.</p> <p>(v) Impacts to fish and wildlife resources associated with instream flows shall be considered in the Comprehensive Plan and development regulations.</p> <p>(vi) Areas important for local and ecoregional biodiversity, as determined through regional ecological assessments, should be considered priorities for conservation and protection.</p>		

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5A-5	5A-5.4	178-179	Protection and Conservation Measures	<p>Impacts to critical areas should be monitored to ensure the long-term success of mitigation measures.</p> <p>(a) Performance standards shall be adopted through appropriate codes and administrative procedures for development in critical areas; including, but not limited to:</p> <p>(i) Critical area report information and analysis;</p> <p>(ii) Site inspections and development review of construction within critical areas;</p> <p>(iii) The use of critical area designations to prohibit, restrict, or otherwise control land uses within short subdivisions, subdivisions, and residential cluster developments;</p> <p>(iv) The use of protective covenants or conservation easements to protect critical areas in non-land division developments.</p> <p>(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.</p> <p>(c) Monitoring of the mitigation site should take appropriate measures utilizing one or more of the following:</p> <p>(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.</p> <p>(ii) Applicants should demonstrate sufficient scientific expertise, supervisory capability and financial resources to complete and monitor mitigation projects and address cumulative impacts to the surrounding area.</p> <p>(iii) Applicants should restore critical areas that are temporarily impacted by development upon project completion.</p> <p>(iv) During development review, applicants should identify</p>	<p>Impacts to critical areas should be monitored to ensure the long-term success of mitigation measures.</p> <p>(a) Performance standards shall be adopted through appropriate codes and administrative procedures for development in critical areas; including, but not limited to:</p> <p>(i) Critical area report information and analysis;</p> <p>(ii) Site inspections and development review of construction within critical areas;</p> <p>(iii) The use of critical area designations to prohibit, restrict, or otherwise control land uses within short subdivisions, subdivisions, and residential cluster developments;</p> <p>(iv) The use of protective covenants or conservation easements to protect critical areas in non-land division developments.</p> <p>(b) Land used for critical area mitigation should be preserved in perpetuity. <del>Monitoring and maintenance of critical area mitigation sites shall be provided until the success of the site is established.</del></p> <p>(c) <del>A minimum M</del> <u>monitoring period should be established to ensure of the successful establishment of approved mitigation plans. site should take appropriate measures utilizing one or more of the following:</u></p> <p><del>(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.</del></p> <p>(ii) Applicants should demonstrate sufficient scientific expertise, supervisory capability and financial resources to complete and monitor mitigation projects and address cumulative impacts to the surrounding area.</p> <p>(iii) Applicants should restore critical areas that are temporarily impacted by development upon project completion.</p>	<p>Some text redundant. Recommend edits for clarity/conciseness.</p>

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				<p>potential erosion and sedimentation impacts and submit appropriate mitigation plans that shall be monitored during construction and assessed periodically thereafter. (d) Critical area mitigation proposals should improve overall critical area functions, recognizing that it may be inappropriate to impact certain critical areas. All critical area functions shall be considered.</p>	<p>(vii) During development review, applicants should identify potential erosion and sedimentation impacts and submit appropriate mitigation plans that shall be monitored during construction and assessed periodically thereafter. (d) Critical area mitigation proposals should <b>improve overall provide equivalent or greater</b> critical area functions, recognizing that it may be inappropriate to impact certain critical areas. All critical area functions shall be considered.</p>	

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5A-5	5A-5.5	179-180	Protection and Conservation Measures	<p>Critical areas should be avoided, maintained, restored, acquired, replaced or enhanced.</p> <p>(a) Mitigation for proposed alterations to critical areas or associated buffers should be sufficient to maintain the function and values of the critical area or to prevent risk from a critical area hazard. Proposed mitigation should follow the mitigation sequence of:</p> <p>(i) Avoid the impact altogether.</p> <p>(ii) Minimize the impact utilizing appropriate technology and design.</p> <p>(iii) Rectify the impact by restoring, repairing or rehabilitating the affected environment to the conditions existing at the time of initiation of the project or activity.</p> <p>(iv) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the project.</p> <p>(v) Compensate for the impact by replacing, enhancing or providing substitute resources or environments.</p> <p>(b) On-site replacement of critical area impact is preferred. Where on-site replacement is not feasible or practical due to characteristics of the existing critical area location, replacement should occur within the same watershed and proximity.</p> <p>(c) Critical area restoration, creation, and enhancement projects should be completed prior to alteration, where possible. In all other cases, replacement should be completed prior to use or occupancy of the development.</p> <p>(d) The County shall place a high priority on the proper placement or other correction of all identified county road culverts causing blockage of fish passage.</p> <p>(e) Acquiring additional natural water storage areas, drainage systems and conveyance capacity should be accomplished through public means.</p> <p>(f) Protection of aquifer recharge areas and potable water resources is preferred, and restoration should be</p>	<p>Critical areas <b>and their buffers</b> should be avoided, maintained, restored, acquired, replaced or enhanced.</p> <p>(a) Mitigation for proposed alterations to critical areas or associated buffers should be sufficient to maintain the function and values of the critical area or to prevent risk from a critical area hazard. Proposed mitigation should follow the mitigation sequence of:</p> <p>(i) Avoid the impact altogether.</p> <p>(ii) Minimize the impact utilizing appropriate technology and design.</p> <p>(iii) Rectify the impact by restoring, repairing or rehabilitating the affected environment to the conditions existing at the time of initiation of the project or activity.</p> <p>(iv) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the project.</p> <p>(v) Compensate for the impact by replacing, enhancing or providing substitute resources or environments.</p> <p>(b) On-site replacement of critical area impact is preferred. Where on-site replacement is not feasible or practical due to characteristics of the existing critical area location, replacement should occur within the same watershed and proximity.</p> <p>(c) Critical area restoration, creation, and enhancement projects should be completed prior to alteration, where possible. In all other cases, replacement should be completed prior to use or occupancy of the development.</p> <p>(d) The County shall place a high priority on the proper placement or other correction of all identified county road culverts causing blockage of fish passage.</p> <p>(e) Acquiring additional natural water storage areas, drainage systems and conveyance capacity should be accomplished through public means.</p> <p>(f) Protection of aquifer recharge areas and potable water resources is preferred, and restoration should be</p>

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				supported where warranted by cost-benefit analysis or limited water supply.	This first draft is for early discussion with the Planning Commission and to collect early feedback from the public. The policies will undergo several rounds of revision before their estimated final adoption in June 2025	supported where warranted by cost-benefit analysis or limited water supply.

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5A-5	5A-5.6	180-181	Protection and Conservation Measures	Continue to implement enforcement procedures to ensure compliance with applicable Skagit County ordinances. (a) Enforcement action shall be taken whenever a person has violated the provisions of any applicable Skagit County ordinance used for critical area protection. (b) The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or the public resources.	Continue to implement enforcement procedures to ensure compliance with applicable Skagit County ordinances. (a) Enforcement action shall be taken whenever a person has violated the provisions of any applicable Skagit County ordinance used for critical area protection. (b) The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or the public resources. <u>(c) Work with property owners to resolve critical area code violations through voluntary compliance measures as feasible.</u>	Recommend additional language to prioritize positive code resolution approaches.
5A-5	5A-5.7	181	Protection and Conservation Measures	With the exception of activities that are exempt under the Critical Areas Ordinance (CAO), any proposed alteration that adversely affects a critical area or its standard buffers' functions shall comply with the substantive and procedural requirements of the CAO regardless of whether such alteration requires a County development permit or approval.		
5A-5	5A-5.8	181	Protection and Conservation Measures	All activities that are exempt under the Critical Areas Ordinance (CAO), shall be carried out in ways that cause the least impact on critical areas and their buffers. (a) If any damage is caused to a critical area or buffer, in connection with an exempt activity, the critical area and its buffer shall be restored to the extent feasible.	All activities that are exempt under the Critical Areas Ordinance (CAO), shall be carried out in ways that cause the least impact on critical areas and their buffers. (a) If any damage is caused to a critical area or buffer, in connection with an exempt activity, the critical area and its buffer shall be restored to <del>the extent feasible</del> <u>a pre-disturbed condition or greater.</u>	
			Climate Change		The County will adopt the following climate change mitigation strategies to reduce greenhouse gas emissions. (a) Advance the adoption and implementation of actions that substantially reduce greenhouse gas emissions in support of state, regional, and local emissions reduction goals, including targets adopted by the Puget Sound Clean Air Agency.	

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					(b) Reduce building energy use through green building and retrofit of existing buildings. (c) Reduce greenhouse gases by expanding the use of conservation and alternative energy sources, electrifying the transportation system, and reducing vehicle miles traveled by increasing alternatives to driving alone. (d) Pursue the development of energy management technology as part of meeting the region’s energy needs. (e) Support achievement of regional greenhouse gas emissions reduction goals through countywide planning policies and local comprehensive plans. (f) Prioritize transportation investments that support achievement of regional greenhouse gas emissions reduction goals, such as by reducing vehicle miles traveled.	
			Climate Change		The following resilience policies are provided to support protection, enhancement, and restoration of the natural environment: (a) Enhance urban tree canopy to support community resilience, mitigate urban heat, manage stormwater, conserve energy, improve mental and physical health, and strengthen economic prosperity. (b) Protect and restore natural resources that sequester and store carbon such as forests, farmland, wetlands, estuaries, and urban tree canopy. (c) Identify and address the impacts of climate change on the region’s hydrological systems. (d) Consider the potential impacts of climate change and fisheries protection on the region’s water supply.	
			Climate Change		The following are general and regional coordination policies are provided to plan for climate change resilience: (a) Advance state, regional, and local actions that support resilience and adaptation to climate change impacts.	

**Comprehensive Plan Element: Environment**

For Review by the Planning Commission and Public Comment October 2024

Go to the project website at: <https://skagitcounty.net/2025cpa> to see public comment options.

[Link to existing comprehensive plan here.](#)

Email [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) with the proposal name “Skagit County’s Comprehensive Plan Draft Policies” in the subject line. Include your comments in the body of your email.

Comprehensive Plan (2016) - Goal - Number	Comprehensive Plan (2016) - Policy - Number	Comprehensive Plan (2016) - Page - Number	Theme / Subheading	Existing Policy	FIRST DRAFT Proposed Policy Revision This first draft is for early discussion with the Planning Commission and to collect early feedback from the public. The policies will undergo several rounds of revision before their estimated final adoption in June 2025	Reasoning for Proposed Policy Change
					<p>(b) Increase resilience by identifying and addressing the impacts of climate change and natural hazards on water, land, infrastructure, health, and the economy. Prioritize actions to protect the most vulnerable populations.</p> <p>(c) Promote cooperation and coordination among transportation providers, local government, and developers to ensure that joint- and mixed-use developments are designed to promote and improve physical, mental, and social health and reduce the impacts of climate change on the natural and built environments.</p> <p>(d) Ensure that economic development sustains and respects the region’s environment and encourages development of established and emerging industries, technologies, and services, that promote environmental sustainability, especially those addressing climate change and resilience.</p> <p>(e) Advance the resilience of the transportation system by incorporating redundancies, preparing for disasters and other impacts, and coordinated planning for system recovery.</p>	
			Climate Change		Address impacts to vulnerable populations and areas that have been disproportionately affected by climate change.	
			Climate Change		<p>The following are policies to address siting and resilience of infrastructure:</p> <p>(a) Address rising sea water by siting and planning for relocation of hazardous industries and essential public services away from the 500-year floodplain.</p> <p>(b) Support efforts to increase the resilience of public services, utilities, and infrastructure by preparing for disasters and other impacts and coordinated planning for system recovery.</p>	

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Recommended New Policies						
			floodplains		<u>Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act, and to accommodate long-term climate change projections.</u>	Include endangered species act compliance in floodplain policy.
			<u>Climate Change</u>		<u>Support achievement of regional greenhouse gas emissions reduction goals through countywide planning policies and local comprehensive plans.</u>	

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