

**Skagit County Planning Commission  
Work Session: SMP Update  
July 27, 2021**

**Planning**

**Commissioners:** Kathy Mitchell (absent)  
Mark Knutzen  
Vince Henley  
Amy Hughes  
Tim Raschko, Chair  
Joe Woodmansee  
Tammy Candler, Vice Chair  
Martha Rose  
Joseph Shea (absent)

**Staff:** Hal Hart, Planning Director  
Betsy Stevenson, Senior Planner  
Peter Gill, Long Range Planning Manager  
Daniel Hasenoehrl, Planning Intern

**Others:** Dan Nickel, Consultant (The Watershed Company)

Chair Tim Raschko: Good evening and welcome to the July 27<sup>th</sup>, 2021, meeting of the Skagit County Planning Commission. First of all I'd like to welcome everybody. It's great to be here in person. I got to meet both Commissioner Knutzen and Commissioner Henley for the first time. Unfortunately Commissioner Shea is unavailable – unable to be here, excuse me. It would have been nice to have the opportunity to meet him in person as well.

Okay, we'll do a rollcall. Commissioner Candler, are you present online?

Vice Chair Tammy Candler: I am.

Chair Raschko: All right, thank you. So for the record then, we have everybody present except for Commissioner Mitchell and Commissioner Shea. So is there a motion to approve the minutes from our last meeting?

Commissioner Joe Woodmansee: I move to approve them.

Commissioner Mark Knutzen: Second.

Chair Raschko: It's been moved and seconded to approve the minutes. Are there – is there any discussion of the minutes?

(silence)

Chair Raschko: Seeing none, then all in favor of approving the minutes, please say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Aye. So that passes. Thank you. So we'll move right to our main item of discussion for tonight, which is a Shoreline Master Program Update Work Session. I believe this will start with a presentation by staff.

Dan Nickel: All right, greetings. It's good to see you all again. Again, I'm Dan Nickel from the Watershed Company. It's a pleasure to be here this evening. The intent tonight is to go through the public comment matrix for the Shoreline Master Program, so I'm going to spend a little bit of time walking through the matrix, describing how it's set up. We have prepared – I believe you have a copy of the working draft that contains some of the Department's responses, and essentially those are areas in which the Department feels, you know, we can move forward with making some recommended changes. So I'll spend a little bit of time walking through those changes and what they represent, some of which we've spoken about already. And then, you know, then we'll open it up for other discussion – essentially any feedback that the Planning Commission has. So let me spend some time kind of walking through the matrix and describing some of the topic areas that are presented here.

So let me start by sharing my screen. So this should be the version that you have in your documents. So we received – through the public comment period we received 87 written comments and we also received another, I think, 11 comments – verbal comments – at the public hearing on May 11<sup>th</sup>. And so what you have here is the – kind of the assimilation of those comments and by topic areas. The comments, they encompassed a wide variety of different issues and concerns. And what we've done with this matrix is we've tried to break them down into topic areas because a lot of the comments, they do – some of them are repetitive. Some of them also just deal with the same topic area, and so we're kind of aggregating those so it's easier to comprehend and understand because, as you know, it's a lot of comments and it's a lot of material.

So the order here: We have – the matrix is not ordered in any particular way. There's no alphabetical order or order by preference. So kind of keep that in mind. So something that's issue number one is not necessarily the most important or the least important. And so we've got 16 issues that we're bringing forward in this matrix. So you'll see here on the left-hand column we've got the issue number. We'll start with Issue Number 1 and we've identified that as issues in areas around Lake Cavanaugh. There's a bunch of subcategories here for Lake Cavanaugh. There are a. through i., as you'll see in that sheet, and they've got different topic areas. So, for instance, subcategory a. there in the second column deals with boatlift canopies, whereas item b. deals with dock height. So we've tried to differentiate these comments. And then you look over to the next column over, the third column has a comment number. That directly corresponds to the comments that were received – and these are again, these are the written comments 1 through 87, and you have a copy of those comments at your – as part of your packet. And so those are references to kind of what comment numbers those are. And then the last column there, the Department Response, are, you know, areas in which the Department plans to prepare a response to all of these issues and subcategories. They're in the process of preparing those responses. And so the ones that you see and the ones I'm going to go through today are ones in which the Department feels, you know, that we can bring these forward for discussion. These are the things that we've recommended changing. And so I plan today to – I'm going to walk through and I'll talk about all of these issues just in terms of getting – just walking through the topics. And then I'm going to spend time talking about the Department's responses, where we have responses, and once we finish that discussion we'll bring it back and open it up for any other discussion areas that you wanted to talk about tonight. So let me just kind of walk through this. And where we have a recommended change I'll pause and I'll discuss that.

So again, with Lake Cavanaugh, issue number 1 – this is on page 1 – we discuss – there was comments related to boatlift canopies; item b., subcategory b., concerns about dock height. That related to, you know, having to – having the height above the ordinary high water mark. There was a concern on item number – subcategory c. with dock width, that 4 feet was too narrow and poses a safety issue. And item number d. or item d., there was objection to the dock grating standards. So for all docks there was grating standards put in place for all new and modified docks. And then item subcategory e., that addressed the differences between lakes that *have* anadromous fish and lakes that *don't* have anadromous fish. We talked about this at the last meeting. You know, the public review draft of the Shoreline Program, we had actually consolidated the table of dock standards to include basically all lakes, whether it had anadromous fish or not (they) had the same standards. And, you know, through our additional review and the public comments that were received we're recommending to go back to the version, I think, that the Planning Commission had back in February. And that table had differentiated lakes with anadromous fish and lakes without anadromous fish. And so our recommendation is to go back to that – to use that table. And there's an explanation here, or a Department response. Again, looking back at the Department of Fish and Wildlife and Ecology's comments, we feel like we can accept that change back.

I'm going to go ahead and continue on the presentation. If we want, at the end of when I'm talking, we can come back to any of these topic areas for further discussion.

Subcategory f., which addresses the – this is again with issue number 1. The 100-foot setback – this is in the Shoreline Residential area, the Shoreline Residential designation, and the comments really were from the areas for folks around Lake Cavanaugh, but this *does* apply to all shoreline residential areas. But there was concern that the 100-foot setback really should be a 50-foot setback based on existing development.

Subcategory g. addresses size limitations for dock floats. The comments related to those limitations being unclear or too restrictive for the appropriate use. Remember, dock floats are not necessarily a – well, that's the floating portion of a dock used for access for boating.

Subcategory h., there was comments related to – actually *supporting* the use of a 50% reduction of building setbacks as an administrative variance. If you recall, we have in the current draft – in the public review draft of the Shoreline Program, there is a variance process that allows for a buffer to be reduced up to 50%. And anything greater than 50% – so anything up to 50% would be an administrative variance and anything greater than 50% would be a standard variance. And again, the standard variance would go to a hearing examiner. The administrative variance would be something that could be approved through the Department, through the Director's approval. And we clarified that one thing that wasn't clear in the Shoreline Program was – and this is where our recommendation is coming in – is that the original intent there was to have an allowance to reduce a buffer that was just an administrative reduction, not a variance, for something between a zero and 25% reduction. That clarity is not in the current public review draft, and so we would like to add that clarity because it should have been in there. And so what we have then is a – any reduction from zero to 25% would be an administrative approval process. Anything between 25 and 50% reductions would be an administrative variance that would be approved – potentially approved – through the director's direction, and anything greater than 50% reductions would be through a standard variance process. So we would like to make that clearer.

And then moving on, item subcategory i., there was comments related to not having support within the community for joint-use docks. And I think this was intended, I think, really related to Lake

Cavanaugh, but the joint-use docks, you know, that does address, you know, all docks within the county.

Moving on, issue number 2 centers around aquaculture, and again there's a number of subcategories here, a. through g. The first one was related to commercial net pens and really the comments centered around – you'll see they're – you know, based on the numbers in column c there were a lot of folks that commented on this category, you know, desiring a prohibition on commercial net pens with concerns related to, you know, non-native fish and their presence within our waters in Puget Sound. So there's a recommendation from the Department to really look at that further: You know, that we should adjust those regulations to define – not necessarily define but to put in place regulations that would prohibit non-native fish – finfish – on net pen aquaculture.

Subcategory b. was related to limiting geoduck harvesting. Again, that was looking at, you know, impacts on the shoreline from geoduck harvesting.

Subcategory c. was comments related to making sure that we're allowing more kelp production.

Subcategory d., this was comments related to prohibiting non-native finfish net pens. Really that was focused on providing clarity and distinguishing between net pen aquaculture for native versus non-native fish. It really ties in with subcategory a. That's why we made a reference here to see subcategory 2a.

And then moving on, subcategory e. is comments related to requiring a conditional use permit for uses designated as *in-water* native finfish aquaculture. And that again is really providing clarity on that front.

Subcategory f., concerns about it being unclear where upland finfish rearing facilities are regulated in the SMP. Finfish aquaculture can occur in upland areas. We have, you know, our hatcheries and other potential aquaculture activities that could occur in upland areas, so they're asking for clarity there.

And then subcategory g., there was some objection to what appears to be a lessening of aquaculture restrictions. There were some concerns that the current draft of the SMP is actually lessening those restrictions.

I'm going to keep moving on. Item number 3, issue number 3: This is – again it was a very, I'd say, popular topic, but a topic that was commented on quite a bit, just recognizing the importance of addressing sea level rise in the Shoreline Master Program. And so there was a lot of comments related to making sure that we are looking at climate change impacts and acknowledging that and developing stronger policies related to it.

Issue number 4 – again a fairly popular topic – making sure that the Shoreline Program is protecting drinking water sources from saltwater intrusion.

And issue number 5: Again this one has several subcategories, a. through m. So I'll go through those again. This is kind of a general category talking about different shoreline development and use standards. So we have a lot of comments that have a lot of variability in them but they do relate to the certain section in the Shoreline Master Program so we included them here in issue number 5. The first one here, subcategory a., is to establish adequate shoreline buffers for habitat. These comments generally were focused on riparian areas, areas where there are stream buffers, noting that the Department of Fish and Wildlife in 2020 did come out with guidelines and

management recommendations for riparian areas. They called them “riparian management zones.” And this kind of connects to some of the other comments related to best available science – you know, making sure that the County is addressing best available science and Department of Fish and Wildlife’s recent guidance.

Subcategory b. addresses – or at least the concern was related to preventing uses or modifications into or over important saltwater plants like seagrasses and macroalgae; making sure that we’re protecting critical saltwater habitats from boating facilities. There was concern there that the Shoreline Program did not provide those protections when looking at new or modified overwater structures.

Subcategory c: Comments there related to retaining requirements to permanently sign Protected Critical Areas and their buffers. So that relates to just, you know, placing signage, proper signage, in those areas.

Subcategory d. relates to not allowing – or the concern was to not allow timber harvesting as a shoreline use.

Subcategory e. relates to shoreline armoring. There’s a couple of issues here, or concerns. One specifically was wanting a prohibition on new shoreline armoring and requiring a conditional use permit for all other shoreline armoring. And kind of a subcategory to that was the issue of boulders. Boulders are often used in, you know, various types of shoreline armoring, so there was a concern that boulders were being classified as a type of soft armoring and they would rather have those classified as hard armoring.

Subcategory f: This addresses the retention of sections on vegetation conservation and designating habitats and species of local importance. Again those are areas in the Shoreline Program. They’re commenting on making sure those get retained.

Subcategory g.: Also retain sections of the code that allow access to property for administrative officials to monitor permit compliance.

Subcategory h.: Areas to – the concern there was to require mitigation for expansion into critical areas.

Subcategory i. was simply to make sure that we’re allowing for more restoration.

Subcategory j.: There was concern about making sure that we’re clear on limiting pesticides and herbicides adjacent to wetlands, streams, lakes, and rivers, and so standardizing the water quality buffers across Skagit County codes for herbicides and pesticides. There is some language in the SMP that relates to the application in certain areas but is not across the board in wetlands and streams in our water bodies.

Subcategory k.: There was concern for lighted signage within shoreline areas and its buffers. Specifically there’s a couple sections here that relate to signage and specifically lighting, and we’ve spent some time reviewing that section and we are suggesting some recommended changes – or a recommended change. This is in the SMP section 14.26.360(4)(d) – in lighting. And the addition here was to add the text that directional sign lighting “must be directed away from critical areas unless necessary for public health and safety.” This goes in front of the existing sentence that says “Outdoor advertising may not move or fluctuate in lighting or position in any manner.” The Department recognizes that, you know, we can do certain things to protect critical

areas. Looking at sign lighting and making sure they're not impacting negatively on a critical areas is important, and that can be done.

Subcategory l.: Comments related to ensuring clarity about allowable materials for construction of docks. This does relate to, you know, looking at the use of weather-treated lumber and other potentially – you know, negative impacts to water quality was the concern there.

And subcategory m.: Looking at development standards for structures to include docks. The comment here says they do not mention any shading of dock lighting so as not to attract fish. So they want specifically – the comment is related to specifically ensuring that we're mentioning the shading impacts from docks.

Issue number 6: This addresses the concern about best available science, and it's broken up into a number of categories because there are differences in these comments. Subcategory a. relates to a comment made regarding Lake Cavanaugh that there's no scientific evidence supporting the 100-foot buffers as being better than 50-foot buffers on freshwater lakes without anadromous fish.

Subcategory b. addresses the concerns about data and analysis used in this update – that they do not reflect current conditions.

And then the last one in this issue is subcategory c. There's concern about the lack of best available science for riparian zones. This is again tied back to some of the comments earlier about the use of the Department of Fish and Wildlife's recent guidance.

Issue number 7, related to DNR Forest Practice Policies: This was a specific comment *from* DNR and concern about duplicative regulations between the County and DNR and their unintended consequences of limiting development related to forest practices.

Issue number 8: There's a few things here related to flood hazard reduction. The first one, subcategory a., there was a request for clarification of flood hazard reduction to include marine shorelines. And this is one, actually, upon further review we do recognize that much of the flood hazard section really is focused on rivers and streams. But we do recognize that there are flood hazards in marine areas, and so the Department would suggest making a clarification that the flood hazard reduction measures apply to both marine and freshwater systems. There's a policy in 6I-1.3 and SMP section 14.26.350, but we are preparing recommended language. We don't have that prepared yet, but we did want to acknowledge that we are looking to make a change in those areas.

Subcategory b.: The comments here are related to allowing for maintenance and repairs of flood control devices.

And then subcategory c., ensuring that public access should *not* be allowed in flood-controlled areas.

Moving on, issue number 9 related to no net loss. We don't have any Department recommendations here but let me go through them. Subcategory a. is simply just ensuring that no net loss of ecological functions is achieved. There was concern about, you know, making sure that that was emphasized in the SMP and also there were some comments there related to the documentation of achieving no net loss, which is also part of this process that we are going through.

Subcategory b.: The comment here, the SMP does not provide a process for monitoring no net loss of ecological functions to eelgrass and macroalgae.

Subcategory c.: These comments here related to compensatory mitigation and its failure to replace lost ecological functions of critical areas, specifically in the case of wetlands.

And then the last one, subcategory d.: The comment said the SMP fails to demonstrate that its policies and regulations will achieve no net loss of shoreline ecological functions and processes. That actually was related to a. above but it more clearly is focused on what types of documentation are associated with this update process.

Issue number 10: This is related to references to the Skagit County UGA Open Space Concept Plan. We've talked about this quite a few times with the Planning Commission. You know, the Department feels like we should make a change. We talked about making a change to recognize that the Open Space Plan is a voluntary plan, and so there is some recommended language here in the fourth column. This is to SMP section 14.26.370(4), where we explicitly do that to identify it as a voluntary plan. So the additional text is in underline, as you'll see there, so subcategory (a) would read "The" Skagit County "UGA Open Space Concept Plan is a voluntary plan." And then add "The UGA Open Space Concept Plan and the Skagit County 2020 Comprehensive Parks and Recreation Plan provide for a connected network of parks, open space, and trails, and together constitute Skagit County's Shoreline Public Access Plan, which provides more effective public access concepts than individual project requirements for public access." And then we included (b) just for context. (b) also says the "Shoreline public access as required by this section should be consistent with the concepts in the Shoreline Public Access Plan."

Issue number 11 – we're getting there; we've got 16 total – issue number 11 is simply – it's concern about regulating, that we should be regulating boat wakes at Big Lakes to prevent further shoreline erosion and potential damage to docks.

Issue number 12, a concern about the County that the County has not taken adequate action to restore or replace the Sinclair Island dock.

And then issue number 13: These are a series of clarifications and text suggestions we've made. There's a. through g. here, the first one of which we've got a recommended change. Again, this is concern about the lack of a definition for "critical saltwater habitat." And we recognize that a definition for "critical saltwater habitat" is not included in the Shoreline Program. Including critical saltwater habitats in the body of the SMP is required per the WAC – the Washington Administrative Code – and so we are suggesting to include a definition in 14.26.820. I'll go ahead and read it. The definition states: "Critical saltwater habitats include kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sandlance"; sustenance (sic) "commercial and recreational shellfish beds; mudflats, intertidal habits with vascular plants, and areas with which priority species have a primary association." That is directly out of the WAC.

Okay, I'm going to read these other subcategories here. Again, this is part of the kind of clarifications and text suggestions that people commented on. Subcategory b. requested including a statement about flood protection and drainage in the opening recital of the Master Program.

Subcategory c. is concerned about property owners in the Rural Conservancy-Skagit Floodway designation, that they had not been adequately informed about their development rights, or the impacts to their development rights. We did speak to this at a previous Planning Commission meeting.

Subcategory d., concern that waterfront lots less than 1 acre should be exempt from wetland requirements and restrictions.

Subcategory e. was concerned about including boatlifts in the SMP and to consider navigation, fish habitat, quality of water, and aesthetic impacts in the permit process.

Subcategory f.: This relates to shoreline environment designations. There was concern in a couple of areas here that there was a discrepancy with shoreline designations and shoreline jurisdiction. The commenters noted that the shoreline environment designation maps and the content are inaccurate and dated.

Similarly there was concern about the methodology that was used to establish the upstream limit of shoreline jurisdiction for streams and rivers. And if you recall, there's a – the upstream extent of shoreline jurisdiction on a stream or river is the point at which flow reaches 20 cubic feet per second annually. So there was concern about how that was derived.

Subcategory g.: This was related to including language supporting the ability of tribal members to exercise their treaty rights including prevention of installation of mooring buoys in locations that would interfere with fishing by tribal members in usual and accustomed places. As well, notification of actions with the potential to interfere with tribal treaty rights. They wanted the consideration to add a project approval review expressly directed towards evaluating potential impacts to cultural resources. And so really what they're getting at there is to be part of that process for project review.

Issue number 14: These are four areas related to the dimensional standards. Subcategory a. here relates to the proposed residential expansion allowance, where we are allowing up to 200 square feet. There's concern here that that would only allow for a small increase in size of some existing structures.

Subcategory b.: This relates to the adoption – the request was to adopt better impervious surface limits and lot width requirements for areas *outside* of urban growth areas.

Subcategory c. relates to reducing the limits on impervious surface in the Rural Conservancy environment designation. If you recall in the development standards table – this is Table 14.26.320-1. That is where we talk about buffers, we talk about hard surface limits. Those hard surface limits are in the Rural Conservancy environment. I believe they are 35 % or 30%. I don't have that in front of me. But there is a provision in the WAC in the shoreline guidelines that does speak to requiring – for residential development in a Rural Conservancy environment, to limit the impervious surface coverage or lot coverage to 10%. So this comment relates to that. You know, in our read of that specific WAC section, there are allowances for existing development – or existing *lots*, I should say. And so our recommendation here by the Department is to provide a clarification as a footnote to the table that specifically says that new lots that are created after the adoption of the Master Program would need to meet that requirement of 10% hard surface limitations. But for existing lots that existed prior to adoption, their hard surface limits would be consistent with what's shown in the table now, which I believe is 30%.

All right, subcategory d. dealt with limiting, again, dock width. This is more on an across-the-board kind of looking at dock widths and making sure that we're not limiting them to 4 feet because of the concern regarding safety and being able to walk on those docks.

All right, issue number 15: This is administrative issues. There's a number of areas here, a. through h. And I don't believe we're making any Department recommendations here but let me read through those. Subcategory a. was related to inadequate code monitoring and permit enforcement. This does relate directly to the ability to, you know, enforce a permit decision and to then also to monitor any mitigation that's provided there.

Subcategory b. is simply against processes for unincorporated communities.

Subcategory c. addresses variances. It's actually the next few here address variances, and you'll see that there are, you know, several commenters that are concerned about this. The first one here, subcategory c., addresses the buffer reductions of more than 25% should require a *standard* variance and not an *administrative* variance. So if you go back to what I was talking about earlier, you know, we had made the recommendation to make it clear that we have an administrative permit approval process for a buffer reduction from zero to 25% and then an administrative variance from 25 to 50, and then a standard variance for anything above 50%. These comments were looking at making sure that we have – that basically *anything* above a 25% buffer reduction would be a standard variance to go through a hearing examiner.

Subcategory d.: Again in the variance category – comments – basically requiring a variance – a variance would be necessary for the expansion and replacement of nonconforming residential structures. That is not necessarily the case as it's written in the code.

And then subcategory e. under variances, again to clarify the use of the term “buffer width” since it implies a side-to-side measurement as in terms of a width. We commonly refer to a buffer from a shoreline as a width, but it implies the distance from the shoreline to the edge of a development area. That was just for clarity's sake.

Subcategory f.: Concerns about the process for maintaining privately funded beach restoration projects. And really the Shoreline Program should – the comment related to making sure that the Shoreline Program made that as easy as possible if you're doing a shoreline restoration project.

Subcategory g.: With that appeal period, the comment here is that five days is too short for filing appeals.

Subcategory h.: There was an objection to allowing more administrative discretion on variances and buffers. Again this is back to the administrative variance versus standard variance process.

All right, and then the last issue discussed is kind an all-encompassing other category. We've got a number of areas here, a. through i., that we want to highlight. We do have one recommended change in this topic area, but let me go through these as well.

So subcategory a.: There was some concerns about – site-specific concerns. These were from individual property owners that had certain situations on their property they were making comments about, whether it was they had a site constraint of some sort or they had a critical area on their property there that they had some concerns for.

There were some comments here – we just put them in a category of “Non-SMP-related issues.” That's subcategory b. They were comments that weren't areas that the Shoreline Program is really addressing.

Subcategory c.: These were actually comments in support of SMP amendments and policies. Many of these comments here, you know, they approve the retention of section 14.26.735. That's the consideration of cumulative impacts when granting a variance.

Subcategory d.: This was related to mining waterward of the ordinary high water mark and in the Channel Migration Zone. And these comments were focused on ensuring that those mining activities would be prohibited. They are not currently.

Subcategory e.: We have a recommended change here. This relates to requiring pre-development investigations for areas where archaeological resources are likely to be located. The Department recognizes that, you know, early coordination with the tribes is a good idea. We have not drafted that language yet but we do support that early coordination.

Subcategory f.: This is comments related to analysis of all geologic hazards and requiring a case-by-case determination of landslide buffers.

Subcategory g.: This relates to floodplain maps and existing conditions. The concerns here is that they're just inaccurate and why are we using them. This includes the Rural Conservancy boundaries that should be more specific and include areas where the designation extends landward of existing dikes, levees, and tidegates. So there's, you know, concern about using old FEMA maps and it really relates to all the – a lot of the data that's out there that is dated. We recognize that but we do try to use the best and available information we can.

Two more. Subcategory h. addresses where the SMP, or concerns about where the SMP does not meet standards set by the Shoreline Management Act for protecting shorelines of the state, in particular, and shorelines of statewide significance.

And then the last one here is also concern about provisions that do not sufficiently protect vegetation waterward of the ordinary high water mark and within the Channel Migration Zone. Obviously concerns about protecting vegetation waterward of the ordinary high water mark is similar to a comment earlier about overwater structures and their potential impacts to eelgrass and macroalgae.

All right. I know that was a lot. I want to just walk through those. You've heard areas where the Department has – is making recommendations. I'd say let's – what I'd recommend if we could, if we could start with any concerns or thoughts that you have related to the areas of recommendation, and then let's maybe move on to any other concerns you have or discussion on these other topic areas. Would that be okay? I can go through here and I can start from the beginning and go through areas where we have made a recommended change and see if there's any discussion on that topic, and we'll move on to the next one. So I'll go back to the very top of this document on page 1. This is issue number 1, subcategory e. This is related to anadromous fish in Lake Cavanaugh, and really the comment here again is focused on going back to the earlier table that was used for the dimensional standards where we did *not* differentiate between anadromous fish – lakes with anadromous fish and lakes without anadromous fish. So they would have the same – all lakes would have the same – I'm sorry. We would separate those out, so we'd have a different standard for lakes *without* anadromous fish and a different standard for lakes *with* anadromous fish. It really relates to the dock width being 4 feet for lakes with anadromous fish and being 6 feet for lakes without anadromous fish.

Commissioner Martha Rose: So this is Commissioner Rose, and I support this change. It makes sense. That's all.

Chair Raschko: Any other comments? Commissioner Woodmansee?

Commissioner Woodmansee: My question is: You're addressing the 6-foot and 4-foot here. Is there any other meaningful impact that's also different that we should be looking at between the two different categories? So this is one item, right? Is there anything else meaningful in the – I've got to put my glasses on! Looking out at blurry people! Is there anything else in the new – in the proposed code other than the width of the dock that is a change that we should be addressing as it relates to the two different categories of lakes?

Mr. Nickel: Do you have that table?

Betsy Stevenson: I was just \_\_\_ at it. You can probably get to it faster than I can.

(inaudible conversation between Ms. Stevenson and Mr. Nickel)

Mr. Nickel: I believe that was the width of a fixed pile pier – that walkway width – was the main change. I may have to go back and open up the – I have to go back to the public review draft or the Planning Commission review draft to look more clearly at that.

Commissioner Woodmansee: And we can look at it. That's just –

Mr. Nickel: That was the main – that was really the main difference and the concern from a lot of the comments that were coming out related to the dimensional standards table. You know, there's other comments in here in that – in some of these other areas, specifically, like, the dock height was a concern. There was general comments about, you know, a 4-foot width just not being safe to walk on. But I think specific to that table, the change we're proposing – that the key one was that dock width for lakes without anadromous fish and lakes with anadromous fish.

Commissioner Woodmansee: And I purposely didn't comment on the other things because, you know, you wanted to talk about the recommended changes.

Mr. Nickel: Yeah. I'd say we can maybe come back to those issues after we get through the recommended changes.

Chair Raschko: Anything else on 1 (e.)?

(silence)

Chair Raschko: Okay.

Mr. Nickel: All right, the next one here again is issue 1 on page 2, subcategory h. This relates to the variance clarification where we are suggesting that we specifically make it clear in the SMP that we have a shoreline buffer reduction that's possible through an administrative permit process. That's any buffer reduction less than 25%. Anything more than 25% but less than 50 would be an administrative variance that would be approved by the director, and then anything greater than 50% buffer reductions would be a standard shoreline variance that's approved through the hearing examiner. So that's our suggested clarification. There was – obviously there was comments later on that – you know, concerns that we have *any* buffer reduction option. There was concern – there was some concern there about having an administrative buffer reduction. And there's comments from the Swinomish Tribe that they don't want to see anything more than a 10% buffer reduction. So, you know, this is a – I think what the Department is suggesting is

consistent with some other jurisdictions that have allowed buffer reductions. But there is concern that this might allow too much, so there are public comments in the record here that do speak to that. We are recommending this, you know, based on our prior experience working for some other jurisdictions that have done this and it's been approved by Ecology. I think the administrative variance process, which is kind of that middle ground where you have something greater than 25% but less than 50, the reason for that is to avoid having to go through the hearing examiner process and be able to do that through the director's approval process. It's important to note that in that case it's still a shoreline variance and you still have to – an applicant will still have to go through all the same shoreline variance criteria, which are difficult to prove. And it will still have to go through the same approval process by the Department of Ecology. So really the one clarification here is making it a little bit easier on applicants to go through the process at the County level. So you're going through a director's approval for an administrative variance.

Commissioner Rose: So it's a matter of trust. In other words, can the tribes and the public who are opposed to this administrative variance – if they trust you, they would feel more comfortable with it and like it better. So how do you get their trust in that? That's the question. In other words, I agree with the proposed change of allowing administrative variance, but – because of what you just said: it's a rigorous process. But my interpretation of the resistance to that is that it *is* a lack of trust. So how do you solve that?

Mr. Nickel: Yeah, that's a good question. I think a lot of it has to do with providing clarity and good communication on what it means. We need to be clear that it's not changing the criteria. If you go to a – any buffer reduction of greater than 25% still has to meet all the same shoreline variance criteria regardless of whether you're at 25%, 30%, 50%, 60% – whatever. It's the same shoreline variance criteria. We're just talking about a process that helps streamline things. Where you might have a buffer reduction need of 30%, and you still have to go through the same mitigation requirements and analysis – analysis of no net loss, all the same shoreline variance criteria that Ecology's going to be looking at. What this is doing is helping that process out. The County's going to see more of these applications. It's going to make it a bit smoother of a process for an applicant as well as the County. But again, we need to make it clear that the criteria isn't changing so the applicant is still going to have to do all that legwork and documentation to show that they're meeting those criteria, and Ecology's going to have to review this and approve it, you know. They don't have an administrative process. It's all the same process for them, so that part doesn't change. But I think the answer is really providing clearly that those criteria are not changing.

Chair Raschko: Ms. Stevenson, did you have something to add?

Ms. Stevenson: I did. This is kind of based on our critical areas ordinance too because it has this similar process, and what we've found is it's not necessarily an incentive but it gives the landowners more choices. With the Shoreline Program the way it's written now, there's kind of a line drawn in the sand and if you're over that line you need to go through the variance process. We find that we get a lot more people who are willing to meet that less than 50 – you know, they set their development back further so they don't have to go through that process, so it can be considered a benefit to offer it. It's cheaper. It's faster. It's like, Oh, you mean if we just move back 25, 50 more feet, we're good to go and it's this process instead of having to go through the hearing examiner process and the public hearing? And it's like, Yes. And it happens fairly regularly. And like Dan says, you still get the mitigation, you still get the plantings, you get all of those sorts of things, but it puts the choice back for the landowner, I guess, and they can choose to do it that way. And a lot of times they do, with the critical areas ordinance, so we are able to actually protect more of the buffer by offering something that isn't quite as onerous for them. But there's still a notification process. We notify the property owners just like we do with the shoreline variance.

They have the opportunity to give us their thoughts on it. We have to respond to those before we make a decision and prepare findings and things. So there's part of the trust piece, you know. If people feel strongly about it, they could ask to be notified on things like that so that they would still find out about it. So anyway....

Chair Raschko: Commissioner Rose?

Commissioner Rose: Thank you. So what I hear you saying is if you require the regular variance for a smaller percentage of reduction, the people will go for the smallest they can possibly get away with, where this is almost like a carrot. If they can push their development farther away and have a lesser thing, that's what they're going to do. But if they have to go through the variance anyway they're like, Why would I even push it back? So I understand. It's very logical and I think a lot of thought went into it, so thank you for explaining it better. That's all.

Chair Raschko: Commissioner Woodmansee?

Commissioner Woodmansee: I have a couple of questions. One is, Is there an appeal process?

Ms. Stevenson: Yes.

Commissioner Woodmansee: For all three different ones?

Ms. Stevenson: Yes.

Commissioner Woodmansee: Okay.

Ms. Stevenson: The appeal of the administrative process would go to the hearing examiner.

Commissioner Woodmansee: Okay, so ultimately you end up with the hearing examiner if you don't like what happened either of the first two options. And then the other question I – or half question, half statement: Can you – I'll ask the question first and then I'll explain why I asked it – can you give me an example or can you give us an example of a variance that was granted that's over 50 % in this type of a scenario? Because that, you know, obviously is one of the concerns – right? – when we shouldn't be going past this point. And so the reason I asked the question is because – and what made me ask the question, is if you have a – maybe you have a parcel that is in really poor shape and you can do a lot of net good by reducing the buffer with what you're required to reduce the buffer. So maybe there's little to no value in the piece of property within the buffer and with the variance process you can require, obviously, mitigation and I'm assuming that it's measured to the existing conditions, assuming that there wasn't some, you know, illegal activity that went on or something. So do you have an example – I mean, how often would we even go down this road, for number one? And number two is it seems to me like it would only apply – a larger buffer would only apply in a denigrated situation to where you could actually score in a manner that you could achieve a larger reduction. Does that make sense? Doesn't look like it. Maybe just start with the example.

Ms. Stevenson: Because we do have examples of approving variances more than a 50% reduction.

Commissioner Woodmansee: Okay.

Ms. Stevenson: If that makes sense, if that's what you're saying. You know, Big Lake's the perfect example. The lots are small. They were created a long time ago. And there may be a bulkhead or something there already and it's grass right up to the bulkhead. So we can work with the folks just like you're saying and, Hey, you know, think about taking out that bulkhead or at least putting some native vegetation in there and do some things along those lines so that you *can* end up with a benefit and, you know, the structure is still going to be pretty close to the lake. So, yes. I think – I got what you said. Maybe I was listening to the detail too much to get the bigger picture but there are a lot of times when even with a fairly good size buffer reduction it can still be better than what's existing.

Commissioner Woodmansee: I think that's what \_\_\_\_\_ (inaudible).

Ms. Stevenson: Okay. Well, I'm not trying to tell you what you want to hear but I'm trying to answer your question!

Commissioner Woodmansee: (inaudible)

Ms. Stevenson: Yeah, okay. Good.

Chair Raschko: Anything else on 1(h)?

Commissioner Henley: Yeah. This is Commissioner Henley. Quick question: You've got – it seems to me like you have a gap in the statistics here. You've got a process for up to 25% and then a process for over 50%. But I don't see one here for the gap between 25 and 50%. So how is that handled?

Ms. Stevenson: Okay. I think the change that we're proposing to make so that the zero to 25 we would do as a staff administratively with an applicant without having to go through a reduction – a variance process. The 25 to 50 would be the administrative variance process where there is a decision and you're going through the same criteria as you would for a hearing examiner variance. And then the 50 to 100% – hopefully we would never get to 100%, but anything over 50% buffer reduction is the hearing examiner variance. So that first section that you're talking about, up to 25% is done kind of like the scenario that Joe's talking about.

Commissioner Henley: I like the explanation but I'd like to see it written down so that it's clear.

Ms. Stevenson: Okay, well, part of the thing is that we didn't include it originally in the Shoreline Program and this is something that we kind of talked to the Department of Ecology about a little bit and said, Well, it's not in there; that's not what it says. So we'll have to come up with the language. But if you look at the critical areas ordinance, that's how it's written in the variance section.

Commissioner Henley: Okay.

Chair Raschko: I'd just like to clarify for myself. I'm inferring that any buffer reduction whatsoever would require mitigation in the no net loss evaluation. That's true?

Ms. Stevenson: Yes and no. You can do buffer averaging, you know, which we do through our critical ordinance. Maybe we're not going to be able to do that through the Shoreline Program where maybe you have a critical area so you're going to try to stay a little further away or you're going to stay further away from certain areas so that your line isn't, you know – it can go all over

the place as far as what you're protecting and what you're turning into your buffer. So by doing that you wouldn't necessarily – that becomes kind of your mitigation but you wouldn't necessarily have to plant, if that makes sense.

Chair Raschko: That makes sense.

Ms. Stevenson: That you're actually using area that may already be fully vegetated with native vegetation, which is great, and you're going to protect that where maybe you wouldn't have to because it's outside of the buffer area, but that's why you do the buffer averaging. I guess it's a good thing that we're here in person because I can use my hands and you can actually see me! Because I do it anyway! Does that make sense?

Chair Raschko: It make sense. And – but what it tells me it's not a 100% absolute thing then, that some sort of mitigation will have to be done. And what you're talking about seems to me to be very reasonable, so thank you.

Ms. Stevenson: It's kind of site planning more and looking and seeing what you have there.

Chair Raschko: Mm-hmm.

Ms. Stevenson: Yeah. Because sometimes protection is better than mitigation, and people are willing to do that.

Commissioner Woodmansee: \_\_\_\_\_ (inaudible) Just a point of clarification: So would buffer averaging potentially be a tool in this variance process on the shoreline in the SMP?

Mr. Nickel: I say "possibly," but usually when you get to a variance you've already gone through and exhausted the opportunities for buffer averaging. Because if you can use buffer averaging, you wouldn't necessarily need to go through a variance process.

Commissioner Woodmansee: So if you have a buffer – if you have – yeah, okay. Once you've crossed the line, regardless of whether you can have the same amount of square footage you're still across the line.

Mr. Nickel: I wouldn't count it out. I mean, I guess I –

Ms. Stevenson: How about up to 25% area where we're working with them?

Mr. Nickel: Yeah.

Commissioner Woodmansee: I'm just wondering if we should mention it in here somehow. You know, if it's a possibility.

Ms. Stevenson: In that first 25% reduction that we can do as a staff, we can look at their site and say, Hey, you know, we'll give you a little bit here if you give us more over there because that's where the good stuff is that we want to protect, and we'll let you get closer here within that first 25%. Because then it's not a variance yet. We're still in the reduction phase.

Commissioner Woodmansee: I think it would be good to add something like that.

Ms. Stevenson: Okay. That's a good point. Thank you.

Mr. Nickel: All right, I'll move on. The next item was under Aquaculture. This is item 2(a.) and, you know, it coincides with item 2(d.) as well, the prohibition on commercial net pens, specifically non-native finfish aquaculture. So, you know, the Department's recommendation is to make clear – is to have some clarity here in the use and modifications matrix that would include the requirement that the applicant demonstrate that native fish and wildlife resources will not be significantly impacted. You know, we recommend adjusting the provisions related to finfish aquaculture to prohibit all non-native finfish net pen aquaculture.

Chair Raschko: Are there comments or questions on 2(a)?

Commissioner Woodmansee: I have a question.

Chair Raschko: Go ahead. It's Commissioner Woodmansee.

Commissioner Woodmansee: Do we have this activity taking place now? So what happens to an existing situation?

Mr. Nickel: Well, this is – I mean, this relates to, you know, new and modified development, so existing practices could continue.

Commissioner Woodmansee: I feel like that we should *write* something into this code that talks about existing facilities. I'm not an expert on this topic at all for sure, and so that's why I'm asking the question of whether – if this is actually something we're affecting, or we're trying to limit the future growth of this industry or whatever. And so it seems like we should specifically speak to existing operations or – I don't even know the right term to use.

Mr. Nickel: Yeah. We can look through the preamble of the Master Program. I think that might speak to – we have to look again, but I think it might speak to the – because that applies broadly across the entire Shoreline Program. All existing uses and developments can continue as they are. It's when we're talking about new development or modifying an existing development – that's when this whole Shoreline Program really kicks into gear.

Commissioner Woodmansee: Sure.

Ms. Stevenson: The other thing we need to keep in mind is there are a lot of other authorizations and approvals that those need and that's a whole different ballgame. They need an aquatic lands lease from the Department of Natural Resources, which they may or may not be able to get renewal of their lease, either. So we have to be careful what we put in there, except that we do recognize them, you know, as a preexisting, legally established facility, which is kind of what they are now.

Commissioner Woodmansee: Yeah, well, I wouldn't want it to be set up so that they have a current lease now but the reason they were denied a renewal is because our code got changed and said, You can't do this activity.

Ms. Stevenson: Yeah. Yeah. I don't think that's going to be the case and I think that the facilities themselves would still be allowed to remain. They just have to start raising different types of species. But, yeah, we can look into that and see how we can make that clearer.

Commissioner Woodmansee: Yeah. Yes, because if the intent is to extinguish those activities we should be plain and simple and say that.

Ms. Stevenson: Yeah.

Commissioner Woodmansee: If it's not then existing use is a good way to –

Ms. Stevenson: To throw that back, what do you think?

Commissioner Woodmansee: Pardon?

Ms. Stevenson: What do you think? What should it be?

Commissioner Woodmansee: Well, like I said earlier, I'm definitely not an expert on this so I'm trying to see it from a 30,000-foot level where it's just okay how we effect an existing use in – you know, I couldn't tell you what the impact would be at all as far as that goes. And so I would have to get educated on it much more to give you a final thought on that.

Ms. Stevenson: Okay. Okay, fair enough. In constructing that and developing that language, it was not our intention to make them go away.

Chair Raschko: It would be simple to in the second-to-last line put "all new non-native finfish net pen aquaculture."

Ms. Stevenson: Okay.

Mr. Nickel: Okay.

Chair Raschko: Commissioner Rose?

Commissioner Rose: So this whole – if this is controversial in any way, isn't it related to that situation that happened not that long ago where the non-native fish got out and started wreaking havoc with our native fish population? So it makes sense that – I think you mentioned that there's different agencies besides the Planning Department involved, so it wouldn't even be the Planning Department's role to regulate at that level, that activity. Just the structures, right? And so – because it is – I can imagine how if a fish farmer that was careless too many times, they could be banned from continuing their operation. I could see that, but it wouldn't be the Planning Department that would do that. It would be some other agency. Is that true?

Ms. Stevenson: It depends on how they were, you know, operating in poor practice. We have quite a few conditions on the ones that we have so if it turns out they were violating those conditions then it could be us.

Commissioner Rose: I see.

Ms. Stevenson: Fish and Wildlife is usually the one who regulates the species that are there. DNR leases the aquatic lands to them. Ecology has a role. The Corps of Engineers has a role. So the County *could* be involved but we weren't very involved in all of that.

Commissioner Rose: So it could be multiple agencies would go after somebody who was, let's say, misbehaving.

Ms. Stevenson: Yeah.

Commissioner Rose: So that's why there's this clarification that there could be new fish pens as long as they're native fish. Right?

Mr. Nickel: Mm-hmm, correct.

Ms. Stevenson: Yeah.

Commissioner Rose: Okay. I think this is all good.

Chair Raschko: Anything else on 2(a)?

(silence)

Chair Raschko: Okay.

Mr. Nickel: Okay? I'm going to move on because 2(d) addresses the same issue. Then we're going to scroll down to – this is issue 5, Shoreline Development and Use Standards, subcategory k. I believe this starts on page 4. This relates to lighted signage within shoreline areas, and again our recommendation is to in section 14.26.360 – that's in subsection 4(d) – really the focus there being to direct lighting away from critical areas, and with the clarification unless it's necessary for public health and safety. But the emphasis there being to direct those lights away from those critical areas.

Chair Raschko: Is there anything on 5(k)?

(silence)

Chair Raschko: Does this then go along with the others that it's not retroactive that existing signs – that flashing, advertising at the wetlands would be allowed to stay?

Mr. Nickel: That's correct.

Chair Raschko: Okay.

Mr. Nickel: Okay? Moving on to issue number 8, this is Flood Hazard Reduction, subcategory a., asking for a clarification to include marine shorelines. And again, we haven't crafted the specific language but we are recommending that we address this in both Policy 6I-1.3 and in SMP Section 14.26.350, where we would make the clarification that the flood hazard reduction measures apply to both marine and freshwater systems.

Chair Raschko: Anything on 8(a)?

(silence)

Chair Raschko: When would we see that language?

Mr. Nickel: I – (laughs)

Chair Raschko: I don't want to put you on the spot.

Ms. Stevenson: As soon as possible.

Mr. Nickel: I can only speak so much for the –

Chair Raschko: Okay.

Mr. Nickel: Yeah, we're trying to get this as soon as we can.

Ms. Stevenson: We're still working on it for sure.

Chair Raschko: Moving right along....

Mr. Nickel: All right. Moving on – all right, the next one is issue 10. This is in reference to the UGA Open Space Plan. Our recommendation is to make it clear in this – in 14.26.370(4) that the Skagit Countywide UGA Open Space Concept Plan is a *voluntary* plan. So we've tried to make that clear in subsection (a).

Chair Raschko: Are there any questions or comments on –

Commissioner Henley: I do.

Chair Raschko: Go ahead, please.

Commissioner Henley: I look at item (b) there. I think it's – first of all, I agree that we need to get the other language out of there that was there before. I would prefer if we just simply deleted paragraph (a) and (b). When I look at paragraph (b) there and I'm trying to decide how that makes any difference, because it basically says that you're going to have to be consistent with the plan and the SMP and yet that's at odds with the UGA Plan. So how does that work?

Mr. Nickel: I think with the UGA Plan being a voluntary plan.

Commissioner Henley: It *is* a voluntary plan. But if you look at the wording of item (b) there – all right? – basically that makes it non-voluntary. Does it not?

Mr. Nickel: I don't think so. I think by being consistent with the concepts with the Shoreline Public Access Plan – and again, you know, the Public Access Plan is in (a), you know, the UGA Open Space Concept Plan –

Commissioner Henley: We're talking about two different plans here, though. That's the point, okay? And so I don't think they can both co-exist at the same time. I think you have to have either one or the other. And in this particular case, it looks to me like you've written language here which makes this Shoreline Public Access Plan – which is the one in the SMP – I *believe*, anyway – and it's different than the UGA. I mean, basically the Public Access wording that you've got in the document as it currently exists is kind of a punitive plan. In other words, a landowner who wants to do something needs a permit so you put restrictions on him in terms of public access in order to grant him the use of the property that he desires. So basically that whole concept is punitive in terms of what the perspective of the property owner is. So I'm trying to reconcile the wording in section (a) here with the wording in section (b). Now maybe we need to do this offline, but it seems to me there's a conflict here.

Chair Raschko: I would agree. I mean, that's the question I had. It just seems like in (a) you're talking about how this is all a voluntary thing and then in (b) you're saying, well, if it's required then you have to do this. I just don't understand it.

Mr. Nickel: I think the (b) is stating that when shoreline public access is required – so it's that whole section on shoreline public access and all the parts that go into requiring – or when to require shoreline public access, that is – it's almost straight out of the WAC. I mean the County's trying to be consistent with the WAC, needs to be consistent with the WAC and its requirements in terms of when to require public access, for what types of development. And so the County's trying to be consistent with those requirements and not going farther, not going less. But what (b) is saying is that where you have shoreline public access required – already required because of earlier parts of this Master Program – the intent here is to be consistent with the concepts. It's not saying – I don't read this as saying you're required to, you know, to develop your public access *per* these plans, but at least to be consistent with them. I guess I read it a little bit differently, and I'm maybe –

Commissioner Henley: I think this needs some additional work and discussion, and maybe this isn't the place for it. But I'm not happy with the way it is and I suspect that – the Chair didn't sound like he was happy the way it is.

Chair Raschko: Yeah, it – you know, if the intent is to, you know, provide for existing public access then I don't see why it needs to be in a document that's meant to govern how new things happen – I guess! I don't know that that made sense, what I just said, but please try to do better there, Amy. Commissioner Hughes?

Commissioner Amy Hughes: I'd like to go up to (a). And I'm new into this discussion, but when I read number (a) and first you have that it's a voluntary plan and you state that, but then you put it with the Skagit County Comprehensive Plan, which *has* been adopted, I believe – is that correct? – and then you follow that together they constitute Skagit County's Shoreline Public Access Plan, there seems to be some verbiage there that I'm trying to tackle. You have a voluntary you haven't approved. Together they're this. And I think that that's part of this conversation that's going on and so I think we need to be clearer on that as long as we're having the discussion.

Ms. Stevenson: Can I take a quick crack at it and then we can just think about it a little bit and we can think some more, too. We're required to have a shoreline public access plan so what we chose to do instead of developing something new was go to what we already have, which was our Parks Comprehensive Plan and also the UGA Open Space Concept Plan. And those together become our Shoreline Public Access Plan, so it's not separate documents. Those two become the Shoreline Access Plan. That's what we're saying – Hey, we're using these because we already have them. We're not going to develop another one. So that's kind of one piece of where I thought I heard some confusion. And I'm not sure I'm ever going to be able to completely make you feel comfortable with the rest of it. But public access isn't always required. There's only certain specific instances when it's required, so it's more – if it's a public entity doing the work that owns the property is the main kind of option. When they have an opportunity to provide public access there in a residential development or something that's fairly large, sometimes they require public access if they've got something that, you know, a shoreline area especially within that development

Commissioner Henley: \_\_\_\_\_ (inaudible) in the previous sections. It lays out how that's required, for example, for a large residential development.

Ms. Stevenson: Mm-hmm. Okay.

Commissioner Henley: What I *don't* want to do with this section is I don't want to leave it in a state where it's ambiguous and debatable and arguable in a bureaucratic or legalese sense. I'd

like to have it clear enough so that ordinary people can understand what's required and how to get there.

Vice Chair Candler: Chair, when it's time up, I have comments but I didn't want to interrupt Commissioner Henley.

Chair Raschko: Go ahead.

Vice Chair Candler: I'm not sure about this either. I don't disagree with Dan that that's probably not what it says. I think – I mean, I'm not sure how whether, you know, we're going to want to fight to have further reductions from what the Department has conceded tonight. I'm happy for the concession right now to put it in and state specifically that it's voluntary. I think that's important. But I think at least in the short term some of us would feel more comfortable if section (b) read "Shoreline public access *when* required or *where* required" instead of "as required," because I think maybe that "as" is where the beginning of the confusion sort of starts for me, anyway. So that would be a suggestion for just a short term solution to change at least that word, because I don't like that word because I think it does confuse beyond where it needs to be. That's all. It's just a suggestion.

Chair Raschko: Thank you. Anyone else? Commissioner Rose.

Commissioner Rose: I just wanted to agree with Tammy. I think that it's that one word that's the problem.

Ms. Stevenson: So can I make a suggestion?

Chair Raschko: Please do.

Ms. Stevenson: I'm out of order. I'm sorry. Okay. What if we say "If public access – shoreline public access is required by this section, it should be consistent"? Is that clear even? "It should be consistent with the concepts of this plan if public shoreline access is required by this section"?

Vice Chair Candler: Personally I think that's less clear than just changing it to "when" or "where."

Commissioner Henley: \_\_\_\_\_ a lot of this language is is that once you get into a debate about it, words that you never thought would have a given meaning take on whole new meanings, especially when they're being debated in a bureaucratic or a legalistic way. And I'd like to forestall that if I could and have the clearest possible language in here so that, you know, ordinary people trying to comply with the SMP know how to do it and can do it, you know, easily and with some certainty.

Ms. Stevenson: Well, and Tammy just didn't like that so we'll go back to "when." Thank you.

Chair Raschko: I think what gets me confused on the thing is it seems like (a)\_\_\_\_\_ to explain it there will be no required public access. And then section (b) says well, when this section requires it then it's going to have to be \_\_\_\_\_, which to me just seems ambiguous and contradictory. So I don't know. Am I wrong in that?

Ms. Stevenson: No, not if that's how you feel you're not wrong at all. You know, those are your thoughts based on what you read there. It wasn't our intention. We just want to make sure that when you put together comprehensive parks plans and other types of plans when you're kind of

identifying opportunities along the way, if you have a project that's going to happen in one of these areas then you're going to want to make sure that whatever they do for their public access is consistent at least with that plan. It doesn't mean it has to *do* what that plan says, but it shouldn't do something that would make it impossible for that plan to ever happen, if that makes sense. They've identified some opportunities in those other plans that we've adopted. We want to make sure that we're not doing something that would thwart that as being an opportunity down the road. If it doesn't say that, then we need to work on it some more.

Chair Raschko: It would make sense to me – you know, it says in (a) that it is a voluntary thing. Well, if somebody volunteers and they want to provide access on their property then you can say, Well, sure. That access, though, should be consistent with the concepts of the Shoreline Public Access Plan. It's just when you get into the verbiage about required is the problem. Anyway, we're beating it to death. So I presume some more effort would go into –

Ms. Stevenson: We'll work on it.

Chair Raschko: Okay. Anything else on this one?

Commissioner Henley: (inaudible)

Commissioner Woodmansee: I have a question.

Chair Raschko: Please, Mr. Woodmansee.

Commissioner Woodmansee: So when you're reviewing it this next time around, here's my question, if you could think about this: What happens if that nothing ever happened in the voluntary plan? Nobody ever volunteered. Can you still meet your objectives if nobody ever did a voluntary access? That's just something for you to think about when you're looking at it. So I'm not really looking for an answer but it's just a thought that came to my mind. Because voluntary – if it's voluntary, I mean, maybe nothing ever happens out of the concepts in the voluntary. Does that make sense?

Ms. Stevenson: Mm-hmm.

Chair Raschko: Okay. Nothing else then on 10.

Mr. Nickel: All right, moving on we're down to issue 13. We have a recommended addition to define "critical saltwater habitat." This is in subcategory a., starting at the bottom of page 6. So we've suggested adding a definition that's consistent with the WAC. That's WAC 173-26-221(2)(c). There we have a definition for "critical saltwater habitat."

Chair Raschko: Okay, do we have any questions on a.? Comments?

Mr. Nickel: All right.

Chair Raschko: I have one. Are there already County maps delineating what is considered critical saltwater habitat? I guess I'll finish my question – would be, Would this inclusion greatly increase the amount of land or water that would be under this?

Mr. Nickel: It actually would. I mean, it doesn't change anything. The state has a definition for "critical saltwater habitats" and the County's required to include critical saltwater habitat as part

of their protection measures. All this is doing is trying to be – is just making the statement that we are consistent with the WAC in having a definition in the Master Program. And so it actually doesn't change anything from how the County or anybody would regulate this or look at this. It's really more a matter of clarifying it.

Ms. Stevenson: So because it's so varied in the definition, we have several different maps that you would have to look at to make sure you've covered all of those, but most – yeah.

Mr. Nickel: There are maps like the Department of Fish and Wildlife Priority Habitats and Species maps that would include some of this information.

Chair Raschko: Okay. Well, thank you. Anything else?

(silence)

Mr. Nickel: All right, I'll move on down. We're now down to issue 14, page 8, subsection (c), or sub-item (c). This is regarding reducing the limits of an impervious surfaces and the Rural Conservancy environment designation. Our recommendation here is to make a footnote to the dimensional standards table – that's Table 14.26.310-1. The footnote would state – we need to craft the actual, specific language, but the intent here is to make a statement that for newly created lots that are created after the adoption of the Master Program, for those lots that are in Rural Conservancy and to be developed for residential use they'd be limited to 10% of a hard surface limit. Otherwise, everything remains at 30%.

Chair Raschko: Okay, comments or questions on 14(c)?

Commissioner Rose: I do.

Chair Raschko: Commissioner Rose.

Commissioner Rose: So excuse me for not having all this memorized, but in the Rural Conservancy, is that where one might develop a housing thing using a CaRD? They might, right? So they could take a 40-acre parcel and have one little chunk of it and put eight houses in one corner, right, and put the rest of it in a conservancy or some sort of conserved area? So in that situation, would the 10% apply to the whole including the conserved area, or would it apply to the developed area only?

Mr. Nickel: I don't know the answer to that question. We'd have to look into that maybe a little bit. I don't have an answer right off the top.

Commissioner Rose: 10% is a very generous amount if it's a 5-acre lot. It's a tremendous amount of lot coverage for impervious surface – either/or. But if you're conserving the bigger chunk of it and concentrating where the homes are sitting, that would be a real challenge, or a much bigger challenge, to stay at that 10%. Not impossible, but I'd have to – you know, I'm just thinking about it abstractly right now. I'm not looking at a piece of paper and drawing it out and seeing how feasible or not feasible it is. But if it applies to the whole, it's a no-brainer. It's easy. End of talking, right? So it's going to be important to have that question answered for this, to see if it flies or not.

Mr. Gill: So one thought on that is it would apply to the new lots that are developed of the CaRD, not necessarily the original parent lot that the CaRD was created out of.

Commissioner Rose: Right. So when you do a CaRD – let's use 40 acres – is there a – because I've never done one; I haven't looked into it – but is there a lot size, a maximum lot size that – is there a range of lot sizes that you end up with for a total of a certain amount of that whole?

Mr. Gill: There is a range based on whether you have access to water and the type of access you have to water.

Commissioner Rose: Right.

Mr. Gill: But the minimum would be 1 acre.

Commissioner Rose: The minimum lot size is 1 acre?

Mr. Gill: Depending on whether –

Ms. Stevenson: Actually it's the maximum lot size.

Mr. Gill: Yes, thank you. That would be the –

Ms. Stevenson: Unless there's buildings that you have to include. Then you can get it a little bit bigger.

Mr. Gill: Right. It's either one acre or 2.5 acres, depending on whether you have water.

Commissioner Rose: So you can't have a lot smaller than 1 acre if you're doing a CaRD?

Mr. Gill: Well, it depends –

Commissioner Rose: Oh, if you're not on sewer. I see.

Mr. Gill: It depends on the zone – underlying zone – a little bit as well.

Commissioner Rose: I get it. Okay. So 10% is actually not that bad. That's a lot of concrete and asphalt. Because on an acre that would be – what's an acre? 44,000 almost?

Chair Raschko: 43,560.

Commissioner Rose: There you go. So that'd be over 4500 square feet, which is a lot. Yeah. Okay.

Ms. Stevenson: That's a good point.

Commissioner Rose: At least from my perspective it's a lot, but from Joe's perspective it's probably a very little bit.

Commissioner Woodmansee: If I may, if you're on an acre and you build a 3,000-square-foot house, and you want to build a 4,000-square-foot barn, you can't do it if you're at 10% of that acre. Because now you're at 7,000 square feet impervious, right? So it's pretty restrictive. Also take into consideration you just gave up 8 acres out of 10 if you're on a 10-acre parcel. So I think it concerns me to go down to 10% because a 3,000-square-foot house and a 4,000-square-foot barn is not an unreasonable want on an acre that you gave up 8 acres on already, if it applies to

the newly created parcel and it's only 10%. Add in a 2,000-foot driveway. Some of these lots might have a 4,000-square-foot driveway that could never be paved or would have to be impervious – or pervious, I suppose, which is a lot more costly for the homeowner. So I think 10%'s very restrictive if you look at it from the perspective of – if you have an acre, you're typically not – I mean, you're going to want to have – *most* people are going to want to have a shop or a barn or something like that along with, you know, the acre – you know, the – an acre's a little for a horse, I guess. But it seems very restrictive to me.

Ms. Stevenson: So my thought would be in terms of the layout, if somebody came in with a proposal, the open space area would *be* the shoreline area for me. That wouldn't be where your lots would be.

Commissioner Rose: I didn't catch \_\_\_\_\_.

Ms. Stevenson: Oh. I just said if you were designing a CaRD, what you're trying to do is preserve the rural character and if it was in a shoreline jurisdiction the area within shoreline jurisdiction would be the open space area that you were protecting and the lots would be outside of the shoreline jurisdiction basically.

Commissioner Rose: So this 10% is just –

Ms. Stevenson: That would be my recommendation if somebody came in to do something that was part of the property was in a shoreline area – which is what I think we're getting at with these regulations. That if you're going to develop a shoreline lot then you only get to cover so much of it.

Commissioner Rose: So this is just in the – yeah, I sometimes forget that.

Ms. Stevenson: No, I know. It's hard not to.

Commissioner Rose: \_\_\_\_\_ move outside the shoreline and \_\_\_\_\_.

Ms. Stevenson: Because we've had land divisions before where they had created shoreline lots along lakefront, and I said, Well, you get those out of there and put them someplace else and we'll give you this and that and the other thing, and it works out. So we try really hard not to create an issue that's going to be a problem for the development that you're talking about, which we need, and take it off the shoreline, which is kind of what the CaRD is for. It gives you a little more flexibility to identify what you're trying to protect in that area and let the density go someplace else. And you might even get density bonuses for that if you left the shoreline alone and get twice as many!

Commissioner Woodmansee: Is that in the program somewhere?

Ms. Stevenson: That's how it's supposed to work.

Commissioner Woodmansee: So if you had an acre – I still think 10% is very restrictive. If you have an acre that's all on a shoreline – and maybe that's just the configuration of your lot – well, I guess it's newly created.

Ms. Stevenson: Right.

Commissioner Woodmansee: So what happens if you have an acre already and it's not newly created – would you stay at 30%? Is that correct?

Mr. Nickel: Yeah, that's correct.

Ms. Stevenson: Yeah. This is just if you're doing a new development, so that we would be able to take a look at it and make sure, hey, if you're creating new lots you need to make sure that you can make this work with that restriction.

Mr. Gill: And I'd add that the only place you can do a 1-acre lot is in a Rural Village Residential, and I don't think there's any of that zoning within Rural Conservancy shoreline designation. Is that fair to say?

Mr. Nickel: Most likely.

Mr. Gill: Yeah. So it would be Rural Intermediate or Rural Reserve, and if it's Rural Intermediate zoning you can do one per 2½ acres, or if it's Rural Reserve you can only do one per 5. So we're really not looking at even one-acre lots. We're looking at maybe 2½-acre lots. I don't know if that changes anything.

Ms. Stevenson: But not necessarily in a CaRD.

Mr. Gill: No, that *is* a CaRD. That's *with* a CaRD.

Chair Raschko: Okay –

Commissioner Mark Knutzen: I do have a couple questions –

Chair Raschko: Go ahead, please.

Commissioner Knutzen: – if I may. Rural Conservancy environment designation. That's only property that's in the SMP area, correct?

Mr. Nickel: That's correct.

Commissioner Knutzen: Also, the language in c. says “impervious surfaces, which I've – it's common in conservation reserve agreements. On the change recommendations, it says “hard surface coverage.” Is that the same?

Mr. Nickel: Yeah, in the development standards table, we use the term “hard surface” limits.

Commissioner Knutzen: And that's the same as impervious surface. I mean, you're using one set of language in one and one in the other, but it means the same thing.

Mr. Nickel: Yeah. The comments are talking about impervious surfaces, but the way that the code is written it speaks to hard surface –

Commissioner Knutzen: The reason I asked that, some new parking lots they're making in Burlington, it will absorb water. Is that considered impervious or pervious?

Mr. Gill: That is considered a hard surface.

Commissioner Knutzen: That's impervious?

Mr. Gill: In terms of shoreline – or stormwater, that is.

Commissioner Knutzen: Well, it's a parking lot like behind Stowe's behind the railroad in there. It won't puddle. It drains through.

Mr. Gill: Right.

Ms. Stevenson: That's the way our parking lot is out here.

Commissioner Knutzen: It's not like loose gravel, but that is still considered impervious surface.

Mr. Gill: It's not considered impervious. It is considered a *hard* surface.

Commissioner Knutzen: I don't think I want to make a driveway out of that. Is it in the 10% or is it not?

Mr. Gill: That would count against the hard surface limits.

Commissioner Knutzen: Okay. Okay, thank you.

Chair Raschko: Anything else in 14(c)?

(silence)

Mr. Nickel: All right. Moving on into issue 16. I believe this is our last one with a recommended change. It's subcategory (e). This is where the comments were related to looking at predevelopment investigations for areas where archaeological resources are likely to be located. This is, you know, comments from the tribe looking to establish opportunities for early coordination in the review process. We haven't drafted this language yet, but I think it's the intent here to look at trying to establish a way that we can be looking at that early coordination and what that might look like. Because there are – I mean, our shorelines are areas where there's a lot of cultural resources, and I think there's an interest from the tribes to make sure that we are doing what is necessary to acknowledge where those likely are and be able for them to have input – early input.

Chair Raschko: Anything on 16(e)?

Commissioner Woodmansee: I have a question. Do we have a database that identifies these possible areas already in place? Or is it like somebody puts up a concern about a particular action and now – like, is there a footprint that we can know in La Conner and this area we know that this is – you know, has a possibility of being an archaeological area? No?

Mr. Nickel: There *is* information. I mean, the County, I don't believe, has a database.

Commissioner Woodmansee: Okay.

Mr. Nickel: There is a state database that has some of that information. The tribes also have their own, you know, historical information, I think, and that's where I think some coordination is, you know, is a good idea. Because the County may not have that information at their fingertips.

Sometimes the state doesn't even have that information at their fingertips. There is a good database at the state level but it's not always accessible by anybody.

Commissioner Woodmansee: So is the concept to make *any* permit that's in the shoreline go through this archaeological process, review process?

Mr. Nickel: No. That, I don't think, is the intent, but the – I think from the interest of the tribes is to acknowledge that, you know, most of the shoreline areas actually are or were at some point used, you know, for various activities. And so I think from that perspective they have an interest in understanding what development is taking place so they can at least be a part of that process. I don't necessarily think that applies to everything across the board. I mean, some of the feedback we actually received – this is with a different jurisdiction but, you know, one of the comments was – the same issue was coming up, and one of the comments was, you know, We really don't want to see every five-foot addition on a garage. You know, so there's some rational variability in that – right? But if it's a, you know, larger development on the shoreline and, you know, there's certain areas that you can, you know, acknowledge that there's probably likely previous cultural resources or activities there on that shoreline then, yeah, it's probably worth the acknowledgement of that and coordination. So that's why we haven't drafted the language yet, because we haven't really gotten to the point of how do we define that threshold and do we define that threshold. Maybe there's some discretion that the County can take there.

Commissioner Woodmansee: Yeah. And this is in addition to just a SEPA notice. This is actually putting a process in place that somehow identifies a way to prioritize some of these shorelines.

Mr. Nickel: Yeah.

Commissioner Woodmansee: And, I mean, it's not unusual to have to go through this process. We've had to do it in Mount Vernon numerous times and you either find something or you don't – what ends up happening. So, yeah, I'll be interested in seeing how it is. Because my main question is, Is it going to be across the board or is it going to be just an extra notice maybe to the proper people for their, you know, comment back? To a greater extent than just the general SEPA that goes out. Or – excuse me – I was thinking, Are we going to require a whole new report every time somebody submits an application?

Ms. Stevenson: It hasn't come to that, in my experience, yet. They work with folks but in an area where there are some cultural resources along the – especially the marine and the river shorelines – they may prefer that you build slab-on-grade and just cover it rather than excavating for a foundation. So I've seen them do that before where they just said, Yeah, we're okay with it but don't dig around, or if you do, we want to be around and make sure. They'd prefer you just cover it. So they do try to work with us. They've been really good. We had a situation where somebody was putting in some rock riprap along the – and they had to kind of shave the bank back to get the bank – because it was like this. They actually dug into some stuff and the tribal folks came out and helped them with that and sorted it out and worked as a liaison for the landowner and the guy doing the work with the State Department of Archaeology and Historic Preservation. So they've been a pretty good partner and are pretty reasonable, but kind of what they've told us in some of the seminars that I've been to about it here locally is notify us early and notify us often, because we're really busy but we want to know right away. And we'll get with you and do the best we can and help, you know, protect our resource but understand the rights of the people who own the property now. So it hasn't been horrible. Yeah, we've had some instances where we did have to stop for a while and sort it out, but it's been a pretty good process.

Commissioner Woodmansee: Yeah, and my questions aren't as an opposition, just more of an understanding.

Ms. Stevenson: Yeah. No, it's not good when we're going through our whole process to go through shoreline permits and then they come to get the building permit or whatever and somebody shows up and says, What are you guys doing? You know? So it's better for us to be notifying them and getting that conversation started early too.

Chair Raschko: I'd just like to clarify one more thing too. I think we spoke earlier of bringing them into the process early. In my mind, there's two processes. One is in identifying the cultural resource or whatever – identifying whether it's really there or not, and maybe even suggesting ways to mitigate impacts to it, if it happens to be there. The other way I look at the process is the process of approval. And to me that process belongs with the County and not bringing other parties into that. So anyway, is there anything else on this issue?

(silence)

Mr. Nickel: All right.

Chair Raschko: That's it?

Mr. Nickel: I believe that completes the areas of our recommended changes. So I guess at this point –

Chair Raschko: Well, we can continue and go back through the document again on all the issues that were brought up by various people in the public, or we can wait another day to do that. I doubt we'd get all the way through it tonight. What's everybody's feelings?

Commissioner Rose: I vote for –

Chair Raschko: Quitting?

Commissioner Rose: – \_\_\_ it on another day, but –

Commissioner Woodmansee: I'm fine with that. We are missing a couple people.

Chair Raschko: We are missing a couple people. All right.

Commissioner Hughes: One last question. Is this the final response that the Department has, or this is what it is up to now? Some of these that are open you still may come back at?

Mr. Nickel: Yeah.

Commissioner Hughes: Okay.

Mr. Gill: It's also worth noting that there was a matrix provided by Kyle Loring on behalf of a number of environmental consortium groups that we are also working on responses to as well, and you don't have that yet. You have that in your original comment packet, but as far as a response we don't have that for you tonight. So that's coming as well, and that'll all be ready by the next meeting August 10<sup>th</sup>.

Chair Raschko: Thank you. Well, it must have been an awful lot of work compiling this and synthesizing this information, and I appreciate all the effort that went into that and your help with us tonight. So without anything else, then we will move on to the Director's Update. Mr. Hart, please.

Hal Hart: Thank you, Commissioners. I think the first thing we want to touch upon this evening is – Peter will try and bring it up here. But we do want to talk about a potential field trip that would take the Planning Commission out to see some of the exciting growth that is occurring in the county right now. So, Peter, why don't you give your thoughts first on that, if you're ready?

Mr. Gill: Sure. This is an opportunity for the Planning Commissioners that can make it. You only have one meeting scheduled in August, regular scheduled meeting. This field trip or tour, however you want to call it, would happen kind of in the off week, so we're looking at the week of August 22<sup>nd</sup>, possibly on Monday afternoon, which would be the 23<sup>rd</sup>. If that's of interest, maybe put a holder in your calendar and we'll still – there's still a lot of pieces moving around but the idea is to get folks out and have a look at some of the development that is occurring within the Bayview Ridge Urban Growth Area, and look at kind of how some of the regulations that you all pore over every day affect people on the ground. And this would also be a chance to hear a little bit from the Port about some of their planning – future planning projects and some of the work that they have going on up there. Also a chance to hear from someone that's got a petition on the docket that's in front of you as well, and possibly from some neighbors. So, you know, still a lot of moving pieces to look at, but we would try to make this happen in the third week of August.

Mr. Hart: Okay. Let's go to the current projects. Let's just do one slide here at a time. So a few weeks back I gave you a project list and now we can add Paccar. Paccar has begun their long-awaited expansion that we permitted a couple of years back and then they put it on hold. I just looked at the Paccar website for jobs. They have 32 jobs open up at the technical facility since June 30<sup>th</sup>, so they're busy. And they have another 30 or so, I think, going to – I mean, they're hiring all over the world. One of their big problems has been – and they've told us extensively about this – is bringing in engineers from the Midwest, because that's where the auto engineering, you know, world is for them, and coming to this region. And housing is, you know, exceedingly tight. So I think that will be a big issue for all of the folks on this list.

So Legends is doing an expansion. Amazon is moving in and I looked at that and they were saying – I'll confirm this, but what I saw on the SEPA – State Environmental Policy Act – information that they gave us, it was 200 employees. But they could have meant that going through – 200 employees per shift. I'm not quite sure if it's per shift or if that – it said 200 employees. But they do have over a thousand parking stalls that they're – that they have out there, so they can grow over time as well. So with that there's going to be a lot of growth.

In addition, the Heritage Flight Museum, while there's only 7½ people on their SEPA, when you look at that, that are full-time – and there's lot of volunteers and stuff – they do think that by doubling the size of the Heritage Museum they'll increase – and not really significantly, but it's a good way to think about it – when they double the size, they'll increase the number of people that come to visit. And so that affects your roads. That affects parking. That affects other things too.

Next on the list is additional commercial hangars. So there's a lot of impervious space, obviously, or *more* impervious, I suppose. Those structures will mean more activity at the Port as well. So one of the things we should probably bring back to you at some point – I took a quick look at it today – and that was the Port master plan. And even just an executive summary, it says how busy they're going to get over the next 20 years, and so how many flight operations will be increasing.

So they're on that path to increase the operations, increase activity at the Port, so that will be interesting to watch as well.

We are adding a rendering plant, which is a small plant actually, but it's supportive of the agricultural economy. We have two seed companies that are also expanding right now up there, and you can see the steel up. It's kind of pretty exciting to see Sakata Seed doing their lab right now. And the steel is going up so, you know, catch it now so you can see what it's going to look like.

Westland. We've talked about Westland. They are back in. So they are planning a total of 13 rack houses. They've only built two. They just came back in for the third one. A rack house is where they store the whiskey. So they have – we have a picture of that in here. I think if we go down, I think it's the last one. Go ahead and scroll through. Yeah, there you go. So the thing to note there – so on the left you'll see the rack house and then on the right – you know, one of the things that's being built right now and that's the point of the picture on the right, is the stormwater facility. So affecting stormwater policy is a big deal. And so in this case you'll see those pillars that sit in the middle. So what they're doing is they're taking the water and they're trying to – you know, the soils aren't very good here, so what they're trying to do is take the water and put it deeper into the ground. So I think this is going something like 118 feet down so that's where the water will go in that case. So there' unique engineering solutions that people are trying to find based on soil conditions, based on geography, and that's the solution in this case. I'm hoping that that one – I'll have to go back and look and see if that is the complete basin that they're creating for all 13 rack houses. That was a question I had when I saw the picture.

Here's – yeah, I left a few under Future Projects to go back to. So a 20-year planning horizon, the number is expected to grow, so flight operations going to grow to 189 based aircraft operations and 50,900 annual operations. The recommended concept shows a runway also expanding to a length of 7,000 feet. So you'll see these projects coming up. And we've seen these all throughout Puget Sound over time where they're expanding runway operations similar to this, here as well. So lots of change coming up there. We do expect more projects in the relatively near future.

Yes, sir?

Commissioner Knutzen: I have a question. When Westland's distillery bought the piece of ground where they're building those rack houses, my understanding is they also proposed building a distillery and an event center south of that, which would be just north of Sakata's. And I don't think anything's happened so far on that. Do you know the status of that?

Mr. Hart: That's a great question. I keep asking the stats on that too. And I don't think – you know, I know they've dispersed their other projects like the bottling plant to other buildings up there, but they are not right next to Sakata, as far as I know at this point. Just, you know, I think we have to wait and see. That'll have a significant tourism draw and that would also change traffic patterns, I think, in the area too, if people were coming up to visit from distances. But there are other breweries up there now and things like that, so it wouldn't be the only one.

Chair Raschko: Are there other questions?

Mr. Gill: I've got one more announcement that's probably worth it. The final day for any Comprehensive Plan amendments for next year's docket is July 31<sup>st</sup>. So this is about the last week to get any of those Comp Plan amendment applications in to the Department, for anybody out there that's watching.

And then on a separate note, just to let you know on schedule, which is what I try to do during this minute, is to know we're hoping to get to deliberation on the Shoreline Program in September and then back to the docket end of September/October. And that's kind of the schedule from here. The next meeting is August 10<sup>th</sup>.

Chair Raschko: Thank you. No questions or comments?

(silence)

Chair Raschko: Well, thank you, Dan. We'll move on to Planning Commissioner Comments and Announcements. So Commissioner Candler, are you with us?

Vice Chair Candler: I am! I appreciate the Department's hard work on all those comments. I think it kind of helps to organize them. And obviously, I always appreciate all the hard work by the Commissioners. I think the questions tonight were great. Other than that, I don't have anything. Thank you.

Chair Raschko: Thank *you*. Commissioner Henley, have you anything?

Commissioner Henley: I have nothing at this time.

Chair Raschko: Thank you. Commissioner Rose?

Commissioner Rose: I have nothing. Thank you.

Chair Raschko: You're welcome. Commissioner Hughes?

Commissioner Hughes: I'll just add thank you for all the work on the SMP. This was a *lot* to look at.

Chair Raschko: And I'd like to second that. Commissioner Knutzen?

Commissioner Knutzen: No, I have nothing. Thank you.

Chair Raschko: And Commissioner Woodmansee?

Commissioner Woodmansee: I would say thanks for all the hard work, but I'd also say thanks for having a meeting where we could get together. Oh, yeah. Notwithstanding the mask, I appreciate the ability to get together.

Chair Raschko: Thank you. So I'd just like to say the same. It was really nice seeing everybody and meeting some people for the first time. So with that, I wish everybody to have a good evening, a good night, and we'll stand adjourned (gavel).