

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Monday, April 15, 2013 8:23 AM
To: Dale Pernula; Debra L. Nicholson; KirkJohnson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Sunday, April 14, 2013 10:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Christie Houston
Address : 9594 Flagstaff Lane
City : LaConner
State : WA
Zip : 98257
email : harrah@gotsky.com
Phone : 3604661858

PermitProposal : Anacortes UGA expansion Comments : I am a concerned Skagit County resident and I oppose any move to increase train traffic in our community that will impact ambulances, fire trucks, and all other commerce,including my own personal travel within the county train tracks.

Our train system connection are to small for so much commercial use.

I encourage you to oppose the city of Anacortes request for moving the property on Reservation and Stevenson road into light industrial.

Thank You

From Host Address: 184.21.245.190

Date and time received: 4/14/2013 9:57:25 PM

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Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Friday, April 12, 2013 4:29 PM
To: Dale Pernula; KirkJohnson; Debra L. Nicholson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 12, 2013 3:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Tracy Hoyt
Address : 986 SW Orcas ST
City : Oak Harbor
State : WA
Zip : 98277
email : tracyhoyt@comcast.net
Phone : 3606725038

PermitProposal : ANACORTES UGA EXPANSION PROPOSAL

Comments : Skagit County has erroneously classified the Anacortes UGA Expansion proposal as a ?non-project? application, which means Skagit County will evade its responsibility to consider the immediate and long-term impacts of the huge Tethys bottling facility? A non-project process will deprive Skagit County residents of the right to participate in a massive development with countywide adverse impacts, which will affect Skagit County residents for generations to come.

From Host Address: 24.18.0.196

Date and time received: 4/12/2013 3:41:01 PM

204

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 16, 2013 8:18 AM
To: Dale Pernula; KirkJohnson; Debra L. Nicholson; GaryChristensen
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]

Sent: Monday, April 15, 2013 4:30 PM

To: Planning & Development Services

Subject: PDS Comments

Name : Betsy S. Humphrey

Address : 13670 Slice St

City : Anacortes

State : WA

Zip : 98221

email : betsy.s.humphrey@gmail.com

Phone : 360 299 0702

PermitProposal : CPA-PL-12-0258

Comments : I attended the Board of Commisioners public hearing on April 9 and was very impressed w/ the commisioners as they carefully listened to 50 plus comments. I would like to voice my concern on first the traffic issues that would incur if a large plant was to be put on the corner of Reservation Rd and Highway 20. It is already extremely busy being the only way into Anacortes, the San Juan Islands and Whidbey Island. I am concerned about the wildlife on Smilk Bay and the pollutants they could be exposed to. I am concerned about the noise and light pollution that would be devastating to this beautiful rural setting and lifestyle.

From Host Address: 24.113.228.96

Date and time received: 4/15/2013 4:29:49 PM

2-05

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 16, 2013 10:02 AM
To: Debra L. Nicholson; Dale Pernula; KirkJohnson; GaryChristensen
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [<mailto:website@co.skagit.wa.us>]
Sent: Monday, April 15, 2013 11:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Roberta Hutton
Address : 11135 O Ave
City : Anacortes
State : Wa
Zip : 98221
email : rahutton5@msn.com
Phone : 360-293-6429

PermitProposal : Anacortes UGA expansion proposal Comments : Skagit County has erroneously classified the Anacortes UGA Expansion proposal as a ?non-project? application, which means Skagit County will evade its responsibility to consider the immediate and long-term impacts of the huge Tethys bottling facility!

? A non-project process will deprive Skagit County residents of the right to participate in a massive development with countywide adverse impacts, which will affect Skagit County residents for generations to come!

From Host Address: 192.182.139.223

Date and time received: 4/15/2013 11:41:11 AM

Rob

April 10, 2013

Skagit County Board of County Commissioners
1800 Continental Place, #100
Mount Vernon, WA 98273



Dear Commissioners Dahlstedt, Dillon, and Wesen:

RE: PL 12-0258: Anacortes UGA Expansion Application

I was unable to attend the hearing about the proposed UGA Expansion area for the City of Anacortes, but I would like to submit some comments for the record. I am opposed to this expansion for several reasons.

I believe Anacortes' proposed expansion is being miss-classified as "non-project specific" when references to Tethys Enterprises comprise a significant portion of the City's application. Tethys paid the application fee and has publicly stated its intent to develop this land for a bottling plant.

It is my understanding that once a non-project specific application has been approved, the City can then decide to do what it likes with the property without further public input. I am opposed to the Tethys bottling plant, and I want to be able to voice my concerns as part of a public process. The proposal for UGA expansion seemed to happen quickly and without much public knowledge. Therefore, I hope that you either refuse outright the City's application for the property or that you will change it to "project specific," so that a detailed development plan will be required and a public process can occur.

An operation of this size and scope will affect everyone, not just residents of Anacortes. A key part of the project, without which it cannot function economically according to Tethys representatives, involves trains and a rail yard. The trains coming and going from the Reservation Road area will produce traffic congestion, noise, and pollution severely impacting not only those who live in that area, but also all those driving to and from Anacortes, Whidbey Island, and the San Juans, residents and tourists alike. This site is simply not appropriate for such a huge enterprise.

I am also deeply concerned about the environmental impacts of the proposed bottling plant. We tout ourselves as a recreation destination and 'getaway' for tourists, yet a development of this scale would only degrade the natural beauty and quiet of our island and surrounding area.

Please allow for future public input on this matter. Please refuse to docket the City of Anacortes's application to expand its Urban Growth Area.

Respectfully yours,

A handwritten signature in cursive script that reads "Anne E. Jackson".

Anne E Jackson
1111 14th St.
Anacortes Wa 98221

cc: Linda Hammon

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cc: Hammons

Allen and Kathleen Jett
Post Office Box 671
Anacortes, Washington 98221

April 15, 2013

Skagit County Board of Commissioners
c/o Linda Hammons
1800 Continental Place
Mount Vernon, Washington 98273

Re: City of Anacortes (PL12-0258) Proposal To Expand
Its Urban Growth Area

Dear Commissioners:

We would like to express our agreement with and support of all of the written documents and oral testimony submitted by Evergreen Islands' members in the above-referenced matter.

Additionally, we strongly encourage you to carefully review this flawed, inaccurate (and in our opinion fraudulent) application by the City of Anacortes, and deny docketing.

We request that you give this Application the same consideration we and you continue to give to preserving the County's rural land regardless of where it is located in the County.

Thank you for your consideration in this matter,

Sincerely,

Allen and Kathleen M. Jett

/kj

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cc: Hammons

16004 Snee Oosh Road
La Conner, WA 98257
April 11, 2013

Skagit County Board of Commissioners
1800 Continental Place
Mount Vernon, WA 98273

Attention: Ron Wesen

We would like to go on on record as being strongly opposed to the proposal to annex 11+ acres of County land to Anacortes' urban growth area. Our view is that this would be harmful to the environment and have serious negative consequences for the citizens of the Skagit Valley. It is doubtful that any benefit would result from such action, and we urge you to vote against this petition.

Sincerely yours,

Sonia Kazanjian
Sonia Kazanjian

Walter Spangenberg
Walter Spangenberg

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Debra L. Nicholson

From: debi kelly <debihenry@wavecable.com>
Sent: Sunday, April 14, 2013 12:51 PM
To: Commissioners
Subject: RE: Land use changes in Skagit near Anacortes

Dear Commissioners,

My husband and I are residents of the area referred to as "rural" outside of the city limits of Anacortes. The decision to live outside of Anacortes was a deliberate one, as , in our opinion, there are NO advantages to live in that little town.

My husband works in Sedro Woolley and has to drive through the area that will be impacted by the changes proposed (aka bottling plant) almost daily. The traffic in the area is congested and slow on many occasions and we have no reason to feel that anything will improve by adding more traffic, trains, etc. to the area. This area is not equipped to handle such a project. It's hard to imagine that any project of that magnitude could be accomplished without a greater impact to those who travel the area on a regular basis.

This also concerns me because of Anacortes' "land grab" attitude. As mentioned above, our choice was to live in this area and seeing the lack of leadership in Anacortes, we are concerned that sometime in the future, they will also try to incorporate our area into the city for their tax base. This will not be in the best interest of the residents of this rural area.

We hope you will take our comments under advisement when making your decision. I have tried to keep these comments pertinent to your consideration of the issue, but must say that this project is a horrible idea for this area. We are completely against it on ALL levels.

Thank you for the opportunity to voice our opinions.

Debi and Henry Kelly
6807 A Gibraltar Pl
Anacortes, WA 98221
debihenry@wavecable.com
360-630-5500

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Friday, April 12, 2013 4:28 PM
To: Dale Pernula; KirkJohnson; Debra L. Nicholson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 12, 2013 4:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kristen Keltz
Address : 301 W Kincaid Street
City : Mount Vernon
State : Washington
Zip : 98273
email : kristenw@mountvernonchamber.com
Phone : 3607709951
PermitProposal : Anacortes UGA

Comments : Please allow the Anacortes UGA Expansion request to go forward. It's widely acknowledged that there is not enough industrial land in the City of Anacortes. They truly need a zoning map that makes sense. There's a "hole" in the UGA and future economic development of land surrounding the acreage in question will be severely impacted until the "hole" is filled. Anacortes has been working to get this right for a long time. The 1999 annexation of South March Point was planned with infrastructure capacity for industrial build-out, with more than adequate capacity of all the required public services to support industrial use. This request meets all of the established criteria to qualify for docketing. I urge you to allow this long and complicated process to go forward. Thank you.

From Host Address: 75.151.112.110

Date and time received: 4/12/2013 3:56:53 PM

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Monday, April 15, 2013 8:38 AM
To: Debra L. Nicholson; Dale Pernula; KirkJohnson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Saturday, April 13, 2013 9:10 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Monique Kirby
Address : 146 Treehill Loop
City : Eugene
State : OR
Zip : 97405
email : mkirby@organicgrown.com
Phone : 541-731-2325

PermitProposal : City of Anacortes (PL12-0258) proposal to expand its Urban Growth Area (UGA) Comments : I. The Anacortes UGA Expansion Application is NON-PROJECT SPECIFIC.

A. The County Staff Has Erred When Says the UGA Expansion is NON-PROJECT

B. If the County deems that the current Anacortes UGA Expansion petition is a non-project process and not about Tethys, the UGA expansion application is fatally flawed because the city's application to the county is specifically about a specific development proposal. C. The Anacortes UGA Expansion Petition must not be docketed until the 2014 Full Comprehensive Plan Update.

II. 2014 Full Comprehensive Plan Update

A. This proposal should be docketed in the 2014 Full Comprehensive Plan Update.

B. Incomplete Proposal

1. Shoreline Jurisdictional Conflict

a. Difference between City and County shoreline protections.

2. Acreage Required for the huge Tethys Rail yard not accounted for.

A. Sets bad precedence

1. Statewide impact

2. Encourages spot zoning.

3. Ship Harbor's nondevelopable wetlands (25 acres) is zoned Commercial Marine, which could potentially be swapped.

4. Skirts the requirement to GMA requirement to demonstrate need.

5. Municipalities would not require be to justify their UGA expansion.

a. Population Forecasts

b. Acreage Calculations.

B. Anacortes City Council Bypassed the Required Comprehensive Planning Processes for Zoning Changes

1. The City Council opened the Public Comment period for 1minute after announcing the proposed zoning swap.

2. The City Council needs to complete the Comp Plan Amendment required for the zoning swap before the County can proceed with its Comp Plan Amendmet

IV. The UGA Application had not been formally revised.

A. The Original Application Contains the Tethys Language (32%) and the Samish Language (39%),for a total of (71%).

B. Under the subheading Amended Proposal (p.35),the Hovee Supplemental Information switches from the proposed Samish zoning swap to the Fidalgo Bay zoning swap without mentioning that they are amending the Samish zoning swap?

C. The frontispiece (E.D. Hovee letter to Gary Christensen) of the Hovee Supplemental Information states,?The proposal is not specific to any individual potential user but would be applicable to any future use of the subject property consistent with the proposed redesignation from Rural Reserve (RRv) to Anacortes Urban Development (A-UD) comprehensive plan and zoning designation under Skagit County jurisdiction and associated City of Anacortes Light Manufacturing (LM1) designation.? The letter makes no mention of amending the Tethys language in the original application.

D. The Hovee Supplemental Information (p. 35) does state the following:

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1. Amended Proposal. With this supplemental information package submittal, the City is proposing to convert four parcels totaling 16.57 acres from LM1 to P (public use) during the City of Anacortes annual Comprehensive Plan amendment cycle.

E. When the County asked the City for supplemental information, the County did not ask the City to amend the Tethys and Samish language, but the City took advantage of the County's request to exorcise the problematic language in a deceitful maneuver.

F. The County and the City have colluded to ignore 72% of the language in the original application. By all rights, the County should have demanded that the City retract their petition and resubmit the following year or better yet in 2014.

G. Since 71% percent of the language in the original UGA Application has been changed, the original application should be withdrawn and a revised application should be submitted for the 2014 Full Comprehensive Plan Update.

V. Turners Bay Estuary

A. Jurisdictional Conflicts (Ross Barnes)

1. Skagit County Shoreline Master Program shoreline protections.
2. City of Anacortes Shoreline Master Program shoreline protections

B. Recently Restored Estuary at \$670,000

- A. Land Requirement Was Never identified
- B. Complete Site Plan never presented.

C. In small print, Figure 13 of the original application includes a note that states, "Some Rail Service and Staging Areas May Extend an Additional 700 +/-." The additional 700 is required for the rail yard needed to accommodate up to four 100-car unit trains unit trains that are nearly 1-1/2 miles long.

UGA Application IS a Project Specific Application

A. Detailed Development Proposal Required for Rezone Application

1. Rural Reserve (RRv) to Anacortes UGA Development District (A-UD)

B. Always Been About Tethys from the get go

1. Tethys paid the application fees for the UGA Expansion Application

2. Tethys paid the application costs for the E.D. Hovee Response to the County.

C. Anacortes Staff Reports Mention Tethys as Justification for the UGA Expansion in Four

From Host Address: 63.155.186.116

Date and time received: 4/13/2013 9:08:28 AM

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Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Thursday, April 11, 2013 9:47 AM
To: Dale Pernula; KirkJohnson; Debra L. Nicholson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, April 11, 2013 9:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Keri Knapp
Address : 1310 11th St
City : Anacortes
State : WA
Zip : 98221
email : abundanceforall@frontier.com
Phone : 360.293.7922
PermitProposal : PL12-0258
Comments : Dear Skagit County Planning & Development Services,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

There are some who are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles. Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,
Keri Knapp
Anacortes, WA

From Host Address: 50.47.230.76

Date and time received: 4/11/2013 9:30:23 AM

Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Wednesday, April 10, 2013 8:44 AM
To: Debra L. Nicholson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, April 09, 2013 12:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Friederike (Ricky) Knue
Address : 20152 English Road
City : Mount Vernon
State : WA
Zip : 98274
email : rickyknue@gmail.com
Phone : 360-445-3271

PermitProposal : Anacortes UGA Expansion hearing, April 9 Comments : Since I am not able to attend the meeting (I have no voice-a head cold), I wanted to send you this letter for your consideration in advance of the hearing. I understand now I need to submit it via the Skagit webmail. This has really been an interesting ride, finding a way to have a voice in this process. I entitled this letter to save on my desktop ?For the Children?. All too often decisions are made without thinking of children. Their happiness. Their preferred futures. It?s not always about stuff and things. Jobs are not often high on their list. What are we going to leave to them and to their children?

TO: Commissioners Dahlstedt, Wesen, and Dillon RE: April 9, 2013 Anacortes UGA expansion hearing This letter almost wasn?t written and submitted, silencing my voice. If you can imagine, my elected officials, I was told if my letter was too long, you would not read it. Wow! When did writing thoroughly to be heard become a liability? I was also told that if I submitted my letter too early in the process, it would not be admitted into the record for the hearing date of April 9. When was being prompt a liability? I teach high school. I deal with apathy and procrastination on a regular basis. What these rumored ?rules? imply is that my input is of no value to this decision making body. Really? Let me first say thank you for the additional time you each put in to accomplish the many things you have to do to fulfill our trust in you, as an elected official. I know how difficult it is to juggle the rigors of home life, successful career, healthy relationships, and important quiet time in order to be calm and think with clarity, and I hope you know we all appreciate your efforts. It is tough.

Let me say, secondly, that what you have before you concerning Anacortes? request to expand their UGA means, at least to me, that you have to weigh between what you know about the law and what they believe is best for their community. This is a very tough decision. (Mayor Maxwell said this to me. He hoped that I also made sure students know it is hard to have to make the tough decisions, and I do.) Now, let?s see if I can make the decision easier for you, by pointing out something I have learned over all these years of working with students. Children deserve better from adults. Children deserve a balanced approach to the decision making processes in this county. All too often the land is viewed as a commodity only, not a living entity with extraordinary resource value beyond the tax dollars it can bring to cities? budgets. Children deserve a clean and vibrant environment, and an opportunity to raise their eventual families with a focus to outdoor activity and open space habitat. ?Resources and wildlife have been around for millennia. The idea that we have to manage these is ridiculous. What we have to manage is us.? The Nature of Things. Children need to feel adults value them. Period.

My concern is that the rich environment all our ancestors found in this beautiful county will be so systematically whittled down that our children's children will be given an assignment in school to read about its richness in only local historical record, instead of being personally experienced. That prospect saddens me. The decision before you as I see it is to take acreage presently ideally suited as a tremendous filter and reservoir which renews a beautiful estuary, an investment in our children's future by building and maintaining habitat for the promise of enhancing a sacred species, and turn it over to within the borders of a city which underutilizes the current light manufacturing designations it has. Just because the city can file this expansion request by following the proper guidelines doesn't mean you need to allow it. Take a stand for our children. Do the right thing. Leave a legacy. It is always the tough thing to do.

Sincerely, Ricky Knue
?what we have to manage is us.

From Host Address: 169.204.230.202

Date and time received: 4/9/2013 12:51:02 PM



April 9, 2013

Skagit County Board of County Commissioners
1800 Continental Place, #100
Mount Vernon, WA 98273

Dear Commissioners Dahlstedt, Dillon, and Wesen:

RE: PL 12-0258: Anacortes UGA Expansion Application

I was unable to attend the hearing this evening about the proposed UGA Expansion area for the City of Anacortes, but I would like to submit some comments for the record.

First of all, I know we are not supposed to comment on the Tethys project specifically, but how can this proposal can be considered "non-project specific" when references to Tethys Enterprises comprise a significant portion of the City's application and when Tethys paid the application fee? It is my understanding that once a non-project specific application has been approved, the City can then decide to do what it likes with the property without public input. If this is the case, then public input is essential for a massive bottling plant that will affect our area forever. Therefore, I hope that you either refuse outright the City's application for the property or that you will change it to "project specific," so that a detailed development plan will be required and a public process can occur.

Second, an operation such as Tethys is proposing will affect everyone, not just residents of Anacortes. A key part of the project, without which it cannot function economically according to Tethys representatives, involves trains and a rail yard. The trains coming and going from the Reservation Road area will produce traffic congestion, noise, and pollution severely impacting not only those who live in that area, but also all those driving to and from Anacortes, Whidbey Island, and the San Juans, residents and tourists alike. Not to mention the additional traffic bottlenecks in Burlington and Mount Vernon from trains passing through. (And it looks like we are already going to have more trains for the refineries...) This site is simply not appropriate for such a huge enterprise.

The City of Anacortes staff, the mayor, the Chamber of Commerce and local businesses have all worked hard over the years to make Anacortes an environmentally friendly, attractive place to live and visit. We all would like to see more jobs and stimulate the economy, but not if it means constructing a facility of such a mind-numbing scale at that location. How can the mayor and the Chamber of Commerce be supportive of something like this all in the name of jobs? There should be many smaller, greener enterprises out there that would love to relocate or start up in Anacortes—let's work together to try to encourage them instead.

Well, my three minutes are up! Thank you for your consideration.

A handwritten signature in black ink that reads "Rae Kozloff".

Rae Kozloff
PO Box 463
Anacortes, WA 98221

cc: Linda Hammon

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Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 16, 2013 9:59 AM
To: Debra L. Nicholson; Dale Pernula; KirkJohnson; GaryChristensen
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [<mailto:website@co.skagit.wa.us>]
Sent: Monday, April 15, 2013 3:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dale LaCross
Address : 5158 Edens Road
City : Anacortes
State : WA
Zip : 98221
email : dalelacross@yahoo.com
Phone : 360/293-3718

PermitProposal : Anacortes UGA extension Comments :

Extend the urban growth area of Anacortes for a plant that would produce thousands of polluting plastic bottles and a mere handful of jobs? Is that the kind of growth management our planning officials really advocate? Please say no!

From Host Address: 69.7.56.45

Date and time received: 4/15/2013 3:22:22 PM



ANACORTES PLANNING, COMMUNITY & ECONOMIC DEVELOPMENT DEPT.

(INCLUDING BUILDING DEPARTMENT)
P.O. BOX 547, ANACORTES, WA 98221-0547
RYAN C. LARSEN, DIRECTOR

PH (360) 299-1943
FAX (360) 293-1938

April 15, 2013

Board of County Commissioners
1800 Continental Place
Mount Vernon, WA 98273



cc: Hammons

Dear Commissioners:

This letter is intended to respond to several of the comments that were received during the public hearing on April 9, 2013 regarding docketing of the City of Anacortes' UGA expansion proposal.

Several questions regarding the ownership and size of properties proposed for redesignation/rezoning by the City in the supplemental application materials were raised. The properties are identified for potential redesignation from Light Manufacturing 1 (LM1) to Public (P) due to their current unsuitability for urban development based on environmental and other constraints. While the City is ultimately responsible for a comprehensive plan map amendment and rezone within the City limits and that other property could be identified for this purpose in the future, a potential area for redesignation was identified in the supplemental materials to provide better context for the overall expansion proposal.

The following responses are offered for clarity:

- Ownership and size of Parcel 19929. Skagit County Assessor records indicate that Parcel P19929 is owned by the Washington State Department of Transportation (WSDOT) and is 7.92 acres in size. The City's supplemental application material (p. 36) identified the parcel size as being 10.80 acres. Subsequent correspondence with WSDOT, has clarified that the property is approximately 7.92 acres in size. It should be noted that WSDOT did wetland mitigation on this site which consisted of 5.95 acres but the entire site is 7.92 acres in size.
- Size of Parcel P19931. When the City initially reviewed the Skagit County property records available on the Assessor's website, P19931 was depicted as having a total area of 4.68 acres. The mapping information has recently been revised on the Assessor website, which now lists an area of 0.65 acres for P19931 and shows an area previously included as part of P19931 as being a separate parcel ("no legal found") There is currently no parcel number or ownership information listed for this parcel on the County web-site. However, in conversations with both WSDOT and DNR, the "no legal found" parcel (the parcel between P20007 and P19931) appears to be owned by DNR and consists of approximately 4.03 acres.

2/2/2

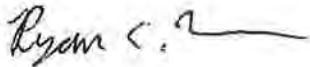
- Overall area. According to the Assessor's data, the sum of the acreage of the parcels with assigned parcel numbers is 10.24 acres (County Assessor data attached). However, the proposal also includes the parcel described above ("no legal found"), which no longer has an assigned number or acreage. The City's GIS mapping department estimates the parcel is approximately 4.03 acres in size. The overall area for potential redesignation is depicted (shaded in blue) on P. 36 of the supplemental report. The parcels and revised total area proposed for redesignation are shown below:

Parcel Number	Owner	Acreage
P20007	State of Washington -- DNR	0.98
Unknown	State of Washington -- DNR	4.03
P19931	DOM-LE Properties, LLC	0.65
P19930	Skagit County	0.69
P19929	State of Washington -- WSDOT	7.92
	Total Land Area	14.27

- Ownership of the "unknown" parcel. Since the changes identified above have been made to the Skagit County Assessor data, there is no longer an owner listed for this parcel. Based on recent correspondence with WSDOT and DNR, it is likely that the property is owned by DNR.
- Ownership of Parcel 19920: P19920 was mistakenly listed in the table on P. 36 of the supplemental materials due to a typo. The correct parcel number is P19929, which according to Skagit County Assessor data, is owned by WSDOT and is included as part of the City's proposal.
- Contact with property owner. The City had made contact with the property owner of Parcel 19931 and not their legal counsel, prior to the April 9, 2013 public hearing.

The City trusts that the information presented above addresses the minor technical issues identified at the public hearing by a few individuals.

Sincerely,
CITY OF ANACORTES



Ryan C. Larsen, Director
Planning, Community & Economic Development

Attachment: Skagit County Assessor Parcel Detail for parcels P20007, P19931, P19930, P19929

cc: Skagit County Planning and Development Services

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Skagit County Assessor Parcel Details

Parcel Number	XrefID	Quarter	Section	Township Range
P20007	340205-0-047-0008	02	05	34 02

Owner Information

STATE OF WASHINGTON & DEPT OF NATURAL RESOURCES
 AQUATIC RESOURCES DIVISION
 PO BOX 47027
 OLYMPIA, WA 98504

Site Address (es)

Location Map

[Locate this Parcel on iMap](#)
[Assessor's Parcel Map: PDF | DWF](#)

2012 Values for 2013 Taxes

Building Market Value	\$.00
Land Market Value	+\$100.00
Total Market Value	\$100.00
Assessed Value	\$100.00
Taxable Value	\$.00

[View Value History](#)

Exemption

Sale Information

Deed Type WARRANTY DEED
 Sale Date 12/20/1999
 Sale Price \$275,000.00
[View Sales History](#)

2013 Property Tax Summary

2013 Taxable Value	\$.00
General Taxes	\$.00
Special Assessments/Fees	
Total Taxes	\$.00

[View Tax Statement](#)

Legal Description Definitions

(0.9800 ac) (CONSERVATION EASEMENT)ANACORTES TDLNDS TR 9 PL 13 LESS TR TO STATE

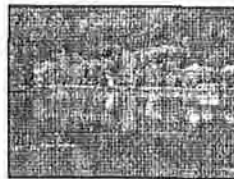
Land Use (930) WATER AREAS
Neighborhood (11TIDE) ALL COUNTY TIDELANDS
Utilities

[WAC 458-53-030](#)

[Septic Information](#)

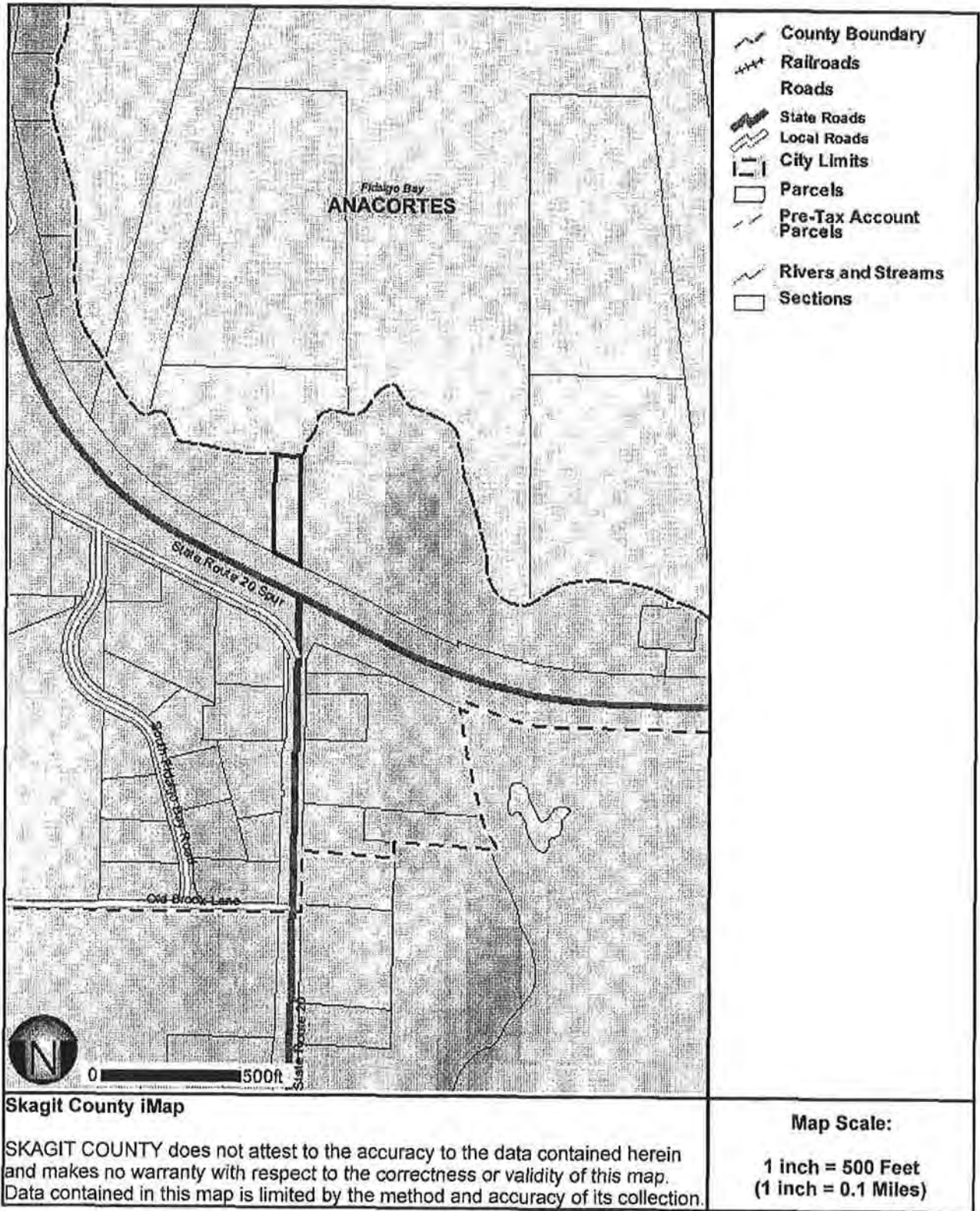
Levy Code 0900
City District Anacortes
School District SD103
Fire District
Year Built
Acres 0.98
Living Area
Bedrooms
Appliances
Exemptions State Owned

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace



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Skagit County GIS Map



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Skagit County Assessor Parcel Details

Parcel Number	XrefID	Quarter	Section	Township	Range
P19931	340205-0-002-0001	02	05	34	02

Owner Information
 DOM-LE PROPERTIES LLC
 5475 PRESERVE DR
 GREENWOOD VILLAGE, CO 80121

Site Address(es)

Location Map

[Locate this Parcel on iMap](#)

Assessor's Parcel Map: [PDF](#) | [DWF](#)

2012 Values for 2013 Taxes

Building Market Value	\$.00
Land Market Value	+\$4,400.00
Total Market Value	\$4,400.00
Assessed Value	\$4,400.00
Taxable Value	\$4,400.00

[View Value History](#)

Sale Information

Deed Type QUIT CLAIM DEED
 Sale Date 12/18/2003
 Sale Price \$.00
[View Sales History](#)

2013 Property Tax Summary

2013 Taxable Value	\$4,400.00
General Taxes	\$42.62
Special Assessments/Fees	
Total Taxes	\$42.62

[View Tax Statement](#)

Legal Description Definitions

(0.6500 ac) LT 3 N & E OF CO RD & E OF A LI PLW & 95FT W OF E LI SD LT LESS ST HWY

Land Use (110) HOUSEHOLD SFR OUTSIDE CITY [WAC 458-53-030](#)

Neighborhood (200) NO/LOW BANK <15'; NO IMPROVEMENTS

Utilities

[Septic Information](#)

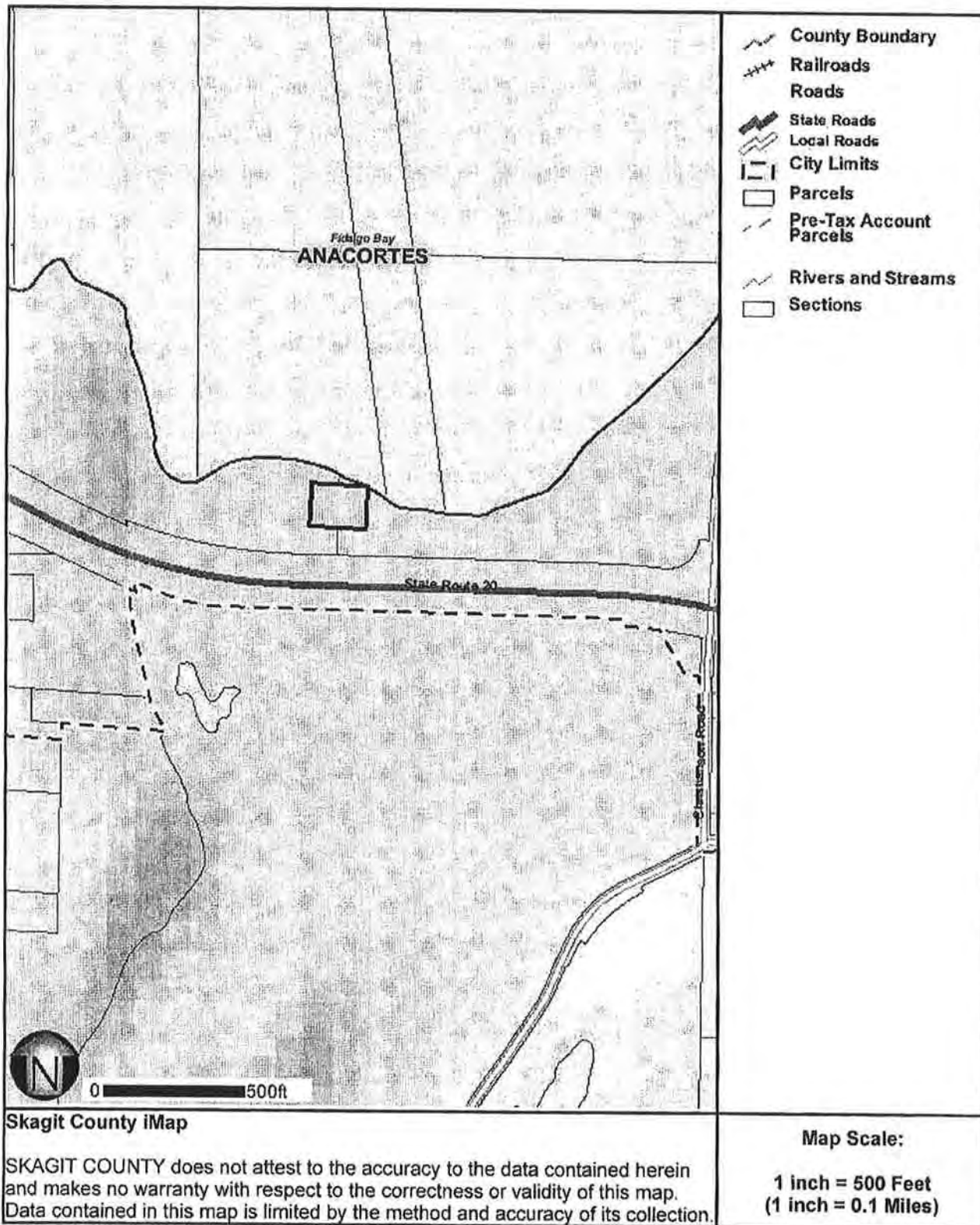
Levy Code 0901
City District Anacortes
School District SD103
Fire District
Year Built
Acres 0.65
Living Area
Bedrooms
Appliances
Exemptions

Foundation
Construction Style
Exterior Walls
Roof Style
Roof Covering
Floor Construction
Plumbing
Heat-AirCond
Fireplace



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Skagit County GIS Map



Skagit County iMap

SKAGIT COUNTY does not attest to the accuracy to the data contained herein and makes no warranty with respect to the correctness or validity of this map. Data contained in this map is limited by the method and accuracy of its collection.

Map Scale:

1 inch = 500 Feet
(1 inch = 0.1 Miles)

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Skagit County Assessor Parcel Details

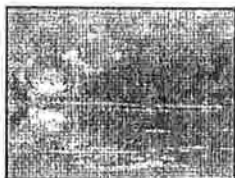
Parcel Number	XrefID	Quarter	Section	Township Range
P19930	340205-0-001-0101	01	05	34 02

Owner Information	Site Address(es)	Location Map
SKAGIT COUNTY 1800 CONTINENTAL PL MOUNT VERNON, WA 98273		Locate this Parcel on iMap Assessor's Parcel Map: PDF DWF

2012 Values for 2013 Taxes	Exemption	Sale Information	2013 Property Tax Summary
Building Market Value	\$.00	Deed Type	2013 Taxable Value \$.00
Land Market Value	+\$9,300.00	Sale Date	General Taxes \$.00
Total Market Value	\$9,300.00	Sale Price \$.00	Special Assessments/Fees
Assessed Value	\$9,300.00	View Sales History	Total Taxes \$.00
Taxable Value	\$.00		View Tax Statement
View Value History			

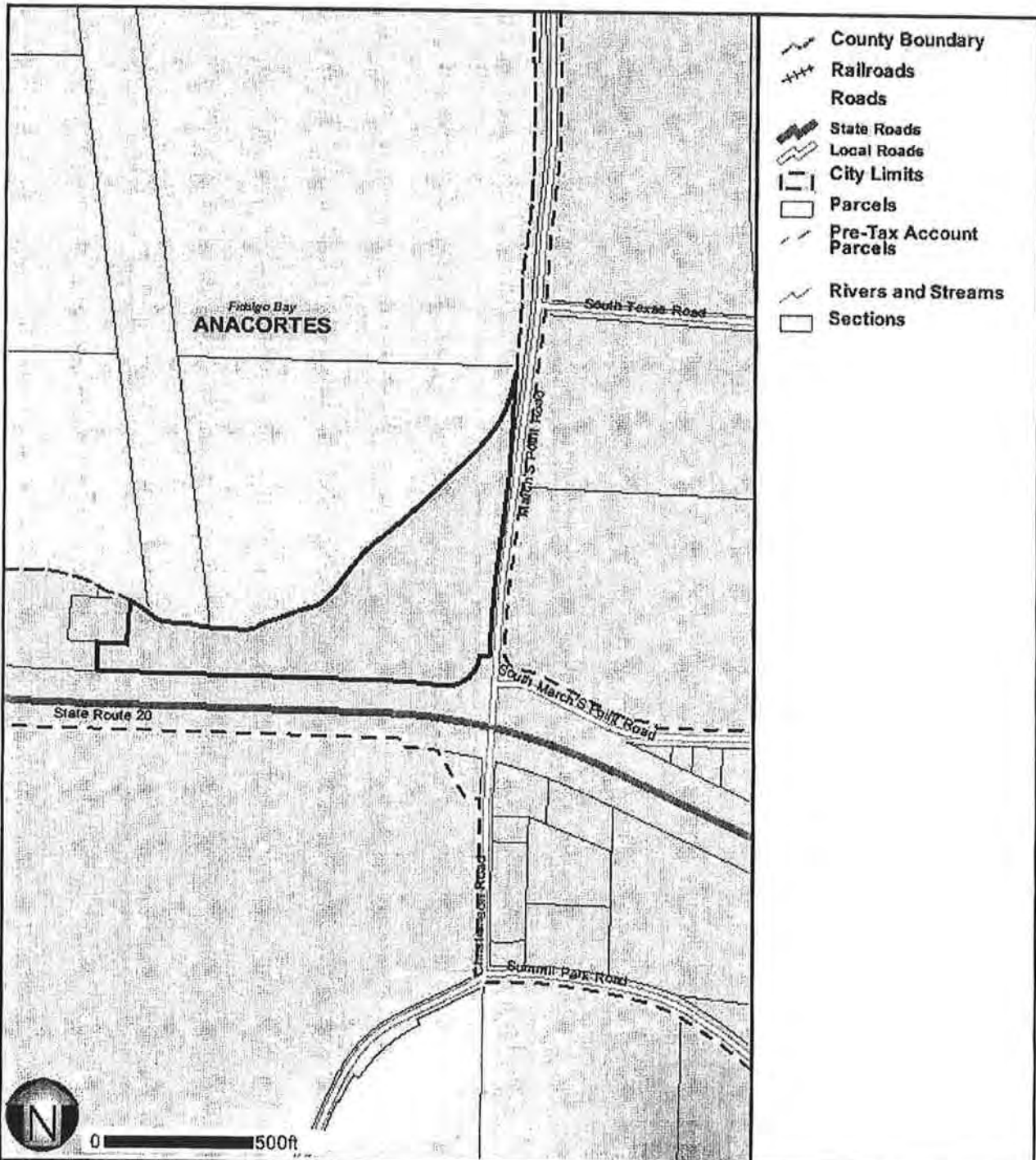
Legal Description [Definitions](#)
 (0.6900 ac) TR OF LAND & TDLNDS 2ND CLASS IN S1/2 N E1/4 DAF BAT NEC OF NE1/4 TH S 0-30-00 W ALG E LI OF NE1/4 2376.15FT TH N 89-59- 00 W 1241.83FT TO TPB TH N 001-00 E 150 FT TH N 89-59-00 W 200FT TH S 01-00 W 150FT TH S 89-59-00 E 200FT TO TPB

Land Use	(450) HIGHWAY & STREET RIGHT OF WAY	WAC 458-63-030
Neighborhood	(370) 80+ ACRES; NO IMPROVEMENTS	
Utilities		Septic Information
Levy Code	0901	Foundation
City District	Anacortes	Construction Style
School District	SD103	Exterior Walls
Fire District		Roof Style
Year Built		Roof Covering
Acres	0.69	Floor Construction
Living Area		Plumbing
Bedrooms		Heat-AirCond
Appliances		Fireplace
Exemptions	Non-profit or public ownership	



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Skagit County GIS Map



Skagit County iMap

SKAGIT COUNTY does not attest to the accuracy to the data contained herein and makes no warranty with respect to the correctness or validity of this map. Data contained in this map is limited by the method and accuracy of its collection.

Map Scale:

1 inch = 500 Feet
(1 inch = 0.1 Miles)

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Skagit County Assessor Parcel Details

Parcel Number P19929 **XrefID** 340205-0-001-0002 **Quarter** 01 **Section** 05 **Township** 34 **Range** 02

Owner Information
 STATE OF WASHINGTON & DEPT OF
 TRANSPORTATION
 ATTN PETER ALM
 REAL ESTATE SERVICES
 PO BOX 330310
 SEATTLE, WA 98133

Site Address (es) **Location Map**
[Locate this Parcel on iMap](#)
 Assessor's Parcel Map: [PDF](#) | [DWF](#)

2012 Values for 2013 Taxes	Exemption	Sale Information	2013 Property Tax Summary
Building Market Value	\$0.00	Deed Type WARRANTY DEED	2013 Taxable Value \$0.00
Land Market Value	+\$10,700.00	Sale Date 3/28/2007	General Taxes \$0.00
Total Market Value	\$10,700.00	Sale Price \$90,000.00	Special Assessments/Fees
Assessed Value	\$10,700.00	View Sales History	Total Taxes \$0.00
Taxable Value	\$0.00		View Tax Statement
View Value History			

Legal Description [Definitions](#)
 (7.9200 ac) LOT 1 LESS CO RD LESS HWY & PTN TAX 24 LESS RT#0-001-01

Land Use	(930) WATER AREAS	WAC 458-53-030
Neighborhood	(6EL3PLND) ALL COUNTY EXEMPT PUBLIC LAND	
Utilities		Septic Information
Levy Code	0901	
City District	Anacortes	Foundation
School District	SD103	Construction Style
Fire District		Exterior Walls
Year Built		Roof Style
Acres	7.92	Roof Covering
Living Area		Floor Construction
Bedrooms		Plumbing
Appliances		Heat-AirCond
Exemptions	State Owned	Fireplace



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Debra L. Nicholson

From: Phil Cohen <pcohen@wavecable.com>
Sent: Monday, April 15, 2013 5:33 AM
To: KenDahlstedt; Sharon D. Dillon; Ron Wesen
Cc: LindaHammons
Subject: Skagit County Public Hearing of April 9, Annexation of 11 acres of City of Anacortes - comments

Skagit County Commissioners,

I am opposed to the annexation by the City of Anacortes of the 11.15 acres in the Stevenson Rd/Reservation Rd area of Fidalgo Island. My opposition comes from the proposed planned use of the annexed land as part of the site for the Tethys bottling plant.

I live in the area, have waterfront property, and consider the proposed size and operation excessive based on the following information that has been provided by Tethys:

Operation will be 24 hours a day, seven days a week – day and night and weekend manufacturing noise
500 workers employed, some on swing and graveyard shifts with attending day and night and weekend traffic noise
3 or 4 trains per day and night of 100 cars each – with attending noise of switching, railyard activity, and train horns at local crossings
Night sky light pollution from 22 acres of manufacturing plant

These comments are just about the Tethys plant itself. Tethys president Steve Winter has stated that there will be additional businesses locating in the area as suppliers and subcontractors.

I also share concerns with others about water quality impacts to the Turners Bay estuary from insufficiently treated stormwater runoff from the manufacturing complex, railyards, new roadways, and improvements to existing roadways.

Phil Cohen
8650 Turners Bay Place
Anacortes, WA

pcohen@wavecable.com

Debra L. Nicholson

From: Debbie Amos <damos@wavecable.com>
Sent: Sunday, April 14, 2013 10:01 PM
To: KenDahlstedt; Sharon D. Dillon; Ron Wesen
Cc: LindaHammons
Subject: Anacortes UGA Expansion Proposal

Thank you for reading my concerns about Anacortes UGA expansion proposal. I think this is a thinly veiled attempt to extend the boundaries for the Tethys water bottling project. Anacortes has not to my knowledge had a particular immediate interest in extending the city boundaries to include this property until the Tethys proposal.

Whether or not this is about Tethys, I am concerned with the environmental impact of extending these boundaries. I live nearby, and drive or bicycle by this area often. One of the roads was closed not long ago I think because of habitat restoration. This area appears to be adjacent to or would be incorporated into the proposed UGA area. Surely that habitat was thought important enough to restore to put the money into doing so. Will that be ignored now and brushed aside?

What is proposed use (more specifically than "light manufacturing") for the increased area in expanding the UGA, if not for the Tethys project? If there is some other use intended for this area, please insist on informing the public on what it is.

I see great blue herons flying towards Saratoga Passage or Whidbey Island twice daily by my house, apparently coming from their large rookery north of Hwy 20. I am concerned that this rookery would be adversely affected by a change in the UGA, particularly by a project as enormous as the one proposed by Tethys. Again, if the reason for the increase is not Tethys, then what is it for? Why the need to increase the UGA otherwise?

The roads in the proposed area are small, rural ones. They are not currently designed to support a lot of traffic. The local fire department (I believe it is Summit Park) is nearby, and would be adjacent or nearly so, to the proposed UGA area. How would their ability to respond to emergencies be affected by the proposed boundary increase?

If expanding the UGA would increase rail traffic, I have grave concerns about it. Already there are more trains than a few years ago in this area. I can hear them in the wee hours of the morning. If this proposal has any chance of increasing train activity, I am against it. It also could slow and adversely affect traffic to Skagit County east of Anacortes, due to the railroad crossings involved.

Again, I have concerns about Ancortes expanding the UGA due to environmental impacts, safety concerns, noise pollution (if trains and/or traffic increase), traffic effects, and medical responders potentially decreased response time.

Thank you for reading my concerns. I am happy to add more detail if needed and if so please contact me.

Debbie Amos MD
8650 Turners Bay Place
Anacortes, WA 98221
360-588-1672



cc: Hammons

Skagit County Board of County Commissioners
1800 Continental Place, Suite 100
Mount Vernon, WA 98273

RE: City of Anacortes UGA Expansion Petition

Dear Commissioners:

On behalf of the Anacortes Chamber of Commerce Board of Directors, I am writing to urge you to approve the City of Anacortes petition to expand and modify its Urban Growth Area to include 11.15 acres into the City's UGA. This petition would also re-designate 16.57 acres of property currently in the Anacortes UGA from light manufacturing to public use in recognition of the non-suitability of this parcel for urban development.

There is not enough industrial land in the City of Anacortes. To continue to provide an adequate level of services to the residents of Anacortes, we need the potential to grow living-wage jobs. We must have land available for businesses to locate here.

We need a zoning map that makes sense. There's a "hole" in the UGA and future economic development of land surrounding the acreage in question will be severely impacted until the "hole" is filled.

We've been working to get this right for a long time. The 1999 annexation of South March Point was planned with infrastructure capacity for industrial build-out, with more than adequate capacity of all of the required public services to support industrial use.

The UGA Expansion request meets all of the criteria established for docketing.

I urge you to allow this process to go forward.

Sincerely,

Kathy A. Larson
President of the Board of Directors
Anacortes Chamber of Commerce

Mission: To proactively lead and thoughtfully serve and represent our members.

Vision: To be the most livable and economically vibrant waterfront community in the Pacific Northwest.



Cornerstone Members



Puget Sound Refinery

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cc: Hammons

Dear Skagit County Commissioners,

I am writing to voice my concern over the fact that the Tethys application for expansion is being put forth as non project-specific, when it is clearly obvious that this is project-specific. I am opposed to the plant coming in and I want to be able to keep having input in the process. As I understand it, if this proposal is approved as non project-specific, then the City of Anacortes can move forward without further public input, which is extremely unfair to those of us who do not support it.

Mayor Dean Maxwell and Tethys CEO Steve Winters are promoting the water bottling plant as creating local jobs and revenue. Jobs created by a bottling plant are not long-term jobs in a world that is turning away from single-use disposable plastics. Land converted from rural reserve to UGA and developed for a bottling plant will potentially become yet another commercial graveyard that needs to be cleaned up when the jobs are lost due to the unsustainability of a failing single-use bottling market. Single use beverage bottles are one of the worst environmental offenders- they clog landfills, create pollution, contribute to the absorption of BPA in humans and animals, and are completely replaceable by glass, polycarbonate, and stainless steel reusable water bottles.

Communities elsewhere in the United States are banning the sale of single-use water bottles, and even our local high school teens are taking measures to decrease single-use water bottles with student-driven hydration station installations.

Please stop this plant from becoming a reality. Please refuse to docket the City of Anacortes' application to expand its Urban Growth Area until a more sustainable proposal is put forth.

Respectfully,

Marisa Lauridsen

309 n. 21st
apt # 2
Mt. Vernon wa
98273

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To: Skagit County

Re: Anacortes UGA Boundary Modification Application, PL 12-0258

From: Vernon Lauridsen, 2219 32nd Street, Anacortes, WA

Date: Tuesday, April 09, 2013

THE APPLICATION SHOULD NOT BE PLACED ON THE 2013 DOCKET:

I. The Skagit County Code provides that Cities shall conduct early and continuous public involvement when expanding or adjusting UGA boundaries.

The Application cannot be reviewed without understanding its relationship to the Tethys site specific development project: that is, to construct of a large capacity beverage bottling facility on land within Anacortes and accessible to available rail transportation. The Applicant's response to the Questionnaire Sec. 3,1 "purpose and why" makes the connection clear.

The contract between the City of Anacortes and Tethys to provide water in return for the construction of such a facility was executed in October 2010. It is a matter of record that the contract was negotiated and executed without any public participation. Appendix E (Public Participation) of the Anacortes Comprehensive Plan was ignored. No Citizen Advisory Committee was formed to address the issue. No notice was given to the public regarding the contract. No members of the general public were involved early, late or otherwise. The contract was deemed a "water contract" not subject to public involvement. This was so, despite the fact that the contract plainly anticipated the construction of a huge industrial facility on property that is the subject of this UGA application.

Tethys was contractually obligated to identify 30 acres within Anacortes or on land annexable by Anacortes within on year. They failed to do so. A one year extension was granted. Nearly two years passed before while Tethys continued to searched for suitable property. Clearly, it was foreseeable that a UGA expansion application would become necessary. Yet, the Application was submitted on July 31, 2012, the last possible date to do so over the signature of the Mayor, Dean Maxwell. The City Council had not even approved the Application and certainly there was no "early" and "continuous" public involvement. Again the Skagit County Code was ignored as was the Appendix E of the Anacortes Comprehensive Plan. The application was submitted without any public involvement at all. The only public involvement was the City Council meeting of August 20, 2012 when the Council approved a motion to continue processing the Application. At that time the proposal was clearly about Tethys and replacement of light manufacturing land "lost" through sale to the Samish Indian Nation. The

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new proposal now seeks to exchange unusable shoreline land for more “developable” land. This proposal has never been the subject of public participation in any form. Promises of public participation in the future are hollow and meaningless in light of the history of events since the Tethys contract was approved.

The Application should not be placed on the 2013 docket due to legal or procedural flaw or, alternatively, schedule review as part of the 2014 review cycle to allow appropriate public participation. (SCC 14.08.030(3)(c and d))

II. The Application is a site specific development proposal rather than an application for a UGA modification.

As an application for a UGA modification, the Application fails to address SCC 14.08.020(5)(b)(i. through vi.). The Applicant was asked by County staff to specifically address the requirements for a UGA modification including an analysis of 1) consistency with the Skagit County Comprehensive Plan, 2) sufficient land area included in the UGA modification to accommodate 20 year population and employment forecasts, 3) analysis of the development capacity within the existing UGA for commercial and industrial land, 4) consistency with Countywide Planning Policy 1.1, 5) comparative evaluation of potential areas of UGA expansion, and 6) consistency with inter-local agreements. But see page 5 of the Applicant’s supplemental response. The requirements are simply not addressed.

Anacortes has been allocated 558 acres of new commercial and industrial land allocations through 2015. The Applicant acknowledges it has 272 acres of such land available. The Application would only provide 11.15 of new and different land. Where is the analysis supporting the need for an expansion of the UGA apart from the need’s of the site specific Tethys construction project? There is none. Are all the 272 acres of commercial and industrial property within the existing UGA subject to “development constraints?” If so, where is the analysis to support that contention? Plainly this application seeks more “developable” land for inclusion in the UGA in light of the Tethys Contract and specifically to accommodate a site specific development proposal.

The Application will not stand alone absent the stated purpose of the application which is to provide for the Tethys development proposal. The proposal should have been submitted as a development permit application. For this reason the Application should not be placed on the 2013 docket due to legal and procedural flaws. (SCC 14.08.030(3)(d))

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Debra L. Nicholson

From: LoriAnderson on behalf of Planning & Development Services
Sent: Monday, April 15, 2013 8:21 AM
To: Dale Pernula; KirkJohnson; Debra L. Nicholson
Subject: FW: PDS Comments

From Dept Email

-----Original Message-----

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Saturday, April 13, 2013 11:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Ami Lavender
Address : 2730 Dusty Lane
City : Oak Harbor
State : WA
Zip : 98277
email : Amisl85@gmail.com
Phone : 3053085008
PermitProposal : ANACORTES UGA EXPANSION TETHYS PROJECT PROPOSAL Comments : ?

?

This came via email from Evergreen Islands about the UGA expansion to accommodate a proposed Tethys bottling plant in Anacortes. We wanted to share the info with you:

ANACORTES UGA EXPANSION PROPOSAL
WRITTEN PUBLIC COMMENT DEADLINE
Monday, April 15, 2013, by 4:30 pm

ISSUE
City of Anacortes (PL12-0258), proposal to expand its Urban Growth Area (UGA) by redesignating approximately 11 acres of Rural Reserve (RRv) land to Anacortes UGA on the Skagit County Comprehensive Plan Land Use map and to the Anacortes UGA Urban Development District (A-UD) on the Skagit County Zoning map.
The City of Anacortes submitted the application to increase its Urban Growth Area (UGA) to provide the land requirement that Tethys needs for its 1 million square bottling plant. The Tethys bottling plant will process up to 5.5 million gallons per day of Skagit River water. Tethys Enterprises paid the application filing fee, and the City billed Tethys for the consultant who prepared the City's response to the County for more information.

CONCERNS
Evergreen Islands has many concerns about the proposed amendment to the Skagit County Comprehensive Plan, but one of our primary issues is:

???????? Skagit County has erroneously classified the Anacortes UGA Expansion proposal as a non-project application, which means Skagit County will evade its responsibility to consider the immediate and long-term impacts of the huge Tethys bottling facility!
???????? A non-project process will deprive Skagit County residents of the right to participate in a massive development with countywide adverse impacts, which will affect Skagit County residents for generations to come!

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PLEASE SPEAK UP!

Please submit your comments why you oppose the Anacortes UGA Expansion. The following information includes Evergreen Islands' current list of reasons why they oppose the Anacortes UGA Expansion petition.

Written comments must be received at the Skagit County Board of Commissioners office by 4:30 p.m. on Monday, April 15, 2013. The County will accept comment submitted in the following ways:

1. By fax: (360) 336-9307

2. Online via a standard form at www.skagitcounty.net/pdscomments

a. Comments sent by email are not accepted

3. Hand deliver it to the Skagit Planning Department front desk (see address below).

4. By real mail:

Skagit County Board of Commissioners c/o Linda Hammons

1800 Continental Place

Mount Vernon, Washington 98273

UGA Expansion Application Concerns from Evergreen Islands:

I. The Anacortes UGA Expansion Application is NON-PROJECT SPECIFIC.

A. The County Staff Has Erred When Says the UGA Expansion is NON-PROJECT

B. If the County deems that the current Anacortes UGA Expansion petition is a non-project process and not about Tethys, the UGA expansion application is fatally flawed because the city's application to the county is specifically about a specific development proposal.

C. The Anacortes UGA Expansion Petition must not be docketed until the 2014 Full Comprehensive Plan Update.

?

II. 2014 Full Comprehensive Plan Update

A. This proposal should be docketed in the 2014 Full Comprehensive Plan Update.

B. Incomplete Proposal

1. Shoreline Jurisdictional Conflict

a. Difference between City and County shoreline protections.

2. Acreage Required for the huge Tethys Rail yard not accounted for.

A. Sets bad precedence

1. Statewide impact

2. Encourages spot zoning.

3. Ship Harbor's nondevelopable wetlands (25 acres) is zoned Commercial Marine, which could potentially be swapped.

4. Skirts the requirement to GMA requirement to demonstrate need.

5. Municipalities would not require be to justify their UGA expansion.

a. Population Forecasts

b. Acreage Calculations.

B. Anacortes City Council Bypassed the Required Comprehensive Planning Processes for Zoning Changes

1. The City Council opened the Public Comment period for 1minute after announcing the proposed zoning swap.

2. The City Council needs to complete the Comp Plan Amendment required for the zoning swap before the County can proceed with its Comp Plan Amendmet

IV. The UGA Application had not been formally revised.

A. The Original Application Contains the Tethys Language (32%) and the Samish Language (39%),for a total of (71%).

B. Under the subheading Amended Proposal (p.35),the Hovee Supplemental Information switches from the proposed Samish ?zoning swap? to the Fidalgo Bay ?zoning swap without mentioning that they are amending the Samish ?zoning swap?

C. The frontispiece (E.D. Hovee letter to Gary Christensen) of the Hovee Supplemental Information states,?The proposal is not specific to any individual potential user but would be applicable to any future use of the subject property consistent with the proposed redesignation from Rural Reserve (RRv) to Anacortes Urban Development (A-UD) comprehensive plan and zoning designation under Skagit County jurisdiction and associated City of Anacortes Light Manufacturing (LM1) designation.? The letter makes no mention of amending the Tethys language in the original application.

D. The Hovee Supplemental Information (p. 35) does state the following:

1. Amended Proposal. With this supplemental information package submittal,the City is proposing to convert four parcels totaling 16.57 acres from LM1 to P (public use) during the City of Anacortes annual Comprehensive Plan amendment cycle.

E. When the County asked the City for ?supplemental information?,the County did not ask

the City to amend the Tethys and Samish language, but the City took advantage of the County's request to exercise the problematic language in a deceitful maneuver.

F. The County and the City have colluded to ignore 72% of the language in the original application. By all rights, the County should have demanded that the City retract their petition and resubmit the following year or better yet in 2014.

G. Since 71% percent of the language in the original UGA Application has been changed, the original application should be withdrawn and a revised application should be submitted for the 2014 Full Comprehensive Plan Update.

V. Turners Bay Estuary

A. Jurisdictional Conflicts (Ross Barnes)

1. Skagit County Shoreline Master Program shoreline protections.
2. City of Anacortes Shoreline Master Program shoreline protections

B. Recently Restored Estuary at \$670,000

- A. Land Requirement Was Never identified
- B. Complete Site Plan never presented.

C. In small print, Figure 13 of the original application includes a note that states, "Some Rail Service and Staging Areas May Extend an Additional 700 +/-." The additional 700 is required for the rail yard needed to accommodate up to four 100-car unit trains unit trains that are nearly 1-1/2 miles long.

UGA Application IS a Project Specific Application

A. Detailed Development Proposal Required for Rezone Application

1. Rural Reserve (RRv) to Anacortes UGA Development District (A-UD)

B. Always Been About Tethys from the get go

1. Tethys paid the application fees for the UGA Expansion Application
2. Tethys paid the application costs for the E.D. Hovee Response to the County.

C. Anacortes Staff Reports Mention Tethys as Justification for the UGA Expansion in Four

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From Host Address: 67.168.68.242

Date and time received: 4/13/2013 11:38:59 AM