Meeting was called to order at 9:00 a.m. by Chair Hillers.

**ROLL CALL**
Wayne Havens, Val Hillers, Leal Dickson, Dean Enell, Beth Munson

**Minutes:**
March 11, 2014
Commissioner Enell moved to approve the minutes as written, Commissioner Munson seconded, motion carried unanimously.

Planning staff present: David Wechner – Director, Brad Johnson – Long Range Planner

**ITEMS FROM THE PUBLIC**
NONE

**DIRECTOR’S REPORT**
David Wechner wanted the minutes to reflect Commissioner Yonkman has joined the meeting. The Planning Department has recently received notice that has been nominated for approval for a $250,000.00 grant from the Department of Commerce to help with the Comprehensive Plan Update work, will be holding a telephone conference with them to discuss the details of the grant reporting. There will be another submittal for an additional grant for $48,000.00 to help with the effort. There is also an announcement circulating for a Long Range Planner position, this position was recently approved by the Board. There lots of development applications in right now, building activity is up as well. A letter from FEMA was recently received regarding flood plain regulations. Community Assistance Visit (CAV) Report that highlights areas in the flood plain where structures and developments and FEMA has questions whether a development is compliant with their regulations.

Commissioner Hillers asked if FEMA is concerned about the current regulations regarding flooding.
Director Wechner stated that they have concerns regarding particular properties and there are many portions of the report that was received that are a little unusual some of the structures date back to the 1920’s before there were flood plain elevation certificates were required.

**OLD BUSINESS – Continuation** of Planning Commission Workshop to discuss proposed updates to the Island County Comprehensive Plan and Development Regulations to protect Fish and Wildlife Habitat Conservation Areas.

Brad Johnson provided a brief recap of the project. In 2005 Island County embarked on an effort to update its Comprehensive Plan and Development regulations as required by the Growth Management Act. As part of that effort, the critical areas component in the Comprehensive Plan and Development Regulations and Critical Areas Regulation are comprised of two components; one component regulating fish and wildlife habitat and the other regulating the wetlands. They completed the update of the wetlands section of the code but never completed the fish and wildlife habitat regulations. As a consequence, last year the Growth Management Hearings Board issued an order requiring that Island County complete the work from 2005 and update the fish and wildlife habitat component to the Critical Areas Ordinance. With that Island County Planning embarked on an effort to update in an extremely short amount of time. Fortunately with the awarded grant from the Department of Ecology, under the National Estuary Protection Program and retained a consultant to assist with the update. Draft code and policy changes were presented in the last meeting. The Watershed Company was invited to answer any questions that the Planning Commission may have regarding this effort. There are also several members from the Technical Advisory Group (TAG) in the audience that were instrumental in vetting the scientific information and proposed changes to the policies and regulations.

Dan Nickel from the Watershed Company introduced his team of consultants Sarah Sandstrom, Lisa Grueter. He has a presentation to walk through with the Planning Commission and talk about the TAG that was assembled and working with through the process.

- He will be discussing the materials presented to the Planning Commission and discuss the Best Available Science (BAS) Report that was developed last fall, the audit that was conducted on the Fish and Wildlife Habitat Conservation Areas section of the code and talk about the actual regulatory document. This is an opportunity to answer questions and have a dialog to get clarity on the document.
Under the grant that was given to the County was to work with the watershed characterization effort that was developed jointly by Ecology as well as Fish and Wildlife, it looked at landscape scale processes throughout Puget Sound. The intent was to try and use that model and apply it to the development of Island County’s Fish and Wildlife Habitat Conservation Areas Regulations. Through process of the review of the model, that the model did not meet Island County’s conditions in a number of areas. Island County does not have all the same characteristics that other places in Puget Sound have. It was best to understand the existing conditions within Island County based on the data that was available to them at the time. The project itself with the intent of the grant it somewhat changed and are still going through the process of understanding the existing conditions and how it relates to future policy and regulatory updates.

Sarah Sandstrom worked primarily on the BAS report and existing conditions. The BAS report is designed to provide an overview of the current science and how it relates to Island County’s
current Fish and Wildlife Habitat Conservation Areas. In approaching the BAS report tried to focus it around the structure of the watershed characterization to be as consistent with that initial grant purpose. The watershed characterization reviews water flow, water quality and habitat, the BAS report is structured around those three processes. They also try to take a landscape framework approach not looking specifically at the effects of site specific conditions but also how landscape conditions contribute to those types of conditions. They assessed protection standards focused on fresh water and upland terrestrial habitats; due to shorelines being covered under the Shoreline Management Program (SMP) they were not a focus of the BAS report.

Lisa Grueter with Berk is part of the team that is looking particularly at the policies and regulations. One of the first things they took a look at is where does this apply and because the County had addressed critical areas within shoreline jurisdiction and address the marine water bodies and the larger associated wetlands and lakes; their focus was really on the remaining areas outside shoreline jurisdiction. The other main aspect they looked at is what do they need to do to respond to the Growth Management Act requirements to protect the Fish and Wildlife Habitat Conservation Areas as they are defined in the Department of Commerce minimum guidelines versus some of the recommendations that Sarah described coming out of the Best Available Science review regarding the larger scale landscape processes. The code focuses in the protection on the defined Fish and Wildlife Habitat Conservation Areas that they have in the policy recommendations identified some areas that County could focus on the 2016 Comprehensive Plan Update. For example, a broader look at the County’s clearing and grading and vegetation conservation standards to be appropriate based on the landscape level considerations.

Commissioner Hillers asked what GMHB.

Sarah responded that it is the Growth Management Hearings Board. Once they had a look at the Best Available Science report, they started to pull out some high level considerations for the code and policy update. They identified some key considerations in the audit report that the Planning Commission received. Some of the things they took a look at where how to approach to how to protect these areas, how best to address policy and code organization; took a closer look at the exemptions, RUE which stands for reasonable use exceptions and variances, stream typing repairing buffers, habitats and species of local importance. They took a closer look at agricultural activities and artificial channels; and they also covered fish and wild life habitat corridors.
**BAS and Existing Conditions Review**

- Provides an overview of current science regarding County specific FWHCAs
- Review of BAS based on the watershed characterization framework
- Assessment of protection standards for freshwaters and upland terrestrial habitats
- Includes management recommendations

**Key Considerations & Approaches**

- Where does this apply
  - Distinguish between Shoreline Jurisdiction and Upland GMA jurisdiction
- Balancing of near term needs for GMHB response and long term picture of holistic ecosystem processes
  - Vegetation management, clearing, habitat corridors and incentives
First Topic is the approaches to protection. They described in the audit report that there are two ways to get at protection. One is the goals and policies and regulations, the goals being broader ideals, the policies being more directives on decision making and the regulations being the much more detailed practical implementation of the goals and policies. That is the focus for the fish and wildlife habitat conservation area protection. In doing so they identified some improvements to code organization, made some clarification on applicability and some basic standards that every proposal would go through, mitigation sequencing which is first to avoid the critical area in the first place. Then there is a sequence of events if avoidance is not possible. They also tried to structure this with the idea that eventually the County’s critical area regulation would be joined together in one code. Brad mentioned there were two codes where the Fish and Wildlife Habitat Conservation Area and Geologic Hazards and then there is the Wetlands Code. They have intentionally structured this proposal to leave some reserved spots for geologic hazards and wetlands; for example to try to get the idea that they should eventually ducktail to one set of critical areas regulations. The other way to achieve some amount of protection is through
incentives and flexible measures, they mentioned in the audit paper that the County does have the Open Space Current Use Taxation Program and the Public Benefit Rating System (PBRS) and those who have significant habitat conservation areas could qualify for that current use taxation exemption and that is one way of incentivizing protection. That’s not the focus of the proposal but due to the information looked at in the BAS review and the code work, there may be some tweaks that the County could make to its incentive system that may help reinforce the protection of particularly sensitive areas.

Commissioner Hills asked if the map is in any other place.

Sarah responded that it is located in the Audit Report on page 22. The intent with this map is to try and consolidate some of the critical areas information and overlay it with which parcels are already in the Current Use Taxation Program. In the report itself, there is a table of how many acres were also conserved through the conservation futures. That is another program that looks at conservation easements or purchase of sensitive areas.

Lisa followed by discussing the other information they provided in terms of potential for protection is the parks and recreation element included a habitat corridor concept map that would allow the County to apply for grants for conservation and protection of some areas. There are a variety of measures that could work with the regulations to help protect these areas. Some of these tools, you may want to take a closer look at in the 2016 Update. In terms of policies they did take a look at what the Fish and Wildlife Habitat Conservation Areas Policies looked like in the land use element in particular and they also looked at the natural lands element and parks and recreation element and suggested some improvements to avoid conflict and then in terms of the policies themselves tried to make sure they went in the broader Fish and Wildlife Habitat Conservations down to more specific areas. There were some policies added to recognize interrelated ecosystem issues. Sarah mentioned that the BAS Report did not focus on marine areas but did look at landscape level processes and there is a concern about protecting areas that are outside the 200 foot mark but where the erosion and processes are contributing to conditions inside shoreline jurisdiction. There will be some policy language around that topic. In the code itself there are some general performance standards that would apply to permits that get at some of those broader issues about recognizing the inter relationship between the upland areas and the shoreline areas.

Commissioner Hillers inquired how this fits with the steep slope ordinance and are these recommendations different or the same as the existing steep slope recommendations.

Lisa replied that they generally got at the principles that would influence fish and wildlife areas, so they were looking at water quality and water processes and erosions, but they do have provisions that indicate that the most conservative/protected regulations would apply when they combine the geologic hazards, fish and wildlife, and the wetlands. So there may be overlapping regulations and the most protective regulation would apply.

Brad Johnson provided additional comment stating that the steep slopes are currently regulated by the clearing and grading regulations through Public Works Chapter 11.02. What this is really getting at is issues of shoreline erosion that necessitate shoreline armoring, for example when a
home is placed on a lot to try to avoid those instances when the home is too close to the bluff and then it erodes and then they have to install shoreline armoring. Those shoreline regulations are in the Shoreline Master Program but they only apply 200 feet inland from the ordinary high water mark and in some areas the bluffs are deeper than that; and want to make sure there are no gaps there and people are not building homes too close to bluff crests.

Commissioner Hillers wondered was that they are designed for 50 years and this is designed for a 100 years.

Brad informed that under the new SMP it will be 100 years and that is what is currently applied in terms of erosion standards. In 11.02 which is the code Public Works administers there is a 50 foot standard setback and then there is a requirement for a geotechnical analysis but that more to do with bluff stability and safety issues; where this is an erosion and avoiding shoreline armoring.

Commissioner Yonkman asked if Island County is not currently under a standard 100 foot setback from bluffs, it was his understanding that if there is any activity seaward of a 100 feet, to place a house or do some clearing, they have to get a geotechnical report to support that activity. He asked if that was correct.

Brad responded that he may be correct that it is a 100 feet. There are two parallel sets of regulations, there is the SMP and there is Code 11.02 that triggers the need for a geotechnical analysis. Often times when somebody is developing a bluff top property there is a geotechnical analysis that meets the needs of both Public Works and Planning. What the Planning Department is looking at is that the applicant has documented that the home is set back adequately so that if erosion proceeds for a 100 years, a bulkhead would not be required. Public Works is largely looking at the stability of the bluff and whether or not catastrophic failure can put the home in danger.

Further discussion regarding the dimensions and setbacks carried on.
Lisa stated that the language being discussed is on page 30 of the code. The other area that the TAG was particularly helpful was in walking through the exemptions, the reasonable exemptions of the variances. They tried to clarify the exemption process and strengthen it. Criteria was included to ensure that BMP’s (Best Management Practices) are applied and could determine that an exemption would have a de minimis impact; as well as an option for the Director to determine that a particular exempt proposal may have greater effects than was originally anticipated. In addition to looking to the exemptions, the consultant also tried to clarify terms to normal repairs, service of what the serviceable structures mean in order to give more guidance to applicants and staff. In terms of simplifying code there is a consolidation of the reasonable use exemption process and the variance process. So the permits would both be type III permits process, they have blended some of the permit review criteria.

Ms. Grueter continued, one of the other key changes was in the stream regulations. The Stream Typing system was updated, the County had Type I through V in its current code and definitions of that but in the meantime the Department of Natural Resources has come up with a new stream typing system that is generally based on fish presence.
So they gravitated towards that and the standards such as buffers and so on are related to the streams.

Sarah said that this simplifies the stream typing; it has fewer criteria and clearer to understand how a stream might be typed.

Commissioner Enell asked if the overall setback changed to make the buffers larger or smaller.

Lisa stated that they did look at the buffer widths in relation to the Best Available Science report which looked at the different way to consider the different processes. The Best Available Science report goes through the three categories of topic. Water quality, habitat and so on; this identified what functions a buffer provides and based on a science how wide would that buffer need to be and that was synthesized into some buffer ranges by the stream type. The table in the audit report is on page 39, exhibit 12, which looks at water quality and habitat and shows the ranges for the different functions that were documented in the Best Available Science report. In exhibit 13 the buffer range that matches the preponderant of the functions that are necessary to protect. In general, for the standard buffers they are a little higher than the current code to reflect the Best Available Science review. There are two path ways, one is a standard path, where an applicant does not want to do a lot of documentation and they just want to stay back matching a standard buffer, the planners would not need to do much review. If the applicant wanted to reduce the buffer, the consultant is proposing a 25% buffer reduction allowance in the code. They show a need for the request and they can actually make some improvement in the buffer quality. For example, they might revegetate the buffer and they can move closer. The buffer averaging process will remain the same, which allows to be narrower in some places and wider in others but still need to demonstrate that functions of the stream are still being protected. The Director may still require a larger buffer if there is an unusual convergence of circumstances and a wider buffer is needed.

Val Hillers asked if the buffer is on each side of the stream.

Lisa stated it was and it was measured from the ordinary high water mark of the stream.
Sarah discussed another component of the Fish and Wildlife Habitat Conservation Areas is that the County has the ability to identify habitats and species of local importance. In the designations of the Fish and Wildlife Conservation Areas there are some givens, there is habitats for listed species of threatened, endangered, sensitive species. Waters of the state, streams in general the areas being looked at. In addition the County can identify habitats of species that are important to Island County. The County has had such a process in place for a number of years. The consultant is proposing to update the process by which the County would consider nominations and propose what they feel are more clear criteria and requirements. It would still be the highest permit process to consider and that is retaining as a type IV review process. They looked at the list of habitats and species of local importance from the current code and did propose a couple of changes. Appendix C in the audit report shows what was originally in the current code and what sort of the disposition of it in the new code. In general they are retained in this proposal except for habitats that occur in shoreline jurisdiction since they will be regulated under the Shoreline Master Program and also wetlands since the time the original developed Fish and Wildlife Habitat Conservation Area regulations, the County had adopted new wetland regulations and they are well covered in that code. Any new nominations they suggest they can address at any point that a type IV process would allow to consider. There are some new nominations from the TAG that they suggest should be considered during the Comprehensive Plan Update process. In terms of agricultural activities there is an exemption to allow for existing ongoing agriculture and that has been generally retained. There was a question about artificial water courses and what is regulated by the code. The definition of stream has been updated to distinguish between natural watercourses, which would be regulated as streams, modified natural water courses, that have been altered in some way but were originally natural, they would be regulated as streams; artificial water courses that either drain a wetland or connect to natural water bodies or have salmonid presence, that would also be regulated as a stream. Manmade artificial streams that do not have salmonid presence do not drain a stream and so forth that would not be considered a stream. Another item that came from the TAG was that the County might considered Best Management Practices for artificial water course maintenance, the County does have some Best Management Practices for agricultural areas. The Conservation District also suggested the County may want to consider a couple of other county example Best
Management Practices but there is not enough time during this immediate process to do that kind of vetting. This may be something to consider in the future.

Ms. Grueter continued with the last key topic about the consideration of fish and wildlife habitat corridors, which is mentioned in the Department of Commerce minimum guidelines. The County has two kinds of open space maps in the Comprehensive Plan. One was very oriented around open space near Urban Growth Areas and the other was recently adopted in the parks and recreation element as a habitat conservation map. Under the policy amendments to reference the parks and recreation map since it is newer and defines how it created the corridors. As part of the Comprehensive Plan Update the County should consider vetting that map more thoroughly in light of the new Best Available Science report.
Dan gave a quick overview of the key issues discussed with TAG.

Commissioner Hillers asked if this would be altered or unaltered prairies or how would prairies be defined.

Dan responded there is a map of the designated prairies that have been located.

Sarah stated that they are not proposing any change in this particular set of regulations, it has been recognized in the policies that prairies are an ecosystem that deserve attention. Through the criteria that is changing in terms of designating habitats of local importance that prairie protection be considered. There is not a specific path that is proposed so it can go in different ways. There is a focus on those remnant prairie pieces.

Commissioner Enell wanted to discuss streams, noting there is a lot of farmland where there is different sources of water associated with the agricultural operation. Is the function of flowing water and is that is classified as a stream or not, depending on whether it is draining a wetland. He wanted the consultant to better explain the classification of a stream.

Lisa referred the Planning Commission to the definition in the draft Fish and Wildlife Habitat Conservation Areas Update on page 12, letter CC. She further read the definition and explained the differences of the types of streams, channels and buffer.

Commissioner Dickson asked about the phrase of demonstrating a need, what restrictions would someone who wanted to develop a piece of property closer than the buffer have to demonstrate, what are the classes of needs must to be met for a buffer reduction.

Lisa referred the Planning Commission to page 26, H-2, an applicant would need to demonstrate that the buffer reduction is necessary to accomplish the purpose of the proposed project and no reasonable alternative is available. Number 1 is the part about showing that there is some kind of
restoration or enhancement that would improve habitat water quality or water flow. Number 2 is the mean part and then they have to show that they have gone through mitigation sequencing process and that is number 3. This would allow building to the 25% reduction.

Commissioner Hillers stated she has a number of questions regarding the ordinance.

- Page 9 Section C – There is a statement at the bottom that says the Department shall maintain a selection of Best Management Practices which have been approved by the Board for those uses which are subject Best Management Practices. It is not clear to her where the selection of Best Management Practices comes from
  - Ms. Grueter stated that on the County’s website there have been a number of published Best Management Practices.
  - Brad responded that there currently a set of Best Management Practices that Public Works administers for controlling erosion, sediment control and those sorts of things and that is what this is referring to.

- Page 11 Section V – asked what protected fungi are referring to.
  - Lisa stated that this is a definition consistent with primary association that’s included in the Shoreline Master Program and in the list of Habitats of Species of Local Importance, there are some rare plants. She thinks that this is a broader reference to the type of plant species that could be considered to have a primary association with an area.
  - Sarah stated that there are no protected fungi presently that she is aware of and whether it is considered in the future she does not know.

- Page 12 Section AA – remodel – an owner can remodel, repair or relocate walls but it does not include repair of exterior walls or roof. She does not understand why if something is reroof or resided it is not a remodel.
  - Commissioner Yonkman replied that typically it is replacing existing and not truly altering the structure.
  - Brad stated that the intent was to get to the situations, where adding new area outside or tearing down and completely replacing. There can be some additional clarification.

Commissioner Enell asked for clarification of what the Public Benefit Rating System (PBRS) is and if it has been used much.

Will Simpson gave an overview on the Public Benefit Rating System. In 1998, the County adopted the Public Benefit Rating System and this is a way for local jurisdictions to look at the characteristics in their County and determine what resources are important to protect through this program. There are tax reductions for things like special plant sites and Fish and Wildlife Habitat Conservation Areas. During the Comprehensive Plan Update process there will be an opportunity to look at those characteristics and make sure the goals of the program are still being maintained. There would be an opportunity to look at some of the new information that has evolved from this process and determine if some adjustments need to be made or different benefits can be added as a way to protect some important characteristics.

Further discussion continued regarding taxation programs.
Commissioner Hillers asked about page 26 Section B – The Washington Natural Heritage Program Areas, specifically asked about the section for Keystone. She thinks of Keystone as the area where the ferry from Port Townsend comes in and asked if it is that area and is it defined.

Sarah said they referred to the Department of Natural Resources high quality terrestrial areas; this description is drawn from the current code to maintain the protection that is in the current code. This is a question that they are trying to understand themselves.

Steve Erickson – TAG team member, stated that the area north of Keystone, the Admiralty Head area is Golden Paintbrush site; the other is that the reference to a Rhododendron Hemlock forest is referred to Rhododendron Park which is not by Keystone at all.

Commissioner Hillers asked for clarification of the Natural Heritage Program Areas before it goes into code. Another area she had a question on was West Beach, and maybe it is defined somewhere else but there is a West Beach Road, there are some houses on the beach, better clarification of the location of the Golden Indian Paintbrush.

Sarah stated there are specific criteria to qualify as a Natural Heritage Community. It needs to be a certain size, needs to meet the standards of disturbance, by definition the areas being discussed would not have existing residential housing. They are referring to intact habitats only. The individual sites are very limited in terms of their size.

Commissioner Havens asked if Swan Lake is West Beach.

Commissioner Hillers stated that in the document it was referred to as West Beach Lake.

Brad Johnson stated that it may be referring to the high bluff areas on West Beach Road.

Marianne Edain, Frosty Hollow, stated that approximately a mile or a mile and a half south of Swantown Lake, there is a Golden Indian Paintbrush site. When the Natural Heritage reports on West Beach they are talking about that particular site and is in fact in someone’s residential backyard until 1995, it was also across West Beach Road and was inadvertently destroyed by roadside work done by Public Works. The site is still on the bluff side of the road and that is why it is included.

Commissioner Hillers asked for updated information to Whidbey Island Game Farm/Au Sable Institute on page 31 to be updated to Pacific Rim Institute. She would like that update if possible.

Commissioner Yonkman was compelled to say thanks to the staff, consultants and the TAG for all of their work. He wanted to make sure to be careful to keep an eye on the fact that all that the Planning Commission does affects property owners. He appreciates the attention on the buffer averaging, the buffer reduction and other items. His main point is that when he works with the property owners, he wants to be able to show them some of the regulation code that is being worked on and they feel like there are options that have been considered in the investment of
their land and seem much more in compliant to once they leave the site to be more mindful of the maintaining of their properties.

Commissioner Enell wanted to also voice the fine work that has been done.

Commissioner Dickson wanted to second Commissioner Enell and Commissioner Yonkman’s comments and he is please on the specificness of addressing the issues that have come up.

Commissioner Enell asked if this information will link into the Island County GIS System and allow the public to follow this information.

Brad said that it is a goal for the County for the 2016 update to improve the mapping systems.

Lisa said the maps are reference to use but the definitions would control due to the inaccuracy of the maps as Brad described.

Will Simpson interjected that Public Works is currently spearheading a GIS update project.

Brad Johnson also stated the permit tracking database will reflect the critical area and permit information.

Commissioner Hillers opened the comment period to TAG members and public.

PUBLIC COMMENTS

Steve Erickson, TAG Member
Discussed the following items:
- Definition of prairies.
- Delay to 2016 is will allow for loss.
- Woodlands and savannahs are recognized as a rare species in performing an echo regional study.
- What is the conservation status across the states? The west side prairies are some of the rarest. There are host of plant species that are declining but it is much easier to deal with them by killing their communities. Dealing with this proactively will avoid a whole suite of future problems that will occur to the endangered species act listings.

Sarah Cassatt, Whidbey Island Conservation District
She wanted to bring up two points related to their work with farmers and agriculture drainages.
- Adding clarity to what is regulated and what is not regulated is very important. It is imperative to continue working towards how to manage agricultural lands adjacent various types of drainages.
- How do they implement and what the effects are going to be for land owners that are farming in areas that do not have regulated buffers now and what affect they will have with now having buffers on both sides of a small drainage ditch in the middle of the field
that will have significant economic impacts. There is a lot of concern on what that will look like and encourages continuing moving forward to how they will make that work for everybody.

**Tim Hyatt, Skagit Rivers System Cooperative in La Conner**

He represents Swinomish and Sauk-Suiattle Indian Tribes. They have taken a careful look at this and have participated from the very beginning and would like to commend the staff and the consultants for their flexibility and helping to build in some additional specificity particularly in the definitions and the exemptions, these are important additions that will clarify the regulations and let everybody work on the same level playing field it will work very much to the County’s advantage moving forward. There was a typo on page 13 of the Audit Regulations, Subsection E, under the definition of artificial channel, channels either used by salmonids channels to convey water from or through an existing regulated wetland, that should be excluded from the definition of artificial channel not included. If you look elsewhere what is inhabited by salmonids through wetlands it is considered a regulated channel.

**Ron Nelson, Island County Economic Development Council**

He was looking at the regulations and had several items of note:

- How is this compared to other counties, are they more or less restrictive. He looked at 17.02b.70.j and said it would be nice to have clear definition for simple mitigation.
- 17.02b.04 page 7, he is concerned about the removal of noxious weeds as a liability for the landowner to do that, when the County and the State don’t even uphold their responsibility to remove noxious weeds. It comes across as dual standards that the landowner is being held to a higher standard than the County.
  - Brad stated that only after someone’s project impacts a critical area and they are required to do mitigation removal of noxious weed becomes an option for them in overseeing their mitigation plan. They would first have to impact the critical are to trigger the need for the mitigation plan and once they are there they can remove the noxious weed as part of their mitigation efforts.
- Page 9, 210b, he is concerned about the 5 year idle statement, thinking of agricultural lands in particular, the concern is that it is really hard for agriculture to start in Island County. He has complaints from young people who want to buy a farm in Island County and the property values and the process of doing it is just way beyond what they can afford.
- He is concerned about the loss of land value as restrictions get applied. As this whole thing is overlaid he thinks it is the responsibility of the County to notify through the mail saying that there will be impacts in their properties.
- 210r, 50% repairs cannot be done all in the same year.
- The qualifications as explained in 210x, needs more definition, because someone who is qualified with a specific degree, bachelors, masters, or Ph.D. and do they have to have a certification of a state level or do they have to have a license at a state level and giving that type of specificity will help contractors or land owners to hire the appropriate person to do the work.
- The primary topic is the concern is gentrification in Island County and the potential impact that is creating the have and have nots, each time there is a layer of more cost on
top of any type of development there is a potential to amplify that because young people who don’t make a lot of money can’t move into the County due to cost.

**Steve Erickson, WEAN**

Wanted to get back to channels, page 10, it would make it easier to group the definitions under a larger group of regulated water course or non-regulated water course.

Dave Wechner wanted to remind the Planning Commission and the audience that this is a workshop and the purpose of the workshop is to primarily for the Planning Commission to hear from the staff, consultants and to review the materials that will be part of the potential decision. There will be an opportunity for public testimony. All of the comments being heard today qualify as public testimony. There is a separation of the two for people to understand or view the website or know what the general process is know that their real opportunity to be part of the official record is at the hearing and not during workshops. He appreciates the comments provided by the members of the public and the TAG but just wanted to remind people of the public testimony. The more detailed comments like the one being offered by Mr. Nelson, would be best suited for the public testimony of the of the Hearing when that is conducted.

Brad Johnson notified the Planning Commission that over the next two weeks the Planning department will be hosting a number of public meetings in each of the County’s planning areas. Notices have been published in the newspapers, have issued a press release and posted them on the website, as well as distribute to all of the e-mail lists on record. At these meetings, they will be soliciting verbal and written comments from the public. Their idea is to compile those comments and bring them back to the Planning Commission and set up a formal meeting on April 22 barring any issues or conflicts.

Commissioner Hillers asked about which minutes were approved. She said the minutes from March 11, 2014 that were approved earlier were not correct the minutes that should have been approved were from March 25, 2014.

*Commissioner Enell moved to withdraw approval of minutes dated March 11, 2014, Commissioner Yonkman seconded, motion carried unanimously.*

*Commissioner Yonkman moved to adjourn, Commissioner Enell seconded, motion carried unanimously.*

Meeting adjourned at 10:45 a.m.

Respectfully submitted,

Virginia Shaddy