Meeting called to order at 1:00 p.m. by Vice Chair Commissioner Hillers.

ROLL CALL

James Hall, Mike Joselyn, Val Hillers, Anna Marie Sibon, Dean Enell, Scott Yonkman

Planning staff present: David Wechner – Planning Director, Brad Johnson – Long Range Planner, William Simpson – Long Range Planner, Kira Swanson – Clean Water Utilities Planner

MINUTES

July 23, 2013
Commissioner Joselyn moved to approve the minutes as presented, Commissioner Yonkman seconded, motion carried unanimously.

ITEMS FROM THE PUBLIC

None

DIRECTOR’S REPORT

Dave Wechner informed the Planning Commission that the Planning Department will be fully staffed as of September 16. He also presented the use of agenda testimony cards to keep an accurate record of public comments.

NEW BUSINESS

Bill Oakes discussed the overview of the 2014 Proposed Schedule of Capital Expenditures. He gave detailed explanation of each of the project under 2014 Funding Sources.

Mr. Oakes directed the Planning Commission to Table 7 of the Capital Expenditures Plan.

- General Obligation Bond – repayments.
- Dept. of Ecology repayment for the Iverson Project to be paid off in 2021.
- Transfers of Funds to different programs.
- Storm Water Utility Reduction of debt payments that end in 2017.
- Paths & Trails
  - Clean Water Utility Projects Line - 6 large drainage/oufall projects, 2 in Maxwelton Area, 2 in Livingston Bay, Juniper Beach, Palmer Court and Mutiny Bay Condos Outfall.
  - Coupeville Campus Parking – we are working with the Town Coupeville in Partnership with group funding and road funding to do low impact development parking for their farmers market and allow the County to use it during the week to replace some parking that we may not be able to use on the Catholic Church parking lot.
  - Fairgrounds RV Facility – Support the fairgrounds additional improvements to the RV facility. They are in the planning stages. There was $63,000 set aside to support future improvements.
  - GMA Infrastructures to support infrastructure study related to growth management.
  - Jail/Energy Upgrades – combination of loan and grant and refunding towards improving the jails high volume air conditioning system and also some lighting upgrades at other facilities around the County. We then get credits from PSE for doing those improvements and also get energy savings from those improvements to repay the loans.
  - Libbey/Kettles Trail Head Design – parks and trails project to formalize the park and ride/trail head facility that is being used in DOT right of way and make improvements to that facility.
  - Swan Lake Feasibility Study – looking at replacing 2 tide gates with potentially fish friendly gates.

Ongoing Projects

- Fairground Improvements – Two years’ worth of funding were used to make a number of roof replacements and 2 commercial kitchens.
- Flood Control/Diking Facilities – to support those types of storm water improvements.
- Parks – Open Space Acquisitions
Mr. Oakes transitioned to discuss the Transportation Improvement Program and funding. When the cost model is done to support funding the TIP there is a funding problem. Half of the funding comes from the property taxes and they are projected on the growth of 1% which is less than the rate of inflation and there is a loss against that fund. There is a loss at the CAP fund which is reflective of the local gas tax money. When the cost model was done, it was down 5%. There is a half million dollars less than the previous year. There is no new money to add new projects this year. There are new feasibility studies and should viewed as potential projects should the revenue turn around.

- Wintergreen Drive and Campbell Intersection Improvements Feasibility.
- Bon-Air Access Feasibility to address the large movement of earth that occurred and restoring vehicular access to the area.
- Cross Island Road/West Camano Drive Feasibility – looking at regarding that intersection due to high accident area.
- Whidbey Air Park Access Feasibility – to access the commercial properties with a better road at the airport.
- Clinton to Langley Trail Feasibility
- Midvale Trail Feasibility

Commissioner Enell asked where the airpark location was and additional information about the Clinton Langley Trail.

Bill explained that there is only a feasibility study being done there are various obstacles and this is just for a study. Langley Road to Clinton Trail was a feasibility that was brought by a trail coalition in the area. They are interested in it as long term vision and would fit into the parks plan. The next trail to be built is the Freeland Trail.

Commissioner Hillers asked for clearer location for the Midvale Trail.

Commissioner Yonkman asked if professionals are used for the feasibility studies.

Bill Oakes stated that they were outside firms that prepare the studies and are competitive.

Commissioner Hall asked how the feasibility studies are determined and the order of importance.

Mr. Oakes responded with further detail of priority ranks and gave examples how the projects are selected.
PUBLIC COMMENT
None

Commissioner Discussion
Commissioner Enell explained that he has been critical of what Island County spends on road maintenance and met with Connie Bowers to do his due diligence on this topic. He also spoke to CRAB known as County Road Administration Board; they are tasked with making sure that all the roads meet Washington State road standards. He discussed how CRAB rates the roads.

His concern is whether the resurfacing of the roads is done too often. They recommend seven years on the chip seal and 20 years on an asphalt repair and he wanted to express his opinion that they should not be resurfaced as often, since it eats up a lot of money, adding that maybe that money is targeted for repair and can’t be spent elsewhere.

There are a lot of other things on the budget and he would encourage the County to stretch out that repair another couple of years. There isn’t data that says by doing this we will run into that cycle where the repair is going to cost a lot more if the repair wasn’t done. He does appreciate the use of CRAB but encourages that the money be used on other projects. He would encourage stretching out the repair in order to spend that money on other projects.

Bill Oakes responded with examples of roads that are not being maintained and the cost to repair those roads end up being more expensive. There is a mixture of art and science to determine when repair and maintenance is needed into the selection of the roads that need those repairs. His concern is that there is not enough spending in order to maintain the roads.

Further discussion regarding road maintenance funding carried on.

Commissioner Yonkman asked if there is adequate spot repair done on the roads.

Bill Oakes answered that systematic repairs are done to the roads until further assessments are done. This solution cannot be done on high volume traffic.

Commissioner Hillers commented that she appreciates the good maintenance conditions of the roads.

Commissioner Sibon agreed with Commissioner Hillers and described her recent experience outside of the County.

Commissioner Yonkman asked if the projects are listed in order of priority.

Bill Oakes stated that the funding priority gives a project priority.

Commissioner Hall asked if there will be addition of bike lanes in Southern Camano.

Bill Oakes responded that there are plans to create a bike loop on Camano Island.

Commissioner Yonkman asked if there is a review on how adequate funding is provided and is there a possible tax increase.
Bill Oakes stated that there is a possibility of approaching the Board regarding the funding sources. He discussed further options of funding.

Commissioner Hillers asked if the gas tax funding is only on gas purchased on the Island.

Bill answered that the gas tax is complicated and gave explanation of the funding.

*Commissioner Yonkman moved to recommend approval of the Adoption of the Six-Year Transportation Improvement Program 2014-2019 and the Capital Improvement Program 2014-2019. Commissioner Sibon seconded the motion; the motion carried 6 to 0, with Commissioner Enell abstaining.*

**Fish & Wildlife Habitat Conservation Area Update**

Brad Johnson and Kira Swanson presented an overview of the process that Island County will be undertaking to review and revise the Comprehensive Plan and Regulations as they pertain to Fish and Wildlife Habitat Conservation Areas (FWHCAs).

- **FWHCA Overview**
  - What are FWHCAs?
  - Why are we planning for them?

- **FWHCA Update Process**
  - Funding source
  - Consultant selection
  - Goals
  - Timelines

- **FWHCA Public Participation Plan**

- **What are Fish and Wildlife Conservation Areas (FWHCAs)?**
  - County code defines Fish and Wildlife Habitat Conservation Area (FWHCA) as:
    - land management for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created.

- **Management of habitats to prevent the decline of species’ populations and diversity**

- **County code designates the following as FWHCAs:**
  - Areas with which endangered, threatened, and sensitive species listed by the federal or state government have a primary association
  - Streams
  - Commercial and recreation shellfish beds
  - Kelp and eelgrass beds
  - Herring and smelt spawning areas
  - State natural area preserves and conservation areas
  - Species and habitats of local importance
  - Floral species on the protected list
  - Areas designated by DNR’s Natural Heritage Program

- **Why are we planning for FWHCAs?**

- **Washington State Growth Management Act (GMA) requires that local jurisdictions protect Critical Areas**

- **Per state regulations Critical Areas that must be protected include:**
- Wetlands
- Areas critical to recharging aquifers
- Frequently flooded areas
- Geologically hazardous areas
- Fish and wildlife habitat conservation areas

**Counties and cities must review and, if necessary revise their comprehensive plans and development regulations to comply with the GMA**

**Island County must update FWHCA portion of the Comprehensive Plan along with development regulations**
- On or before December 1, 2005
- On or before June 30, 2016 and every 8 years thereafter

**Island County updated the comprehensive plan and regulations in 2005**
- Failed to update FWHCA component and regulations

**As a result, Petition for Review by Growth Management Hearings Board was filed**
- December 13, 2012

**Growth Management Hearings Board issued compliance order and compliance schedule**
- January 25, 2013
- Revised compliance schedule issued on February 6, 2013

**What are the implications of the Growth Management Hearing Board order?**

**Island County must take legislative action to update and revise the Critical Area Ordinance and development regulations in regards to FWHCA.**
- This must be based on best available science

**Compliance Status Report due January 31, 2014**

**Must achieve compliance by July 24, 2014**

**How do we propose to update the FWHCA rules and regulations?**

**Received funding resources**
- National Estuary Program (NEP) Puget Sound Watershed Protection and Restoration Grant
  - $250,000 awarded
  - $90,000 match
- Tulalip Grant

**These grant resources will be used to hire and oversee a consultant**
- Selected The Watershed Company
- Contract approved August 19, 2013
  - $250,000 from NEP grant will fund the contract

**FWHCA Update Tasks:**
- Review best available science (BAS) for FWHCAs
  - Final BAS Bibliography – October 31, 2013
- Assess condition of FWHCA in Island County
  - Baseline and analysis maps - November 29, 2013
- Prepare BAS report and recommendations
  - Complete final report – December 31, 2013
- Draft revised policies and regulations
  - Prepare draft regulations – March 21, 2014
Commissioner Hiller asked if the Planning Commission will be involved in the Bibliography stage.

Ms. Swanson stated that the Planning Commission will be involved and notified and be part of the process.

Kira continued with the presentation.

- Support adoption of revised FWHCA regulations

- New regulations adopted – before July 24, 2014
  - Provide information on lessons learned

- Schedule is based on GMHB Order and grant deliverables
  - May shift due to unforeseen circumstances

- Technical Advisory Group (TAG)
  - Committee consisting of a group of scientific experts whose role it is to peer review draft documents and policies and provide technical feedback
  - Consisting of up to 15 members
  - Technical experts will be invited from a variety of organizations including Department of Fish and Wildlife, Department of Ecology, tribes, environmental groups, etc.

- Public Participation Plan
  - Developing a plan to comply with public participation requirements in the GMA (RCW 36.70A)
  - Structure is similar to the plan for the 2016 Comprehensive Plan review and update
  - Based on the deadlines established by the Growth Management Hearings Board and the NEP grant
  - Intend to have a public hearing on the plan on September 10, 2013

- What are the next steps?
  - Had kick-off meeting with consultants August 19, 2013
  - Assemble the TAG
  - Consultant beginning work on BAS and FWHCA assessment
  - Providing work products from each of the tasks as we receive them from the consultant

Commissioner Hillers asked for the name of the consultant.

Kira responded the Watershed Consulting Company was awarded the contract.

Commissioner Hall asked about how people may be involved in TAG.

PUBLIC COMMENT

Steve Erickson, Box 53, Langley
Representing: WEAN
Wished to testify on FWHCA; possibly others and how serendipitous the timing is with the 2016 update.

Sarah Schmidt, 243 Rhodena Dr, Coupeville
Representing: Whidbey Audubon Society
Wanted to express the need to involve local expertise in the process in order to avoid redundancy.

Commissioner Sibon stated she is glad that we are doing this update.

Commissioner Enell wanted to recommend Steve Erickson and Sarah Schmidt for the TAG Committee.

Commissioner Sibon asked if the County will also be doing physical site inspection or will the information be done from already mapped critical areas.

Kira stated that due to the tight timeline there will not be enough time to do on the ground verification. All of the available data the County has will be given to the Consultant and they will also be working with outside agencies to gather additional maps and information to create new information.

Commissioner Yonkman moved to adjourn, Commissioner Joselyn seconded, motion carried unanimously.

Meeting adjourned at 2:05 p.m.

Respectfully submitted,

Virginia Shaddy