PLANNING COMMISSION
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
TUESDAY, SEPTEMBER 25, 2012

<table>
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<tr>
<th>Members Present</th>
<th>Members Absent</th>
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<td><strong>District 1</strong></td>
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<tr>
<td>Val Hillers</td>
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<td>Dean Enell</td>
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<td>Mike Joselyn</td>
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<td><strong>District 2</strong></td>
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<td>Mitchell Howard – Chair</td>
<td>Anna-Marie Sibon</td>
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<td>Leal Dickson</td>
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<td><strong>District 3</strong></td>
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<td>Wayne Havens – Vice Chair</td>
<td>James Hall</td>
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<td>Scott Yonkman</td>
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Meeting called to order at 9:04 a.m. by Chair Mitchell Howard

**ROLL CALL**

Val Hillers, Dean Enell, Scott Yonkman, Mitchell Howard, Leal Dickson, Wayne Havens, Mike Joselyn

Planning staff present: Robert Pederson – Director, Karen Stewart – Shoreline Master Program Update Coordinator, Brad Johnson – Long Range Planner

Others present: David Pater – Department of Ecology

**MINUTES**

August 16, 2012
Commissioner Joselyn moved to approve the minutes as written, Commissioner Havens seconded, motion carried unanimously.

August 21, 2012
Commissioner Joselyn moved to approve the minutes as written, Commissioner Havens seconded, motion carried unanimously.

August 28, 2012
Commissioner Joselyn moved to approve the minutes as written, Commissioner Yonkman seconded, motion carried unanimously.

September 6, 2012
Commissioner Hillers moved to approve the minutes as written, Commissioner Enell seconded, motion carried unanimously.
September 11, 2012
Commissioner Yonkman moved to approve the minutes as written, Commissioner Dickson seconded, motion carried unanimously.

ITEMS FROM THE PUBLIC

No Comments

Continued Business from August 28, 2012:

Re-opened the public hearing from 8/28/12 on DRA 107/12, an amendment to Sections 17.03.040 and 17.03.180.R of the Island County Code to clarify the standards and requirements of sign and outdoor lighting regulations.

Long Range Planner Brad Johnson discussed the changes made to the proposed amendments based on the feedback received from the Planning Commission. The most important changes were:

- To allow businesses in the RC zone sections in Freeland Non-Municipal Urban Growth area to make use of the Camano Village Gateway sign standards in response to feedback which included the Freeland Chamber of Commerce.
- Revisions to the Agricultural Direction Signs code section, specifically eliminating the maximum number of blades that can be attached to a sign.
- Deleted any kind of prohibition against placing signs in the Public Right of Way. The Public Works Code already has regulations pertaining to placing objects in the Public Right of Way.

Commissioner Enell commented on using the Camano Village Gateway sign code for the Freeland NMUGA, felt this would fit in better.

Commission Yonkman supported Commissioner Enell’s comments regarding the Camano Gateway and asked for further clarification on the Public Works regulations mentioned.

Mr. Johnson replied it was a brief section in the code that states that no one shall place any object within the Public Right of Way without obtaining permission from the Island County Board of County Commissioners.

Chair Howard opened the topic for public comment.

Chet Ross, President of the Freeland Chamber of Commerce, 5622 S. Cameron Rd., Freeland
- Satisfied with the use of the Camano Gateway regulations for signs for the Freeland NMUGA. Came today in support of adopting these amendments, he felt it was a better starting point than being included with the rest of the County as the second largest urban area on the island.
Chair Howard called for discussion or motions.

Commissioner Hillers confirmed she was in agreement with the revised document.

Commissioner Enell stated the proposed amendments were an improvement over the existing regulations, making it easier for the business to understand the sign code.

Commissioner Hillers moved to recommend approval of the Sign Code update DRA 107/12 to the Board of Island County Commissioners, Commissioner Enell seconded, motion carried unanimously.

Commissioner Hillers moved to approve the Findings of Fact for the Sign Ordinance, Commissioner Yonkman seconded, motion approved unanimously.

Island County Shoreline Master Program Update

Shoreline Management Act of 1971
“…prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.”

Hearing continued from Tuesday, September 11, 2012:
Public Hearing and deliberations on updated Shoreline Master Program

Planner Karen Stewart discussed comments received from the Planning Commission after the September 11th meeting.

Based on comments from the public there were changes made in the aquaculture section.

Discussed the reason the following paragraphs were stricken:
Pg. 61 # 3, will be addressed through the conditional use process, so it was determined this language wasn’t needed within the program.
Pg. 61 # 4, this language was superseded and redundant in new policy language # 5 on the previous page.

17.05A.100 Shoreline Specific Use Regulations

A. Aquaculture

3. Aquacultural facilities shall not significantly impact the aesthetic qualities of the shoreline.

4. No aquatic organism shall be introduced into Island County salt or fresh waters without prior written approval of the Director of the Washington State Department of Fish and Wildlife.
Ms. Stewart stated the next group of strike outs deals with Geoducks and the percentage of sediment size. Testimony was heard stating the level of detail that came forward from the 1980 modification to the SMP was no longer needed because the State, especially as related to geoduck harvesting, has more specific regulations than they did in 1980.

9. Aquaculture proposals that hydraulically, mechanically, or by commercial digging (except traditional low impact hand implement digging), displace or disturb bottom sediments through dredging, trenching, or excavation shall be designed to minimize harm to aquatic habitat, and that any unavoidable impacts would be fully mitigated through on-or off-site measures. These activities, except for geoduck harvesting subject to Washington State Department of Fish and Wildlife standards, shall not be allowed in subtidal or intertidal areas with more than 20% fine sediment (63 microns or smaller) until it can be shown that the method or equipment can ensure immediate and sustained trench or hole refill, that there will be minimal significant adverse impacts on natural systems and that water quality standards are met.

10. In areas with more than 20% fine sediment, proposed operations must demonstrate that displaced or disturbed materials including but not limited to muck, silts, fines, nutrients, and chemical organic or other contaminants can be returned to the location from which they came in a manner such that they will not be re-suspended or moved from that location by wind, current, wave, or tidal action.

11. In areas with less than 15-20% fine sediment, such proposals must show that disturbed material will not be transported to adjacent beaches or intertidal areas in sufficient quantity to adversely affect the soil composition, aesthetic quality, water quality, or vegetation of those areas.

The next question was regarding aquaculture projects being allowed only on a provisional basis, which was also wording from the existing program. Ms. Stewart explained testimony was received stating it was difficult to do business provisionally and that aquaculture applications are subject to a detailed review as a Substantial Conditional Use Permit.

Commissioner Enell stated he felt the provisional language made sense as some of these projects are unproven and experimental.

Ms. Stewart then discussed the next section that was struck from the document: This portion talked about best available information, pg. 64 & 65, item 23 i, discussing environmental assessment, Ms. Stewart explained this is already talked about in other sections of the report. Ms. Stewart stated with the no net loss requirement it was felt it was already covered. Environmental assessments and equivalents are already required by the State and Federal government; Page 65 item “k” was modified to state,”

k) Other project specific information deemed necessary by the Shoreline Administrator to evaluate the potential effects of the proposal consistent with applicable regulations.

Ms. Stewart indicated using broader language, not specifying sediment size or getting into the level of detail within the regulation, allows the flexibility to work with applicants on these water dependent uses. The goal is to allow these uses within the shoreline area, to the extent possible.
Commissioner Enell felt it was important to have local regulation rather than rely on another agency farther up the line. Things can get lost that way. This is Island County’s Plan.

Chair Howard re-opened the public comment period:

**Susan Bennett**, 2191 Gossridge Rd. Freeland, Whidbey Audubon
- Commented on the Restoration Plan; wanted to know if there is any reference to cooperation between other jurisdictions when it comes to restoration projects.
- Pg. 24 regarding the timeline: Is there going to be any timeline for the remaining 4 projects and in addition the long range projects. There doesn’t seem to be any reference of scheduling of those projects, would like to know what the plan is.

**Steve Erickson**, WEAN
- Commented on Aquaculture, regarding striking # i, he felt there were three elements he doesn’t feel were picked up by other regulations.
  - The environmental assessment may need further baseline studies.
  - That those are at the applicant’s expense.
  - Consultants need to be approved by the County.
- Would still like to see an explicit provision on introduction of genetically modified organisms in Island County waters. He doesn’t see it anywhere else in the document.

**Ron Nelson**, EDC, 180 NW Coveland St., Coupeville
Commented on Aquaculture:
- There are many strikes against the Island County when it comes to growing and developing business and creating a diverse economy in Island County, such as distance from an I-5 corridor, distance from a regional airport, limitations on potable water and disposal of septic and sewer. Aquaculture fits in well with the limitation that we have within the County; it is an economic benefit to Island County. He asked the Commission to consider the financial impact to the community.

**Dennis Gregoire**, 5249 Raindrop Lane, speaking for the Port of South Whidbey
Commented on:
- The uniqueness of Whidbey Island.
  - Single family use.
  - Public access and recreation.
  - Sediment management plan.
  - Public access plan.
- Provided exhibit “A” identifying policy language from the Shoreline Management Act.
Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single-family residences and their appurtenant structures, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the state, industrial and commercial development which are particularly dependent on their location on or use of the shoreline of the state and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the state. Alterations of the natural condition of the shorelines and shorelands of the state shall be recognized by the department.

(i) Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.

- Public Access.
  - Erosion bluffs.

Gary Wray, 1153 American Lane, Coupeville
Commented his concern on:
- Aquaculture and adding layer upon layer of government regulations.
- The State and the Federal government have the expertise to figure out what they need to do and the public should be able to rely on the Planning Department to understand the regulations written by other agencies, rather than just write its own.
- Shellfish are unique in that there are a lot of areas where Island County can have aquaculture that are not available elsewhere. It should be encouraged.

Dennis Gregoire
Submitted a proposal at the last hearing wanted to be sure it was still being considered.

Karen Stewart replied to public comments:
- Susan Bennett - Draft Restoration Plan, cooperation is discussed on page 7:
  “The goals, policies, and actions identified in this restoration plan should coordinate and be consistent with this broader framework of conservation and restoration work in the region.”
- Section 5 of the Restoration Plan regarding implementation strategies has a unique item included, acknowledging a discussion of volunteer restoration of private lands.
  **Voluntary Restoration on Private Lands**
  Much of the shoreline area in Island County is privately-owned property; therefore, public outreach and voluntary restoration actions are a key component of the success of this plan. Private property owners often serve as the best stewards for their land
and will voluntarily enhance or restore conditions. As stated in Section 1, the Shoreline Restoration Plan is a non-regulatory and voluntary program undertaken by the County and environmental partners willing to improve habitat and existing conditions within the shoreline jurisdiction.”

- Scheduling for future projects:
  - Compiled various tables with ongoing projects within Island County; Table 3 lists ongoing projects and funding sources either appropriated or seeking funds and Table 4 shows 88 possible projects.
- Steve Erickson – Aquaculture policy. Ms. Stewart indicated she would look at his specific language suggestions for incorporation.
- Substrate displacement is addressed on page 62/63 #13, with fairly detailed language.
- Sediment Management Plan, sediment transport has been discussed for each of the reaches in the Environmental Designations.
- Dennis Gregoire – Separate designation for Ports. The table of uses on Pg. 25 addressed boat ramps and boating facilities. The body of the document also addresses those uses, both public and private. Staff believes within the context of the existing program, those uses are addressed and therefore staff does not see the necessity to have a unique category.

Mr. Pederson commented that there is currently work being done on the update to the County Wide Planning Policies, which are part of the precursor steps in one of the elements of the Comprehensive Plan update. The discussion regarding coordination with regional restoration opportunities, including our sister jurisdictions would be good language to talk about with those jurisdictions to include in the County Wide Planning Policies.

Chair Howard closed the public comment period.

Recess

**Shoreline Environmental Designation Maps dated September 2012**

Ms. Stewart discussed the public comment request from Pamela Hill to change her specific parcel designation from Rural Conservancy to Natural.

*Commissioner Enell moved to approve the Shoreline Environmental Designation Maps, Commissioner Dickson seconded, motion carried unanimously.*
Commissioner Enell moved to amend the above stated maps to include the requested change from Rural Conservancy to Natural on the parcel identified by Pamela Hill in public testimony, Commissioner Yonkman seconded. Motion carried unanimously.

Commissioner Hillers suggested the Inventory and Characterization information is very useful and valuable and should be made available to the public and not get lost in the many pages of documents in this SMP update.

**Restoration Plan**

Commissioner Hillers moved to accept the Shoreline Restoration Plan, Commissioner Yonkman seconded.

Discussion

Commissioner Enell suggested having something akin to the Shoreline Restoration Plan to deal with beach access. He also felt something like a special district to address the needs of the Port to maintain water access points should be considered.

Commissioner Hillers suggested an addition to the Findings of Fact that would list the pieces of unfinished business, such as a special Port District that the Board of County Commissioner might like to address.

Commissioner Yonkman talked about providing offsite mitigation to allow the Port Districts to maintain boat ramps and do the needed work to provide public access to those boat ramps. He felt something should be considered to site those as a priority to allow swift action.

Further discussion ensued.

Chair Howard called for a vote. Motion carried unanimously.

**Goals and Policies**

Commissioner Hillers moved to accept the Goals and Policies and recommend approval to the Board of Island County Commissioners, Commissioner Yonkman seconded, motion carried unanimously.

Discussion.
Commissioner Enell moved to add item # 3 as illustrated below, which was stricken from the document, be added back in.

Experimental aquaculture development should be limited in scale; should be approved for a limited period of time; and should be required to demonstrate that they will not result in a net loss of ecological functions. “Experimental aquaculture” means an aquaculture project that uses methods or technologies which are unprecedented or unproven in the state of Washington.

Commissioner Yonkman seconded for the purpose of opening the discussion.

Commissioner Hillers discussed her concern of approving something for a limited time when the testimony clearly stated these are multi-year projects. She further asked about the regulation at the State level.

David Pater – DOE
Replied to the comment, stating he was not overly familiar, in terms of how the State oversees experimental aquaculture and would have to investigate it further. There have been many new things come in over the last years, especially involving geoduck aquaculture and the guidelines reflect that; they were updated approximately eighteen months ago. Any local SMP has to manage aquaculture to some degree and have standards that at least address baseline conditions; it must also be in sync with the State and Federal level.

Commissioner’s comments included:
- Public testimony received from the local industry.
- Being careful not to punish the good players in fear of a few bad actors.

Commissioner Dickson stated the experimental aquaculture should be looked at carefully, anyone wishing to develop an aquaculture business, should do so with adequate evidence, either by similar projects having been done elsewhere, or a proposal to follow a project whereby they demonstrate for a period of time, and by scientific studies done for a period of time, or on such a scale that they can demonstrate no net loss of ecological functions.

Further discussion included a suggestion for including something similar to what is found in the regulations as a policy statement regarding introducing new aquatic species that are not previously cultivated in Washington State shall not be introduced into Island County waters without prior written approval an approved shoreline conditional use permit and approval by the Director of the Washington Department of Fish and Wildlife and the Director of the Washington Department of Health.
Discussion went to including both new species and experimental processes.

Chair called for a vote on Commissioner Enell’s original motion, Commissioner Hillers, Commissioner Dickson, and Commissioner Enell, voted yea, Commissioners Havens, Commissioner Joselyn, and Commissioner Yonkman were opposed.

Chair Howard stated with three yees and three nays the Chair was now responsible for making a call and voted yea.

Commissioner Yonkman changed his vote from nay to yea after further discussion.

Vote on the amendment is now changed to 5 to 2.

Commissioner Dickson suggested an addition to this newly re-inserted statement, defining what is meant by experimental. If has been proven elsewhere, not just in the State of Washington, it should be accepted as good evidence.

Commissioner Dickson moved to strike “in the State of Washington”, seconded by Hillers, motion carried unanimously.

Commissioners Hillers thanked the public, the document is better because of the public input.

Chair called for a vote on the Goals and Policies, motion carried unanimously.

17.05A

Commissioner Enell moved to approve the regulations, Commissioner Hillers seconded.

Discussion on the regulations ensued.

Page 60.

# 5. New aquatic species that are not previously cultivated in Washington State shall not be introduced into Island County waters without prior written approval an approved shoreline conditional use permit and approval by the Director of the Washington Department of Fish and Wildlife and the Director of the Washington Department of Health.

Discussion included whether Atlantic salmon were considered native.

Page 61.

# 17. Fish net-pens shall include only native species. The cultivation of non-native finfish shall be prohibited.
Commissioner Hillers moved to amend #17 on aquaculture 17.05A.100.b.17 to say “fish net pens shall include only native species. The cultivation of non-native finfish, including Atlantic salmon shall be prohibited.” Commissioner Joselyn seconded, motion carried unanimously.

Commissioner Enell moved to reinsert 17.05A.100.B.15 (tracked changes version) #15 When necessary, experimental aquaculture projects may be allowed on a provisional basis. Monitoring of specific environmental conditions may be required at the Applicant’s expense prior to or during operation as a condition of approval, to provide proof of compliance with the permit.

Commissioner Hillers seconded, but suggested removing when necessary. Commissioner Enell accepted the friendly amendment.

Chair called for a vote, motion carried unanimously.

Commissioners Hillers moved to insert back into Aquaculture 23.i as follows: Environmental assessment, including further baseline studies may be required depending on existing conditions, the nature of the proposal, and probable adverse environmental impacts. Baseline and periodic monitoring as required by permit shall be at the applicant’s expense by County approved consultants unless otherwise provided for.

Commissioner Enell seconded, motion carried unanimously

Commissioner Enell moved to amend Pg. 60 # 4.

Aquaculture facilities are required to identify and use best management practices from appropriate sources, including those from the Pacific Coast Shellfish Growers Association to minimize impacts such as light, noise, and odor from the construction and management of the facilities.

Commissioner Dickson seconded.

Further discussion ensued.

Chair Howard called for a vote, motion carried unanimously.

Commissioner Joselyn and Commissioner Havens discussed – pages 79/80 # 23, Public access for residential development; Commissioner Joselyn stated he was not in favor of the whole amendment. Commissioner Havens expressed concern over the idea of going across private property for public access to either a private or public beach in regards to liability, should someone gets injured going across private property. He felt the liability will be with the person who owns the property the easement goes across. If the State wants public access, a developer should deed a piece of property to the State or County for public access rather than leaving it on the private property owner’s shoulders to maintain and operate this easement.
Commissioner Havens then moved to remove # 23.

Further discussion continued, the Commission preferred to modify it rather than remove it and agreed the liability issue needed to be addressed.

Further discussion on community access, public beaches, and the liability issue ensued.

Director Pederson cautioned the Commission in trying to parse out where the liability may fall.

RECESS

Karen Stewart continued the discussion of sections identified by the Commission as needing further discussion. She began with soft shore armoring by pointing out new language in section 17.05A.110.A.1.b), page 84.

vi. soft shore protection methods—at least eighty percent (80%) of the project must be constructed of naturally-occurring materials used in ways that are consistent with current nearshore processes;

Discussion ensued on bulkheading, repair and maintenance.

Director Pederson went back to the conversation on public beach access related to Commissioner Havens’ concern regarding liability.

Ms. Stewart directed the Commission to pages 56 and 57 for this discussion:

5. Physical public access shall be incorporated into all development proposals on public lands, all public and private commercial and industrial developments, all publicly funded projects, and all residential subdivisions of greater than four (4) lots unless the project proponent demonstrates that any of the following conditions exist:
   a) Unavoidable health or safety hazards to the public exist that cannot be prevented by any practical means;
   b) Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions;
   c) The cost of providing the access, easement, alternative amenity, or mitigating the impacts of public access are unreasonably disproportionate to the total proposed development;
   d) Significant environmental impacts that cannot be mitigated will result from the public access; or
   e) Significant undue and unavoidable conflict between public access requirements and the proposed use or adjacent uses would occur, provided that the applicant has first demonstrated and the County determines that all reasonable alternatives have been evaluated and found infeasible, including but not limited to:
i. Regulating access by such means as maintaining a gate or limiting hours of use;

ii. Designing separation of uses and activities (including but not limited to, fences, terracing, use of one-way glazing, hedges, landscaping); and

iii. Provisions for access at a site geographically separated from the proposal such as a street end, vista, or trail system.

Commissioner Joselyn moved to remove from # 5 “all residential subdivisions of greater than four (4) lots”, Commissioner Havens seconded.

David Pater – Ecology
Stated this requirement comes directly from the guidelines, community access would also be allowed in some cases. Public access could mean a view it does not mean you could get down to the water.

Discussion continued.

Chair Howard called for a vote on the amendment. Commissioner Joselyn, Commissioner Havens, and Commissioner Yonkman voted for the amendment, Commissioner Hillers, Commissioner Enell, and Commissioner Dickson voted nay.

Chair Howard then voted with the nays to break the tie. Motion failed.

Ms. Stewart then directed the Commission to page 65, beach access section.

8. When allowed, beach access structures may be located within the shoreline buffer,
provided that:
   a) There is no other available public beach access within one thousand (1000) feet of the lot or lots to be served by the proposed access;

Commissioner Havens moved to change 1,000 feet to 300 feet, Commissioner Joselyn seconded.

Discussion ensued.

After discussion of a friendly amendment of 500 or 600 feet, Commissioner Dickson’s friendly amendment resulted in an amendment of 500 feet. The motion maker accepted the amendment.

Discussion ensued.

Chair called for a vote on the amendment, the Commission voted in favor of the amendment with Commissioner Enell opposed, motion carried.
Ms. Stewart then discussed page 73, item F. Forest Practices, regulation # 2. She explained the operative part of the sentence was to assure no net loss and upon further review the next regulation dealt with that same topic, so it was modified as follows:

2. When forest lands are converted to another use, there shall be no net loss of shoreline ecological functions or significant adverse impacts to other shoreline uses, resources and values such as navigation, recreation, or public access.

This represented the spirit of # 2 and didn’t get into the forest practice terminology which seemed fraught with complications.

The Commission asked the previous commenter on this issue, Jeanne Hunsinger if this change was along the lines of what she had recommended. She confirmed that it did address her concern of clouding the issue between conversion and non-conversion.

Discussion ensued.

Commissioner Enell moved to remove the strike out of # 2 and add the likelihood of conversion as determined by the county. Motion died for lack of second.

Commissioner Dickson asked to discuss the following definition:

Ecological Processes: Ecological processes, ecosystem processes, or ecosystem-wide processes means the suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Commissioner Dickson moved to add to the definition of ecological processes to read as follows: Ecological Processes: Ecological processes, ecosystem processes, or ecosystem-wide processes means the suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; the presence of living, functioning organisms; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions. Commissioner Enell seconded, motion carried.

Commissioner Yonkman expressed the need to provide education for the public by pulling together some excerpts that would speak to each portion and give a quick nutshell guide. He encouraged this to be a priority for the Planning & Community Development Department.

Page 79, Commissioner Havens withdrew earlier motion to remove item #23.

Chair called for a vote to recommend approval to the Board of Island County Commissioners the regulations as amended. Motion carried unanimously.
RECESS

Findings of Fact:

Chair called for a motion to approve the Findings of Fact

Commissioner Havens stated he was still against easements across private property to the beach for public access.

*Commissioner Hillers moved to approve the Findings of Fact, Commissioner Dickson seconded.*

Discussion included Commissioner Enell’s statement that public access is a difficult topic and has been worked on for the last 20 years, he recommended the way to deal with that problem was to do something similar to the Restoration Plan and have that address public access. It prioritizes projects, provides timelines, and possibly funding. He would also like to see a similar document addressing a special Port district to provide assistance to get through the bureaucracy and accomplish their goals.

Director Pederson stated he had serious reservation about putting in the Findings of Fact that Island County should be assisting the Port, another unit of government, with filing permit applications to other State agencies, it would be a conflict of interest.

*Commissioner Enell moved to include in the Findings of Fact, the creation of a special district which would encompass Port owned properties so that they can develop and to do their role on those with less hindrance.*

Further discussion identified this as being more appropriate for the transmittal memo.

Discussion led to the change of the motion:

*Commissioner Enell moved to have the Findings of Fact reflect that a high priority of the Shoreline Master Program update is to accomplish beach access for citizens, and that it needs to be addressed in a proactive, goal oriented manner, similar to the way that the Shoreline Restoration Plan relates to ecological concerns, Commissioner Yonkman seconded.*

*Chair called for a vote, motion carried unanimously.*

After an original motion and discussion amending the motion, the following motion was made by Commissioner Enell for inclusion in the Findings:
The Planning Commission finds aquaculture operations as an important opportunity and challenge to Island County due to the proliferation of such practices and this will require diligent management and oversight, Commissioner Dickson seconded, motion carried unanimously.

Discussion for the transmittal memo ensued.

Commissioner Enell reiterated his feeling of the need to have the ability of Ports to accomplish their objectives may require a special district to encompass their property.

Commissioner Hillers suggested a good way to begin the transmittal memo would include the balance of interests, the environmental quality of Puget sound, public access, private landowners rights and the Planning Commission has grappled with these issues and have done the best job they can to balance these.

Further discussion stated they had also grappled with these issues in the context of the guidance from Ecology and tried to preserve flexibility.

Commissioner Yonkman discussed public access, repair and maintenance, and an expedited process.

Commissioner Hillers proposed a number 12 that would include the number of workshops and public hearings held by the Planning Commission.

The discussion concluded this was a procedural item that should be included and did not require a motion.

Commissioner Enell moved to include the following in the Findings of Fact: Island County could enhance the public accessibility to our shorelines by facilitating Port acquisition of necessary permits, Yonkman seconded.

Commissioner Hillers stated she was uncomfortable with this, is could be interpreted to mean there are applications for permits in the Planning Department that have not been approved and felt without knowledge of the status of permits and whether or not they have been applied for, she would be uncomfortable voting on this without knowing what the facts are.

Director Pederson suggested that perhaps what could be conveyed to the Board is to look at what type of permits are required for boat ramps and beach access facilities if the Port is going to develop them. Perhaps they should be looking at making those permitted instead of condition uses to make them an easier regulatory hurdle.
The Planning Commission determined this should go in the transmittal memo.

Commissioner Havens, moved to approve the Findings of Fact & authorize the Chair to sign once the amendments have been incorporated, Commissioner Joselyn seconded, motion carried unanimously.

Commissioner Hillers moved to adjourn, Commissioner Havens seconded, motion carried unanimously.

Meeting adjourned at 3:13 p.m.

Respectfully submitted,

Paula Bradshaw