

COMPREHENSIVE PLAN

APPENDIX 9

**FINAL ENVIRONMENTAL IMPACT STATEMENT
and FINAL SUPPLEMENTAL EIS**

Issued on October 10, 1996 and November 12, 1997

FINAL
Environmental Impact Statement
for
San Juan County Final Draft Comprehensive Plan

in compliance with

*State Environmental Policy Act (SEPA)
Chapter 43.21C, Revised Code of Washington*

*SEPA Rules
Chapter 197-11 Washington Administrative Code*

San Juan County Planning Department
P.O. Box 947
Friday Harbor, Washington 98250

in consultation with
Barrett Consulting Group

October 2, 1996

October 2, 1996

TO: Recipients of the Final Environmental Impact Statement (FEIS) for the San Juan County Final Draft Comprehensive Plan and the revised Draft Shoreline Master Program

This FEIS has been prepared in accordance with WAC 197-11-560 to respond to comments on the contents of the Draft Environmental and Economic Impact Statement (DEEIS) issued for the Draft Comprehensive Plan on February 13, 1995 and the Supplemental Environmental Impact Statement (SEIS) issued for the revised Draft Shoreline Master Program (SMP) on June 19, 1996. The scope and complexity of the DEEIS document, the public comment process, the Comprehensive Planning Citizen Advisory Committee (CAC) review process, and the Planning Commission review process of both the Plan and SMP has caused the delay of the FEIS issuance until now.

The county received 478 written comments in the form of letters and comment sheets as well as five different petitions with 1613 signatures on the Plan and DEEIS. Following the comment period the CACs held a series of meetings on each major island to address the comments through selection of a preferred alternative and modifications to the 1/95 Draft Plan to create the Final Draft Plan (10/95). Twenty-one written comments were received on the SMP and SEIS. Written responses in this FEIS are limited to those comments which contained reference to specific sections of the DEEIS or SEIS. Oral comments received during public hearings in April, 1995 on Orcas, San Juan and Lopez islands on the Plan and DEEIS, are summarized and responded to when appropriate. The FEIS contains a summary of measures to mitigate adverse environmental impacts of the proposal and an analysis of the affect of recommended changes to the Final Draft Plan and SMP by the Planning Commission. The FEIS also includes factual corrections to the DEEIS and SEIS.

The State Environmental Policy Act (SEPA) states that the county may not take action on comprehensive plan proposals for at least seven days after issuance of an FEIS. Action on the proposal has not been scheduled to date. However, final adoption of the Comprehensive Plan is anticipated to occur by the end of the year.

The Board of County Commissioners have scheduled hearings on October 21 on Lopez, October 22 on Orcas, and October 23, 1996 on San Juan Island, to consider Planning Commission recommendations on the Final Draft Plan. Look for notice of these hearings in the legal ads of the Sounder newspaper.

We look forward to your continued involvement in the comprehensive planning process.

Sincerely,

Laura Arnold
Planning Director

Fact Sheet

Title and Description of Proposed Action

The proposed action is the revision of the Comprehensive Plan and Shoreline Master Program (SMP) for San Juan County. The Plan and SMP are being revised in accordance with the Growth Management Act (RCW 36.70.A) and State Environmental Policy Act (RCW 43.21(C)). The FEIS presents the impacts of the proposed Final Draft Comprehensive Plan and revised Draft Shoreline Master Program and the responses to comments received on the DEEIS and SEIS in accordance with WAC 197-11-560.

Proponent

San Juan County

Tentative Date for Implementation

Adoption of the Comprehensive Plan by the Board of County Commissioners is tentatively scheduled for December, 1996.

Lead Agency/Responsible Official

San Juan County Planning Department
Laura Arnold, Planning Director
P.O. Box 947
Friday Harbor, WA 98250
(360)378-2393

Contact Person

Darcie Nielsen, Senior Planner
(360) 378-2393

Authors and Principal Contributors

San Juan County Planning Department
Laura Arnold, Planning Director
Darcie Nielsen, Senior Planner

Barrett Consulting Group (DEEIS)
John Burkholder
Mark Personius
Stephanie Jewett

Date of Final EIS Issuance:

October 2, 1996

Subsequent Environmental Review

San Juan County has used a phased SEPA review process for non-project actions required by the Growth Management Act. A draft Unified Development Code containing all development regulations to implement the Plan and SMP will be subject to SEPA analysis in 1997.

Location of Background Material

Background material and documents used to support development of the Draft EEIS, SEIS and Final EIS are available for inspection at the San Juan County Planning Department, 135 Rhone Street, Friday Harbor WA, 98250.

FEIS Cost to the Public: \$6.00

Distribution List

LOCAL AGENCIES

San Juan County Board of Commissioners
San Juan County Health and Community
Services Department
San Juan County Public Works Department
San Juan County Permit Center
San Juan County Sheriff
San Juan County Parks Board
San Juan County Land Bank
San Juan County Prosecuting Attorney
San Juan County Administrative Services
Department

STATE AGENCIES

Department of Community, Trade, and
Economic Development
Office of Archaeology and Historic Preservation
Department of Ecology
Department of Health
Department of Fish and Wildlife
Department of Natural Resources
University of Washington,
Friday Harbor Marine Laboratories
Parks and Recreation Commission
State Department of Transportation
Puget Sound Water Quality Authority

FEDERAL AGENCIES

National Park Service
U.S. Environmental Protection Agency
U.S. Department of Interior
U.S. Fish and Wildlife Service

OTHER AGENCIES AND GROUPS

P.T.I. Communications
Orcas Power and Light Company
Island Libraries: San Juan, Orcas, Lopez, Shaw,
Waldron Community Meeting, and Decatur
Library (c/o Charles Roy, Decatur)
Town of Friday Harbor
Port of Friday Harbor
Tulalip Tribes of Washington
Lummi Indian Tribe
Housing Advisory Board

Island School Districts: San Juan, Orcas, Lopez,
Shaw, (with copies to Waldron and Decatur
schools)
Eastsound Water & Sewer District

COMMENTORS

Nancy McKay, Puget Sound Water Quality
Authority
Town of Friday Harbor
Ian S. Munce, City of Anacortes
Tracy Burrows, 1000 Friends of Washington
Jay Derr, Buck & Gordon, Attorneys at Law
Roche Harbor Resort and Marina c/o Vern
Howard and Rich Komen
Wendy Mickle, Lopez Island
Barbara Thomas, Lopez Island
Andrew Evers, Lopez Island
George W. & Irene Warner, San Juan Island
Miki Brostrom, Waldron Island
Bob Myhr, Lopez Island
Mitchell B. Dodd, Waldron Island
Claire Hellar, Waldron Island
Janet Roach, Waldron Island
Charles H. Ludwig, Waldron Island

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NOTE: DUE TO TECHNICAL DIFFICULTIES THE MAPS WERE NOT AVAILABLE FOR INCLUSION IN THIS DOCUMENT. THE PREFERRED ALTERNATIVE MAPS WITH RECOMMENDED CHANGES BY THE PLANNING COMMISSION ARE AVAILABLE FOR VIEWING AT THE ORCAS, LOPEZ, AND SAN JUAN ISLAND LIBRARIES, AND AT THE SAN JUAN COUNTY PLANNING DEPARTMENT.

Map 1:	District 1 Preferred Land Use Designations
Map 2:	District 2 Preferred Land Use Designations
Map 3:	District 3 Preferred Land Use Designations

Chapter 1: Introduction

This document constitutes the Final Environmental Impact Statement (FEIS) for San Juan County's Final Draft Comprehensive Plan to comply with the requirements of the Washington State Growth Management Act (GMA) and SEPA. This FEIS responds to comments received on the environmental impacts and mitigations analyzed in the Draft Environmental and Economic Impact Statement (DEEIS) and provides an analysis of the preferred alternative. When needed, revisions to the DEEIS are provided. This FEIS also responds to comments received on a supplemental EIS prepared for the revised Shoreline Master Program and two SEPA addenda prepared for revisions to the proposals for the Roche Harbor Activity Center and the Friday Harbor urban growth area.

1.1 OVERVIEW OF THE PLANNING PROCESS

San Juan County is revising its 1979 Comprehensive Plan under requirements and guidelines of the Growth Management Act (GMA). Since 1992, the County has been conducting an extensive citizen participation program to assist in the development of the new Plan. The new Plan attempts to fully integrate all of the required elements of GMA as well as the Shoreline Master Program and optional elements desired by county citizens. The Plan, together with its supporting documents, will be the official policy statement of the County. The Plan is not a detailed final plan but rather it provides a long range framework to guide citizens, County government, and private agencies and service providers in their planning, design, and location decisions about growth, land uses, conservation of natural resources, and major capital facility expenditures. The goals and policies in the Plan direct future decisions on land use actions, ordinance amendments, capital expenditures, procedures and programs.

An environmental analysis conducted for comprehensive plans, a "programmatic" EIS, is necessarily more general than that which can be conducted for specific projects. The non-project nature of a goal and policy document like the Draft Comprehensive Plan does not lend itself well to the traditional SEPA evaluation of identifying measurable impacts associated with a site specific land use project, such as a new marina or solid waste facility. In many cases the differences that will result from alternative planning choices are subjective in nature or not readily quantifiable. Therefore, the environmental impact evaluation contained in the DEEIS was a general discussion of impacts to the natural and built environments associated with the development pattern fostered by four land use alternatives.

The principal subject of analysis in the DEEIS was the Land Use Element of the 1/95 Plan. Three of the alternatives examined were based on different ways of applying the proposed new land use designations in the Land Use Element to achieve the objectives of the Vision Statement. The existing Plan or "no action" alternative was also examined. The DEEIS examined the implications of the 20 year population and buildout projections with regard to housing, transportation, and capital facilities, and then included a discussion of mitigation measures to address probable adverse impacts.

In addition to the alternatives analysis, the DEEIS contained issue papers for five "study items." These were topics the Citizen Advisory Committees (CACs) asked to have analyzed in the DEEIS. They were: Alternative Regulatory Approaches, Transfer and Purchase of Development Rights programs, Density Reduction Analysis, 1% Growth Limit, and Impact Fees. The last chapter in the DEEIS included an economic impact analysis which is an overview of the general economy and future growth factors. The economic impact analysis was intended to provide insight into where the county would be in 20 years, and how the proposed alternatives could affect the economy in the future.

The DEEIS was released on February 13, 1995 for a sixty day comment period. During that time numerous public meetings were held on the various islands to review the mapped alternatives and DEEIS. By the end of the sixty days over 2,000 comments were received on the DEEIS and Draft Plan. Comments came in the form of letters, comment sheets, petitions, and oral testimony. The District CACs met for three months

following the end of the comment period to review the comments, develop the preferred alternative, and revise the Draft Plan. The revised Draft Plan was then forwarded to the Planning Commission as the Final Draft Plan recommendation from the CAC Steering Committee.

The Planning Commission held a series of hearings in late 1995 on the Final Draft Plan and recommended a number of changes to the document. Additional Planning Commission hearings were held in the summer of 1996 to consider a revised Shoreline Master Program (SMP) and to consider changes proposed to the Roche Harbor Activity Center Plan and the Town of Friday Harbor's urban growth area. A supplemental EIS was prepared for the revised SMP. Two SEPA addenda were prepared for the Roche Harbor and Friday Harbor proposals.

This FEIS completes the SEPA analysis for comprehensive plan revisions. Development regulations contained in a Draft Unified Development Code will be subject to additional SEPA analysis in early 1997.

1.2 DESCRIPTION OF LAND USE ALTERNATIVES

The 1/95 Draft Plan Vision Statement, Goals, and Policies emphasized the community's primary objective of maintaining the county's rural character, natural environment, and a diverse economy, while managing growth and development in a manner which accomplishes this. Citizen Advisory Committee discussions during the Vision and policy-making process focused on the question of "what is rural in San Juan County?" and generated two distinct concepts:

- 1) That the rural landscape should be characterized by a variety of residential, agriculture, forestry, cottage enterprise, rural commercial, and rural industrial uses; or,
- 2) That the rural landscape should be characterized primarily by agriculture and forestry uses with all other uses being accessory to these resource-based activities.

Based on the objective and the two concepts of rural, the alternatives were formulated to explore various land use scenarios using a system of land classes (Activity Centers, Rural, and Resource Lands) and the associated designations proposed in the goals and policies of the Land Use Element of the Draft Plan. All of the alternatives were aimed at achievement of the objective. None of the alternatives proposed to change the residential densities established in the 1976 SMP or the 1979 Comprehensive Land Use Plan (Alternative 1 - No Action). They focus on managing growth (primarily non-residential growth) in different ways. The Draft Plan did not address shoreline issues. The 1996 SMP revisions were based on the preferred alternative established through the DEEIS and Final Draft Plan. The alternatives are summarized below:

<p>Alternative 1 No Action/Existing Plan</p> <p>This alternative managed the rural landscape based on the existing comprehensive plan which emphasizes a broad range of uses in the rural environment. Development would continue under existing Plan designations.</p>	<p>Alternative 2 Rural and Rural Residential Emphasis</p> <p>This alternative contemplates the first concept described above. The rural landscape would be managed with an emphasis on retaining a mix of rural uses through broad application of the proposed Rural General Use designation, while also providing for areas of exclusive residential use through the proposed Rural Residential designation. This alternative includes large activity centers to recognize existing densities and patterns of "urban" type development.</p>
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<p>Alternative 3 Resource Land Emphasis</p> <p>Alternative 3 reflects the second concept described above, with farming and forestry being the predominant uses in the rural environment. This alternative would manage most of the landscape with an emphasis on retaining farm and forest uses through broad application of the proposed Agriculture and Forest Resource lands designations. All non-residential, farm or forestry related uses would be located in compact activity centers.</p>	<p>Alternative 4 Rural and Resource Land Mix</p> <p>Alternative 4 uses the full range of proposed new designations for activity centers, rural, and resource lands in an attempt to incorporate both concepts.</p>
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A summary matrix of significant features of the alternatives is in Table 1-1 on the following page.

TABLE 1-1: SUMMARY MATRIX OF ALTERNATIVES

	ALTERNATIVE 1 (No Action/Existing Conditions)	ALTERNATIVE 2 (Rural and Rural Residential Emphasis)	ALTERNATIVE 3 (Resource Lands Emphasis)	ALTERNATIVE 4 (Rural and Resource Lands Mix)																																																																																																														
POPULATION	ALL ALTERNATIVES HAVE THE SAME FORECAST POPULATION AND BUILDOUT																																																																																																																	
	Total Population 2014 = 16,895 Population Gain 1994-2014 = 6,487 Dwelling Units 1994-2014 = 5,849	Existing Vacant Lots District 1 = 2,231 District 2 = 2,201 District 3 = 2,130 Total <u>6,562</u>	Additional Lots @ Buildout District 1 =5,404 District 2 =6,591 District 3 =2,832 —																																																																																																															
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SIGNIFICANT FEATURES	<ul style="list-style-type: none"> - Commercial/industrial uses scattered, subject to CUP throughout Rural and Suburban (which would remain the dominant designations). - Present Urban designated areas remain the same. - Little encouragement of resource based land uses. - Minimal protection of agricultural and forest lands. - Existing Plan is inconsistent with GMA in that it contains no growth projections, no policies to address the GMA goals, and no elements for housing, transportation, capital facilities, or utilities. 	<ul style="list-style-type: none"> - Similar to Alt. 1 in accommodating non-residential development. - Greatest over-allocation of land for commercial and industrial activities, due to large activity centers and broad use of RGU designation. - No designated resource lands of long-term commercial significance. - Greatest potential threat to preserving open space and rural character due to broad application of RGU which has no standards for site design. - Least encouragement of resource based land uses. - Draft Plan contains required GMA elements and addresses GMA goals. This alternative may be inconsistent with GMA goal to reduce sprawl. 	<ul style="list-style-type: none"> - Limited supply of land in the Rural Residential, Rural Commercial, and Rural Industrial designations. - Most restrictive of non-residential uses. - Commercial/industrial activities steered into activity centers. - Fewer and smaller activity centers. - Most protection of long-term, commercially significant forest and agricultural resource lands. - Would tend to suppress future subdivision activity the most among all alternatives due to platting restrictions proposed in the Agriculture and Forest designations. - Draft Plan contains required GMA elements and addresses GMA goals. This alternative may be inconsistent with the GMA goal for economic development. 	<ul style="list-style-type: none"> - More "balanced" allocation of lands for non-residential, residential only, and resource-based uses. - RGU applied to existing mixed-use rural areas. - Broad allocation of RFF designation which provides design standards to protect rural character. - Provides best future opportunity for balanced economic development due diversity of land types. - Draft Plan contains required GMA elements and this alternative is generally consistent with all GMA goals. 																																																																																																														

1.3 THE PREFERRED ALTERNATIVE AND STUDY ITEM CONCLUSIONS

The Preferred Map Alternative

Based on the comments received and the impact analysis contained in the DEEIS, the preferred alternative was determined to be a combination of Alternatives 2, 3 and 4 with particular emphasis on Alternatives 3 and 4. The unique characteristics of each island resulted in some variation of the combination of alternatives particularly on the three major islands of San Juan, Orcas and Lopez. In the preferred alternative there is broad application of the proposed Rural Farm Forest, and Agriculture and Forest Resource Lands designations recognizing the community preference for a rural landscape dominated by farming and forest uses, with most other uses concentrated in activity centers. The activity center areas of Alternative 2 (with some modifications) are proposed for Lopez Village, Eastsound, Orcas Landing, Deer Harbor, Olga and Doe Bay. The activity center areas of Alternative 4 were proposed for Roche Harbor on San Juan Island and the Center Road/School Road area on Lopez. In addition, an Island Center activity center designation was added in the West Beach Road/Crow Valley Road area on Orcas to recognize existing commercial and industrial uses. Also, the Islandale area on Lopez was designated a Hamlet activity center to recognize existing commercial uses and small lot residential development.

The preferred alternative by District is illustrated on Maps 1, 2, and 3 included in this document. Changes recommended by the Planning Commission are also reflected on the maps. In Table 1-2, below, the preferred alternative designations and acreage by District are illustrated. The acreage adjustments due to map changes recommended by the Planning Commission are noted in parenthesis.

Table 1-2: LAND USE DESIGNATIONS - ACREAGE BY DISTRICT				
Designations	District 1	District 2	District 3	Total
Town and UGA	1239 (634)	none	none	1239 (634)
Village	895 (none)	1405	467	2707 (1872)
Hamlet	none	512	144	656
Island Center	none	14	108 (128)	142 (122)
Master Planned Resort	none (357)	53	none	53 (410)
Rural General Use	75 (264)	none (14)	198 (918)	273 (1196)
Rural Farm Forest	19592 (19519)	13769 (13932)	12997 (13048)	46358 (46499)
Rural Residential	4233 (4318)	1946	2558 (2567)	8737 (8831)
Rural Industrial	4	100	none (25)	104 (129)
Rural Commercial	none	none	4 (24)	4 (24)
Agriculture	6,065	2,864	5300 (5138)	14229 (14067)
Forest	3206 (3083)	12613 (12435)	6262 (6324)	22081 (21842)
Conservancy	2,958 (3018)	7115	2552 (1372)	12625 (11504)
Natural	1148 (1048)	1004	336 (1525)	2488 (3577)

The Study Items

The study items were included in the DEEIS document to provide decision-makers with adequate background and understanding of potential growth management techniques which could be employed in the County to further mitigate the impacts of growth and protect rural character. In general, the study items had similar impacts on all of the land use alternatives. A summary of the study items and findings in the DEEIS is included in Table 1-3 below.

Table 1-3: SUMMARY OF STUDY ITEMS	
STUDY ITEM	SUMMARY AND CONCLUSIONS
Alternative Regulatory Approaches	This study item described and evaluated three different approaches: traditional or "Euclidean" zoning (which focuses on uses), performance zoning (which focuses on impacts), and a hybrid between the two. Four issue areas (Agricultural Preservation, preservation of rural character, cottage enterprises and home occupations, and visitor accommodations) were then used as examples to further evaluate the three approaches. It was noted that the Draft Comprehensive Plan is most consistent with a hybrid approach (i.e., combining elements of both performance and conventional zoning) and that this approach would significantly reduce the uncertainty found in the current regulations and would be the most administratively efficient of all the approaches reviewed.
Transfer of Development Rights Programs	Transfer of Development Rights (or TDRs) were often discussed as a possible means of preserving open space and rural areas without creating wipeouts and windfalls for some property owners. The TDR study evaluates the usefulness and appropriateness of the TDR and PDR (or Purchase of Development Rights) concepts for the preservation of resource lands and open space. TDRs allow the transfer of density between different properties. The study item discussed the costs and benefits of a TDR program and compared a voluntary versus a mandatory program. The study concluded that it remains questionable whether the proper market exists in San Juan County for a successful TDR program and voluntary programs rarely are effective.
Density Reduction Analysis	<p>The Density Reduction Study Item evaluated the impact of reducing the densities established in the 1979 Plan using four models. The first model was the current allowable densities or "baseline". After the numbers have been adjusted to exclude lands that are unlikely to be developed, the estimated number of parcels that could be created under the baseline scenario is 27,048, with capacity for a population of 44,000.</p> <p>The second model assumed that rural density should not average less than one unit per five acres and evaluates the impact of changing densities in the rural areas of the county to this density. Lands affected by this change include those subdividable lands currently designated R-2, R-3, and C-2. This model would reduce the number of potential lots by 1,603 or approximately 6%, resulting in a buildout population of 41,393.</p> <p>The third model assumed that rural density should not average less than ten acres and evaluates the impact of changing densities in the rural areas of the county to this density. Lands affected by this change include those subdividable lands currently designated R-2, R-3, R-5, C-2, and C-5. This model would reduce the number of potential lots by 4,955 or 18%, resulting in a buildout population of 35,940.</p> <p>The fourth model evaluated selected lands which are currently designated Suburban with a density of 2 units per acre. It doesn't include those areas which are already committed to a suburban land use pattern. Model 4 was divided into two parts: Model 4a assumed that the selected Suburban areas should be redesignated to a one unit per two acre average density; and, Model 4b assumed that the selected Suburban areas should be redesignated to a one unit per five acre average density. Model 4a would result in a loss of 3,307 potential parcels resulting in a buildout population of 38,621. Model 4b would result in a loss of 3,851 potential parcels, resulting in a buildout population of 37,736.</p>

<p>Density Reduction Analysis continued</p>	<p>The baseline model provides the highest potential buildout and thus will take the longest time to be achieved. Each of the models lowers the potential buildout, with the greatest impact created by combining Model 3 (Rural Densities are at least 10 acres) with Model 4b (Selected Suburban areas are changed to five acre densities), resulting in a buildout population of 29,275.</p> <p>The study item also evaluated the economic and environmental impacts of changing the densities and concluded that density reductions could mitigate the long-term negative impacts that residential development would have on the rural quality of life and character of San Juan County. In addition, because of the large number of existing parcels, density reductions would have the greatest impact towards the end of the buildout period (about 60 years).</p>
<p>One Percent Growth Limit</p>	<p>The one percent growth limit study item provided background about growth limits in general and the impacts on San Juan County of implementing a one percent limit on new dwelling units. Since the County cannot control the actual number of people moving here; the study item focused on the issuance of building permits. The study found that applying a restriction or cap on the number of building permits allowed is not considered a "taking."</p> <p>As a baseline, the study projected that the number of dwelling units would continue to increase at a rate of 3.42 percent annually. This was then compared to limiting the increase to 1 percent annually. The study found that a growth limit would reduce the rate of residential development by 77 percent over the twenty year planning period.</p> <p>The economic and environmental impacts of the 1% growth limit were then evaluated. It was found that over the next 20 years an estimated 8,871 people would be unable to find housing due to the shortage that would result from the growth limit. There would also be significant negative impacts to affordable housing, the construction industry, and tourism. However, it did show that agriculture and forestry might benefit from a growth limit.</p>
<p>Impact Fees</p>	<p>This study item evaluated the use of impact fees as a means of funding needed capital facility improvements. State law places a number of limits on the use of impact fees: 1) impact fees can only be used for public streets and roads, publicly owned parks, open space, and recreational facilities, school facilities, and fire protection facilities; and 2) impact fees may not be used to make up for an existing system deficiency or to provide improvements which do not directly benefit or serve the development which has paid the fee.</p> <p>The study evaluated the Capital Facilities and Transportation Elements in terms of what facilities might be appropriate for impact fees. It is noted that the County can only impose impact fees on capital facilities for which it is responsible and since our fire and emergency medical services are owned and operated by independent taxing districts they cannot be subject to a county-imposed impact fee.</p> <p>The study also pointed out that while park and recreation facilities and roads can be the subject of impact fees, the Capital Facilities and Transportation Elements do not propose levels of service for these facilities which would require capacity increases during the 20 year planning time frame. Therefore, there is no need to establish impact fees for these services. The study found that public schools might be the only facilities in the County which should actually be considered for impact fees. However, the school districts have not proposed them.</p>

After reviewing the findings of the five study items the CACs considered the merits of including policies in the Plan to address the topics. The following recommendations were made by the Steering Committee (SC) regarding each study item:

1. **Regulatory Approach** - The majority of comments received on this issue were in support of the hybrid approach to regulations and the SC accepted this approach as the best way to

manage development in the county. The combination of zoning and performance standards provides greater certainty and flexibility as well as administrative efficiency.

2. **Transfer of Development Rights (TDR)** - Although the majority of DEEIS comments on this issue were negative, the SC determined that TDR program(s) could be a useful tool for preserving rural character and should not be ruled out as an option in the future. Therefore, policies for TDR programs have been included in the Plan.
3. **Density Reduction** - This study item was the most complex as is the issue. The majority of comments received were in support of density reduction, particularly models 3 and 4b combined which would result in the greatest reduction in potential buildout. The SC agreed to include policies in the Plan for reducing density over time by means of “voluntary, incentive-based, and regulatory methods” and “identifying areas where redefining density may be appropriate.” No legislative “downzoning” was proposed.
4. **One Percent Growth Limit** - A one percent growth limit received support in the DEEIS comments. However, the means to achieve a growth limit and the negative impact on affordable housing and diversity in the county led the committees to reject this concept for inclusion in the Plan.
5. **Impact Fees** - Impact fees as a way for new development to pay for itself were also supported by DEEIS comments. The SC supported the use of impact fees when possible given the limitations of state law and recommended a policy for impact fees be included in the Plan.

1.4 SUMMARY OF ECONOMIC IMPACT ANALYSIS

The economic impact analysis was intended to provide an overview of San Juan County's economy and the impacts various policy and regulatory proposals might have on the economy. The study looked at the general economy today, future growth factors, and the fiscal and economic impacts of the land use alternatives. The analysis found the following with regard to the general economy and future growth:

- Tourism is the largest economic component, representing over 24% of the County's employment and up to 24% of the retail sales dollars.
- Employment in tourism is made up of relatively low-paying jobs and is seasonal in nature.
- Construction is the second most important economic component, amounting to 36% of 1992 total retail sales. It also plays an important part in other sectors such as banking, real estate, and building supplies.
- Self-employed residents (cottage enterprises, home occupations, etc.) are also a large component, representing up to 40% of total employment.
- Future growth of the County is a function of the expansion of the tourism sector, continued demand for retirement and second homes, and the ability of self-employed or investors to find a way to make a living.
- Tourism will grow conservatively because of access and capacity issues.
- All of the Land Use Alternatives provide adequate nonresidential land to satisfy future demand.

The analysis found the following with regards to potential fiscal and economic impacts:

- Growth would be less costly to serve with infrastructure under a more concentrated development pattern.
- Non-residential development generates more public revenues than public costs, while residential development is associated with costs in excess of revenues.
- All alternatives have adequate residential and non-residential land for future growth.

- Housing prices will continue to rise because the market is amenity-driven, with relatively wealthy newcomers bidding up prices for land and housing.
- Alternative 2 had a broad application of the Rural General Use designation which requires a Conditional Use Permit for industrial and commercial development. This permitting process is unpredictable, and costly in both time and money for potential businesses and for the County.
- Alternative 3 restricted the availability of nonresidential acreage the *most* of all alternatives, but still had an adequate supply of non-residential land within the activity centers.

The nature of a goal and policy document like the Draft Plan with broad brush land use alternatives does not lend itself well to traditional economic impact analysis. Because the land use alternatives were differentiated by land use patterns and not densities, it was difficult to identify specific economic impacts. These ambiguities resulted in a general fiscal analysis which many felt was inadequate to address questions concerning the potential tax burden on property owners or the fiscal impact on the County to serve new development and administer the Plan over time. This FEIS does not include a final economic impact analysis. The depth of analysis necessary for such a study is outside the scope of this FEIS. However, such a study should be considered when the final development regulations which implement the Plan are being reviewed.

1.5 FUTURE ENVIRONMENTAL REVIEW, IMPLEMENTATION, AND PLAN UPDATE

This FEIS addresses relatively broad development concepts and order-of-magnitude impacts. Its intent is to allow the County to make a reasoned choice among possible futures. This review does not substitute for environmental reviews for specific development proposals or changes to related plans. Project-level environmental review would provide additional details about actual conditions and impacts at specific project sites. However, the Final Draft Plan adds a considerable degree of predictability about where development should occur and under what conditions.

Future environmental review will be needed for subarea plans and activity center plans which must be reviewed for consistency with the adopted Comprehensive Plan, as revised. If proposed plans and policies are consistent with the Plan, future environmental review should rely upon the analysis of this FEIS to the extent that it addressed impacts anticipated herein.

Regulations to implement the Plan will be adopted in the form of a Unified Development Code which will include all regulations affecting development. One new feature the Final Draft Plan calls for is a concurrency management process that is intended to monitor the provision of public services and facilities to assure that they are concurrent with development decisions, and are able to maintain the County's level of service standards. Annually, the County will review consistency of the Transportation and Capital Facilities elements with the Land Use Element, and could make amendments as necessary to maintain the established level of service.

However, constant changes to the Plan can undermine achievement of the long-term vision that was intended. The County should maintain the overall concepts that are selected for the Preferred Alternative and resist frequent changes unless circumstances make pursuit of the Vision impractical.

1.6 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

A number of issues remain unresolved at the time this FEIS was published. One major issue is the final Friday Harbor Urban Growth Area (FHUGA) Management Agreement and revisions to the Joint Planning Policies to address the siting of essential public facilities and other issues of mutual concern. The Town and County have established a cooperative working relationship to resolve issues and are working toward

adoption of a management agreement and revised Joint Planning Policies. These documents should be adopted as part of the Comprehensive Plan.

Another area of controversy that must be resolved for consistency with the GMA is the issue of density in Rural areas. The 2 units per acre density associated with the Suburban designation established in the 1979 plan is too high to be considered rural and is in conflict with the GMA goals to encourage development in urban areas and reduce sprawl. Most of the Suburban areas are either substantially developed or were incorporated into an Activity Center. However, undeveloped areas remain outside of activity centers with the 2 units per acre Suburban density. In the Final Draft Plan a policy was included in the Land Use Element which directed the county to “Identify areas on the Official Map where redefining density may be appropriate and work with property owners in these areas to determine the most appropriate course of action for density changes.” The Planning Commission recommendation to delete this policy leaves the County without the necessary direction to develop programs for density reduction in these areas. This change and certain other recommended changes to the Final Draft Plan by the Planning Commission significantly weaken policy direction to address the impacts of continued growth and development on the environment. These changes may be inconsistent with several goals of GMA and leave the County vulnerable to Plan appeal upon adoption.

Other unresolved issues are identified in Chapter 3 “Revisions and Corrections to the DEEIS and SEIS” and Chapter 4 “Comments on the DEEIS and SEIS” of this document.

Chapter 2: Summary of Impacts

2.1 PREFERRED ALTERNATIVE IMPACTS AND MITIGATION MEASURES

The DEEIS contained a detailed analysis of impacts and mitigation measures of the four alternatives. A summary of impacts associated with the preferred alternative and the mitigation measures in the Steering Committee’s recommended Final Draft Plan to address these impacts is included in Table 2-1, below. The table also references changes recommended by the Planning Commission.

TABLE 2-1: SUMMARY OF IMPACTS AND MITIGATION MEASURES	
Elements of the Environment	Preferred Alternative Impacts and Mitigation Measures in the Final Draft Plan
Earth	<p>Impacts: Growth in permanent and seasonal populations will lead to an increase in impervious surfaces due to residential and non-residential construction. Commercial and industrial uses generally result in more impervious surfaces than other land uses.</p> <p>Mitigation Measures: The preferred alternative concentrates most commercial and industrial uses in activity centers. The Final Draft Plan includes a policy for adopting performance standards to minimize the adverse impacts of clearing and grading activities on Rural lands. Policies to mitigate environmental impacts, including erosion, specifically for residential, commercial, industrial and institutional uses (by establishing site design and performance standards) are also included. The Final Draft Plan also puts forth several policies to reduce environmental impacts to geologically hazardous areas.</p> <p>Planning Commission: Clearing and grading activities on less than 1 acre are recommended for exemption from performance standards. In addition, recommended map changes add 923 acres of RGU which could result in additional commercial and industrial development, and consequently an increase in impervious surfaces, in the rural area.</p>
Air	<p>Impacts: The preferred alternative has a minimal amount (273 acres) of land designated as RGU which would allow a dispersion of mixed uses in the rural area. Consequently, this alternative would have minimal impact on air quality, although localized concentrations of development in activity centers may cause greater loss of air quality in these areas due to concentrated activities.</p> <p>Mitigation Measures: The Final Draft Plan puts forth several policies to reduce environmental impacts to air quality through performance standards for certain uses and by concentrating commercial and industrial uses to decrease vehicular traffic.</p> <p>Planning Commission: Recommended map changes add 923 acres of RGU which would allow a dispersion of mixed uses in the rural area resulting in increased impacts on air quality. Policies have been retained to mitigate this impact.</p>
Water Quality	<p>Impacts: The expansion in impermeable surfaces as a result of development increases runoff causing higher peak stormwater discharge at higher velocities.</p> <p>Mitigation Measures: The preferred alternative concentrates most commercial and industrial uses in activity centers. These land uses generally result in more impervious surfaces than other land uses. The Final Draft Plan includes policies intended to mitigate environmental impacts, including water pollution, specifically for commercial, industrial, and institutional uses.</p> <p>Planning Commission: Recommended map changes add 923 acres of RGU which could result in an increase in impervious surfaces in the rural area. Policies for water quality and erosion control have been retained.</p>

TABLE 2-1: SUMMARY OF IMPACTS AND MITIGATION MEASURES

Elements of the Environment	Preferred Alternative Impacts and Mitigation Measures in the Final Draft Plan
<p>Plants and Animals</p>	<p>Impacts: The increase in population, employment, traffic, impervious surface, and human activity will result in increased use of open space area that are used in part as wildlife habitat. Expected development could further infringe on wildlife migration corridors.</p> <p>Mitigation Measures: The preferred alternative has approximately 15,113 acres designated as Natural and Conservancy. These designations coupled with policies for ESAs contribute to preserving plant and wildlife habitat on both private and public lands. The Forest and Agriculture Resource designations have the potential to preserve plant and wildlife habitat as well. The preferred alternative designates approximately 36,310 acres of land for farming and forest uses. The Final Draft Plan also contains policies to protect fish and wildlife habitat through establishment of wildlife corridors and overlay districts.</p> <p>Planning Commission: No significant changes.</p>
<p>Energy and Natural Resources</p>	<p>Impacts: In general low density development patterns characterized by primarily single family residential uses are not as energy efficient as patterns characterized by higher intensity multi-family housing and multi-story commercial/retail; buildings or mixed uses.</p> <p>Mitigation Measures: The preferred alternative has approximately 4,602 acres designated for high density residential, commercial, and industrial uses. This higher concentration of activities in certain areas provides greater energy efficiency and conservation of energy and resources. The Final Draft Plan Land Use and Utilities Elements contain a number of policies to promote energy conservation and efficiency. Energy conservation is promoted by establishing site design and performance standards that address energy efficiency in site planning, and by managing land uses and development to encourage the conservation of all resources.</p> <p>Planning Commission: Recommended map changes in the Roche Harbor area result in a 1,030 acre reduction in area designated for high density/intensity uses. Deletion of policy language for managing development to promote energy conservation weakens mitigation measures.</p>
<p>Natural Resource Lands</p>	<p>Impacts: Increased population growth will create additional use of all non-renewable and renewable resources.</p> <p>Mitigation Measures: The preferred alternative has approximately 82,000 acres designated as Agriculture and Forest Resource Lands and Rural Farm Forest lands. The Plan policies for these lands include protective measures for their long-term preservation. The Plan contains overlay district provisions for the protection of Mineral Resource Lands. The major intent of the Plan policies is to protect resource lands and resource-based land uses from displacement by incompatible uses.</p> <p>Planning Commission: No significant changes.</p>
<p>Environmental Health - Noise</p>	<p>Impacts: All of the alternatives will result in increased noise levels over the 20 year planning period due to increased vehicular traffic and construction noise. Noise impacts may be more localized under the preferred alternative due to a more concentrated development pattern in the activity centers.</p> <p>Mitigation Measures: The Final Draft Plan policies regarding noise impacts are aimed at addressing and reducing noise impacts from aircraft operations.</p> <p>Planning Commission: Addition of policies to allow for the expansion of existing airstrips, airfields, and airports in rural areas could have a significant impact on noise levels in the county. Policies on noise abatement were deleted from the section on airports in the Transportation element.</p>

TABLE 2-1: SUMMARY OF IMPACTS AND MITIGATION MEASURES

Elements of the Environment	Preferred Alternative Impacts and Mitigation Measures in the Final Draft Plan
<p>Population</p>	<p>Impacts: In the preferred alternative land will continue to be converted from vacant/partially vacant uses to more residential uses to accommodate the increased population, and the open, undeveloped rural character of the county will continue to diminish. Visitor use of the shoreline and other amenity areas will increase.</p> <p>Mitigation Measures: The more concentrated pattern of development and preservation of farm and forest lands fostered by the preferred alternative should decrease land use conflicts between residential and non-residential uses. The Final Draft Plan directs that commercial, industrial and institutional uses will be compatible with the islands' natural environment, community livability and needs of county residents by establishing site design and performance standards to preserve rural character.</p> <p>Planning Commission: Policy added in the Housing Element to allow for the rental of accessory dwelling units could lead to a doubling of existing densities and potential buildout. Significant long-term impacts to rural character could result without adequate mitigation measures for density monitoring.</p>
<p>Housing</p>	<p>Impacts: Population and employment will continue to grow and housing affordability will be reduced as land and home values continue to rise.</p> <p>Mitigation Measures: The preferred alternative has large activity center areas which allow for densities ranging from a low density of 2 units per acre up to high density multi-family. These large activity center areas as well as provisions for planned unit developments and master planned resorts allow for a variety of affordable housing opportunities at varying densities. The Final Draft Plan Housing Element outlines policies that recognize the different physical, social, and economic needs of county residents and provides opportunities for a variety of housing choices in terms of type, cost, size, design, and suitability for seasonal and year-round employee housing and for various households including families, the elderly, the disabled, and housing for very low, low and moderate-income ranges.</p> <p>Planning Commission: Policy addition to allow for the rental of accessory dwelling units provides for additional housing opportunities but may lead to a doubling of density in the county if mitigation measures for monitoring density and buildout are not addressed.</p>
<p>Recreation</p>	<p>Impacts: Increased recreation needs are associated with increases in population. In addition, increased regional growth will result in increased visitors to the islands.</p> <p>Mitigation Measures: The Final Draft Plan contains provisions for Level of Service (LOS) standards and response mechanisms to address recreational needs and mitigate impacts.</p> <p>Planning Commission: No significant changes.</p>
<p>Aesthetics</p>	<p>Impacts: The rural character of the islands will continue to diminish as new development occurs in rural areas.</p> <p>Mitigation Measures: The preferred alternative designates approximately 82,000 acres for agriculture and forest uses which include provisions for resource protection through site planning standards which will also help to preserve the rural scenic quality. In addition, an overlay district is proposed in the Final Draft Plan which outlines specific strategies for protection of significant open spaces and vistas which substantially contribute to the rural character of the County.</p> <p>Planning Commission: Language for site planning standards has been modified or deleted in several policies for Rural and Resource lands. Lack of standards for development may impact open space and rural character.</p>

TABLE 2-1: SUMMARY OF IMPACTS AND MITIGATION MEASURES

Elements of the Environment	Preferred Alternative Impacts and Mitigation Measures in the Final Draft Plan
<p>Historic and Cultural Preservation</p>	<p>Impacts: Continued development, especially in rural areas, will likely encroach upon or hasten the demolition of historically and culturally significant buildings or sites.</p> <p>Mitigation Measures: The Final Draft Plan Historic and Cultural Preservation Element lists several policies that include the need to inventory historic and cultural sites as well as to prepare an historic preservation plan. In addition, the Element puts forth specific steps for developing a program to protect historic and cultural resources.</p> <p>Planning Commission: Policy deleted for identifying potential land use conflicts which may impact historic and cultural resources. This may impact the ability to develop an adequate program to protect resources. Other policy changes significantly weaken implementation of an effective historic and cultural preservation program.</p>
<p>Transportation: County Roads County Docks Ferries Air Transportation</p>	<p>Impacts: Growth in permanent and seasonal population will increase traffic volumes on the various transportation modes.</p> <p>Mitigation Measures: The preferred alternative concentrates high intensity land uses in activity centers, this should result in a more compact development pattern with localized impacts. The Final Draft Plan contains provisions for a concurrency management program to ensure that transportation improvements are concurrent with new development. The emphasis of the provision is on implementing demand management strategies with capacity improvements as a secondary measure.</p> <p>Planning Commission: Policies for mitigating impacts of airports on surrounding land uses have been deleted. Policy requiring concurrency at LOS D to mitigate impacts on the ferry system was changed to LOS F, resulting in no effective response to increased demand and diminishment of capacity.</p>
<p>Water Supply</p>	<p>Impacts: Growth in permanent and seasonal populations will increase the demand for water supply, transmission, and storage in the county.</p> <p>Mitigation Measures: The Final Draft Plan puts forth several policies in the Water Resources and Capital Facilities element to address the provision of adequate water supplies.</p> <p>Planning Commission: Recommendations to delete substantial sections of the Water Resources element result in a series of non-specific strategies that delay dealing with water supply problems. A policy added to exempt wells serving two or fewer residences from well registry further hinders the ability to gather data on water supplies in the county.</p>
<p>Sewage Collection and Treatment</p>	<p>Impacts: Growth in permanent and seasonal populations will increase the demand for sewage collection and treatment systems within activity centers.</p> <p>Mitigation Measures: The Capital Facilities Element of the Final Draft Plan contains several policies to address adequate sewage treatment.</p> <p>Planning Commission: Recommendation to delete language allowing the extension of sewers into Rural areas <u>only</u> to remedy groundwater problems or health hazards may significantly impact rural character and natural resources as sewers support a higher level of development than that which is considered Rural.</p>
<p>Schools</p>	<p>Impacts: Continued permanent population and employment growth will cause increased demand for schools. Existing public school facilities on some islands are inadequate to accommodate increased enrollment.</p> <p>Mitigation Measures: The Capital Facilities Element of the Final Draft Plan contains mitigating policies for impacts of development on public school facilities.</p> <p>Planning Commission: No significant changes.</p>

TABLE 2-1: SUMMARY OF IMPACTS AND MITIGATION MEASURES	
Elements of the Environment	Preferred Alternative Impacts and Mitigation Measures in the Final Draft Plan
Solid Waste	<p>Impacts: Growth in permanent and seasonal populations will increase the volume of solid waste that will need to be handled in the future.</p> <p>Mitigation Measures: The Capital Facilities Element of the Draft Comprehensive Plan contains policies for mitigating impacts including establishing LOS standards and concurrency management.</p> <p>Planning Commission: No significant changes.</p>
Fire Protection and Emergency Medical Services	<p>Impacts: Growth in permanent and seasonal population will cause increased demand for fire protection and emergency medical services.</p> <p>Mitigation Measures: The Capital Facilities Element of the Final Draft Plan contains policies establishing an LOS standard for these services and response mechanisms for the independent service providers to consider if the LOS falls below established standards.</p> <p>Planning Commission: These services were removed from the Category B capital facilities list and, as such, will not be considered necessary to support development and concurrency will not be required for new development.</p>
Police Protection	<p>Impacts: Growth in permanent and seasonal populations will cause increased demand for law enforcement services.</p> <p>Mitigation Measures: The Capital Facilities Element of the Final Draft Plan establishes LOS standards and response mechanisms to maintain adequate provision of law enforcement services.</p> <p>Planning Commission: No significant changes.</p>

2.2 SHORELINE MASTER PROGRAM IMPACTS AND MITIGATION MEASURES

The proposed action studied in the SEIS was the June 1996, revised draft of the Shoreline Master Program (SMP) which is Element 3 of the Comprehensive Plan. The draft SMP is a complete revision of the SMP originally adopted in 1976 and subsequently amended several times. The SMP was put on a separate review track from the rest of the County's Growth Management Act comprehensive planning to enable its full review under recent revisions to the SMA and proposed revisions to the Comprehensive Plan.

The SMP was completely revised and reformatted to include goals, policies, and shoreline environment descriptions only. All shoreline regulations have been moved to the draft UDC. The goal and policy amendments to the SMP include a number of proposed additions and deletions. One major change is the deletion of the Suburban Shoreline Environment and its replacement with two new Rural Shoreline Environments: Rural and Rural Residential, which retain the Suburban density of two dwelling units per acre established in 1976 but limit uses to those which are rural in nature. Also, the previous Rural environment designation has been changed to Rural Farm Forest for greater consistency with upland areas. The Shoreline map is proposed to be amended to reflect the designation changes.

A matrix summary of the potential impacts and mitigation measures of the draft SMP is in Table 2-2, on the following page. The information in this table has been substantially summarized from information contained in the SEIS. The table also references changes recommended by the Planning Commission which were not analyzed in the SEIS, and indicates additional issues of impacts and mitigation.

TABLE 2-2: Summary of Impacts and Mitigation Measures

ELEMENTS OF THE ENVIRONMENT	DRAFT SHORELINE MASTER PROGRAM
	IMPACTS AND MITIGATION MEASURES
Earth	<p>Impacts: Erosion hazards can occur anywhere where soils are left exposed, but the hazard is higher in areas with greater slopes, highly erosive soils, and shorelines. Development in general can accelerate erosion by exposing soils or changing the flow of surface waters, such as by increasing the amount of impervious surface in an area. Commercial and industrial land uses generally result in more impervious surfaces than other land uses.</p> <p>Mitigation Measures: The Plan and SMP foster a development pattern which concentrates most commercial, industrial, institutional, and high density residential uses in activity centers. The SMP includes policies that address clearing and grading activities, environmental impacts, and environmentally sensitive areas. The policies are intended to minimize the impacts of erosion, siltation, and runoff that may alter drainage patterns, reduce flood storage capacity, and damage habitat.</p> <p>Planning Commission: No significant changes.</p>
Air	<p>Impacts: The SMP would have minimal impact on air quality, although localized concentrations of development in activity centers may cause greater loss of air quality in these areas due to concentrated activities.</p> <p>Mitigation Measures: The Plan and SMP put forth several policies to reduce environmental impacts to air quality through performance standards for certain uses and by concentrating commercial and industrial uses in activity centers to decrease vehicular traffic.</p> <p>Planning Commission: No significant changes.</p>
Water Quality	<p>Impacts: The expansion in impermeable surfaces as a result of development increases runoff causing higher peak stormwater discharge at higher velocities.</p> <p>Mitigation Measures: The Plan concentrates most commercial and industrial uses in activity centers. These land uses generally result in more impervious surfaces than other land uses. The SMP includes policies intended to minimize the adverse environmental impacts of shoreline development on water quality primarily through control of erosion and runoff.</p> <p>Planning Commission: Recommended change to combine section on water quality with section on environmental impacts. Policies for erosion and runoff have been retained in a modified format. Water quality impacts from boating facilities could increase based on changes to policies in that section and for docks and piers, now combined as boating facilities. Policy prohibiting oil handling doesn't preclude oil pipelines; water quality impacts could be severe.</p>
Plants and Animals	<p>Impacts: The increase in population, traffic, impervious surface, and human activity will result in increased use of open space areas on the shoreline that are used in part as wildlife habitat. Expected development could further infringe on wildlife migration corridors.</p> <p>Mitigation Measures: The SMP includes areas designated as Natural and Conservancy. These designations coupled with policies for Environmentally Sensitive Areas (ESAs) contribute to preserving plant and wildlife habitat on both private and public lands.</p> <p>Planning Commission: Boating facilities section should include policies regarding materials used in over-water structures; this would strengthen the ability to reduce harmful substances as more types of structures are contemplated, and emphasis on joint use has been reduced as a means to reduce cumulative impacts. Deletion of reference to movements of fish and wildlife could allow jetties, groins, and breakwaters to disrupt habitat.</p>

TABLE 2-2: Summary of Impacts and Mitigation Measures

ELEMENTS OF THE ENVIRONMENT	DRAFT SHORELINE MASTER PROGRAM
	IMPACTS AND MITIGATION MEASURES
Energy and Natural Resources	<p>Impacts: In general low density development patterns characterized by primarily single-family residential uses are not as energy efficient as concentrated patterns of higher intensity multi-family housing and multi-story commercial/retail; buildings or mixed uses.</p> <p>Mitigation Measures: The Plan and SMP call for a higher concentration of activities in certain areas. This provides greater energy efficiency and conservation of energy and resources. Energy conservation is established in a SMP policy that recognizes the importance of solar energy and renewable energy resources and supports efforts to provide or facilitate solar orientation of building sites.</p> <p>Planning Commission: No significant changes.</p>
Natural Resource Lands	<p>Impacts: Increased development on the shoreline will create additional use of all non-renewable and renewable resources. However, most of these uses will occur in upland resource land areas.</p> <p>Mitigation Measures: The Plan includes policies for protection of Resource Lands. The major intent of the Plan policies is to protect resource lands and resource-based land uses from displacement by incompatible uses. The SMP also includes policies for conservation of renewable and non-renewable resources.</p> <p>Planning Commission: Recommended deletion of a policy to regulate the use of renewable resources at a level at which they will not be degraded. This removes the ability to require mitigation of impacts which degrade renewable resources to a point where they become non-renewable.</p>
Environmental Health - Noise	<p>Impacts: Development on the shoreline will result in increased noise levels over the twenty year planning period due to the increase in vehicular and air traffic, and construction activities.</p> <p>Mitigation Measures: The Plan includes policies regarding noise impacts which are aimed at addressing and reducing noise impacts from commercial and industrial uses and aircraft operations over the County.</p> <p>Planning Commission: Recommendations to add policies to allow for the expansion of existing airstrips, airfields, and airports, and deletion of policies in the Transportation element to address noise abatement for air traffic will result in unmitigated noise impacts from these sources in the county.</p>
Population	<p>Impacts: On the shoreline land will continue to be converted from vacant/partially vacant uses to more residential uses to accommodate increased growth, and the open, undeveloped natural character of the shoreline will continue to diminish. Visitor use of the shoreline and other amenity areas will increase.</p> <p>Mitigation Measures: The more concentrated pattern of development and preservation of natural areas fostered by the Plan and SMP should decrease land use conflicts between residential and non-residential uses. The Plan directs that commercial, industrial and institutional uses will be compatible with the islands' natural environment, community livability and needs of county residents by establishing site design and performance standards to preserve rural character.</p> <p>Policy allowing houseboats will contribute to impacts as mitigation is limited to water and sewage disposal through location in marinas.</p> <p>Planning Commission: Policy added in the Housing element of the Plan to allow for the rental of accessory dwelling units could lead to a doubling of existing densities and potential buildout. Significant long-term impacts to the rural character of the shoreline could result without adequate mitigation measures for density monitoring.</p>

TABLE 2-2: Summary of Impacts and Mitigation Measures

ELEMENTS OF THE ENVIRONMENT	DRAFT SHORELINE MASTER PROGRAM
	IMPACTS AND MITIGATION MEASURES
Housing	<p>Impacts: Population and employment will continue to grow and housing affordability especially in high amenity areas like shorelines will be reduced as land and home values continue to rise.</p> <p>Mitigation Measures: The Plan has large activity center areas which allow for densities ranging from a low density of 2 units per acre up to high density multi-family. These large activity center areas as well as the provisions for planned unit developments and master planned resorts allow multiple affordable housing opportunities at varying densities. The Housing Element outlines policies that recognize the different physical, social, and economic needs of county residents and provides opportunities for a variety of housing choices in terms of type, cost, size, design, and suitability for various households.</p> <p>Planning Commission: Policy addition to allow for the rental of accessory dwelling units provides for additional housing opportunities but may lead to a doubling of density on the shoreline if mitigation measures for monitoring density and buildout are not addressed.</p>
Recreation	<p>Impacts: Increased recreation needs are associated with increases in population. In addition, increased regional growth will result in increased visitor populations particularly to shoreline areas.</p> <p>Mitigation Measures: The Capital Facilities Element of the Plan contains provisions for Level of Service (LOS) standards and response mechanisms to address recreational needs and mitigate impacts.</p> <p>Planning Commission: Policy deleted prohibiting incompatible recreational facilities and activities within shoreline areas; eliminates policy direction for shoreline use regulations to identify incompatible uses. Policy referring to consideration of regional demands for recreational facilities was deleted; this could alter the county's ability to consider basin-wide recreational demands in individual projects cases.</p>
Aesthetics	<p>Impacts: The natural and rural character of the shorelines will continue to diminish as new development occurs. Allowing houseboats and covered moorage may be in conflict with general policies regarding mitigation of impacts on navigation, habitat, scenic views, and public use of the water. Policy allowing houseboats conflicts with policy disallowing over-water residential use.</p> <p>Mitigation Measures: The Plan and SMP include provisions for scenic resource protection through site planning standards which will also help to preserve the natural scenic quality. In addition, policies for establishment of an overlay district in the Plan outline specific strategies for protection of significant open spaces and vistas which contribute to the visual quality of the County. Additional measures are necessary to mitigate aesthetic impacts of houseboats and over-water structures.</p> <p>Planning Commission: Policy for the design and location of signs was deleted. Policies to address visual impacts of certain types of development were modified to address only height and bulk for shoreline structures and only height for in-water structures; does not address scale, placement, or other means to address visual impacts other than for residential. Reference to consideration of aesthetic impacts of commercial logging was deleted from forest management section, while a policy to conduct harvesting so as not to degrade scenic qualities was retained.</p>

TABLE 2-2: Summary of Impacts and Mitigation Measures

ELEMENTS OF THE ENVIRONMENT	DRAFT SHORELINE MASTER PROGRAM
	IMPACTS AND MITIGATION MEASURES
Historic and Cultural Preservation	<p>Impacts: Continued development, especially in shoreline areas, will likely encroach upon or hasten the demolition of historically and culturally significant buildings or sites.</p> <p>Mitigation Measures: The SMP and Historic and Cultural Preservation Element of the Plan list several policies that recognize the need to inventory historic and cultural sites as well as to prepare an historic preservation plan. The Plan puts forth specific steps for developing a program to protect historic and cultural resources. The SMP includes specific policies to protect and/or restore historic and cultural resource areas on the shoreline.</p> <p>Planning Commission: Recommended policy be deleted for giving special attention to locating, identifying and preserving areas which contribute to knowledge of Native American history and culture. Other policies were retained.</p>
Transportation: County Roads County Docks Ferries Air Transportation	<p>Impacts: Volumes on the various transportation modes will increase with new development. This will result in an increase in traffic volumes, docking activities, ferry ridership, and aircraft operations. Most existing facilities have adequate capacity for increased volumes, although maintenance and some capacity improvements are planned.</p> <p>Mitigation Measures: The SMP includes a number of policies to address adverse impacts of various water-related transportation facilities.</p> <p>Planning Commission: Addition of policy language for multi-use barge landing and log transfer facilities, especially for non-ferry served islands; this should enhance the ability to minimize the impacts of multiple site development and uses.</p>
Water Supply	<p>Impacts: Shoreline development will increase the demand for water supply, transmission, and storage.</p> <p>Mitigation Measures: The SMP include policy to control fresh water use along the shoreline and allow for desalination systems.</p> <p>Planning Commission: No significant changes.</p>
Sewage Collection and Treatment	<p>Impacts: Development will increase the demand for sewage collection and treatment systems within activity center shoreline areas, and for on-site septic systems in rural shoreline areas. Provisions for houseboats in marinas may contribute to increased demand on septage and sewage systems and an increase water quality protection measures.</p> <p>Mitigation Measures: The SMP and the Land Use and Capital Facilities elements of the Plan contain several policies to address adequate sewage treatment in activity centers and rural areas. Additional measures for water quality protection may be needed.</p> <p>Planning Commission: No significant changes.</p>
Schools	<p>Impacts: Continued development will cause increased demand for public school facilities. Existing facilities on some islands are inadequate to accommodate increased enrollment.</p> <p>Mitigation Measures: The Capital Facilities Element of the Plan contains policies for mitigating impacts of development on public school facilities.</p> <p>Planning Commission: No significant changes.</p>
Solid Waste	<p>Impacts: Growth in resident and tourist populations will increase the volume of solid waste that will need to be handled in the future.</p> <p>Mitigation Measures: The Plan Capital Facilities Element contains policies for mitigating solid waste impacts including establishing LOS standards and concurrency management for solid waste facilities.</p> <p>Planning Commission: No significant changes.</p>

TABLE 2-2: Summary of Impacts and Mitigation Measures	
ELEMENTS OF THE ENVIRONMENT	DRAFT SHORELINE MASTER PROGRAM
	IMPACTS AND MITIGATION MEASURES
Fire Protection and Emergency Medical Services	<p>Impacts: Continued development will cause increased demand for fire protection and emergency medical services. Limited access to remote shoreline areas may impact the ability to provide adequate service.</p> <p>Mitigation Measures: The Capital Facilities Element in the Plan contains policies establishing an LOS standard for fire and emergency medical services and response mechanisms for these independent service providers to consider if the LOS falls below established standards.</p> <p>Planning Commission: These services were removed from the Category B capital facilities list and, as such, will not be considered necessary to support development and concurrency will not be required.</p>
Police Protection	<p>Impacts: Continued development will cause increased demand for law enforcement services in the islands.</p> <p>Mitigation Measures: The Capital Facilities Element in the Plan establishes LOS standards and response mechanisms to maintain adequate provision of law enforcement services.</p> <p>Planning Commission: No significant changes.</p>

Other SMP Impact and Mitigation Issues

In addition to the impacts noted in the Table 2.2, above, regarding houseboats, covered moorage, and construction materials for boating facilities, other changes to sections in the SMP recommended by the Planning Commission encourage mooring buoys but not in preference to other facilities. New policy language provides for joint use of private docks only through incentives. This alters the existing policy direction that relies on encouragement of mooring buoys and joint use to minimize the cumulative physical, visual, and biological impacts of multiple docks. If this is the case, the remaining policies for consideration of impacts are particularly important and additional mitigation of probable impacts on sensitive water areas should be considered.

The Planning Commission has recommended that the criteria for the Natural designation be amended to indicate that only at the property owners request would a Natural designation be applied to property. This was not a requirement in the original SMP and a number of small islands and a few areas on the large islands are in private ownership and are designated Natural due to their environmental sensitivity. This change would presume approval of redesignation from Natural to something else upon application by the owner. This could result in significant reduction in environmental quality by essentially pre-approving a less-than-Natural designation for areas protected during the last 20 years largely in their natural states. Such changes will introduce new opportunities for residential development and associated accessory uses at much higher densities than are currently allowed and allow for a substantially larger number and higher intensity of uses than occur now.

Chapter 3: Revisions and Corrections to the DEEIS & SEIS

This section contains revisions to the DEEIS and SEIS. Included are factual corrections pointed out by agencies, organizations and individuals who commented on the DEEIS and SEIS. Supplemental information that improves or modifies the analysis contained in the DEEIS is also presented in response to comments received and where that information has been provided by the commentors. These revisions are organized in the order of the chapters and subsections of the DEEIS and SEIS.

DEEIS

Page 3.1-1, **ACTIVITY CENTERS-ALTERNATIVE 1**, paragraph two, has been revised as follows:

The existing Urban and Suburban designated areas served by sewer and water systems around Friday Harbor which constitute the Interim Urban Growth Areas (IUGA) around Friday Harbor are not addressed in this alternative would remain the same in this alternative. The Suburban designation in the current plan serves somewhat the same purpose as a UGA, allowing higher density development near existing infrastructure and services. However, the density allowed in the Suburban designation is may not be high enough to comply with the Growth Management Act (GMA) requirements regarding densities in Urban Growth Areas (UGA's).

Page 3.1-33, **IMPACTS-Comparison Among Alternatives**, has been revised as follows:

Alternative 2 has the second-most land area of all alternatives designated as activity centers and consequently has the second-most land designated for higher density development. Since higher density land uses allow for more affordable housing than low-density patterns, this alternative also allows for more affordable housing than ~~the other~~ Alternatives 1 and 3. In total, 2,580 acres are proposed for activity centers. This is more than twice that proposed in Alternative ~~4~~ 3 and only slightly less than ~~three times~~ that in Alternative ~~3~~ 4.

Alternative 3 has the least amount of land designated as activity centers (1,000 acres) except for Alternative 1. Because it has less land area designated for higher density development, affordable housing potential would be higher than in Alternative 1 but lower than in Alternatives 2 and 4.

Alternative 4 has more land designated as activity centers (2,682 acres), and thus for higher densities, than any other Alternatives ~~1 and 3~~, but less than Alternative 2. Therefore, Alternative 4 allows more area for affordable housing than any of the other Alternatives ~~3~~, but less than Alternative 2.

Page 3.1-49, Section B. **Sewage Collection and Treatment**, has been revised to indicate that the discussion references Alternative 1, as follows:

B. Sewage Collection and Treatment

ALTERNATIVE 1

Page 3.1-43, **C. Washington State Ferry System (WSF)**, paragraph three, has been revised as follows:

Nevertheless, access limitations and ferry capacity constraints will likely suppress significant increases in the number of visitors to the County annually. It is currently estimated that approximately 300,000 visitors arrive annually, about 85% of whom arrive by ferry, with the remaining 50,000 using private boats and aircraft to reach the County. WSF projects annual ferry passenger traffic between Anacortes and the San Juan's to increase by 13% to 1.1 million between 1995 and 2003. Ferry passenger traffic also creates significant congestion, traffic and parking capacity and safety problems during peak summer

periods along the Oakes Avenue/12th Street (SR 20) corridor in Anacortes leading to the Anacortes/San Juan ferry terminal. San Juan County supports the City of Anacortes and Skagit County efforts to secure a long-term solution from the WSDOT to expand the roadway capacity of the SR 20 State Ferry Route (e.g., construction of additional left-turn lanes as short-term improvements and long range improvements to increase roadway and parking capacity).

Page 3.2-18, **Air- Impacts**, the first two sentences of paragraph two have been revised as follows:

Impacts on air quality from implementation of Alternative 1 would consist primarily of fugitive dust from land disturbances and roads, land clearing and outdoor burning, and vehicular-generated exhaust air pollution. Point sources, such as manufacturing and residential heating and cooking, would represent a ~~very~~ small proportion of total emissions.

Page 5-4, Section 5.3.1, **Economy of the County**, paragraph's two, three and four have been revised as follows:

The Tourism Planning Committee estimated that from 15% to 25% of total County retail sales is attributable to tourism. This would mean that from \$23.4 million to \$38.9 million of 1993 taxable retail sales in the County was due to tourist spending. The majority of this share was accounted for by lodging and eating and drinking establishments. The impact of tourism on service stations, food stores, and miscellaneous retail stores is high as well.

~~To give a better idea of the role of tourism, 1993 retail sales are illustrated in Table 5-2 below. Here we see that lodging alone accounted for \$16.2 million in retail sales, over 10% of total County sales. These sales are over and above room rate revenues. Much of these sales consist of food provided at bed and breakfasts.~~

~~Eating and drinking places were responsible for \$12.4 million in 1993 retail sales, much of this attributable to tourism. The impact of tourism on service stations, food stores, and miscellaneous retail stores is high as well.~~

Page 5-23, Section 5.6.1, **Summary General Economy/Current Plan**, the first sentence has been revised as follows:

Tourism is the largest economic component, representing over 24% of the County's employment and up to ~~53%~~ 25% of the retail sales dollars.

SEIS - SMP

Page 2-18, Section 2.3.9.1, fifth paragraph, the first sentence should read “No new ferry terminal are proposed during the 20 year planning period.”

Page 3-2, Section 3.2.2, **GMA Mandatory Goals and Requirements**, last sentence, replace “nine” with “eight”.

Chapter 4: Comments on the DEEIS & SEIS

4.1 SUMMARY OF COMMENTS

The DEEIS was issued on February 13, 1995 and the County received oral and written comments until April 14, 1995. Oral comments were received at public hearings held on April 10, 11 and 12, 1995. A ten page summary of the DEEIS including maps was prepared to hand out at meetings and to accompany the large scale map displays at libraries on San Juan, Lopez and Orcas islands. In addition, a comment sheet was developed to further elicit response to the major issues in the DEEIS, particularly the alternatives and study items. Although many excellent comments were received, most were not specific enough to the DEEIS analysis to warrant written response; those that were are included in this document. A summary of DEEIS comment types and numbers is included in Table 4-1 below, followed by Table 4-2 which tabulates DEEIS comments by district, preferred alternative, and study item response. At the end of this chapter Table 4-3 lists all who commented and the nature of their comments.

TABLE 4-1: SUMMARY OF COMMENT TYPES				
	District 1	District 2	District 3	County-wide
Comment Sheets	65	59	60	0
Letters	67	60	51	23
Public Hearings (speakers)	42	27	24	0
TOTALS	174	146	135	23
Petitions (# of signatures)				
Albert Hall's newspaper ad				101
Support Vision Statement				1160
Property Rights				29
Opt out of GMA				35
No Density Increases				29
No Clear cutting of Forests				259
TOTAL RESPONSES (Comment sheets, letters, speakers, petition signers)				2090

TABLE 4-2: SUMMARY OF COMMENTS ON THE ALTERNATIVES AND STUDY ITEMS				
	District 1	District 2	District 3	Totals
ALTERNATIVES				
Alternative 1	17	8	19	44
Alternative 2	5	3	5	13
Alternative 3	36	28	35	99
Alternative 4	28	29	10	57
Alternative Combinations				
1&2	2		1	3
1&4			2	2
2&4		1		1
3&4	16	3	4	23
All			1	1
STUDY ITEMS				
Regulatory Approach				
Zoning	13	3	0	16
Performance Standards	1	1	2	4
Hybrid	17	13	21	51
Transfer of Development Rights				
Yes	14	9	17	40
No	26	22	16	64
Reduce Density				
Yes	22	15	5	42
Model 2&3		1		1
Model 2&4a	2			2
Model 3	4	1	2	7
Model 3&4b	9	4	13	26
Model 4b	2	1		3
Yes Total				81
No	21	25	10	56
1% Growth Limit				
Yes	34	24	21	79
No	26	14	22	62
Impact Fees				
Yes	31	22	15	68
No	13	5	14	32

4.2 RESPONSES TO SELECTED COMMENTS

Comments on the DEEIS and SEIS are referenced to the commentor and the numbered comment/statement provided in written or oral form. The responses to comments have been organized by the individual commentor's name and/or organization. The names and addresses of the commentors are included in the list following this section (see List of Commentors in the order in which responses were prepared). In most cases, similar comments made by more than one person have only one response. If commentors included comments in the same letter on both the Draft Comprehensive Plan and the DEEIS or the draft SMP and the SEIS, this section only responds to comments on the DEEIS as required by WAC 197-11-550/560.

A. Nancy McKay, Puget Sound Water Quality Authority

1. Commercial and industrial land use comparisons were used to distinguish water quality impacts among the alternatives based on the fact that residential densities and the total number of residential units do not change among all of the alternatives. In fact proposed site design standards (mitigation measures) in certain land use categories constitute the major differences in impacts among forestry, agricultural and residential use in the plan. A more thorough discussion of residential water quality impacts is included in the soil erosion section (p. 3.1-12).
2. The wetlands inventory and evaluation for San Juan County has been completed. It is located in the Planning Resource Maps compilation document used in preparation of the DEEIS. However for purposes of mitigation, the Environmentally Sensitive Areas Ordinance (ESAO) is the primary tool for wetland protection. The ESAO addresses the preservation and protection of indigenous plant and animal species and ecosystems. Additional significant wetland areas are protected by the Natural and Conservancy land use designations in the Final Draft Plan
3. Section 3.1.3.4, Plants and Animals, does consider the cumulative loss of fish and wildlife habitat, including wetlands.
4. Nonpoint source pollution is discussed from the standpoint of the dispersed commercial and residential development pattern exhibited in the alternatives in section 3.1.3.3, Water Quality. In addition a discussion of watershed management action planning in the County is found on p.3.1-19, indicating a lack of funding to implement the action plan at this time. Additional measures to prevent nonpoint source pollution from resource based lands (i.e., agriculture and forests) are included in section 3.1.3.6, Natural Resource Lands and the Interim Resource Lands Ordinance.
5. The protection of shellfish resources is referenced in section 3.1.3.6, Natural Resource Lands. Shellfish resources are largely regulated by the Shoreline Master Program. In addition, section 3.1.3.4, Plants and Animals, does address protection of shellfish resources through application of the County's ESAO, including a "Fish and Wildlife Habitat Conservation Area" overlay district. The overlay district defines habitats as critical areas in three categories; upland, marine and freshwater. The overlay district designation applies standards for new development in these areas which require habitat management plans. These provisions limit the impacts of erosion, sedimentation, clearing, hazardous substances, septic drainfields, and vegetation loss in these critical habitat areas.

B. Wm. J. LaPorte, et. al., Town of Friday Harbor

1. The underlying residential *densities* allowed under the 1979 Comprehensive Plan do not change in any of the Proposed 1995 Draft Comprehensive Plan Alternatives. The use of different colors overlying the existing Urban and Suburban designations are meant to show the alternative land *use* categories proposed in the draft plan. While the uses could vary under different land use designations used in the alternatives, the underlying densities would not (as proposed) change with the application of any land use designation. The concept of density changes is addressed as a separate "study item" as discussed in Chapter Four, Section 4.3.3, "Density Reduction Analysis". The use of different colors associated with the various land use designations may have caused the misinterpretation. The use of the Rural General Use (RGU) designation in Alternative One within the UGA is intended to roughly approximate the existing Rural land use designation under the existing Comprehensive Plan. The parcel size

(e.g., 5-10 acres) is meant as a location criterion to identify the probable size of existing parcels to which the designation would apply. However, the parcel size criterion is not meant to nor can it be inclusive owing to the wide range of parcel sizes with varying land use designations. Furthermore, the size criterion should not be confused with the density allowed under the existing plan.

2. In Alternative One (the No Action Alternative) the Interim UGA is the urban growth area already adopted by the County. However, much of the remaining portions of the existing 1979 Comprehensive Plan are inconsistent with the Growth Management Act (GMA). The first sentence of the second paragraph on p. 3.1-1 will be amended to reflect the status of the Interim UGA in Alternative One.

3. See Response to Comment B.2.

4. See Response to Comment B.2.

5. The Western Washington Growth Management Hearings Board (hereafter the Board) found in the Jefferson County case (No. 94-2-0006) the following conclusions regarding the validity of a 1:1 density designation in rural areas:

"Candidly we are not disposed to adopt a "bright line" rule that prohibits the use of a 1:1 density in each and every case. We agree that 1:1 density can easily lead to a violation of the anti-sprawl goals and requirements of the [GMA] ...[w]e would expect that very rarely, if ever, would a 1:1 density requirement in rural, or even most urban designations (emphasis added) comply with the Act."

The Board found that Jefferson County did not have sufficient analysis to support the sole use of the 1:1 designation in rural areas. It does not necessarily create a threshold "test" of one dwelling unit per acre as the difference between rural and urban boundaries in *all* jurisdictions. The intent of the discussion regarding the existing Suburban designation density (2 DU/Acre) in SJC was to identify potential inconsistencies with the GMA. The fact that the Board has not defined a "bright line" means that more, but not complete, guidance has been given to jurisdictions planning for UGAs. It still leaves in a somewhat murky state, however, the status of the traditional "suburban" range of densities (1-3 DUs/Ac) which inhabit the no-man's land between rural and urban. The second paragraph on p. 3.1-1 has been amended to reflect the uncertainty regarding what constitutes "urban densities" for UGAs under the GMA. The Town and the County should work together to develop a sufficient land use capacity analysis, capital facility needs assessment and a jointly agreed -upon Final UGA prior to adoption of the Final SJC Comprehensive Plan.

6. See Response to Comment B.1.

7. The sediment yield figures included in the DEEIS are correct. The intent of the discussion is to indicate that while soil erosion increases overall as development increases, the rate of "per unit" soil erosion potential decreases as density increases. The 80 percent decrease cited in the study is measured on a per unit basis as described on p. 3.1-13.

8. Section 3.1.3.3, Water Quality, includes discussions of both water quality and quantity (supply) to specifically indicate the relationships between the two water resource characteristics. The DEEIS makes clear that the impacts to ground and surface water quality and quantity are interrelated in the island environment and should be examined simultaneously in terms of potential mitigation measures. The effect on one cannot be ignored on the other.

9. Section 3.1.3.5, Energy and Natural Resources, is oriented primarily toward the Land Use and Utilities Elements of the Draft Comprehensive Plan . In fact the analysis indicates that automobile petroleum use reduction is primarily a function of the land use pattern in the County and not the Transportation Element goals and policies. Impacts and mitigation measures related to the goals and policies of the Transportation Element are included in section 3.2.4.3, Transportation.
10. According to the data collected and analysis undertaken during development of the Draft Comprehensive Plan, the sand and gravel resource is almost exhausted. In fact the future of the resource is very limited. Future development will not be related to the resource but rather to land uses more compatible with residential development.
11. As pointed out in several sections of the DEEIS, all the alternatives include the same densities as currently applied in the existing 1979 Comprehensive Plan and the same growth rate for the 20 year planning period. A complete buildout analysis of the existing densities under any alternative is included in Appendix 1, Section 3. Residential land use capacity is included (p. 3.1-30) for each district based on the projected growth in dwelling units compared to both existing platted lots and future buildout capacity. A discussion of non-residential land use demand by district is included in section 5.4.6 and in Table 5-10 (p. 5-18/5-20) of the DEEIS. The DEEIS also states that since the Town has not yet developed a draft Comprehensive Plan, and is, in fact, examining several different alternatives (which in some cases differ from the County alternatives) it is premature to analyze consistency between the Draft Comprehensive Plan and Town policies (section 6.3.2.1, p. 6-24). It is further pointed out (in the FEIS Response to Comment B. 12) that determination of the carrying capacity, densities, capital facility needs and fiscal impacts of the Final UGA for Friday Harbor are issues that need to be resolved prior to adoption of the Final SJC Comprehensive Plan.
12. Section 6.2.1.2, "OFM Population Projections", of Chapter Six of the DEEIS lists the different population growth rates used by the Town and the County. The discussion clearly states that the Town's GMA planning is based on a 3.5 percent growth rate while the County's Draft Comprehensive Plan is based on a 2.5 percent annual population growth rate (p. 6-5). A discussion of UGA and activity center designation consistency with the GMA is also described (for each alternative) in Section 6.2.1.3 (p. 6-5 to 6-7), including a discussion of the *relative* differences in land allocation (acreage) for the Friday Harbor UGA alternatives. Total land area within each of the UGA alternatives are listed in the Description of District One Alternatives (section 3.1.1, p. 3.1-1 to 3.1-6). Determination of the population capacity within the Interim UGA (and other Town land use alternatives) is an on-going negotiation process between the County and the Town. To date the Town of Friday Harbor has not yet completed a Draft Comprehensive Plan, although several land use alternatives have been developed which differ from the County's plan alternatives. The need for an expanded land use capacity analysis, capital facility needs assessment and fiscal impact assessment for the Friday Harbor UGA has been identified in the DEEIS and in this FEIS as an issue that needs to be resolved prior to adoption of a final SJC Comprehensive Plan. Both the County and the Town have agreed to work together to jointly develop a Final UGA prior to plan adoption in accordance with the San Juan County and Town of Friday Harbor Joint Planning Policy, which is included as a component of the SJC Draft Comprehensive Plan.
13. The acreage of proposed activity centers for District 1 illustrated in the Summary Matrix (p.3.1-6) are correct. The acreage described for activity centers on p. 3.1-33 was inadvertently mislabeled and has been revised to reflect the same figures as found in the matrix.
14. Park and recreation facilities provided by San Juan County are identified as Category "C" public facilities in the Draft Comprehensive Plan (i.e., facilities that are subject to level of

service standards but are not required to be available concurrently with new development). According to the inventory and analysis of recreational facility needs identified in Appendix 7 of the Draft Comprehensive Plan, park and recreational facilities are expected to be adequate to meet the needs of the projected population growth during the planning period. Additionally, the criteria used in the Draft Comprehensive Plan for measuring park and recreation demand is population (i.e., per capita) driven. Since all alternatives considered in the DEEIS utilize the same population projection, the "need" for park and recreational facilities is the same for each alternative. This "rationale" is not applied to all elements of the affected environment--only those in which impact criteria are measured on a population or per capita basis (e.g., recreation, schools and solid waste). Therefore, the discussion of recreation impacts is focused on the different relative types of demand for recreation that are likely to be most acutely felt due to continued population growth (e.g., shorelines, public access pressure on private lands, etc.) and those impacts that do differ among the alternatives (i.e., the No-Action alternative which would not include LOS standards and policies for maintaining those standards).

15. Determination of the population capacity and capital facilities needs (including transportation improvements) within the Interim UGA (and other Town/County land use alternatives) is an on-going negotiation process between the County and the Town.
16. Comment noted.
17. Page 3.1-49, Section B, Sewage Collection and Treatment, has been revised to reflect that the discussion references Alternative One.
18. LOS standards for community sewage treatment systems are capacity driven as opposed to per capita driven. As stated in the DEEIS, the greatest allocation of projected population growth is expected to occur outside of activity centers in rural areas. These are areas where community sewer systems are not expected to serve most new development. Rather, most new development will depend on on-site septic systems. Clearly, as the size of activity centers and the UGA increases, so do densities and intensities of development as well as the potential for increased community sewer system expansion and concomitant increases in the efficiency in delivery of sanitary sewer systems.
19. As stated on p.20, Element 7, of the Draft Comprehensive, school facility needs and LOSs will be determined by School District facility committees and are not included in the Draft Plan at the present time. Therefore, the DEEIS analysis of school facility demand utilizes accepted pupil demand methodology based on population projections which are consistent for all alternatives. Please refer to response to Comment B.14.
20. The solid waste generation rates utilized in the DEEIS are derived from the San Juan County Draft Comprehensive Plan (see Appendix 7 for Capital Facilities Inventory, Needs Analysis, and Capital Financing Plan). Please refer to the response to Comment B.14 for further clarification.
21. Comment noted. Please refer to response to Comment B.14.
22. Comment noted. Please refer to response to Comment B.14.
23. Comment noted. The level of detail provided in the density reduction analysis was intended to address county-wide impacts (desegregated to district sub-levels) of density reduction scenarios (applied countywide). As stated in section 4.3.3.1 (paragraph one) "[t]hrough discussions with the Comprehensive Planning Citizen Advisory Committee (CPCAC), it was determined that changes in density should be evaluated in the EEIS as a separate item

instead of as an integral part of each land use alternative". The level of detail provided is anticipated to be adequate and further disaggregation to the activity center or UGA level is not considered necessary for a programmatic EIS.

24. See Response to Comment B.1.

C. Ian S. Munce, City of Anacortes

1. Comment noted. Section 3.1.4.3 (C), "Washington State Ferry System--Impacts", has been revised to reflect the impacts of continued growth in San Juan County on the City of Anacortes, especially the impacts of ferry-related automobile traffic on the SR-20 (Oakes Avenue/12th Street) corridor.

D. Tracy Burrows, 1000 Friends of Washington

1. The water quality (3.1.3.3) and water supply (3.1.4.4) sections of the DEEIS discuss the relative conditions and constraints affecting water resources in the County. The DEEIS acknowledges the insufficient amount of existing data regarding water resources (p.3.1-18) and the fact that the County has been unable (to date) to develop quantitative measures for impacts on water resources. Furthermore, the DEEIS also states that "water supply constraints may cause significant growth suppression in later years of the planning period" (p.3.1-48). Mitigation measures include a host of strategies, including conservation and the search for alternative sources (including regional water sharing) as well as additional study of the local groundwater aquifers to better understand and determine existing water supply, recharge and withdrawal characteristics. Clearly, a "carrying capacity analysis" can only be adequately completed after the water resource capacities and characteristics have been determined. Various technological improvements (e.g., low flow household plumbing, desalination, rainfall catchment systems, "gray water" recycling, cisterns, etc.) can also increase the water resource capacity and call into question the efficacy of narrowly focused environmental-based carrying capacity studies.
2. The DEEIS acknowledges that cumulative rural growth and residential development will generate increased use of on-site septic systems and some increases in local septic failure rates, possibly injurious to local water quality, especially along the shoreline (p.3.1-50). The discussion also indicates that the extent of existing inadequate drainfields is not known (p.3.1-49). Mitigation measures include regulations for on-site sewage disposal systems contained in current County regulations (SJCC 13.04) and the local Shoreline Master Program.
3. The DEEIS clearly indicates that affordable housing is one of the most serious issues facing the County (p. 3.1-32). Affordable housing is also addressed as to its impacts on and importance to related components of the local economy (section 5.4.5 on p.5-13/14) as well as impacts from potential mitigation measures identified in the study items analysis (i.e., section 4.3.3, Density Reduction Analysis, and section 4.3.2, Transfer of Development Rights). The DEEIS indeed does indicate that many of the mitigation measures included in the Draft Comprehensive Plan are advisory in nature and that improving housing affordability in a high land value environment like San Juan County is a very difficult challenge.
4. Comment noted. The difficult nature of fiscal impact analysis is made more difficult in analyzing a conceptual programmatic action such as the San Juan County Draft Comprehensive Plan.
5. Performance standard provisions are included in the Draft Comprehensive Plan to address

mixed-uses in rural areas and to prevent incompatible land uses. The County's land development regulations will be amended to include performance standards for commercial, industrial and certain other uses after selection of a preferred plan and land use designations is completed.

6. Comments noted.

E. Richard Komen and Verne Howard, Roche Harbor Resort and Marina

1. Comments noted.

2. Long range land use planning (i.e., a 10 or 20 year time period) depends on utilizing long range population projections. *All* generally accepted population projection methodologies depend upon establishing an accurate baseline of past trends and time periods as a sound basis for projecting or predicting future growth for similar time periods. The 2.5 percent growth rate used in the Draft Comprehensive Plan is an *average annual* figure. This means that the actual growth in the next 20 years is likely to vary annually both higher and sometimes lower than 2.5 percent. But when averaged out over a long period (e.g., 20 years) it is likely to be in the 2.5 percent range. The 2.5 percent figure was established by examining the growth rate over the last 10 years in the County and applying a similar rate of growth for the next 10-20 years. The 5 percent growth rate used by San Juan School District, No. 149, is a *short-term* projection used for predicting enrolled students--not a 20 year projection of enrollment trends. Nevertheless, flexibility in monitoring and projecting future growth is already "built-in" to the comprehensive planning process. GMA requires that Comprehensive Plans be updated, at a maximum, every 10 years which would offer an opportunity to examine growth during the first ten years of the planning period and readjust the growth projections and land use allocations for the following 10 years if, in fact, the rate of growth was significantly different than that used as a basis for the initial plan. The suggestion to use a 4-5 percent growth rate for the next 20 years solely due to the fact that growth rate matches the last three years growth in the County is not a statistically acceptable method or advisable under the GMA. Using such a figure invites challenge to the plan's validity, is not a statistically acceptable methodology, and would likely result in a serious over-allocation of land uses. Especially given the fact that the DEEIS indicates the projected growth in the County for the next twenty years (under the 2.5 percent growth rate) can be entirely accommodated within existing platted lots--requiring no further subdivision activity for the next 20 years, if strictly applied and not including discount factors for market preferences, sensitive areas, etc.

3. The 2.5 percent population growth rate used in the Draft Comprehensive Plan applies to permanent residents--not occasional visitors or second home users. Suggestions to increase the permanent population growth rate projection to 4-5 percent per annum to account for "seasonal homes" is inconsistent with the purpose, methodology and rationale of the projections themselves. In fact estimates and projections of seasonal residents and visitors are contained in the Draft Comprehensive Plan (*See the Population Issues and Land Use Inventory, Appendix 1 to the Draft Plan*). Furthermore the allocation of residential land use designations in the Draft Comprehensive Plan does not differentiate between seasonal or permanent home development. In fact higher densities are allowed in expanded activity center designations--one of the primary motivators of which is to encourage and allow for the construction of more affordable housing opportunities for *permanent* residents. The DEEIS also points out, according to County records, "[a] relatively low ratio of actual (built) residential density compared with the allowable density (i.e., the real estate market is not currently building to the maximum allowable density)" and that "... subdivision activity appears to be slowing down and ...there are indications of lot consolidation activity [that] tends to suggest a response to an oversupply of lots and downward pressure on allowable

densities." (Section 4.3.2.6, p. 4-31) The high cost and rising home values in the County relate to many factors (high transportation costs, amenity-driven development, increased demand, etc.) but certainly not to a perceived shortage of available (allocated) land (density) for development. The data suggest, in fact, that one of the reasons for the rapid increase in development (and to a certain degree, housing costs) was the surge in speculative subdivision activity (increased land supply/density) which, as previously discussed, could now accommodate 20 years worth of projected population growth without any further platting.

4. A discussion of UGA and activity center designation consistency with the GMA is given (for each alternative) in Section 6.2.1.3 (p. 6-5 to 6-7), including a discussion of the *relative* differences in land allocation (acreage) for the Friday Harbor UGA alternatives as well as all other activity center designations, including Roche Harbor. Total land area within each of the UGA alternatives and Activity center designations are listed in the Description of District One Alternatives (section 3.1.1, p. 3.1-1 to 3.1-6). Determination of the population capacity within the Interim UGA (and other Town/County land use alternatives) is an on-going negotiation process between the County and the Town (see Town of Friday Harbor response).
5. Comment noted. The Preferred Plan Alternative (the fifth alternative) identified in the FEIS is a result of the compilation of portions of each of the alternatives most favored by the public and the Comprehensive Plan Citizen Advisory Committees for each district.
6. Concurrency is a new growth management concept introduced in the GMA which requires more linkage between land use and capital facility planning by local governments than that traditionally practiced by many jurisdictions. As such, it must be based on analysis of both land use, population growth and facility capacities along with concomitant increases in demand for capital facilities and capital expenditures for those facilities. The goal of this approach is to bring development into balance with available and affordable capital facilities and services. The Transportation and Capital Facilities elements of the Draft Comprehensive Plan (as well as Appendices 6 and 7) provide a detailed inventory, analysis and projected Capital Financing Plan for transportation and capital facilities, including those for which concurrency is required and not required. An outline of response mechanisms, or steps or actions to be taken in such circumstances is provided for each type of facility addressed in the element.

A Concurrency Management Ordinance will be developed during creation of the land development regulations to implement the plan which will spell out the procedures necessary to ensure that sufficient capital facility capacity is available to accommodate new growth. In addition, public input will be an integral part of the process of adopting the annual update to the Capital Financing Plan (CFP). The Capital Improvements Committee will hold hearings on the development of the CFP, to review LOS requirements, analyze alternatives and the financial feasibility of the CFP. School Districts and community water and sewer providers will be asked to work with the Committee in the development of the annual review of the CFP with final recommendations going to the Board of County Commissioners for its review and approval.

F. Wendy Mickle

1. The use of the term "low intensity" agriculture (section 4.3.1.4, p. 4-12) includes not only animal husbandry and associated crop production (e.g., pasture and haying) which have low productivity values per acre but also *small-scale*, relatively "intensive" row crop agricultural uses (i.e., those uses which do not require high input factors such as labor, machinery, fertilizer, etc., when practiced on small plots). These crops include flowers, vegetables, berries, etc., as currently practiced in the County. In terms of total acreage (i.e., land) devoted

to agricultural use in the County, pasture and haying are the dominant activity.

2. Comment noted.
3. The airport noise threshold of 55 dbA in the proposed Comprehensive Plan is consistent with the noise threshold adopted in the 1989 Transportation Policy Plan and of FAA airport noise threshold guidelines for rural areas. The dbA designation indicates the average weighting of noise levels.

G. Barbara Thomas

1. Comments noted. The DEEIS is intended as an informational document to evaluate the relative impacts of continued growth in the County and the relative effects of the goals and policies of the Comprehensive Plan in mitigating those impacts. The use of design standards is proposed in the plan as an option to preserve rural character. The intent of the discussion in Section 4.3.1, "Alternative Regulatory Approaches", is to illuminate the likely effectiveness of a variety of techniques considered to preserve rural character, including the use of design standards. The design standards are proposed for consideration during development of the County's land development regulations and to be consistent with the recommended regulatory approach developed during selection of the Preferred Plan Alternative.

H. Andrew Evers

1. The intent of the discussion is to indicate that while soil erosion increases overall as development increases, the rate of "per unit" soil erosion potential decreases as density increases (regardless of the amount or intensity of rainfall). The 80 percent decrease cited in the study is measured on a per unit basis as described on p. 3.3-15.
2. Comments noted. The DEEIS states that "water supply constraints may cause significant growth suppression in later years of the planning period" (p.3.1-48). Mitigation measures (section 3.3.3.3, p. 3.3-22) include a host of strategies, including conservation and the search for alternative sources (including regional water sharing) as well as additional study of the local groundwater aquifers to better understand and determine existing water supply, recharge and withdrawal characteristics. In order to obtain a better understanding on the critical water resource issues facing the County, the Draft Comprehensive Plan proposes that all new wells be registered with the County so that an accurate data base and tracking system can be installed to monitor the use, quality and quantity of groundwater being pumped in the County.
3. Comment noted.
4. Comment noted.
5. Alternative 1 (the No-Action alternative) is the only alternative that does not clearly meet the minimum requirements of the Growth Management Act. It functions as the existing San Juan County Comprehensive Plan and does not include the additional goals and policies contained in the 1995 draft plan. As such, it has less ability to mitigate the impacts of continued growth when compared to all of the other alternatives.
6. LOS standards for water supply are contained in the Capital Facilities Element of the Draft Comprehensive Plan.
7. Comment noted. The DEEIS is intended as an informational document to evaluate the relative impacts of continued growth in the County and the relative effect of the goals and policies of the Comprehensive Plan in mitigating those impacts. The intent of the discussion in Section

4.3.1, "Alternative Regulatory Approaches", is to illuminate the likely effectiveness of a variety of land use regulatory techniques given the major issues in the County. As such, the techniques discussed are all options for consideration during development of the County's land development regulations and to be consistent with the recommended regulatory approach developed during selection of the Preferred Plan Alternative.

8. The discussion of alternative regulatory approaches contained in Section 4.3.1. addresses the fact that, as discussed and as proposed in the Draft Comprehensive Plan, none of the regulatory techniques discussed include a "limit" to growth (i.e., controlling the timing of development). The only discussion of regulatory options for limiting growth is included in Section 4.3.4, One Percent Growth Limit.
9. The increases in "cost" associated with "flexible zoning" techniques are significant only in discussion of comparative approaches to land development regulation. In fact as the analysis indicates from a county-wide economic standpoint, alternative regulatory approaches discussed in the DEEIS would have insignificant effects on the overall economy in general and to the cost of housing in particular.

I. George W. and Irene H. Warner

1. Amendments to the Shoreline Master Program are being developed to achieve consistency with the Draft Comprehensive Plan. The goals and policies of the revised SMP will be included as an element of the Final Comprehensive Plan.
2. Comment noted.
3. Comment noted.
4. Comment noted.

J. Miki Brostrom

34. Regulations to implement the Comprehensive Plan will be included in the Unified Development Code based on a preferred Plan alternative. Land use designations in the Draft Plan do differ, in some cases, by alternative. Utilizing a range of different designations and mapping criteria was intended to help spatially differentiate between the alternatives as discussed in section 2.3, p. 2-4 of the DEEIS.
35. Regulations to implement the Comprehensive Plan will be included in a Unified Development Ordinance to be adopted concurrently with the Final Comprehensive Plan. As discussed in section 2.3, p. 2-4 and 2-5 and presented on Table 2-2 of the DEEIS, conditional use permits are proposed for use in certain land use districts and for certain land use activities. Definitions are included in the Draft Comprehensive Plan as noted on p.2-5 of the DEEIS.
36. Comment noted. Section 3.2.3.2, p. 3.2-18 has been revised to include localized sources of air pollution, including smoke from heating and cooking stoves, land clearing and outdoor burning.
37. The establishment of OPALCO-provided electrical power service on non-ferry served islands is determined through individual residents desires, economic cost and quality of life choices. In fact, most of the major non-ferry served islands are provided with OPALCO power with the exception of Waldron Island. This is largely due to the fact that Waldron residents have chosen not to extend service to the island. At the present time, power is provided through solar or other generator use only.
38. The intent of the mitigation measures described in section 3.2.3.6, p. 3.2-29/30 are for the

protection of natural resource lands (an affected element of the natural environment). SEPA requires that the impacts of the proposed action (adoption of a new Comprehensive Plan) address the required elements of the environment (WAC 197-11-444). Impacts relating to "the subjectivity and delays of the administrative process" are not an affected element of the environment according to SEPA. However, discussion of the relative impacts relating to alternative regulatory approaches, including impacts on the administrative process, are included in Section 4.3.1, p. 4-2 to 4-23 of the DEEIS.

39. Comment noted. Policies and mitigation measures regarding non-aircraft related noise impacts in rural areas (generated from rural land uses) will be addressed through performance standards applied in the Unified Development Ordinance proposed for adoption concurrent with adoption of the Final Comprehensive Plan. Mitigation measures contained in the goals and policies of the proposed Draft Comprehensive Plan exceed those contained in the existing Comprehensive Plan (i.e., the No Action alternative).
40. Comment noted.
41. Comment noted. Please see response to Comment I-39.
42. As pointed out in several sections of the DEEIS, all the alternatives include the same densities as currently applied in the existing 1979 Comprehensive Plan and the same growth rate for the 20 year planning period. Alternative 1 (the existing Comprehensive Plan) differs from all of the other alternatives in that it does not include the goals and policies (i.e., mitigation measures) to manage growth contained in the draft plan. Therefore, the relative impacts of the same growth under the existing plan will likely be greater than those of Alternatives 2, 3 and 4. In addition, the spatial land use arrangements and relative uses among certain proposed land use designations changes among the alternatives. A complete buildout analysis of the existing densities under any alternative is included in Appendix 1, Section 3. Residential land use capacity is included (p. 3.2-33) for District 2 based on the projected growth in dwelling units compared to both existing platted lots and future buildout capacity. A discussion of non-residential land use demand by district is included in section 5.4.6 and in Table 5-10 (p. 5-18/5-20) of the DEEIS.
43. The policy discussed in the Housing mitigation measures section (p. 3.2-36) regarding developing a TDR program through the San Juan County Land Bank was removed from the Draft Plan by the Steering Committee. The policy "to transfer acquired development rights to identified affordable housing receiving properties" was intended to apply only to the existing Land Bank program (i.e., to expand the Land Bank's PDR program to one including TDR's which would apply only to affordable housing development). It differed from the expanded use of TDR's county-wide discussed in section 4.3.2 of the DEEIS which would (as presented) operate generally outside the realm of the Land Bank.
44. Large "gardens" are not regulated by the SJCC, nor are they proposed for regulation in the Draft Comprehensive Plan under any land use designation or land use alternative. Agricultural Resource Lands of Long-term Commercial Significance are designated by the County as a mandatory requirement of the Growth Management Act and must be demonstrated to relate to the long-term economic significance of the County. "Homesteading" agricultural activities on small lots generally do not qualify for resource land designation.
45. OFM (Office of Financial Management) and PSRC (Puget Sound Regional Council) are separate entities that are both involved in projecting population growth for the next 20 years for county use in preparation of GMA comprehensive plans. It is the responsibility of the OFM to prepare these projections for counties throughout the state. Counties must generally use the OFM projections in developing their comprehensive plans unless the county can demonstrate and justify a different projection and still justify the goals and requirements of

the GMA. In the case of counties in the Puget Sound region, PSRC acts as a regional agency to review OFM projections and redistribute population growth projections using localized models and other data customized to the patterns of growth and development unique to the Puget Sound area. In the case of San Juan County, PSRC concurs with the population projections prepared by OFM. The Draft Comprehensive Plan, however, provides justification for why the OFM projections for SJC (i.e., approximately 1.1 percent annual growth) are considered too low for projecting future growth. (*See the Population Issues and Land Use Inventory, Appendix 1 to the Draft Plan, for discussion of how San Juan County has proposed to address OFM population projections*). Instead the Draft Comprehensive Plan uses a 2.5 percent annual growth figure which reflects the actual growth of SJC between 1980 and 1990 and is considered a more likely indicator of future growth trends during the next 20 year planning period. In November, 1995, OFM issued new population projects for counties. These new projections show stronger state population growth through the year 2020 than the previous projections. As a result of the upward revision, the 1995 projections for most of the counties are considerably higher than the prior projections released in 1992. The new projections include a low, medium, and high percentage for each county. The medium projection for San Juan County is consistent with the 2.5 percent projected by the County in the Draft Plan.

46. The discussion of the economic impacts of tourism on the county (section 5.3.1.1, p. 5-4, paragraph's two, three and four) has been revised.
47. SEPA requires a "general discussion of the impacts" resulting from implementation of non-project proposals (WAC 196-11-442) as is the case of the Draft Comprehensive Plan. The DEEIS does indicate the need for worker housing to be a significant impact of continued growth in the county both in section 5.4.5 (Housing Affordability) and in section 3.2.4.2, p. 3.2-35 (Housing). The DEEIS also indicates that the Draft Comprehensive Plan mitigation measures cannot completely mitigate the impacts on worker housing needs. The *San Juan County Comprehensive Housing Needs Assessment* is referenced in the DEEIS to specifically identify additional documentation on the need for affordable housing (including worker housing) without unnecessarily increasing the bulk of the DEEIS by repeating information contained elsewhere in environmental documents, as required by SEPA (WAC 197-11-425 [6]).

K. Bob Myhr, District Three Steering Committee

1. Detailed economic data is often difficult to acquire at the county level, especially given the limited scope of the economic impact analysis intended in the DEEIS. Nevertheless, the main focus of this section was to identify significant *employment sectors* of the economy most likely to be impacted by various alternatives presented in the DEEIS. Since all of the alternatives utilize the same population growth projections, there is no significant change in the rate of increase of the retirement and fixed-income" population *among* the different alternatives. In addition, this population group (by definition) is not a component of the County's labor force. To be sure, transfer payments and investments (for retirees) constitute a significant source of local income and spending in the county and contribute to economic growth, especially in the construction, retail trade, finance/insurance/real estate, and services sectors.
2. The summary statement on the economic impact of tourism (section 5.6.1, p. 5-23, first sentence) inadvertently included the incorrect percentage of total retail sales in the county attributed to tourism. The stated estimate of 53 percent is incorrect. This section of the DEEIS has been revised to reflect the correct estimate. The correct estimate is that up to 25 percent of total county retail sales is attributable to tourism (as stated previously in the DEEIS in section

5.3.1, p. 5-4).

3. Comment noted. The difficult nature of fiscal impact analysis is made more difficult in analyzing a conceptual programmatic action such as the San Juan County Draft Comprehensive Plan. A more detailed economic analysis was not possible given the scope of the DEEIS nor required by SEPA. Many of the summary statements incorporate conclusions based on previous studies done in the county or related economies and, in some cases, rely on qualitative information or trend inferences, where quantitative data were unavailable for analysis or beyond the scope of the DEEIS.

L. Mitchel B. Dodd

1. Water quantity and quality issues are dealt with in the Water Resources Element as well as in policies of the Land Use Element of the Plan. Over the years a number of water studies have been conducted in the islands to determine available capacity. The studies indicate that fresh water in the islands results only from precipitation and most of the water that percolates goes into localized underground aquifers. Therefore, water supplies vary across the county and each island with some areas experiencing limited or declining supplies. The SMP deals primarily with shoreline use issues not the availability of water to serve those uses. Under state law, availability of adequate potable water must be shown prior to issuance of building permits. Technology has allowed for a number of alternative water supply systems (such as catchment and desalination) to serve residential uses many of which are in shoreline areas where water quantity is limited and quality may be affected by salt water intrusion.

M. Claire Hellar

1. Comments noted.
2. The Plan and SMP do not direct that all County road ends be considered for barge landing sites. The SMP includes policies to allow for a minimum of one log dump and one barge landing site on each non-ferry served island. Such sites and/or facilities would require conditional use permit approval and would be subject to additional SEPA evaluation at the time of permit application. Other policies in the SMP address environmental impacts and impacts to sensitive areas which would apply to all shoreline uses.

N. Janet H. Roach

1. The density for Conservancy was established 20 years ago in the County's original SMP and a substantial amount of development has occurred in this designation over the years. Policies for Conservancy direct that development be designed to protect natural resources and the shore process corridor. The consistency issue was raised with regard to recent decisions made by the Growth Management Hearings Boards on the issue of rural densities. Board decisions have generally invalidated densities greater than one unit per two to five acres in Rural areas, however, these decisions do not affect existing vested development patterns. The Land Use Element of the Plan includes policies to address the density issue through voluntary, incentive-based means. No legislative density reductions are proposed in the Plan.
2. Comment noted.

O. Charles H. Ludwig

1. Please see response in M.1 above.
2. Comments noted and corrections noted in Chapter 3 of this FEIS.

LIST OF COMMENTORS

Exhibit	Name	Address	Source
Draft Environmental and Economic Impact Statement			
A	Nancy McKay	Puget Sound Water Quality PO Box 40900 Olympia, WA 98504-0900	Letter
B	Wm. J. LaPorte, et. al.	Town of Friday Harbor PO Box 219 Friday Harbor, WA 98250	Letter
C	Ian S. Munce	City of Anacortes Planning Department PO Box 547 Anacortes, WA 98221	Letter
D	Tracy Burrows	1000 Friends of Washington 1305 4th Avenue, Suite 303 Seattle, WA 98101	Letter
E	Richard Komen, Verne Howard	Roche Harbor Resort & Marina PO Box 4001 Roche Harbor, WA 98250	Letter
F	Wendy Mickle	Route 1 Box 1410 Lopez, WA 98261	Letter
G	Barbara Thomas	Route 2 Box 3187 Lopez, WA 98261	Letter
H	Andrew Evers	Route 2 Box 3947 Lopez, WA 98261	Letter
I	Irene H. Warner, George W. Warner	6181 Tangney Memorial Dr. Friday Harbor, WA 98250	Letter
J	Miki Brostrom	PO Box 92 Waldron, WA 98297	Letter
K	Bob Myhr	Route 1 Box 2114 Lopez, WA 98261	Letter
Shoreline Master Program Supplemental Environmental Impact Statement			
L	Mitchel B. Dodd	33 Wrenhaven Way Waldron, WA 98297	Letter
M	Claire Hellar	P.O. Box 71 Waldron, WA 98297	Letter
N	Janet H. Roach	General Delivery Waldron, WA 98297	Letter
O	Charles H. Ludwig	Sandy Point Waldron, WA 98297	Letter

[Comment Letters:
Exhibits A-O, pp. 4-16 through 4-88]

[not scanned into the file; available at Planning Dept.]

**TABLE 4-3: TABLE OF COMMENTORS
(Comments on the DEEIS)**

LEGEND		
SYMBOLS	PREFERRED ALT./OTHER COMMENTS	STUDY ITEMS
<p>✉ = Letter</p> <p>📄 = Comment Sheet</p> <p>🌾 = Agriculture Letter</p> <p>⚙️ = Oral Comment</p>	<p>The first number is the commentors preferred alternative for their property.</p> <p>The second number after the / is the preferred alternative (or combination of alts.) for the island the commentor owns property on.</p> <p>One number indicates the same alternative was preferred for their property and their island.</p> <p>The statements reflect the main point of the commentor.</p>	<p>1) Alternative Regulatory Approaches Z = Zoning P = Performance Standards H = Hybrid of Zoning & Performance Standards</p> <p>2) Transfer of Development Rights Y = Yes N = No</p> <p>3) Density Reduction Y = Yes Y/3&4b = Yes/Model # N = No</p> <p>4) 1% Growth Limit Y = Yes N = No</p> <p>5) Impact Fees Y = Yes N = No</p> <p>(-) indicates the commentor did not respond to, or misunderstood the study item question.</p>

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Clark, Larry	Lopez	✉	Four topics	-	-	-	-	-
Ellis, Fred & Marilyn	Shaw	📄	3/3&4	-	Y	Y	Y	Y
Oles, Ilse	Lopez	✉	R-10 to RR-5	-	-	-	-	-
Jensen, Elise	San Juan	✉ , ⚙️	4, Limit growth	H	N	Y	N	-
Nordtvedt, Kenneth	San Juan	✉	Info request	-	-	-	-	-
Stroh, John & Carla	San Juan	📄	4	-	Y	Y	N	-
Lea, Malcolm	Shaw	📄	RLU/Shaw	-	-	-	-	-
Bartleson, Betty J. Castor, David	Orcas	✉	3	-	N	Y	Y	-
Herdt, Gary & Catherine	San Juan	📄	1	-	Y	N	N	Y
Booth, Jay	Orcas	📄	3	-	-	-	-	-
Branstedder, Mike	Orcas	📄	2/2&4	-	N	N	N	N
Langly, Christine	Lopez	🌾 , 📄	3&4	H	-	-	-	-
Dann, Dr. J. Robert & Barbara	San Juan	📄 , ✉	3	-	N	Y/3&4b	Y	N

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Shanks, Bern & Anne Marie	Orcas	☒	3	-	-	-	-	-
Drury, Richard	San Juan	☒	No planning	-	-	-	-	-
Daum, David E.	San Juan	☒	4	-	-	-	-	-
Aitken, Doris	Lopez	✍	3	-	-	-	-	-
Charnley, Brent	Lopez	✍	3	H	Y	Y	M	Y
Nilan, Maggie	Lopez	✍	3	-	-	-	M	-
Cunningham, Pat	Lopez	☒, ✍, ☸	3/Vision Petition	H	Y	Y/3&4	Y	-
Smaalders, Oscar & Alice	Lopez	✍	3	H	N	Y/3&4B	Y	N
Evers, Andrew	Lopez	☒, ✍, ⚙	1,? EEIS Findings	-	-	-	-	-
Buck, Robert F.	San Juan	✍, ⚙	2, Property rights	-	Y	N	N	Y
Buck, Vincent & Jane	San Juan	✍, ⚙	2, Property rights	-	Y	N	N	Y
Campbell, John (HAB)	Orcas	☒	Housing Element	-	-	-	-	-
Volk, Dawn Elaine	San Juan	✍	Need clarity	Z	-	N	N	Y
Volk, John	San Juan	✍	1	-	Y	N	N	-
Oles, Stuart & Ilse	Lopez	☒	RR/37 Acres	-	-	-	-	-
No Name	Shaw	✍	1	-	-	-	-	-
Rosenberg, Doug	Crane	✍	Natural area	-	-	-	-	-
Pirnack, Patty	Orcas	✍	3, Address H2O	-	-	-	-	-
Hamilton, James C.	Orcas	✍	3	-	-	Y	Y	Y
Owens, Linda	Orcas	✍	3	-	N	-	-	-
University of Washington	San Juan	☒	Labs/N or C	-	-	-	-	-
Sutherland, Donald & Joanna	Shaw	✍	RR	H	N	Y/2&3	N	N
Wedgewood, Ralph & Virginia	Shaw	✍	RR	H	N	Y2&3	N	N
Humes, Bill & Barbara	Orcas	✍	3&4	-	N	Y	-	Y

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Gregory, R. Bruce & Colleen	San Juan		3	H	N	Y	M	Y
Salsbury, Stephen	San Juan		4	-	-	-	-	-
Griffing, Philip H.	Shaw		RR	-	-	-	-	-
No Name	San Juan		3&4	-	Y	N	M	N
Ellis, Anne K.	Lopez		3	-	N	-	Y	Y
Hazelton, Dennis & Gayle	San Juan	,	4	H	-	Y/4b	N	N
Ludwig, Steve	Lopez		3&4	H	-	-	-	-
Ludwig, Lois	Lopez		1/3	-	-	-	-	-
Connery, Sam	San Juan		3, Stay w/GMA	-	-	-	Y	-
No Name	Lopez		3	-	-	-	-	-
No Name	Shaw		1	H	-	-	-	-
Patton, Robert & Dorothy	Orcas		3	-	-	-	-	-
Schmidt, Hardy	Shaw		1	-	-	N	N	-
Smith, Randolph & Louise	San Juan		3	-	N	Y	Y	N
Fleischer, Susan	Orcas		4	-	N	-	-	-
Wright, Richard W.	SJ/LPZ		4	-	M	-	Y	Y
Wright, Janet	San Juan		4	-	-	Y	Y	Y
1000 Friends of Washington	All		General Comment	-	-	Consider	-	-
Trogden, Dorothy	Orcas		4	-	-	-	-	-
Chambers, W. L.	Orcas		3	-	-	-	-	-
Karnikas, George & Ingrid	Orcas		4	H	-	Y/4b	N	N
Sandwith, Colin J.	San Juan		No Planning	-	-	N	N	-
Blomberg, Ed	Lopez		1/4	-	-	-	-	-
Ward, Don & Thelma	Lopez		3	-	-	-	-	-
Terry, Joanne L.	SJ/Johns		3	-	-	-	-	-
Spaulding, Chris	San Juan		1	N	N	N	N	N

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Sandwith, Perry	San Juan		No Planning	N	N	N	N	N
Owens, James T.	Orcas		3	-	N	-	-	-
Odegard, Thomas C.	San Juan		3	-	Y	M	Y	M
Meredith, Jim & Susan	San Juan		3 or 4	H	-	Y/3&4b	Y	-
Dalton, Morris & Floy	Lopez		4	H	N	Y/3&4b	Y	N
Durhack, Richard	San Juan	,	1/Get out of GMA	-	-	-	-	-
Welsh, Barbara J.	San Juan		RR	Z	N	N	N	-
Symons, Joe	Orcas		Issues	-	-	-	-	-
Forster, Thomas & Sarah	Orcas	,	3&4, Support Ag	H	-	-	-	-
Evans, John	Orcas	BCC Memo	Forest Mgmt.	-	-	-	-	-
Urschel, Barbara	Orcas		Density increase	-	-	-	-	-
Gaines, Scott F.	San Juan		Property Rights	-	-	-	-	-
Warner, Robert H.	San Juan		Limit growth	-	-	-	Y	-
Boehm, Hannah	Orcas		Ag/Forest uses	-	-	-	-	-
Schroeder, Tom Mills, Claudia	San Juan	,	3/4, Protect Forests	-	N	Y/3&4b	Y	Y
Broad, Alfred C.	San Juan		3	-	N	-	-	-
Warner, George & Irene	San Juan	,	4, Support RH	Z	Y	-	Y	Y
Eastsound Plan Review Committee	Orcas		2 or 4 for Eastsound	H	M	N	N	N
Bushley, Alan	Henry		Subarea plan	-	-	-	-	-
Skoog, J. A.	San Juan		1&2, No on RH	Z	N	N	N	N
Berryman, Mary Ann	San Juan		4	-	-	Y/3&4b	Y	Y
Berryman, Grover	San Juan		4	-	-	Y/3&4b	Y	Y
Anderson, Richard & Susan	San Juan		3	-	-	-	-	-
No Name	San Juan		1, Need Flexibility	-	-	-	-	-
Payne, Chuck	San Juan		2	-	-	-	-	-
Dallas, John & Trudy	San Juan	,	3	-	-	-	Y	Y

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Rautenberg, Robert & Kathyne	San Juan	☒, ✍	Keep SJ free	-	N	N	N	Y
Boyce, Alton & Zepher	San Juan	☒	Keep SJ free	-	-	-	-	-
Nelson, Chris & Ann	San Juan	✍	3	-	Y	N	Y	Y
Giesy, Bill	San Juan	☒	Less Government	Z	-	-	-	-
Erickson, Rod	San Juan	✍, ☒	1 or 2, Comments	-	N	N	N	N
Slocomb, Jim	San Juan	✍	4	Z	N	-	N	M
Harm, Helga	Orcas	✍, ☒	1	-	N	N	N	Y
OPALCO	All	☒	Plan comments	-	-	-	-	-
Howler, Brian	Orcas	✍	3	-	M	M	N	Y
Alexander, Lynne	Orcas	☒	3&4	-	-	Y	Y	-
Bartell, George	Lopez	☒	2	-	-	N	-	-
Klee, Barbara Pease, Ralph	Orcas	✍	3	-	-	-	-	-
Macksey, Mary	Orcas	☒, ✍	1, No Planning	-	M	N	N	Y
Walvatne, Jennie & Edwin	Lopez	☒	Keep SJ free	-	-	-	-	-
San Juan Shuttle Express	Orcas/SJ	☒	Transportation	-	-	-	-	-
Liddle, Lesley	Orcas	✍	3, No density incr.	-	-	Y/3&4b	Y	-
Gunther, Betsy	San Juan	✍	3/4	-	N	-	M	Y
Gunther, Les	San Juan	✍	3	-	-	-	-	-
Reigel, Dennis & Beth	Orcas	✍	2	H	N	-	Y	N
Brostrom, Miki	Waldron	✍, ☒	None, EEIS Comm	H	N	Y	N	Y
Brostrom, Ken	Waldron	✍	Need Subarea Pln	-	-	-	-	-
Ragen, Brooks	SJ/Waldrn	✍	3	-	-	-	-	-
Dept. Social & Health Services	All	☒	Siting EPF's	-	-	-	-	-
City of Anacortes	All	☒	Transportation	-	-	-	-	-
DCTED-Office of Archeology & Historic Preservation	All	☒	Comments on Historic Pres.	-	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Bosone, Buzz & 12 others	Orcas	☒	No Downzoning	-	-	N	-	-
Nature Conservancy	Various	☒	Designate Natural	-	-	-	-	-
Lillie, Ralph	Shaw	☒	1	-	N	N	N	N
Phillips, Ted J.	Lopez	✍	4	H	M	-	N	-
Robinson, Carl	San Juan	☒, ⚙	No Planning	-	-	-	-	-
Cooper, James	San Juan	✍	4	-	-	-	-	-
Blaisdell, Bonita	San Juan	✍	3, Water Element	-	N	-	Y	M
Bishop, John	Waldron	☒	RR/RGU	-	-	-	-	-
Orazio, Patricia	San Juan	☒, ✍	No planning	-	-	-	-	-
Webert, Jim & Magalen	San Juan	☒	Keep SJ free	-	-	-	-	-
Ross, Robert	San Juan	✍	Opt out of GMA	Z	-	-	-	-
Jones, Keith	Orcas	☒	3	-	-	-	Y	-
Mottola, Katherine	Lopez	✍	3	H	Y	Y	Y	Y
Mottola, Mat	Lopez	✍	3	H	Y	Y	Y	Y
Hill, Helen H.	Waldron	✍	Subarea Plan	-	-	-	-	-
Hill, Eugene S.	Waldron	✍	Subarea Plan	-	-	-	-	-
No Name	Orcas	✍, ☒	1, Need more RR	-	N	N	N	Y
Hannah, Robert	San Juan	✍	4, More specifics	H	Y	N	N	Y
Hudson, E. James	San Juan	✍	1	-	-	-	-	-
Scott, Robert - National Parks	All	☒	3	-	-	-	-	-
Brookbank, John & Sally	San Juan	☒	3	Z	N	Y	Y	-
Jones, Patricia A.	San Juan	☒, ⚙	Property Rights	-	-	-	-	-
Macksey, Mike & Mary Beth	Orcas	✍	1	-	Y	N	N	Y
Scott, Nate	Lopez	✍	4/3	-	N	Y	Y	Y
Sandwith, Michael C.	San Juan	✍	No Planning	-	-	-	-	-
Andrews, Fred & Barbara	Lopez	☒, ✍	1, Opt out of GMA	-	N	N	N	N

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
No Name	Lopez		3	-	-	-	Y	Y
Ragen, Brooks	Waldron		Mittlestadt Farm	-	-	-	-	-
Fairfax, Winifred L.	San Juan		3	-	N	-	-	-
Dowling, Jean	Orcas		Need planning	-	-	-	-	-
Clark, Larry	Lopez		Things to consider	-	-	-	-	-
Little, John & Elizabeth	San Juan		3, Preserve OS	-	-	-	-	-
McIlwain, Tom & Sierra	Lopez		1, Need Cott. Ent.	-	-	-	N	-
Goodrich, John & Gudrun	Orcas		2	H	-	N	N	-
Dept. of Natural Resources	All		Plan comments	-	-	-	-	-
Einboden, Ann	San Juan		Reduce Density	-	-	Y/4b	-	-
Bishop, Sandy	Lopez		3	H	M	M	M	M
Clark, C.M.	Orcas		RFF	-	-	-	-	-
Driscoll, Amalia	Lopez		3	H	N	Y/4b	Y	N
Bartell, G.H.	Lopez		2	-	N	-	N	N
Stewart, Babette T.	Crane/Orc		4	-	-	-	M	-
Hatch, Virginia	Shaw		1 or 2, No B&B's	-	-	-	-	-
Hatch, Willard	Shaw		1 or 2, No B&B's	-	-	-	-	-
Marshall, Sandra	Orcas		4	-	N	Y/2&3	M	Y
O'Bryant, Raydonia	Lopez		1	-	-	N	N	N
San Juan Shuttle Express	SJ/Orcas		Transportation Ele	-	-	-	-	-
Braun, Alice	Orcas		4&3/3	P	M	Y/3	Y	Y
Jones, Ann	Orcas		3	-	Y	Y	Y	Y
Dann, Robert & Barbara	San Juan		News clip	-	-	-	-	-
Oles, Douglas	Lopez		Want RR-5	-	-	-	-	-
Johnson, Mark	Orcas		4	H	N	Y	M	N
Ludwig, Helen	Lopez		Need Home occ.	-	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Nutt, Bob & Maria	Orcas		3	-	-	-	-	-
Ashbaugh, David & Shirley	Lopez		3	-	N	-	N	N
Jenkins, Pam	Orcas		Reduce buildout	-	-	-	-	-
Pyle, R.G.	San Juan		3&4	-	-	-	-	-
Campbell, John	Orcas	,	3	H	N	Y	N	Y
Charnley, Brent	Lopez		3	-	-	-	-	-
Mayer, Judy L.	Lopez		Need more info	-	-	-	-	-
Collins, Rick	San Juan		4	Z	N	-	-	Y
Jenison, Robert E. & Margaret	Lopez		1	-	Y	N	N	M
Symons, Joe	Orcas		The Next Step	-	-	-	-	-
Bisaillon, Phil E.	Orcas		3	H	M	Y/3&4b	Y	-
Recktenwald, Sigrid L.	Orcas	,	3, Reduce buildout	-	Y	-	Y	-
Ludwig, Steve	Lopez		Limit development	-	-	-	-	-
Rowe, Brice & Joan	San Juan		4	-	-	N	N	N
Moody, Judy Gilson	Shaw		4	H	N	Y/3	-	Y
Brame, Frank	San Juan		3	P	N	M	Y	Y
Klein, Fred	Orcas	,	ES - AC	-	-	-	-	-
Orcas Landing, Inc.	Orcas		Water Res. Elemnt.	-	-	-	-	-
Scott, Robert F.	Orcas		4	-	M	N	M	Y
Sherwood, Clark	Lopez	, ,	1, No design stnds.	P	Y	N	N	N
Warner, Robert H. & Frances	San Juan		Limit growth	-	-	-	-	-
Applegate, T.S.	Orcas		0% growth	-	-	-	-	-
Mische, Magda	Orcas	,	3, Address pop.	-	-	-	-	-
Franco, Gary	Lopez	,	To much planning	-	-	N	N	N
Drews, Max & Michelle	San Juan		3	Z	N	Y/3&4b	Y	N

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Myhr, Bob	Lopez	☒	General Comm.	-	Y	-	-	-
Darvill, Fred T.	Orcas	☒	3&4	-	-	-	Y	-
Clark, Donald & Mary	Shaw	✍	1, Property rights	-	Y	-	-	-
No Name	San Juan	✍	No Planning		M	N	N	N
Powell, Earl	Shaw	✍, ⚙	Shaw - All RR	Z	N	N	M	Y
No Name	None	✍	3	Z	N	-	Y	N
Ahart, Paul & Martha	San Juan	☒	Limit growth	-	-	-	-	-
Hobson, Cheryl	Orcas	✍	RR	-	N	Y	Y	Y
Jones, Norine	Decatur	✍, ☒	1, No growth limit	-	M	N	N	N
Johnson, Lulu	Lopez	✍	1 or 3	-	N	N	N	N
Hornung, Tracy	San Juan	✍	3/4	H	M	Y/3&4b	Y	M
Savage, Maggie	Shaw	✍	RGU or RFF	-	-	-	-	-
Prohaska, Donald	San Juan	✍	3	-	N	N	N	Y
Forbes, Tom	Orcas	✍	3&4	-	-	-	-	-
Schwab, Joseph	Orcas	✍	Need more RR	-	N	Y	Y	Y
Wilson, Lori	Orcas	✍	4	-	-	-	-	
deRoos, Roger & Carolyn	San Juan	✍	4	-	M	N	Y	Y
Stephens, Janet & L.C.	San Juan	✍	3	-	-	Y/3	N	N
Dukes, Lorraine	San Juan	✍	3 or 4	-	-	-	-	-
Dustrude, Louise	San Juan	☒	General Comm.	-	-	-	-	Y
Schroeder, Tom Mills, Claudia	San Juan	☒	Reduce buildout, protect forests	-	-	Y	-	Y
No Name	None	☒	Delete Housing	-	-	-	-	-
Van Camp, Joy	San Juan	✍	3	P	M	Y	Y	Y
Rasmussen, Gerald	San Juan	☒	Signs & parking	-	-	-	-	-
Swan, Grace Moore	San Juan	✍	3	-	-	-	-	-
Otto, Theodore & Virginia	San Juan	✍	3	Z	N	M	N	Y

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Rasmussen, Gerald	San Juan	☒	B&B comments	-	-	-	-	-
Hanson, Neil	Lopez	☒	Solid Waste	-	-	-	-	-
Lewin, Joyce	San Juan	✍, ☒	3, Reduce density	Y	-	Y/3&4B	Y	Y
Suij, Ed	Orcas	☒, ⚙	Support Vision	-	-	-	-	-
Harrell, Joyce	San Juan	☒	Vision Petition	-	-	-	-	-
Eyerly, Susan	San Juan	☒	3	-	-	-	-	-
Marston, Marshall & Sally	Orcas	☒	No density incr.	-	-	-	-	-
Garretson, Eric	Orcas	♻	3&4	H	-	-	-	-
Oles, Stuart	Lopez	☒	Opt out of GMA	-	-	-	-	-
Blake, Mabel	Decatur	☒	1, No new Regs	-	-	-	-	-
Chalfa, Tacee	Decatur	☒	Opt out of GMA	-	-	-	-	-
Gruber, Joe & Phyllis	San Juan	☒	Opt out of GMA	-	-	-	-	-
Baciu, Georgia	San Juan	✍	4	-	M	Y	Y	Y
Marx, John	San Juan	✍	1/4	-	M	Y/3&4b	Y	-
Speed, Errol C.	Orcas	☒	3	-	-	-	-	-
Holmes, Nancy Ivey	Orcas	☒	No density incr.	-	-	-	-	-
Hume, Bill & Barbara	Orcas	☒, ⚙	Guide growth	-	-	-	-	-
Cook, Libby	Orcas	☒	Support Vision	-	-	-	-	-
Land Bank	All	☒	TDR's	-	-	-	-	-
Hall, Albert	San Juan	☒, ⚙	No Planning	-	-	-	-	-
Sturdivant, Lee	San Juan	☒	3	-	-	-	-	-
Harrell, Byron	San Juan	☒, ⚙	Support Vision	-	-	-	-	-
Webster, Jeff	San Juan	☒, ⚙	Property Rights	-	-	-	-	-
Boling, Frank	San Juan	☒, ⚙	Opt out of GMA	-	-	-	-	-
Wright, Richard & Janet	San Juan	☒	3	-	-	Y	Y	-
San Juan Island Parks & Rec. District	San Juan	☒	P&R needed	-	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Timmons, Art & Margherita	San Juan	☒, ⚙️	Support RH Plan	-	-	-	-	-
Hill, Wade	San Juan	☒	Support RH Plan	-	-	-	-	-
Stridsberg, Per & Jennifer	San Juan	☒	2	-	-	-	-	-
Curtis, Henry	San Juan	☒	Support RH Plan	-	-	-	-	-
Schwartz, Dick	San Juan	✍️, ☒, ⚙️	1, Fairness in Plan	-	-	N	N	N
Seidman, Stephen & Carol	Lopez	✍️	3	P	-	Y	Y	Y
Webert, James	San Juan	☒, ⚙️	Property Rights	-	-	-	-	-
DeVaux, Nancy	San Juan	☒, ⚙️	3, Protect rural	-	-	Y/2&4a	Y	-
Buckey, D.R. (Limestone Pt. Water Company)	San Juan	☒	RH Water system impacts	-	-	-	-	-
Norgaard, Ginger	San Juan	☒	1, No new Regs	-	-	-	-	-
Phelps, W.R.	Lopez	☒	3, Support GMA	-	-	-	M	Y
Clark, Tim	Lopez	☒	3, Limit Growth	-	-	Y	Y	-
Goodner, C.J. & Oakley	Lopez	✍️	3	-	N	Y/3	-	-
Rosenman, Dennis	Lopez	🌸	3&4	H	-	-	-	-
Thomas, Barbara	Lopez	☒, ⚙️	3, Plan Comment	-	-	N	N	-
Charnley, Brent & Maggie Nilan	Lopez	☒, ⚙️	3, Support Ag.	-	-	-	-	-
Cline, Joan	Lopez	☒	Want RFF	-	-	-	-	-
MacGregor, Rosemary	Lopez	🌸	3&4	H	-	-	-	-
Washington State Ferries	All	☒	Transp. Element	-	-	-	-	-
Bryon, Sally	San Juan	☒	4, Compromise	-	-	-	-	-
Roche Harbor Resort & Marina	San Juan	☒	4, Growth rate	-	-	-	-	-
Burt, Robert & Vivian	Lopez	☒	1	-	-	-	N	N
Bill, Susan	Lopez	☒	Support Ag	-	-	-	-	-
No Name	None	🌸	3&4	H	-	-	-	-
Sehmsdorf, Henning	Lopez	☒, 🌸	3&4, Limit Growth	H	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Bill, Peggy	Lopez	☒	Support Ag	-	M	Y	-	-
Skyriver, Irene	Lopez	☒, ☸	3	H	-	Y	Y	-
Blomberg, Gregg	Lopez	☒, ☸	3	H	-	-	-	-
Jones, Jackie	Lopez	☒	Keep SJ free	-	-	-	-	-
Hodges, Mike	None	☒	1, Opt out GMA	-	-	-	-	-
Anderson, Mimi Diepenbrock, Steve	Orcas	☒, ☒	3, Right to Farm	-	-	-	-	-
Jepsen, Woody	San Juan	☒	No downzoning	-	Y	N	-	-
Darukin (?), Cheryl	?	☒	Keep SJ free	-	-	-	-	-
Sanberg, Howard	Shaw	✍	1	-	-	-	-	-
Orendruff, Dody	Shaw	☒	3	H	-	-	-	-
Wallenberg, Louis	Orcas	☒	Disclosure, No RR	-	-	-	-	-
No Name	San Juan	✍	1	-	-	-	-	-
No Name	San Juan	✍	1	Z	N	N	N	N
Crichton, Alex	San Juan	☒	3, Support GMA	-	-	-	-	-
Monahan, Kate	San Juan	☒	3	-	-	-	-	-
Sourant, Jocelyn & James	San Juan	✍	3	-	-	Y/3	N	N
Roy, Charles	Decatur	✍, ☒, ☸	1, Opt out GMA	-	M	N	M	Y
Ludwig, Helen	Lopez	☸	3&4	H	-	-	-	-
Susol, Kandis	Orcas	☒	Limit growth	-	-	-	-	-
San Juan Historical Museum	San Juan	☒	Endorse Elem. 9	-	-	-	-	-
Walker, Mike	Decatur	☒	Less gov.	-	-	-	-	-
Orser, George	Orcas	☸	3&4	H	-	-	-	-
Eisentrager, Robert	Lopez	☸	3&4	H	-	-	-	-
Mottola, Katherine & Matthew	Lopez	☸	3&4	H	-	-	-	-
Giddes, Lisa	Lopez	☸	3&4	H	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Durhack, Neva	San Juan	☒	1, No new Regs	-	-	-	-	-
Gilson, Betty	Shaw	☒	RGU or RLU	-	-	-	-	-
Carlson, Mike	San Juan	✍	No growth limits	-	-	N	-	-
Brown, Mark	Lopez	✍	4	-	-	-	Y	-
Magnuson, June	Orcas	✍	3	-	-	Y	Y	-
Jones, Jodee	Decatur	✍	1	-	-	-	-	-
Lowe, Derek & Robyn	Orcas	✍	3	-	N	Y	Y	Y
Goodner, Philip Charles	Lopez	☒	3	-	-	-	-	-
Zehner, Connie	Orcas	✍	3/4	-	-	N	-	-
Jackson, Judy	Orcas	✍	3&4	-	N	-	N	Y
Gamble, Bob	Waldron	☒	Subarea Plan	-	-	-	-	-
Jefferts, Keith	Shaw	✍	4 w/more RR	H	Y	Y/3&4b	Y	Y
Lehman, Lewis	Orcas	✍	1, Property rights	Z	Y	N	N	Y
Shepard, Thomas	Shaw	✍	4	-	N	-	N	-
No Name	Orcas	✍	3	H	N	Y/3&4b	Y	Y
Lee-Geist, David & Kathleen	San Juan	✍	3	Z	M	M	M	Y
Swanson, John & Audrey	Lopez	✍	1	P	N	N	N	N
Schieck, Anna P.	Orcas	✍	4	Z	-	-	M	Y
Goekler, John	Lopez	☒	3	H	Y	M	N	Y
Wikstrom, Curtiss	Orcas	☒, ⚙	Keep SJ free	-	Y	Y	N	-
Montgomery, Paul	San Juan	☒	Sustainability	-	-	-	-	-
Tompkins, Jim & Judy	Blakely	✍	3	-	-	Y/3&4b	M	-
Puget Sound Water Quality Authority	All	☒	Water quality issues	-	-	-	-	-
Greene, Joseph & Nancy E	Lopez	☒	4 Hybrid	-	N	-	N	-
Brouwer, Steven	Lopez	✍	2/4, No RR	-	-	-	-	-
Hunter Bay Woodworking	Lopez	☒	Cottage Enterpr.	P	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Morris, Shannon	Henry	 , 	3, RH boat ideas	H	M	Y	M	Y
Johnson, Maile	Orcas		3	H	M	Y/3&4b	Y	Y
Reitinger, Teresa	Orcas	 ,  , 	4	-	N	M	N	Y
Corbin, Walter & Gail	Orcas	 ,  , 	3, Vote on pop.	-	-	-	Y	Y
Horn, Steven	San Juan	 , 	4, w/No RR	-	-	-	N	Y
Bosone, Robert J. & Melba N.	Orcas		1, No TDR	-	N	N	N	N
Fischer, Ann Marie	Lopez	 , 	3, Limit growth	H	-	-	Y	-
Squires, Lynn Powell, Earl	Shaw		Shaw RLU	-	-	-	-	-
Housing Advisory Board	All		Housing Element	-	-	-	-	-
Dept. of Fish & Wildlife	All		General comm.	-	-	-	-	-
Squires, Lynn (SOS)	Shaw	 , 	Plan comments	H	M	Y/3&4b	Y	-
DiGeorgio, Robin	Orcas	 , 	4, Protect Rural	-	-	Y	Y	-
Crosby, Robert & Susie Crosby, Mike & Sharon	Shaw		RGU, no RLU	-	-	-	-	-
Lund, Marcy	Orcas		4	H	-	-	-	Y
Johnson, Peter J.	Lopez		Need Cottage Ent.	-	-	-	-	-
Frane, Judy Chilonsky, David	Lopez		1/1 or 4	-	Y	Y	-	Y
Jenks, Kenneth W. & Phyllis	Lopez	 , 	3&4	H	-	-	-	-
Krieger, Mike & Susan	Orcas	 , 	3	-	-	Y	-	Y
Brown, Barbara	Orcas	 , 	4	H	M	Y	N	M
Bill, Sarah P.	Lopez	 , 	3&4	H	-	-	-	-
Mickle, Wendy	Lopez	 , 	1/4, Noise	-	Y	-	Y	Y
Town of Friday Harbor	San Juan		UGA issues	-	-	-	-	-
San Juan Sustainability Group (7 members)	San Juan		Support RFF & Resource lands	H	N	Y	-	-
Patty, Jeffrey & Rena	Orcas		3	H	N	Y	N	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Smaalders, Oscar & Alice	Lopez	☒	Limit growth	-	-	-	-	-
Rautenberg, Bob & Kappy	San Juan	☒	Favor RH Plan	-	-	-	-	-
Blinks, Doris	San Juan	✍, ☒, ⚙	3, Support Vision	Z	M	Y/2&4b	N	Y
Weissinger, William	San Juan	☒	Plan/Regs. Comm.	-	-	-	-	-
Harrell, Joyce	San Juan	✍	3	Z	N	Y	M	Y
Harrell, Joyce & Byron	San Juan	☒	Reduce Density	-	-	-	-	-
Gilson, Betty & 10 others	Shaw	☒, ⚙	Shaw RLU	-	-	-	-	-
Walkinshaw, Walter & Jean	San Juan	☒, ⚙	3, Oppose RH	-	-	Y	Y	-
Plunkett, Elizabeth	San Juan	☒, ⚙	3, Water Element	-	-	-	-	-
Osborne, Richard W.	San Juan	☒, ⚙	3&4, Wildlife	H	Y	Y	Y	-
Fleming, Elaine	San Juan	✍, ☒, ⚙	2, Limit Growth	-	-	-	-	-
Pope, Sam & Anne	San Juan	☒, 🌸, ⚙	3&4	H	-	Y	-	-
Pope, Elizabeth	San Juan	✍, 🌸	3	H	-	-	-	-
McKay, Erlene	Orcas	☒	Need more info.	-	-	-	-	-
Henriksen, Paul	Lopez	✍	3	H	M	Y/3	M	M
Hungar, Dorothy	Orcas	✍, ☒	4, More Specific	Z	N	M	M	Y
Adams, Rachel H.	Crane	✍	3	-	-	-	Y	-
No Name	Shaw	✍	1 or 4	-	-	-	-	-
Phillips, Lee	Shaw	✍	None	H	M	M	N	N
Buck & Gordon (Attnys for RH)	Seattle	☒	No growth limit	-	-	-	-	-
Raub, Jack	San Juan	⚙	Manage growth	-	-	-	-	-
Swanson, Eilyn	Henry	⚙	Henry Subarea	-	-	-	-	-
Hamilton, Larry	San Juan	⚙	Less government	-	-	-	-	-
Sandwith, Roger	San Juan	⚙	No Planning	-	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Buck, Steve	San Juan	⚙	Start over	-	-	-	-	-
Hamilton, Anne	San Juan	⚙	Favor Home Bus.	-	-	-	-	-
Baciu, Georgia	San Juan	⚙	Need Zoning	-	-	-	-	-
Marx, John	San Juan	⚙	Support Vision	-	-	-	-	-
Rauntenberg, Bob	San Juan	⚙	Property Rights	-	-	-	-	-
Nord, John	San Juan	⚙	Property Rights	-	-	-	-	-
Nielsen, Shirley	San Juan	⚙	Local Gov./best	-	-	-	-	-
Brash, Jeff	San Juan	⚙	Parks & Rec. need	-	-	-	-	-
Cory, Jack	San Juan	⚙	Move slower	-	-	-	-	-
Helstein, Beth	San Juan	⚙	Support Vision	-	-	Y	Y	-
Marble, Dale	San Juan	⚙	Support fishing	-	-	-	-	-
Schroeder, Tom	San Juan	⚙	Protect forests	-	-	-	-	-
Gordon, Nancy	San Juan	⚙	Property rights	-	-	-	-	-
Nolan, Tom	San Juan	⚙	Oppose RH Plan	-	-	-	-	-
Mills, Claudia	San Juan	⚙	Keep planning	-	-	-	-	-
Franklin, Sea	San Juan	⚙	3 or 4, Save forests	-	-	-	-	-
Zehner, Ian	Orcas	⚙	4, Water needs	-	-	-	-	-
Petersen, Gordy	Orcas	⚙	☐Growth / Water	-	-	-	-	-
McKeon	Orcas	⚙	Agree w/Joe S.	-	-	-	-	-
White, Jonathan	Orcas	⚙	Limit growth	-	-	-	-	-
West, Vivian	Orcas	⚙	Need RR areas	-	-	-	-	-
McKay, Jeff	Orcas	⚙	Save ESA's	-	Y	-	-	-
Olmstead, Gabriel	Orcas	⚙	Work on solutions	-	-	-	-	-
Waunch, Bob	Orcas	⚙	Overhaul taxes	-	-	-	-	-
Gilbert, Matthew	Orcas	⚙	Address Growth	-	-	-	-	-
Bennett, Gary	Orcas	⚙	Use incentives	-	-	-	-	-

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Krieger, Mike	Orcas	⚙	Address Pop.	-	-	-	-	-
Talman, Tom	Orcas	⚙	Playing catch-up	-	-	-	-	-
Koss, Larry	Orcas	⚙	Control Growth	-	-	-	-	-
Deuel, Jim	Orcas	⚙	Property rights	-	-	-	-	-
Johnston, Bill	Orcas	⚙	Less government	-	-	-	-	-
Wallenberg, Lewis	Orcas	⚙	Use Incentives	-	-	N	-	-
Symons, Joe	Orcas	⚙	Address Pop.	-	-	-	-	-
O'Bryant, Mark	Lopez	⚙	No site design	-	-	N	N	-
Hendel, Larry	Lopez	⚙	3, Reduce taxes	-	-	-	-	-
Cunningham, Pat	Lopez	⚙	Vision petition	-	-	Y	Y	-
Clark, Marty	Lopez	⚙	Support Ag.	-	-	-	-	-
Dilling, Cynthia	Lopez	⚙	No RR, Noise	-	-	-	-	-
Lewis, Paul	Lopez	⚙	3/Sustainable Ag.	H	-	-	-	-
Gilbert, Karen	Lopez	⚙	Housing needs	-	-	-	-	-
Mickle, Wendy	Lopez	⚙	Transp. & noise	-	-	-	-	-
Mathews, Julie	Lopez	⚙	Support Ag.	-	-	-	-	-
Lamb, George	Decatur	⚙	1, Less governm.	-	-	-	N	-
Lewis, Dwight	Lopez	⚙	1, Like CUP	-	-	-	N	-
Jones, Mori	Decatur	⚙	1, Don't close door	-	-	-	N	-
Wondra, Mary	Lopez	⚙	Need Sustain.	-	-	-	-	-
Lamb, Karen	Decatur	⚙	1, Fix CUP	-	-	-	-	-
Goodrich, Don	Lopez	⚙	1, No restrictions	-	-	-	-	-
McCoy, Marge	Lopez	⚙	Need Aff. housing	-	-	-	-	-
PETITIONS								
PETITION	ISSUES						#NAMES	
Albert Hall Newspaper Ad	Withdraw from GMA, protect property rights, no growth limits, vote on final plan, eliminate Planning Department, delete affordable housing goals.						101	

NAME	ISLAND	COMMENT TYPE	PREFERRED ALT./ OTHER COMMENTS	STUDY ITEMS				
				1	2	3	4	5
Private Property Rights			Property owners determine and establish land use or zoning designations for their property, negotiation if disagree on appropriate zoning.					29
SJC Withdraw from GMA			SJC exert every effort to withdraw from GMA ... mandates will expand ... have to maintain a bureaucracy, spend time and money seeking waivers.					43
No Density Increases			One petition from Orcas with 22 names (re Klein redesign. request) and one from San Juan (Big Foot neighborhood) with 7 names.					29
Support Vision Statement			Determine a population which is consistent with the vision, include equitable measures such as density reduction and development limits.					1160
No Clearcutting of Forests			Forests are most important resource, clearcutting of entire parcels in forested residential neighborhoods is inappropriate, threatens forest health.					256

Planning Department San Juan County

P. O. Box 947 Friday Harbor, WA 98250
(360) 378-2393 - Fax (360) 378-3922

DATE: November 12, 1997
TO: Recipients of the draft SEIS
FROM: Laura Arnold, Planning Director
RE: Final Supplemental Environmental Impact Statement on Proposed
Revised Comprehensive Plan and Proposed Unified Development Code

This Final Supplemental Environmental Impact Statement on the Proposed Revised Comprehensive Plan and Proposed Unified Development Code (SEIS) has been prepared in accordance with WAC 197-11-560 to respond to comments on the contents of the draft Supplemental Environmental Impact Statement which was released for review and comment on October 1, 1997. Reference copies of this document are being made available for public review at island libraries and at the Decatur and Waldron Island schools. Copies may be purchased from the County Planning Department.

The County received 66 written comments on the draft SEIS and a petition with 87 signatures. Written responses in this final SEIS are limited to those comments which contained reference to specific sections of the draft SEIS. Comments pertaining solely to the Comprehensive Plan or Unified Development Code will be addressed as part of the Staff Report to the Planning Commission.

The final SEIS contains a summary of the alternatives for the Comprehensive Plan, Official Maps, and Unified Development Code, and proposed measures to mitigate adverse environmental impacts of the proposals. The final SEIS also includes factual corrections to the draft SEIS.

The State Environmental Policy Act (SEPA) directs that the County may not take action on comprehensive plan proposals for at least seven days after issuance of a final SEIS. Action on the proposal (adoption of the Comprehensive Plan, Official Maps, and Unified Development Code) will not occur until 1998, after and public hearings are held and the Planning Commission and Board of County Commissioners complete their reviews and deliberations.

The Planning Commission and Board of County Commissioners have scheduled joint hearings on November 17 on Lopez, November 18 on San Juan, and November 19, 1997 on Orcas Island, to receive comments on the recommendations in these documents and from County staff in the Staff Report. Notice of these hearings will also appear in the legal ads of the *Islands' Sounder* newspaper.

We look forward to your continued involvement in the comprehensive planning process.

FINAL

Supplemental Environmental Impact Statement

for the

**San Juan County Revised Final Comprehensive Plan,
Official Maps and
Shoreline Master Program**

in compliance with

*State Environmental Policy Act (SEPA)
Chapter 43.21C, Revised Code of Washington*

*SEPA Rules
Chapter 197-11 Washington Administrative Code*

*San Juan County SEPA Implementation
Chapter 16.24, San Juan County Code*

**San Juan County Planning Department
P.O. Box 947
Friday Harbor, Washington 98250**

November 12, 1997

Fact Sheet

Title and Description of Proposed Action

The proposal is to adopt a revised Comprehensive Plan ("Plan"), Official Maps, and Unified Development Code (UDC) for San Juan County. The 1979 Comprehensive Plan and its implementing code are being revised to comply with the Washington State Growth Management Act (RCW 36.70A), State Environmental Policy Act (RCW 43.21C), and Shoreline Management Act (RCW 90.58). This final SEIS presents 1) the impacts of changes to the Final Comprehensive Plan which were made between October 2 and December 31, 1996 (after the completion of the FEIS); 2) mitigation for these impacts in the form of proposed revisions to 12/31/96 version of the Plan, and mitigating regulations proposed in the draft UDC; 3) impacts of changes to the Official Maps made between October 2 and December 31, 1996, and proposed revisions to reduce impact; 4) impacts of the draft UDC and proposed revisions to reduce impact; and 5) responses to comments received on the draft SEIS in accordance with WAC 197-11-560 and -620.

Tentative Date for Implementation

Adoption by the Board of County Commissioners of the Comprehensive Plan, including the Shoreline Master Program Element and the Official Maps, and the Unified Development Code is tentatively scheduled for March - April 1998. A more detailed schedule of individual steps in this adoption process is presented in Table 1.1 in Section 1.3 of the Introduction and Summary Chapter of the final SEIS.

Lead Agency/Responsible Official

San Juan County Planning Department
Laura Arnold, Planning Director
P.O. Box 947
Friday Harbor, WA 98250

Contact Person

Richard Rutz, Senior Planner
(360) 378-2393

Authors and Principal Contributors

San Juan County Planning Department

Richard Rutz, Senior Planner
Lori Larkin, Senior Planner
Lynda Guernsey, Departmental Assistant
Laura Arnold, Planning Director

Date of Final Supplemental EIS Issuance:

November 12, 1997

Subsequent Environmental Review

This SEIS completes the environmental review for the proposed revised Comprehensive Plan, Official Maps and draft Unified Development Code as proposed on November 12, 1997. Should additional changes be proposed by the Board of County Commissioner that have adverse environmental impacts that have not been previously reviewed, additional SEPA evaluation will occur prior to action being taken by the Board.

Previous Environmental Review

San Juan County has used a phased SEPA review process for non-project actions in accordance with the Growth Management Act (GMA). The documents listed below, together with this on the Unified Development Code, will complete SEPA review of GMA-related non-project actions in San Juan County.

- Draft Environmental and Economic Impact Statement for the San Juan County Draft Comprehensive Plan and four alternatives, issued February 13, 1995
- Supplemental Environmental Impact Statement for the Draft Comprehensive Plan Element 3 (Shoreline Master Program), issued June 19, 1996
- Staff Report and SEPA Addendum for the Roche Harbor Master Planned Resort Proposal, July 1, 1996.

- Staff Report and SEPA Addendum for the Proposed Friday Harbor Urban Growth Area, issued July 17, 1996
- Final Environmental Impact Statement for the San Juan County Final Draft Comprehensive Plan, issued October 2, 1996
- Staff Report for Planning Commission. Final Draft of the revised SJC Comprehensive Plan, October 9, 1996
- Draft Supplemental Environmental Impact Statement for the SJC Revised Comprehensive Plan, October 1, 1997.

Location of Background Material

Copies of the Revised Final Comprehensive Plan (both a clean copy and a copy “redlined” to show revisions from the 12/31/96 version of the Comprehensive Plan), draft Unified Development Code, Official Maps, the environmental documents listed above, and the Staff Report to the Planning Commission are available for inspection at the San Juan County Planning Department, 135 Rhone Street, Friday Harbor WA, 98250. They are also available for inspection at the public libraries on San Juan Island, Lopez Island, Orcas Island, and Shaw Island, and at the Decatur and Waldron Island schools.

Costs to the Public

Final SEIS: \$3.00

Revised Final Comprehensive Plan (redlined copy): \$3.50

Official Maps: \$5.00 each/ \$15.00 for the complete set of three

Draft Unified Development Code: \$3.50

Staff Report: no charge

Distribution List and List of Commentors

LOCAL AGENCIES

San Juan County Board of Commissioners
San Juan County Health and Community
Services Department
San Juan County Public Works Department
San Juan County Permit Center
San Juan County Sheriff
San Juan County Parks Board
San Juan County Land Bank
San Juan County Prosecuting Attorney
San Juan County Administrative Services
Department

WASHINGTON STATE AGENCIES

Department of Community, Trade, and
Economic Development
Growth Management Services
Office of Archaeology and Historic
Preservation
Department of Ecology
Department of Social and Health Services
Department of Fish and Wildlife
Department of Natural Resources
University of Washington, Friday Harbor Marine
Laboratories
Parks and Recreation Commission

Department of Transportation
Puget Sound Water Quality Action Team

FEDERAL AGENCIES

U.S. Environmental Protection Agency
U.S. Department of the Interior
National Park Service
U.S. Fish and Wildlife Service

OTHER AGENCIES AND GROUPS

P.T.I. Communications
Orcas Power and Light Company
Island Libraries: San Juan, Orcas, Lopez, Shaw,
Waldron Community Meeting and Decatur
Library, (c/o Charles Roy, Decatur)
Town of Friday Harbor
Port of Friday Harbor
Members of SJC Comprehensive Planning
Citizen Advisory Committees
Tulalip Tribes of Washington
Lummi Indian Tribe
Housing Advisory Board
Island School Districts: San Juan, Orcas, Lopez,
Shaw, (with copies to Waldron and Decatur
schools)

COMMENTORS

Patricia Pirnack-Hamilton
Doreen and David Keyes
Michael Krieger, O.R.C.A.S.
Peter Ways
Alan Bushley
Joe Symons
Lynn Bahrych Jefferts
Robert Weaver
Mary Weaver
Helen and Eugene Hill
Millie Thorson
Dorothy and Dwight Henderson
Fred Klein
John Campbell
San Juan County Housing Advisory Board
Michel Brown
Daryl Brown
Mary Bradley
Richard and B.J. Arnold

Ken Speck
Barry Acker
Dr. Daniel Levine
Paula Capitano
Duncan Taylor
Marguerite King
William Bangs III
Bob Gamble
Maile N. Johnson
Eduardus Suij
Richard Strathman, U.W., Friday Harbor
Laboratories
Tom Schroeder
Betty S. Gilson
Helen Machin-Smith and Daniel Mayes
Town of Friday Harbor
Joyce and Byron Harrell
Robert E. Scott, National Park Service
Robert Grass

Judy Gilson Moody
Joan Berkowitz
Lynn Waller
Mark Goldsmith, Washington Department of
Fish and Wildlife
Katie Brooks
Douglas Bullock
Dorothy Austin
Peter Eglick (Tim and Betsy Currie)
Tom Starr
Ellie Knauss

Ron Loewen, San Juan County Public Works
Department
Dorothy Hungar
Jan Chamberlin-Lea
Jan Sundquist
Steve Hance
Frederick Ellis, Sr.
Miki Brostrom
Albert Hall
Bob Myhr

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Associated Documents:

Revised Final Comprehensive Plan, draft Unified Development Code, Official Maps of 12/31/96, Interim Maps for Hamlets and Villages.
Staff Report

Chapter 1 Introduction and Summary

San Juan County is revising its 1979 Comprehensive Plan under requirements and guidelines of the Washington Growth Management Act (GMA). The new Plan attempts to fully integrate all of the required elements of the GMA as well as the Shoreline Master Program and optional elements desired by county citizens. The Plan, together with its supporting documents, will be the official policy statement of the County and its goals and policies will provide a long-range framework to guide citizens, County government, and private agencies and service providers in their planning, design, and location decisions about growth, land uses, conservation of natural resources, and major capital facility expenditures, procedures and programs.

This document is the final Supplemental Environmental Impact Statement (SEIS) for the revision of the San Juan County Comprehensive Plan. This SEIS evaluates the environmental impacts of changes made to the Final Draft Comprehensive Plan and Official Maps subsequent to the issuance of the final EIS (FEIS) on October 2, 1996. It supplements the analysis previously conducted in the Draft Environmental and Economic Impact Analysis (DEEIS), several supplemental analyses, and the FEIS. It also responds to comments received on the environmental impacts and mitigation measures that were analyzed in the draft SEIS which was issued on October 1, 1997.

1.1 PROPOSED ACTION—ADOPTION OF REVISED COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT CODE

The proposed action studied in this SEIS is the adoption of the Comprehensive Plan and Unified Development Code by San Juan County, including a complete revision of the County's Shoreline Master Program. These changes require the Official Maps and Shoreline designation map to be amended as well. This action is being taken to comply with the requirements of the Washington State Growth Management Act, the State Environmental Policy Act (SEPA), and the Shoreline Management Act (SMA). Following review, a Final SEIS responding to public and agency comments on this document will be issued.

This SEIS will complete the necessary SEPA evaluation for the County's GMA comprehensive planning process. The SEIS and previous environmental review do not substitute for environmental reviews of specific development proposals, in which project-level environmental review will provide additional details about actual conditions and impacts at specific project sites, or for review of changes to related plans and regulatory documents, such as new activity center plans.

1.2 OVERVIEW OF THE PLANNING PROCESS and NEED FOR SUPPLEMENTAL ANALYSIS

The passage of the Growth Management Act of 1990 significantly changed the process for land-use planning in Washington state, and placed a new level of planning responsibility on local jurisdictions and communities. Thirteen goals were identified by the GMA that are to be achieved through the preparation and adoption of new comprehensive plans and development regulations. The GMA requires the preparation of systematic inventories of data and resources, population and employment, protective regulations for environmentally sensitive areas, identification and protection of Forest and Agricultural Resource Lands, protection of property rights, the control of urban sprawl, systematic planning for capital facilities and services, and provisions for affordable housing. It directed that this planning occur at the county and local jurisdictional level, with early and continuous public participation. It also recognized the state's interest in the cumulative impact of planning decisions made by its local jurisdictions, and required those jurisdictions to develop plans that would accomplish both local and state objectives. Most communities that did not have comprehensive plans would have to develop them; those that did have plans would have to significantly revise them or replace them with wholly new plans that addressed the major planning issues and directives of the GMA.

During the 1980s and early '90s San Juan County experienced significant increases in population and development activity that were unprecedented in its history, and that would be better addressed by the development of a new plan to revise and replace the 1979 San Juan Comprehensive Plan. The County elected to participate in GMA planning, and set about initiating the process and providing for extensive citizen participation in the development of the new Plan. The Board of County Commissioners (BOCC) in 1993 chose forty-six members for three Citizen Advisory Committees (CACs) to represent a broad range of interests in the islands. The CACs developed, with comment from the public, a County-wide Vision Statement that was endorsed by the BOCC in December 1993 and which forms the foundation for the new Comprehensive Plan.

A preliminary draft Plan was made available for public review in June 1994, and the public review draft was released in February 1995. Because the State Environmental Policy Act (SEPA) requires jurisdictions to conduct an evaluation of significant environmental impacts associated with governmental actions before taking such actions, a "programmatic" EIS was prepared to evaluate the impacts of the draft Comprehensive Plan: this was released in February 1995 together with the public review draft.

The CAC Steering Committee completed the Final Draft Comprehensive Plan in October 1995. However, considerable work remained to be done for the Shoreline Element of the Plan, which was completed, with an SEIS issued, in June of 1996. The Final EIS on the entire Final Draft Comprehensive Plan, including the Shoreline Element, was released on October 2, 1996. The environmental impact evaluation contained in the EIS was a general discussion of impacts to the natural and built environments associated with the development pattern fostered by four land use alternatives. The alternatives were based on different ways of applying proposed new land-use designations, and a no-action alternative, the existing 1979 Plan, was also examined. The EIS examined the implications of the 20-year population and buildout projections with regard to housing, transportation, and capital facilities, and then included a discussion of mitigation measures to address probable adverse impacts. It also contained issue papers for five study items which the Citizen Advisory Committees (CACs) asked to have analyzed in the EIS: Alternative Regulatory Approaches, Transfer and Purchase of Development Rights programs, Density Reduction Analysis, a One Percent Growth Limit, and Impact Fees. The FEIS also identified several issues that were unresolved at the time of its completion, and made note of, but did not analyze, some of the changes to the Plan proposed by the Planning Commission.

Subsequently, the Board of County Commissioners (BOCC) reviewed the Final Draft Comprehensive Plan and the revisions recommended by the Planning Commission. The BOCC retained some of the Planning Commission's changes, revised or reversed some, and made additional new changes to the Plan and the Official Maps, and adopted the Final Comprehensive Plan on December 31, 1996.

A lawsuit was filed in San Juan County Superior Court, and Petitions for Review were filed before the Western Washington Growth Management Hearings Board, alleging additional, unevaluated adverse impacts to the environment, and non-compliance with the requirements of SEPA (and also inconsistency with GMA and SMA requirements and directives). The BOCC asked County Planning Department staff to review the changes to the Plan and to evaluate the seriousness of the inconsistencies. On the basis of that analysis and a recommendation by the Prosecuting Attorney, the BOCC repealed the ordinance (Ordinance No. 20-1996) that had adopted the Final Comprehensive Plan. The BOCC asked staff to develop options and new language to address SEPA, GMA, and SMA concerns, and to address all probable significant adverse impacts of changes to the Plan.

The BOCC also directed that work continue with preparation of the Unified Development Code, so that a draft of the Code, revised Plan documents and Maps, and this supplemental environmental analysis could all be reviewed together. A draft Supplemental EIS was issued for review and comment on October 1, 1997.

1.3 SCHEDULE FOR REVIEW AND ADOPTION OF THE COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT CODE

The Comprehensive Plan and Unified Development Code will now be transmitted to the Planning Commission for consideration and the development of recommendations to the Board of County Commissioners. Joint hearings for the Planning Commission and BOCC will be held on November 17 - 19 at the following places and times:

Date	Island	Times	Location
November 17	Lopez Island	3:00 - 5:00 p.m. and 6:30 - 8:30 p.m.	Lopez School Multi-Purpose Room
November 18	San Juan Island	2:00 - 4:00 p.m. and 5:30 - 7:30 p.m.	BOCC Hearing Room
November 19	Orcas Island	3:30 - 5:30 p.m. and 7:00 - 9:00 p.m.	Orcas Center, Theater

Following these hearings, the Planning Commission will enter deliberations on the Comprehensive Plan and Unified Development Code. A tentative schedule of the remaining steps to adoption is given in Table 1.1 below.

Table 1.1. Tentative Schedule for Adoption of the Comprehensive Plan and UDC.

Step in Adoption Schedule	Approximate Dates
Draft Supplemental Environmental Impact Statement (DSEIS) review	October 1 - October 30, 1997
Final SEIS (FSEIS) and staff report	November 12
FSEIS appeal period	November (14 days from publication)
Joint Hearings by Planning Commission and Board of County Commissioners (BOCC)	November 17, 18 & 19
Planning Commission Deliberations	November
Submittal to the WA Dept. of Community, Trade, and Economic Development	November 12
Staff Report to BOCC	December
Board of County Commissioners Hearings	January 1998
Board of County Commissioners Deliberations (additional SEPA analysis will be required if the BOCC makes any changes that would result in additional impact, if that impact had not previously been evaluated under SEPA)	January 1998 (January 1998, if necessary)
Submittal of the Shoreline Master Program to the WA Dept. of Ecology (WDOE)	January 1998
WDOE shoreline master program review process	February 1998
Adoption of Comprehensive Plan, including Shoreline Master Program, and Unified Development Code	February 1998
Appeal period	February - March 1998

1.4 DESCRIPTION AND IMPACTS OF ALTERNATIVES

1.4.1 Comprehensive Plan

The San Juan County Comprehensive Plan provides goals and policies to guide land use and development, and to manage growth and its impacts in the County. A range of alternatives for the Plan has already been evaluated and analyzed in previous environmental documents. For this SEIS, two alternatives for the Plan are considered:

- **The 12/31/96 Version of the Final Comprehensive Plan (No Action Alternative).** This is the version of the Plan that was adopted by the BOCC at the end of December, 1996, and repealed in April, 1997. It incorporates all of the changes to the Final Draft Plan that were made by the BOCC and those of the Planning Commission as retained or modified by the BOCC. In repealing this version of the Plan, the BOCC elected not to return to the Final Draft Plan (October 1995), but to use the 12/31/96 version of the Plan as the base document for identifying revisions to be made.

If the 12/31/96 (No Action Alternative) version of the Comprehensive Plan were adopted, the impacts described in Tables 2.1 and 2.2 below and in Chapter 3 of the draft SEIS would occur, including a number of significant adverse impacts. The mitigation identified in the proposed revisions to the Plan would not be done, leaving many unaddressed impacts. Mitigation in the UDC would be reduced, for a number of the mitigating regulations present in the draft UDC would no longer have policy support from the Plan and would have to be changed.

- **The Revised Version of the Final Comprehensive Plan (Preferred Alternative).** The revised (Preferred Alternative) version of the Comprehensive Plan incorporates the revisions developed by staff at the direction of the BOCC to mitigate unaddressed environmental impacts and inconsistencies with the directives of the Growth Management Act and Shoreline Management Act. The “redlined”, revised Comprehensive Plan document shows in underline/strikeout form the proposed revisions to the 12/31/96 version of the Plan. The covering table to the Plan lists all of the changes by section and policy number, and page, and provides a description of each change. This table is also listed as Table 2.1 in the draft SEIS.

If this Revised version were adopted, the mitigation described in Tables 2.1 and 2.2 would be implemented. Most significant impacts would be addressed and reduced to nonsignificant levels. However, the revised version of the Plan does not change the residential densities of the 1979 and 12/31/96 Plans. This is the source of one remaining area of unmitigated significant impact.

Additional mitigation measures have been developed that could address residential development density impacts in several areas in the Rural Districts and in some shoreline areas. These additional revisions are discussed in Chapter 2 of the draft SEIS and in Chapter 2 of this final SEIS.

1.4.2 Official Maps

The “San Juan County Comprehensive Plan Official Maps,” (hereafter, the “Official Maps” or “Maps”) is a series of maps that show all of those areas of San Juan County which fall under the jurisdiction of the Comprehensive Plan and Unified Development Code, and the designated land-use classes and districts and shoreline environments for all areas of the County.

- **The 12/31/96 Version of the Official Maps (No Action Alternative).** In December 1996 the BOCC adopted a new set of Official Maps showing land use districts, density designations, and shoreline designations. The 12/31/96 version of the Maps included a number of changes made by the BOCC to the Final Draft Maps.; the changes are listed in Table 2.2 of the draft SEIS. The 12/31/96 version of the Maps was repealed by the BOCC in April 1997 in the action that repealed the Comprehensive Plan. In repealing this version of the Maps, the BOCC elected not to return to the Final Draft Maps, but to use the 12/31/96 version of the Maps as a base for analyzing impacts and identifying revisions to be made. The draft SEIS identified several map changes that would result in significant impacts.

If the 12/31/96 (No Action Alternative) version of the Official Maps were adopted, the impacts described in Table 2.1 below and in Chapter 3 of the draft SEIS would occur, including some significant adverse impacts.

- **Recommended Revisions to the Official Maps (Preferred Alternative).** Several revisions to the 12/31/96 version of the Maps were discussed in Chapter 2 of the draft SEIS and an additional one in Chapter 2.2 of this Final SEIS. These revisions present opportunities for avoidance or mitigation of these impacts; the recommended revisions are:
 - Return the County’s 23-acre Port Stanley property to Rural Farm Forest from the RI designation in the 12/31/96 version.
 - Return the 10-acre Hummel Lake Road Gravel Pit property (exhibit T-10 in Table 2.2 in the draft SEIS) to RFF.
 - Return the 5-acre Aleck Bay Road Gravel Pit property (exhibit R-1 in Table 2.2 in the draft SEIS) to Forest Resource or RFF.
 - Return the Mail Bay property (14.5 acres, exhibits K-15 and K-17 in Table 2.2 in the draft SEIS) to RFF.

If the changes to the Port Stanley, Hummel Lake and Aleck Bay Road properties (*see above*) were adopted, the opinion of the Technical Advisory Committee for the development of the UDC is that the level of permit review for several industrial use classifications in UDC Table 3.2 could be lowered. (These relevant classifications are denoted by an asterisk in Table 3.2 in the RI land-use district column.)

1.4.3 Unified Development Code

The Unified Development Code (UDC) is the set of regulations in the San Juan County Code which will implement the goals and policies of the Plan. Generally, it is designed to classify and regulate land uses and land divisions, and to regulate development and mitigate adverse impacts, by prescribing requirements, standards and protective measures, and identifying prohibited uses and activities. The UDC includes shoreline management regulations in Section 5; this section, together with Element 3 of the Plan, comprises the County Shoreline Master Program.

- **The Technical Advisory Committee (TAC) Version of the Unified Development Code (No Action Alternative).** In September 1997 the TAC completed its work on a new set of development regulations to implement the new Comprehensive Plan, SEPA rules, and Shoreline Master Program. This draft Unified Development Code was released for review and comment together with the Revised Comprehensive Plan, Official Maps, and draft SEIS on October 1, 1997.

The draft UDC was developed to be compatible with the Revised Version of the Comprehensive Plan. If adopted, the draft UDC would provide mitigation for the Comprehensive Plan as described in the center column of Tables 2.1 and 2.2 of this final SEIS, and in Chapter 3 of the draft SEIS. If the 12/31/96 Version of the Comprehensive Plan (No Action Alternative) were adopted, the UDC would require some revision to be consistent with the policy direction of the 12/31/96 version, which would result in greater impacts in line with the left column of Tables 2.1 and 2.2 of this final SEIS.

If this version of the UDC were adopted, the impacts attributable to the draft UDC policies (discussed in the draft SEIS and in Chapter 2 of this final SEIS), including some significant impacts, would not be mitigated.

- **Recommended Changes to the Unified Development Code (Preferred Alternative).** While most of the draft UDC implements the Comprehensive Plan policies and provides mitigation for the impacts of

the Plan policies, the draft and final SEIS identify several items that introduce adverse impacts of their own, or that could be improved to provide additional mitigation for impacts of the Plan. Several possible revisions are discussed in Chapter 2 of the draft SEIS and in Chapter 2 of this final SEIS which present opportunities for avoidance or mitigation of these impacts. These are:

Section 3—Land Use Districts. Interim provisions for allowable uses, development standards, and maps for Hamlet and Village Activity Centers.

Sections 3, 6, and 7—Rural Farm-Forest Land Use District. Maximum developable area for allowable land uses other than single-family residential, farming, or forestry, and/or Development Standards.

Section 4—Performance Standards. Requirements for use of private roads for commercial and industrial development.

Section 4—Performance Standards. Locational requirements for radio and television broadcast antennas.

Section 4—Performance Standards. Size and retail sales limitations for cottage enterprises.

Section 4—Performance Standards. Limitations on location of bed and breakfast inns in Rural Farm-Forest.

Section 4—Performance Standards. Standards for outdoor shooting and archery ranges.

Section 5—Shoreline Master Program. Specifying interim density and shoreline environment designations for small, undesignated lakes within SMP jurisdiction.

Section 5—Shoreline Master Program. Boating facilities - provisions for multiple structures.

Section 5—Shoreline Master Program. Forest Management - commercial harvest on shorelines.

Section 5—Shoreline Master Program. Residential and accessory building heights and sizes.

Section 5—Shoreline Master Program. Landward placement of structures accessory to a residence.

Section 5—Shoreline Master Program. Standards for expansion of nonconforming shoreline residences.

Section 5—Shoreline Master Program. Inclusion of recently approved amendments (regarding special exceptions to density limitations for existing situations) to the SMP.

Section 5—Shoreline Master Program. Specification of native species in plantings for shoreline stabilization and beach enhancement.

Section 7—Land Division. Treatment of contiguous property in applications for land division.

Section 7— Land Division. Five year ownership requirement for simple land division.

Section 7—Land Divisions. Vesting for short plats, simple land divisions, and associated boundary line modifications.

Section 7—Land Divisions. Recording requirements for simple land divisions and boundary line

modifications.

Section 7—Land Divisions. Standards for boundary line modification and simple land division processes to require water availability and adequacy.

Section 7—Land Divisions. Time provided for short plats.

Section 7—Land Divisions. Bonding provisions.

Section 8—Application Notice, Review, and Appeal Requirements. Setting permit duration.

Section 9—Procedures for Master Planned Resorts and Planned Unit Developments.

Section 10—Violations. Requirement for Development Permit Application.

2.1 INTRODUCTION

The revised Comprehensive Plan incorporates the revisions developed by staff at the direction of the BOCC to mitigate unaddressed environmental impacts of changes made to the Comprehensive Plan and Official Maps during the period 10/2/96 - 12/31/96. A summary of these impacts, and of mitigation measures provided by proposed revisions to the Plan and by elements of the draft Unified Development Code is presented in Tables 2.4 and 2.5 in Section 2.4, below. For discussion of the impacts by element of the environment please refer to Chapter 3 in the draft SEIS.

An additional impact attributable to the Plan and Maps—several small lakes under shoreline jurisdiction but without Shoreline Master Program designations assigned— was identified during the review of this SEIS. The impact is discussed in Section 2.1 below.

The proposed UDC is designed to implement the policies of the Plan, and in general the regulations prescribed through the UDC mitigate potential impacts of the Plan. Therefore, the majority of the UDC is not discussed in detail in this SEIS. However, in some instances UDC measures may lead to additional impacts, and in these cases additional mitigation measures are warranted and are discussed in the draft SEIS and in this chapter of the final SEIS. Some new impacts of UDC provisions have been identified for this final SEIS, and are discussed in Section 2.2 below. Other impacts, previously discussed in the draft SEIS but which have had specific mitigation language developed for them, are discussed in Section 2.3 below.

2.2 NEWLY IDENTIFIED IMPACTS NOT DISCUSSED IN THE DRAFT SEIS, AND MITIGATION MEASURES

- **UDC Section 3—Land Use Districts, Tables 3.1 and 3.2—An “Unnamed Use” Category is Missing for Certain Use Categories in the Tables.**

Impacts.

The use tables in UDC Section 3 are organized by category of use (commercial, industrial, *etc.*) and most include a final subcategory: Unnamed Uses. Where such a subcategory is missing, however, it's uncertain if any use not named in the tables would be prohibited or allowed conditionally, provisionally or subject to Administrator discretion.

Mitigation.

The following is recommended for Tables 3.1 and 3.2: The “unnamed use” subcategory should be added to the agricultural and recreational use categories, and assigned a “C”, for conditional use, in all designations (other than Natural) unless an “R”, for discretionary use, can be reasonably supported.

Unavoidable Adverse Impacts.

Additional new uses will have additional impacts, some not foreseeable for this SEIS.

- **UDC Section 4—Commercial Communications Facilities (§4.9).**

Impacts.

The UDC incorporates by reference the recent ordinance and subarea plan for personal wireless facilities. However, the PWF provisions will not address radio and television broadcast antennae. Such towers can be quite tall and visible, and would broadcast additional electromagnetic radiation.

Mitigation Measures.

Limit such antennae to the existing Mount Constitution sites. Possibly also allow non-profit public access radio broadcast facilities elsewhere if they are low-wattage (less than 15 Watts) and subject to the design criteria in the personal wireless facilities ordinance and subarea plan.

Unavoidable Adverse Impacts.

The siting of such antennae would have additional visual and aesthetic impacts, and would broadcast additional electromagnetic radiation.

- **UDC Section 4—Performance Standards: Cottage Enterprise, B&B Inns and B&B Residences in Rural Farm-Forest.**

Impacts.

These three uses are likely to be the most common non-residential rural uses county-wide and have the greatest potential for adverse cumulative impacts on the rural landscape and on rural neighborhoods over time and especially in RFF, the most widely used rural land use designation. This will compound as new land divisions occur. The scale and impacts of these uses is of concern if the Plan goals and policies for rural lands are to be met.

For cottage enterprises, potential direct and cumulative impacts may be reduced significantly by expressly limiting retail sales of goods unless the products are manufactured on the premises or the sales are solely incidental to the performance of a service. Such limitation is not currently stated in the UDC for cottage enterprises although commercial retail sales are restricted more than this in the Agriculture and Forestry designations.

Cottage enterprises are defined as being conducted wholly or in part within either a single-family residence or a structure accessory to a residence, and are considered *residential* uses. There is no size limitation for use of a structure associated with the residence. For comparative purposes it's useful to consider that 4,000 square feet is the threshold for requirement of environmental review for *commercial* development under SEPA; this is considerably larger than most residences in the county and with the 35-foot standard height limit in UDC Section 6, applied county-wide, major impacts on the rural landscape could occur with widespread use of the cottage enterprise provisions as written. A figure of 2,500 square feet in addition to area used within a dwelling and/or garage building (also used as a garage), is more in keeping with the typical residential building scale but is sizable enough to accommodate a substantial business operation.

Concern has been expressed also about the scale of B&B inns allowed in RFF. B&B residences, with up to three rooms with a maximum of six guests at any time are allowed; B&B inns, by contrast, are also allowed with up to five rooms and up to fifteen guests (or up to ten rooms if the house is on the historic register). The inns are allowable by conditional use permit in RFF, as proposed, while B&B residences are allowed through an administrative permit based on compliance with the performance standards for them in UDC Section 4. It is not clear what additional consideration might be given to direct or cumulative impacts through the conditional use permit process for a B&B inn (as opposed to a B&B residence) if the performance standards given for an inn are met.

In most rural areas the scale and impact of a nonresidential use is experienced in terms of traffic. Performance standards in Section 4.20.1 limit B&B Inns to three rooms if served by more than 500 feet of an unpaved public road and prohibited them if they can be served only by an unpaved, shared private road. The proliferation of individual private roads to circumvent this could result.

Mitigation Measures.

The following revisions are recommended:

- To Section 4.12 Cottage Enterprise, add new regulations 8 and 9:
 8. No retail sales of goods are allowed unless the products are manufactured or grown on the premises or the sales are solely incidental to the performance of a service.
 9. If an accessory structure to the dwelling unit is used for the conduct of the cottage enterprise it shall not exceed 2,500 square feet in area.
- Revise Section 4.20.1.d, as follows:
 - d. Bed and breakfast inns are not allowed if access is by means of shared private non-surfaced access roads. In Rural Farm-Forest, bed and breakfast inns are allowed only if access is directly from a paved County road.

Unavoidable Adverse Impacts.

Development of additional cottage enterprises and Bed and Breakfast establishments, as with other growth and development, will have additional cumulative impacts to the environment of the islands.

- **UDC Section 4—Performance Standards: Recreational Developments (§4.26)—Outdoor Shooting and Archery Ranges.**

Impacts.

Recreational uses include outdoor shooting and archery ranges but this section does not address safety issues specific to these. In general, outdoor recreation is allowed in all rural classifications as well as in Conservancy and Natural, by conditional use (except in Conservancy, where they are provisional).

Mitigation

An additional standard for 4.26 is recommended as follows:

3. Outdoor shooting and archery ranges shall be located, designed, constructed and operated to prevent the likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur. Shooting and archery ranges shall not be allowed in the Conservancy or Natural.

Unavoidable Adverse Impacts.

Even with careful design, construction and use some noise impacts and unsafe conditions may occur.

- **UDC Section 5—Shoreline Master Program. Undesignated Lakes (§5.1.3.f).**

Impacts.

A significant impact was identified during SEIS review that may affect several small lakes in the County. Several lakes that come under Shoreline Management Act jurisdiction (20 acres or larger—see RCW 90.58.030(2)(d)(iii)) weren't recognized when the official San Juan County Shoreline Master Plan map was first adopted, and shoreline environment designations have never been applied to them (although Comprehensive Plan designations do apply).

The County has maintained that the lack of a specific shoreline environment designation means that the Comprehensive Plan density applies. It has also been argued, however, that the density provided in the SMP for the closest approximation of the Plan designation to a shoreline environment designation applies.

The difference between these two interpretations could potentially allow these shorelines to develop at densities that are five times greater than the County has maintained is currently allowable. (E.g., if there is no shoreline designation and the Plan designation is Rural-10, is the density within the 200-foot shoreline area 10 acres per unit, or 2 acres per unit as would otherwise be the case for a Rural-designated shoreline? Should a lake in a Conservancy-5 area default to a Conservancy shoreline density of one acre per unit?)

Mitigation Measures.

Eventually, each of these lakes should be reviewed under the Shoreline Master Program and the State Environmental Policy Act, and shoreline designations and densities assigned. This is not practical at present, for it would require new SEPA and SMA analysis for each lake, and unreasonably delay the adoption of the Comprehensive Plan and UDC, with their revised SMP. Rather than attempt to adopt new shoreline designations at this time, it is recommended that the following be added to the UDC as a new Section 5.1.3.f:

- f. Lakes of twenty acres or more are subject to the Shoreline Management Act and the Shoreline Master Program, as provided in RCW 90.58.030(2)(d)(iii). Those lakes that meet this criterion but which are not shown on the Official Maps, or which are not shown with a shoreline environment designation, shall be considered to be subject to the underlying Comprehensive Plan density designation while shoreline use is subject to the Shoreline environment designation matching the Comprehensive Plan land-use district designation for the area, until such a time as the lakes are assigned specific shoreline and density designations in the County's Master Program.

Unavoidable Adverse Impacts.

Residential development on the shorelines of small lakes, even at lower densities, will alter the appearance of and lower the quality of habitat in and around the lakes. As densities increase, it becomes increasingly difficult to mitigate against the overpowering of the landscape by constructed dwellings and associated and appurtenant structures.

- **UDC Section 5—Beach Shoreline Restoration and Beach Enhancement (§5.6.2.a(3)i.B).**

Impacts.

Per discussion in the SEIS, revision to this section is recommended to ensure that plantings made for these purposes will not invade or compete with natural vegetation.

Mitigation.

Revise 5.6.2.a(3)i.B as follows:

Planting vegetation, when appropriate. Plantings must be maintained. Vegetation planted to restore or enhance beaches shall be native plants suited to the habitat characteristics of the site.

Unavoidable Adverse Impacts.

None.

- **UDC Section 5—Shoreline Master Program: Boating Facilities—Marine Railways and Docks (§5.5.7.4.b).**

Impacts.

Section 5.5.7.4.b(5) conflicts with 5.5.7.4.c(7); the latter allows both a marine railway and a dock on a parcel with 436 lineal feet of waterfront or more while the former prohibits both on a single parcel. If the natural character of shorelines is to be maintained, one form of access structure to get a boat in the water should be sufficient for one parcel unless the multiple forms of access serve a recreational,

institutional, or marina facility. Similarly, Section 5.5.7.4.b(6) states that “the existence of a boat launching ramp does not preclude an application for a dock on the same parcel.” This would be better clarified so that this does not imply that both a dock and a launch ramp are appropriate for a single parcel in residential situations.

Mitigation Measures.

The following changes are recommended:

Replace 5.5.7.4.b(5):

A single parcel having less than 436 lineal feet of shoreline may be permitted to have a dock or marine railway but not both. Both a dock and a marine railway may be allowed on a single parcel only if both forms of boat access to water serve a public or commercial recreational use, provide public access, are marina facilities, or serve an historic camp or resort.

Replace 5.5.7.4.b(6):

The existence of a boat launching ramp does not preclude an application for a dock on the same parcel. Both a dock and a boat launch ramp may be allowed on a single parcel only if both forms of boat access to water serve a public or commercial recreational use, provide public access, are marina facilities, or serve an historic camp or resort.

Delete 5.5.7.4.c(7):

~~Docks are not allowed on any parcel which has a marine railway.~~

Unavoidable Adverse Impacts.

Any dock or launch developments have visual, aesthetic, and habitat impacts on the shoreline environments.

- **UDC Section 5—Shoreline Master Program: Forest Management (§5.5.9.a).**

Impacts.

Although this section cites the SMA limitation on shoreline timber harvest to 30% in a ten year period, it also allows this standard to be exceeded if the land is being prepared for another use. The county’s jurisdiction over commercial forest practices is limited, and this provision goes beyond it. To exceed the 30% would necessarily have to occur through non-commercial harvest under the clearing standards in the county code rather than harvest subject to the Forest Practices Act.

Mitigation Measures.

The following change is recommended:

5.5.9.a(4) No more than 30 percent of merchantable timber may be harvested within 200 feet of the ordinary high tide water mark within any ten year period. ~~If timber removal of more than 30 percent is necessary to prepare the land for use, however, a site plan must be submitted to and approved by the county to ensure consistency with the provisions of this SMP....~~

- **UDC Section 5—Shoreline Master Program: Residential and Accessory Buildings (§5.5.17)**

Impacts.

Residential and Accessory Building Heights—§§5.5.17.b(13) and .e(2). The UDC removes the present height limitations for residential shoreline development, allowing up to 35 feet for any structure if the roof pitch is at least 4:12, and allowing more than 35 feet by conditional use. There is no size standard for accessory structures, nor are accessory structures required to be located landward

of the primary structure: the only limitation is that views from adjoining properties may not be obstructed by an accessory building.

The existing code specifies a 28-foot maximum height for a residence without a conditional use permit, and both a 16-foot height and a 1,000 square-foot standard each for a garage and guest house, which are intended to: 1) address the cumulative visual impact of development, and 2) ensure that the allowed “normal appurtenances” (*i.e.*, those included in the residential exemption from shoreline permit requirements) are secondary in scale and use to the main residence.

The UDC as written would allow a garage taller than 28 feet; this is more than a garage with attic storage would need, and suggests an allowance for a second guest unit or other unspecified use which, according to 5.5.17.e(4) would otherwise be a conditional use. This would also allow a garage and a guest house (without a permit) larger, and located closer to the shoreline, than the main residence.

The existing standard was adopted in 1991 as a way to address the cumulative impacts of residential development along the shoreline. The primary argument against it was that it would induce larger building footprints to get as much space under a 28-foot cap without having to get a shoreline permit; however, that hasn’t been the apparent result. With the language proposed in the UDC, the tradeoff for greater flexibility is taller houses and taller and larger accessory buildings with no greater setback or screening requirements. It has not been demonstrated that roof pitch alone is sufficient to mitigate the visual impact of multiple residential structures on a parcel whether from land or from water, particularly if viewed broadside.

Expansion of Nonconforming Shoreline Residences—§5.5.17.d(2)vi. This item provides for the expansion of a house that cannot meet current shoreline setback standards. As written, it modifies the existing provision (SJCC 16.40.517.C.3(g)(i)) by: 1) removing dimensional standards that were intended to avoid replacing a small nonconforming house with a very large one within current setback areas (merely by virtue of there being a small house to attach to); and 2) by removing the explicit disallowance for expanding toward the shoreline. It relies instead on the statement: “shall not increase the nonconforming condition.”

Placement of Accessory Structures—§5.5.17.e. The UDC does not include the existing Code requirement for placement of accessory structures landward of the main residence except under special circumstances (SJCC 16.40.517.C.7).

Recent Amendments to the Shoreline Master Program are Missing from the UDC (§5.5.17.b).

Several recently adopted amendments—regarding special exceptions to density limitations for existing situations—are missing from Section 5.5.17.b of the UDC.

Mitigation Measures.

• **Residential and Accessory Building Heights—§§5.5.17.b(13) and .e(2).**

Based on the likely cumulative visual impact and potential for increased impervious surface area along shorelines, restoration of language in 5.5.17.b(13) with that of the existing Code (SJCC 16.40.517.C.5 and .6) is recommended, as follows:

(13) Any residential structure which exceeds a height of 28 feet above existing grade, as measured along a plumb line[at any point on any exterior wall], shall be permitted only as a conditional use and if the applicant demonstrates that the structure will not result in significant adverse visual impacts, nor interfere with normal, public, visual access to the water, and that there are compensating factors which make a taller structure desirable from the standpoint of the public interest. Artificially created grades to gain height advantages shall be prohibited.

(14) No use or structure, other than a dock or bulkhead, which is accessory to a residence shall cover more than 1,000 square feet of land area and shall be no taller than 16 feet above average grade; *provided*, that a larger structure may be permitted as a conditional use unless provided otherwise below, if the applicant demonstrates that a larger structure will be reasonable in size and purpose and compatible with the natural features and existing uses of the site and it will comply with all other applicable regulations of this Master Program. No accessory use shall obstruct views of the shoreline from neighboring properties.

- Replace 5.5.17.e(2) with the following:

(2) The following accessory uses and developments, when associated with an exempt single-family residence, are defined as "normal appurtenances" and are therefore exempt as provided in UDC Sections 5.2.6.b(7) and 5.2.7:

- i. One garage building and/or one guest house which covers no more than 1,000 square feet of land area and is no taller than 16 feet above average grade level; or a combination of these uses in a single structure no larger than 2,000 square feet which is no taller than 16 feet above average grade level; or a combination of these uses in a single structure no larger than 1,000 square feet on each floor and no taller than 28 feet above average grade level.
 - ii. No more than two separate outbuildings no larger than 200 square feet each, no taller than 16 feet above average grade level, and not used for human habitation; *provided*, that in addition, one outbuilding for any other residential purpose may be substituted for a guest house or garage if the structures do not exceed size limits specified in Section 5.5.17.d(2)vi.A, above.
- **Expansion of Nonconforming Shoreline Residences—§5.5.17.d(2)vi.** Because the existing Code language (SJCC 16.40.517.C.3(g)(i)) is clear and less open to interpretation, the existing Code is recommended over the draft UDC, as follows:

~~vi. Nonconforming single-family residential development that is made nonconforming by the setback regulations in this Code, is subject to the standards listed below:~~

- ~~A. Additions to non-conforming residences shall conform to all other applicable shoreline regulations as well as to other applicable county and state regulations and shall not increase the nonconforming condition(s).~~
- ~~B. For purposes of this Section "residence" shall mean the primary residential structure on the property. Guest houses and other accessory residential structures are not included~~

vi. Nonconforming single-family residential development, made nonconforming by the above setback regulation in 1991, shall be subject to the standards contained in WAC 173-27 (Permits for Development on Shorelines of the State), provided that:

- A. A nonconforming residence of 2,000 square feet or smaller may be expanded by an amount equal to the existing floor area of the residence as long as the resulting total floor area does not exceed 2,000 square feet, or the existing floor area may be increased by an amount not to exceed 25 percent, whichever is larger. A nonconforming residence with an existing floor area in excess of 2,000 square feet may be expanded by no more than 25 percent of the total existing floor area. In no case shall any portion of the expansion be located seaward of the most seaward point of the existing residence. For the purposes of this computation, floor area shall include all areas enclosed within the walls of the house and all attached decks and porches.
- B. Additions to nonconforming residences shall conform to all other applicable shoreline regulations as well as other applicable County and state regulations.

- C. A nonconforming residence may be expanded incrementally if the ultimate expansion does not exceed the maximum allowable increase in floor area over that existing on the effective date of this regulation.
 - D. For purposes of this section, "residence" shall mean the primary residential structure on the property. Guest houses and other accessory residential structures are not included.
- **Placement of Accessory Structures—§5.5.17.e.** The UDC does not include the existing Code requirement for placement of accessory structures landward of the main residence, except under special circumstances (SJCC 16.40.517.C.7). The following should be added as a first item under UDC Section 5.5.17.e—Regulations—Accessory Use:
 - (1) Accessory structures which are not water-dependent shall not be permitted seaward of the most landward extent of the residence. However, if the Administrator finds that the strict application of this regulation would result in greater adverse impacts on shoreline features or resources or would conflict with other applicable regulations of this Master Program, the Administrator may authorize by written findings and determination an alternative location without requiring a shoreline variance permit. (Renummer the succeeding four items in 5.5.17.e.)
 - **Recent Amendments to the Shoreline Master Program are Missing from the UDC (§5.5.17.b).** The following new sections should be inserted at the end of Section 5.5.17.b in order to include recent amendments, as follows:
 - (15) Division of land that would exceed maximum density standards may be allowed by conditional use if the following circumstances are also demonstrated by the owners:
 - i. The property is not located within a Natural shoreline environment designation.
 - ii. The property is occupied by existing, individually owned single-family dwelling units that exceed currently allowable maximum residential density standards and all such units are documented to have existed on the property before May 28, 1976.
 - iii. All the dwelling units have been maintained on the site consistent with nonconforming use standards in WAC 173-14-055, as amended, and have not been abandoned or removed from the property since May 28, 1976.
 - iv. There is no history of use or occupancy other than for residential or vacation residential purposes for the owners' personal use and that of their non-paying guests.
 - v. There is evidence of an adequate approved water supply for each unit accepted in writing by the County Sanitarian.
 - vi. There is an approved septic system for each unit or there is documentation that a functioning septic system exists to serve each unit and that adequate drainfield reserve area exists.
 - vii. The proposal is designed to allow the simultaneous transfer or division of each ownership interest in the property.
 - (16) Any conditional use permit granted to allow transfers of individual ownerships in property owned and developed as described in subsection (15) above shall include the following conditions, at a minimum:
 - i. Conditional use permit approval shall not itself constitute a legal division or transfer of land ownership. The property owners must simultaneously effect a legal division or segregation of property attached to each residential unit, under all applicable state and county laws before any transfer of individual units may occur. Such division or segregation must be initiated within two years of the effective date of the conditional use

- permit.
- ii. Residential density on the property shall not exceed that expressly provided for in subsection (15) above.
- iii. Residential use and development shall be restricted to single-family units and residential accessories only.
- iv. The entire parcel owned in common shall be restricted to prohibit a residential density in excess of that made legally nonconforming on May 28, 1976.

(17) Division of land that would exceed maximum density standards may be allowed by conditional use if all of the following are met:

- i. The parcel has been owned by the same owners as tenants-in-common since before the May 28, 1976, SMP adoption date;
- ii. The parcel is not within a Natural shoreline designation;
- iii. Each tenant-in-common was granted a building permit prior to January 1, 1997, and has established a structure used individually for residential purposes on the parcel; and
- iv. The division will create new lots only to the extent necessary to separate the ownership of the land where the existing structures occur, together with a reasonable building envelope, and retain all of the remaining parcel area in common ownership.

Lot coverage and setback standards in this section may be waived if necessary to accommodate actual development legally established on the affected property. Conditional use permits granted under this provision shall not be construed to effect legal division of property. Land division must occur according to subdivision or short subdivision standards in the County Code or by condominium according to state law.

Unavoidable Adverse Impacts.

Residential development on the shoreline, even with the mitigation above, will detract from the natural appearance and aesthetic quality of the islands as viewed from the water. Because shoreline development has historically been more dense and is permitted to higher maximum densities than most rural lands, the impacts are generally more intense than in most other areas. As densities increase, it becomes increasingly difficult to mitigate against the overpowering of the landscape by constructed dwellings and associated and appurtenant structures.

- **UDC Section 7—Land Divisions.**

Impacts.

Plat Exemption for Transfer of Land to Conservation Ownership (Section 7.1.3.i). A new exemption is proposed to platting requirements for the transfer of land for the purpose of conservation of sensitive, threatened or endangered species or their habitat to a conservation organization. As written the provision does not address future transfer of a lot so created nor the implications for future ownership. The same purpose is accomplished through conservation easements; the provision is not necessary as a conservation incentive and would offer an open door to thwart the purpose of platting requirements without ensuring long-term conservation benefits.

Vesting for Short Subdivisions and Simple Land Divisions (and Associated Boundary Line Modifications), §7.2.3. Subsequent to the release of the draft SEIS, a Washington State Supreme Court decision (*Noble Manor Company v. Pierce County*, No. 64053-0, October 2, 1997) on the law of vesting as applied to short subdivisions has introduced another potential and serious development problem that should be addressed in the UDC. In essence, the court determined that a finding of “zoning” compliance made in preliminary short subdivision approval vests the owner with a right to develop and use the property as may have been allowed by the “zoning” code at the time the

subdivision application was filed, with no expiration or “sunset” provision. Although state law specifically provides this for long subdivisions, it is limited to a period of five years. Until now this has not been a serious issue for the County, but this UDC is much closer to a zoning code in its effect than the 1979 Plan and Land Use Regulations in that it does specify uses allowed by right for certain designations. The Court did, with some dissent, agree that the future claim to uses no longer allowable under a zoning code could apply only to a proposed use specified in the subdivision application submittal.

The San Juan County Simple Land Division (SLD) procedure is a form of short subdivision (under the State Subdivision Code in RCW 58.17), and the vesting allowed by the court would run with parcels created by simple land division as well. By extension, it would also likely apply to a parcel that was created by short or long subdivision or simple land division and then changed by boundary line modification. The implications here are significant, and further support the need to: 1) specify a reasonable date by which a conveyance must be made and recorded together with the SLD or Boundary Line Modification (BLM) approval for it to remain valid; and 2) require a demonstration of adequate potable water. The retroactive effect of this case should be minimal for the County but consideration of future potential requires attention to this matter now.

Five Year Ownership Requirement for Simple Land Divisions (§7.4.1). The UDC does not include the requirement for simple land division eligibility included in the current land division code which specifies that the owner making the application must have owned the parcel unchanged for at least five years. Removal of this requirement would make any recent purchaser of property eligible for the simple land division procedure.

Recording Requirements for Simple Land Divisions and Boundary Line Modifications (§§7.3.6.a and 7.4.6.a). Allowance is given for up to a year to elapse with no transfer of property divided or modified through the SLD or BLM processes. Unless one has a buyer with a contingency contract to first obtain a specific development approval, this would seem to further support a broadly speculative use of these procedures rather than serve the narrower purpose originally intended. The reference to an attachment to a pending application is unclear. *Also see* the vesting discussion, above.

Standards for Boundary Line Modification and Simple Land Division Processes to Require Water Availability and Adequacy (§§7.3.2 and 7.4.2). This issue was discussed in the draft SEIS, §§2.3.1.1, 2.3.2.1, and 3.3.4; it is included here with other subdivision issues. State law, as of 1990, has required that preliminary plat approval for short and long subdivisions must include a demonstration that the proposed division will be served with adequate potable water. Under the state Subdivisions Code (RCW 58.17), the San Juan County-specific simple land division (SLD) process is considered to be a form of short subdivision. However, the current County rules, established first in 1978, do not require the demonstration of adequacy of potable water for simple land divisions (although this is required for short subdivisions).

Time Provided for Short Subdivisions, §7.5.3. The UDC as drafted increases the time provided for submittal of final short subdivision applications from one to two years. Short subdivisions are intended to be a comparatively summary review and improvements required are generally not so extensive as for long subdivisions. Between 1991 and 1997, an average of three time extensions per year have been requested and all have been granted. Short subdivision improvements should be achievable within the one-year time provided; otherwise, a six-month extension should be sufficient.

Mitigation Measures.

- **Vesting for Short Subdivisions and Simple Land Divisions (and Associated Boundary Line Modifications), §7.2.3.**

Add a new number 3 to Section 7.2 (and renumber the rest) as follows:

3. Vesting. Any application filed under the terms of this Section 7, except as provided in RCW 58.17.170, shall be considered to be for the creation or modification of lots for the purpose of single-family residential development unless a different and specific intended use is identified in the application sufficiently for purposes of determining in the future if the intended use is vested as an allowable use regardless of changes to the Comprehensive Plan or this Code that might otherwise prohibit or constrain such use.

- **Five-year Ownership Requirement for Simple Land Division, Section 7.4.1.**

Add a new item .d (relettering current .d as .e):

d. the owner has owned the parcel to be divided, with its boundaries unchanged, for a period of at least five years; and

- **Plat Exemption for Transfer of Land to Conservation Ownership (Section 7.1.3.i).**

Delete subsection i.

- **Recording Requirements for Simple Land Divisions and Boundary Line Modifications (§§ 7.3.6.a and 7.4.6.a).**

- Section 7.3.6.a should be modified as follows:

“Approvals of boundary line modifications shall expire if the authorized deeds transferring property ownership, together with a copy of the approved boundary line modification and map, are not recorded within ~~one year~~ six months of the approval, unless ~~attached the application identified the modification as subject to a pending development permit application in a documented contingency agreement between the prospective land seller and purchaser. In that event, the recordings required above shall be filed within thirty days of the effective date of the approved development permit or shall become void upon the denial of a development permit.~~ Documentation authorizing ... transferred.”

- Section 7.4.6.a should be modified as follows:

“Approvals of simple land divisions shall expire if the authorized deeds transferring property ownership, together with a copy of the approved simple land divisions, are not recorded within ~~one year~~ six months of the approval, unless ~~attached the application identified the simple land division as subject to a pending development permit application as a documented contingency agreement between the prospective land seller and purchaser. In that event, the recordings required above shall be filed within thirty days of the effective date of the approved development permit or shall become void upon the denial of a development permit.~~ Documentation authorizing ... transferred.”

- **Standards for Boundary Line Modification and Simple Land Division Processes to Require Water Availability and Adequacy (§§ 7.3.2 and 7.4.2).** Recommended language has been developed to require submittal of water adequacy and availability documentation for each parcel affected, as required by RCW 58.17:

- Add a new item 7.3.2.e for boundary line modifications, as follows:

e. Documentation of water availability and adequacy for each parcel affected to meet the requirements of Section 6.2 of this Code.

- Revise item 7.4.2.b for simple land divisions, as follows:
 - b. Documentation of water availability and adequacy for each parcel affected to meet the requirements of Section 6.2 of this Code—Water availability letter, if any vacant lot is proposed to be served by public water;
- **Time Provided for Short Subdivisions (§7.5.3).**
 - Change 7.5.3.b as follows:
 - b. For all short subdivisions receiving preliminary approval on or after the effective date of this Code, such approval shall be effective for a period of twelve ~~twenty-four~~ months.
 - Add a new item 7.5.3.d:
 - d. For all short subdivisions receiving preliminary approval on or after the effective date of this Code, allow a single six-month extension, plus an additional six months if a State approval is required for an improvement required by the County and such approval cannot be obtained within the specified year or six-month extension.

Unavoidable Adverse Impacts.

Land divisions reduce the size of parcels, and generally are a preliminary step to development. As additional development occurs, even with the use of best management practices, additional impacts to the environment will occur.

- **UDC Section 8— Application Notice, Review, and Appeal Requirements: Permit Durations are Unspecified in the UDC. (§§8.6, 8.7, 8.8, and 8.9).**

Impacts.

The current County Code (SJCC 16.44.060.A.3) requires that all development authorized by permit must be completed within five years of the effective date of the permit, with an opportunity for a one-year extension for good cause. The draft UDC omits this provision for discretionary, allowed, provisional and conditional uses, and for variances.

The purpose of the time limit in the Code is to prevent a claim to an open-ended right to develop under the terms of a permit granted from an outdated Code, and to ensure that all aspects of a development as approved and conditioned are completed in a reasonable time. The environmental impacts involved are the potential cumulative impacts of ongoing development that is not in compliance with contemporary plans and regulations, and the potential for mitigating conditions to go unmet for long periods of time.

Mitigation Measures.

- Add the following language to UDC Section 8.6, and renumber existing item 6:
 - 6. Term.** Unless a shorter time period is specified in permit conditions, development authorized as an allowable use through administrative consistency review shall be completed within five years of the date of permit approval or the permit shall become null and void. An extension of up to one year may be granted by the Administrator if the permittee demonstrates good cause for an extension.
- Add the following language to UDC Section 8.7, and renumber existing item 6:
 - 6. Term.** Unless a shorter time period is specified in permit conditions, development authorized

through a provisional use permit shall be completed within five years of the date of permit approval or the permit shall become null and void. An extension of up to one year may be granted by the Administrator if the permittee demonstrates good cause for an extension.

- Add the following language to UDC Section 8.8, and renumber existing item 7:

7. Term. Unless a shorter time period is specified in permit conditions, development authorized through a discretionary use permit shall be completed within five years of the date of permit approval or the permit shall become null and void. An extension of up to one year may be granted by the Administrator if the permittee demonstrates good cause for an extension.

- Add the following language to UDC Section 8.9, and renumber existing item 6:

6. Term. Unless a shorter time period is specified in permit conditions, development authorized through a conditional use or variance permit shall be completed within five years of the date of permit approval or the permit shall become null and void. An extension of up to one year may be granted by the decision-making authority if the permittee demonstrates good cause for an extension.

Unavoidable Adverse Impacts.

Some additional permit processing will be required.

- **Draft SEIS, Section 3.3.11—Transportation: Washington State Ferries (WSF).**

Based on the review of the draft SEIS, some additional environmental evaluation is necessary for this element of the environment.

Impacts.

The draft SEIS noted in Section 3.3.11.1 that “The existing ferry system is constrained by both the number and capacity of existing ferries and terminals.” It is difficult for the WSF to currently maintain the level of service (LOS) at level “C” without some facility expansions or additions. The WSF, Town of Friday Harbor, and the County have made various operational adjustments to allow maintenance of the current LOS without the use of two-lane loading, unloading or the installation of overhead passenger handling, or additional terminal facilities. However, in the longer term the WSF believes that these measures will be needed to handle increased volumes and still maintain the LOS at adequate levels. But, irrespective of what the LOS standard is—C, D, E or F—as the islands continue to grow and to attract new residents and increased numbers of visitors, ferry system volume will increase to the point that some additional and/or new terminals will be needed.

Expanded facilities, being at the shoreline, would have negative impacts to habitat, visual and aesthetic qualities. The ferries and the automobiles would release pollutants that would have effects on water, air, and soil quality. The increased numbers of residents and visitors that an increased volume of service and facilities would enable would have a number of indirect and cumulative impacts to the environment of the islands.

Ferry system facilities and service are a phased form of development. The specific impacts of a WSF program increase or a given new facility at a particular location will be the subject of additional planning and environmental review for the those system or facility changes; it is beyond the scope of this SEIS to specifically consider these. The programmatic impacts of the Plan are that the Plan recognizes that such program and facility changes and their associated impacts may be necessary in order to fulfill the direction and policies of the Plan. By providing for the possibility of new ferry facilities and/or terminals, the Plan inherently accepts that some significant impacts associated with them may occur, and some impacts may be unavoidable, if ferry system use continues to grow—as it will grow, given the development direction and growth allowances of this Plan.

Mitigation Measures.

Growth in ferry system use due to increased numbers of residents and visitors is a direct result of growth in the islands, and recognition of the potential need for expanded or additional ferry facilities is also a direct result of that growth. As the draft SEIS noted, concurrency requirements for the ferry system are one mitigation measure for the impacts of the growth allowed by the Plan, as is the recognition of the potential need for expanded or additional ferry facilities. The Plan provides for various measures to delay the necessity for new capital facilities, such as concurrency requirements. Currently, the ferry system, the Town of Friday Harbor, and the County have made various operational adjustments to allow maintenance of the current LOS without the use of two-lane loading and unloading or the installation of overhead passenger handling, although these will not be sufficient in the longer term. All development projects that have identifiable impacts on the ferry system are also subject to SEPA review and conditioning to mitigate impacts. The Plan directs that a series of responsive measures and evaluations occur as the level of service declines and capital facilities become necessary. For any new facilities, various programmatic and project-specific mitigation measures will be required as identified and specified in subsequent phases.

Ultimately, the only way to prevent the need for enlarged and upgraded ferry facilities would be to limit growth and visitation below the level where such facilities would be necessary. This would undoubtedly require a level of growth control and limits to land development that no one in the islands would support. The level of growth control and development limits could be raised if the level of service were allowed to deteriorate; however, no one or few people in the islands would support levels E or F as being “adequate” or desirable, and growth controls would still be needed. Even LOS D would eventually require growth controls if use continues to grow (as it will) and ferry facilities were prevented from expanding. The amount of growth allowed by the Comprehensive Plan, plus the need for continued adequate ferry service, require the County to recognize that expansion of facilities may be necessary during the 20-year planning period of the Plan.

Unavoidable Adverse Impacts.

The amount of growth allowed by the Comprehensive Plan, plus the need for continued adequate ferry service, require the County to recognize that expansion of facilities may be necessary during the 20-year planning period of the Plan. Irrespective of what the LOS standard is—C, D, E or F—for WSF service, as the islands continue to grow and to attract new residents and increased numbers of visitors, ferry system volume will increase to the point that some additional and/or new terminals will be needed. In the long term the only alternative would be inadequate levels of service and/or very severe and strict growth and development limits.

- **UDC Section 10—Violations (Section 10.2.6)**

Impacts.

As written, this provision in the UDC would change current county policy regarding the issuance of development permits for property where an outstanding violation exists. It would allow the issuance of a permit “for development that does not further aggravate the violation.”

Mitigation.

The following change is recommended: “No permit application shall be ~~granted~~ accepted for any lot, tract or parcel of land on which the applicant has violated any state law or County ordinance until the violation has been abated ~~if the granting of the permit would further aggravate the violation.~~ ~~Permits may be granted for development that does not further aggravate the violation.~~”

Unavoidable Adverse Impacts.

None.

2.3 REVISED OR NEWLY PROPOSED MITIGATION MEASURES FOR IMPACTS THAT WERE PREVIOUSLY IDENTIFIED IN THE DRAFT SEIS

- **Comprehensive Plan, Element 2—Land Use: Interim Provisions for Addressing Suburban-Level Maximum Allowable Residential Densities in Rural Areas.**

There was considerable discussion of maximum allowable residential densities in the rural areas in the draft SEIS in Sections 2.1.3 and 3.3.3, and of the impacts of suburban development levels (2 units per acre, and 1 unit per 2 acres). Two upland areas—an R-2 area west of Moran State Park, and an R-2 area west of the Town of Friday Harbor—have been identified in addition to the five previously discussed where sufficient land remains in lots of five acres or larger to warrant inclusion for additional analysis in this final SEIS.

Further analysis of the Suburban and R-2 areas has been performed since the release of the draft SEIS. The analysis yields these data and statistics:

Table 2.1. The Majority of Land within Seven Density Areas Remains in Parcels that are 5 Acres or Larger.¹

Location	Current Maximum Allowable Density (units / acre)	Total Acres	Parcels ≥5 Acres		Total Number of Parcels	Parcels ≥5 Acres	
			Acres	% of Total Acres		Number of Parcels	% of Total Parcels
Pear Pt./Turn Pt.	1 u / 0.5 acre	1,216.4	856.5	70.4	358	57	15.9
Egg Lake/North Central San Juan Island	1 u / 2.0 acre	1,815.0	1,614.8	89.0	141	64	45.4
West of Town of Friday Harbor	1u / 2.0 acre	349.2	292.3	83.7	63	15	23.8
East of Orcas Village	1 u / 2.0 acre	1,116.0	917.6	82.2	145	69	47.6
Northwest of Deer Harbor	1 u / 2.0 acre	712.5	487.0	68.4	212	40	18.9
West of Eastsound	1 u / 2.0 acre	279.1	251.9	90.3	21	13	61.9
SE of Eastsound & West of Moran Park	1 u / 2.0 acre	798.9	461.7	57.8	256	39	15.2
Totals		6,287.1	4,881.8	77.6 ²	1,196	297	24.8 ²

Notes:

1. Parcels as of March 1997.
2. Not a total; rather, this statistic was newly calculated from the acreage or parcel totals.

What these data show is that, while the majority of parcels in most of these areas are smaller than 5 acres, the great majority of the **land** is in parcels that are 5 acres or larger. Thus, sufficient land remains in all of these areas in parcels larger than 5 acres such that a significant reduction of impacts would result from a reduction in the maximum allowable residential density.

Using only the acres in parcels that are still 5 acres or larger in size, the maximum number of new residences that could be developed are:

Table 2.2. Current Maximum Densities for Seven R-2 and Suburban Density Areas would Allow more than Two Thousand Additional Units than could be Developed under Rural Densities.¹

Location and Current Maximum Allowable Density	Total Acres in Parcels that are 5 Acres or Larger	Maximum Number of New Dwelling Units under Current Density	Maximum Number of New Dwelling Units at 1 unit per 5 Acres
Pear Pt./Turn Pt. (1 unit / 0.5 acre)	786.5 ²	1,849 ³	771 ³
Six R-2 Areas (1 unit / 2.0 acres)	4,018.0 ⁴	1,713 ³	171 ³
Totals	4,804.5	3,562	942

Notes:

1. Parcels as of March 1997.
2. The airport and UGA acres have been subtracted.
3. The maximum number of new units is slightly over-estimated. A few parcels have some density easements that would reduce the maximum allowable density somewhat, thereby reducing the figures slightly. A few parcels already have a unit on them, reducing the figures slightly.
4. Acreage was individually rounded down for each R-2 area to the nearest even acreage; e.g., 279.1 acres was treated as 278.0 acres.

Several alternative measures were identified in the draft SEIS through which the County could either reduce density or avoid further divisions to lots smaller than five acres until the BOCC considers what further measures should be taken or programs initiated to address/reduce density. These are revised somewhat for this final SEIS. In particular, the Town of Friday Harbor raised concerns regarding the “concurrency activity center” alternative for Pear Point/Turn Pt.; this has been revised to better meet the Town’s concerns. The mitigating measures are as follows:

- If corrective measures (*see below*) for non-rural densities are not specified in the Plan, a moratorium should be enacted for the seven areas identified below, temporarily preventing land divisions which would result in less than rural density (1 unit per 5 acres) for land area within the development while the consideration of further measures to respond to density impacts progresses in the next year. Similarly, a moratorium should be placed on selected shoreline areas (*see below*).

Corrective measures are to redesignate the maximum allowable residential densities in these six areas to rural densities:

<u>Area or Location</u>	<u>Current Max. Allowable Density</u>
Pear Pt./Turn Pt.	Suburban (1 unit per ½ acre)
Egg Lake/North Central San Juan Island	R-2
East of Orcas Village	R-2
Northwest of Deer Harbor	R-2
West of Eastsound	R-2
West of Town of Friday Harbor	R-2
SE of Eastsound, West of Moran Park	R-2

- An alternative that is specific to the Pear Point/Turn Point area is to designate it as a “Concurrency” Activity Center, in which development denser than one unit per five acres would only be allowed if the proponent arranged for urban-level services to be provided by the Town of Friday Harbor. The justification for such an area would be the current development

pattern, proximity to the Town, and the anticipation that the area would become a part of an urban growth area 20 years or so from now. A revision of the Plan and UDC would be necessary to define this new land-use designation; by its nature, it could apply only to the Pear Pt./Turn Pt. area.

If this were done, the Town would be in the position of being the designated service provider for this particular activity center, which would enable the Town to ensure that adequate capacity existed or would be funded to service the additional demand. Development at rural densities would be presumed to place no burden on Town utilities, for in such cases urban-level services would not be necessary. The Plan allows Urban-level capital facilities to be provided in activity centers; the Town, as the identified service provider, could extend the municipal capital services to this one area without need for further amendment of the County Comprehensive Plan, although revision of the Town’s Comprehensive Plan and joint UGA Management Agreement might be necessary to allow this extension of municipal capital facilities.

- **Comprehensive Plan, Element 3—Land Use: Interim Provisions for Addressing Suburban-Level Maximum Allowable Residential Densities in Shoreline Rural Areas.**

The County has historically allowed higher densities in shoreline areas (except Natural designations) than in other, upland areas. Rural and Rural Residential densities are 1 dwelling unit per 0.5 acre; Conservancy is 1 unit per 1 acre; Rural Farm Forest is 1 unit per 2 acres. Natural designations are limited to 1 unit per parcel.

Much discussion of the historical higher densities has already occurred in the DEEIS, the SMP SEIS, and 10/2/96 FEIS. New information about the current status of development on shoreline parcels was completed for this final SEIS using the GIS:

Table 2.3. The Majority of Land within Shoreline Density Areas Remains in Parcels that are 5 Acres or Larger.¹

Location	Current Maximum Allowable Density (units / acre)	Total Acres	Parcels ≥5 Acres		Total Number of Parcels	Parcels ≥5 Acres	
			Acres	% of Total Acres		Number of Parcels	% of Total Parcels
Total Shoreline Parcels Countywide, minus parcels in Natural environments, British and American camps, and Moran Park	<i>(see text)</i>	21,533.1	6,342.2	77.2	5,035	1,005	20.0

Note:

1. Parcels as of March 1997.

What these data show is that, like the seven upland areas analyzed above, while the majority of parcels in most of these areas are smaller than 5 acres, the great majority of the **land** is in parcels that are 5 acres or larger. Thus, sufficient land remains in the shoreline environments in parcels larger than 5 acres such that a significant reduction of impacts would result from a reduction in the maximum allowable residential densities.

The analysis has not been completed for shorelines by individual environment (R, RR, C, RFF), but the relative amounts of land within each environment was reported for the FEIS and reproduced below:

Conservancy Shoreline Environment

A particular issue for Shorelines is the maximum allowable density of the Conservancy Environment. The Comprehensive Plan states that

“The purpose of the Conservancy designation is to protect, conserve, and manage existing natural resources and systems and/or valuable historic, educational, or scientific research areas without precluding compatible human uses. It is the most suitable designation for shoreline areas which possess a specific resource or value which can be protected without excluding or severely restricting all other uses, and for areas where primarily non-consumptive uses of the physical and biological resources are preferred. It should be applied to those areas which would most benefit the public if their existing character is maintained, but which are also able to tolerate limited or carefully planned development or resource use.”

As is noted above, however, both the 12/31/96 Version and the Revised Version of the Comprehensive Plan allowing development in the Conservancy Environment to one unit per acre, a density only half that of RR and R designations while twice the density of the RFF Environment. This inconsistency came about for historical reasons: the initial shoreline designation was 1 unit per 0.5 acre everywhere, based on septic tank limitations; later, when RFF and Conservancy were established, density was lowered for these environments but still kept much more dense than most upland areas. It was argued that Conservancy could mitigate impacts on its resources in a site-specific fashion, while open space was the prime consideration in the RFF; thus, the Conservancy Environment was set at one unit per acre, while RFF Environment was given a lower density (one unit per two acres).

In practice, a density of one unit per acre, even with site-specific mitigation, is a suburban-level density. Development is extensive and intensive enough that many existing natural resources and values, or other specific valuable resources, will not be maintained, conserved, and protected at this development density. Furthermore, under the Shoreline Management Act, Conservancy environments are intended to be more protective than Rural environments; thus, having a higher allowable density for Conservancy than for RFF is a major inconsistency with the Act.

- Alternative measures similar to those identified for the seven R-2 and Suburban upland areas above could be employed by the County to either reduce density or avoid further divisions to lots smaller than five acres until the BOCC considers what further measures should be taken or programs initiated to address/reduce density. The mitigative measures are as follows:

If corrective measures (*see below*) for non-rural densities in the shoreline areas are not specified in the Plan, a moratorium should be enacted for the shoreline environments identified below, temporarily preventing land divisions which would result in parcels smaller than rural density (1 unit per 5 acres)—except where clustering/averaging is being used—while the consideration of further measures to respond to density impacts progresses in the next year. Corrective measures are:

- Redesignate the maximum allowable residential densities in the RFF, R, and Conservancy environments to rural densities. The Conservancy Environment would preferably be set a lower density than the other two environments.
- An alternative is to reduce density only in Conservancy Environment, and to reduce this to one unit per five acres or one unit per ten acres.

- **Comp Plan, Element 6—Transportation, and UDC Section 6—Development Standards: Concurrency for County Roads and County Docks**

The Growth Management Act requires that all jurisdictions implement “concurrency” policies and regulations, which is the requirement that new development provide for the additional capital facilities and services needed to serve the development at the time the development starts making demands on the capacity (*i.e.*, “concurrent” with the development). More specifically, if a new development proposal causes the Levels of Service (LOS) standards for a facility to drop below that established in this Plan, the development will not be allowed unless the facility is improved or alternative strategies to accommodate the impact are made concurrently with the development.

The Transportation Element (Element 6 of the Plan) establishes LOS standards which measure the capacity of transportation capital facilities and services necessary to support new development and enhance the quality of life in the community. Section 6.19 of the UDC establishes the procedures for these policies. Transportation LOS standards are established for ferries, ferry parking lots, County roads, and County docks.

The requirement for County roads was incomplete in the Plan and UDC; revisions to complete these sections are provided below.

County docks are included in the Six-Year Transportation Plan and receive public funding through that plan, and are therefore subject to the concurrency requirements of the GMA; however, at present there is no actual concurrency language for County Docks in the Plan. As part of this SEIS review, the County has further evaluated the Type 1 (County docks located on ferry-served islands that provide primary access to those islands from non-ferry-served islands) and Type 2 (County docks located on non-ferry-served islands) docks. Some of the following discussion is adopted from comments submitted by the Department of Public Works (*see* the letter by Ron Loewen).

County Docks on Non-Ferry-Served Islands

Those non-ferry-served islands that have County Roads also have a mixture of public ramps and piers. As these islands develop or land is subdivided, greater demands will be placed on the existing facilities, and the pier and float facilities will need to be restricted to load and unload only, with mooring buoys providing the long-term storage. This approach is consistent with the Plan and with current float usage policy (which is short-term day use only).

Where no facilities currently exist, pressures may arise to develop piers and floats, although to date most requests for new facilities have been for ferry-served islands. If the County were to choose to expand facilities on the non-ferry-served islands to accommodate growth, then under the GMA the growth that is causing the demand should fund the expansion: concurrency would have to be applied to all new development on the respective islands. To assume that public transportation funds will pay for new facilities would not be consistent with the requirements of the GMA.

County Docks on Ferry-Served Islands

The largest demand for piers and floats is on ferry-served islands, to serve the needs of non-ferry-served island residents. Such County facilities are located on San Juan, Lopez, and Orcas islands. Expanding access to accommodate growth could be done in two ways: 1) require expansion of County-owned or leased facilities; or 2) have new development be required to provide access at private joint moorage facilities.

The approach of the County has been to use a combination of these approaches. The 6-Year Transportation Plan has included, and will include in the future, projects for the expansion and addition of County Docks on ferry-served islands. To continue to use County transportation funding for these docks a concurrency requirement must be adopted.

It is recommended that concurrency be applied to both Type 1 and Type 2 docks. Revisions to the LOS standards, and a policy to implement County dock concurrency, are provided below.

- Table 3 in Element 6 of the Plan should be revised to establish an LOS for County Road intersections within Activity Centers and set County Road and County Dock concurrency policies:

Table 3. LOS for County Arterial Roads and Intersections.

Transportation Facility (County Arterial Roads)	Level of Service (LOS) Standards			
	A/B	C	D	E
Outside of designated Activity Centers	Average Annual Daily Traffic (AADT) ^{2,3}			
Rolling Terrain ¹	< 3,700	3,700 - 6,299	6,300 - 12,499	12,500+
Level Terrain ¹	< 3,100	3,100 - 4,799	4,800 - 11,299	11,300+
Inside of designated Activity Centers⁴ Intersections on arterials and collectors	x ⁵			

¹ A condition of 40% no-passing zones is assumed for Level terrain, and 60% no-passing zones for zones for Rolling terrain.

² AADT is the typical description for the volume of vehicles on a roadway in a 24-hour period.

³ The LOS is based on industry standards for two-lane rural San Juan County roads using a K-factor of 0.15 and the conditions noted above for Level and Rolling terrains.

⁴ LOS standards specific to individual activity centers may be developed as part of subsequent planning specific to the centers.

⁵ To be established with activity center plans.

- A new policy should be added to §6.4.C, as follows:

7. Adopt and enforce concurrency standards which would prohibit development approval if the development causes the level of service for Type 1 County docks to decline below the standards adopted in Policy 5 above, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. Transportation improvements or strategies may include, but are not limited to those identified in Policy 6 above. (The current policy 7 should then be renumbered to 8.)

- The UDC should be revised as follows to set County Road and County Dock concurrency policies:
 - Revise Table 6.7 in Section 6.19 to establish Levels of Service for County Road intersections within Activity Centers, and for Type 1 and Type 2 County Docks:

Table 6.7. Concurrency Requirements for Transportation Facilities.⁽¹⁾

Concurrency Facility	Standard for Adequate Level of Service (LOS)
Washington State Ferry Service (off-peak = March) (peak = August)	C B 15-24% of sailings overloaded C B 15-24% of sailings overloaded
Washington State Ferry Service Parking	C B 5 parking places per 100 residents
County Arterial Roads (outside of designated Activity Centers) ⁽²⁾ - Level Terrain - Rolling Terrain	D B 6,300-12,499 Average Annual Daily Traffic (AADT) ^(3, 4) D B 4,800-11,299 AADT ^(3, 4)
County Arterial Roads (inside of designated Activity Centers) - Intersections on arterial and collector roads	C B [measure of delay time, <i>to be supplied</i>] ^(5, 6)
County Docks - Type 1 ⁽⁷⁾ - Type 2 ⁽⁸⁾	C B 0.60-1.19 Lineal Feet/dwelling units in Service Area D B 0.40-0.59 Lineal Feet/dwelling units

Notes:

1. Levels of Service are set forth in Section B, Element 6 (Transportation) of the *Comprehensive Plan*.
2. A condition of 40% no-passing zones is assumed for Level terrain, and a condition of 60% no-passing zones for Rolling terrain.
3. AADT is the typical description for the volume of vehicles on a roadway in a 24-hour period.
4. The LOS is based on industry standards for two-lane rural San Juan County roads using a K-factor of 0.15 and the conditions noted above for Level and Rolling terrain.
5. [*to be supplied*]
6. [*to be supplied*]
7. Type-1 County Docks are those located on ferry-served islands that provide primary access to ferry-served islands from non-ferry-served islands.
8. Type-2 County Docks are those that are located on non-ferry-served islands.

- Revise Section 6.19.3 as follows:

3. Concurrency Facilities. The public facilities and services for which concurrency is required in accordance with the provisions of this Section are facilities for which LOS standards have been set in the *Comprehensive Plan*. These are transportation facilities—ferry service and parking areas, Type-1 and -2 County docks, ~~and~~ arterial public roads, and intersections on arterial and collector roads in activity centers—and “Category A”

- **Official Maps—Lopez Island: Exhibit T-10, Lewis/Hummel Lake Road Property (10 acres).**

Originally, and in accordance with Plan policy, RI was applied only to areas with established, industrially-classified uses that are not compatible with an activity center location and that are not otherwise allowable under another rural land classification. On Lopez Island, the size of the village area has been noted as one reason not to increase the numbers or sizes of rural areas slated for industrial or commercial use. The Rural Industrial (RI) district as defined in the UDC would allow for considerably more intensive uses than allowed in the surrounding Rural Farm-Forest (RFF) and Agricultural Resource (AGR) areas. Such uses would include automotive service and repair, bulk fuel storage, concrete batch plants, heavy equipment rental, heavy industry, lumber mills, outdoor storage yards, mining and related processing, and wrecking and salvage yards.

The draft SEIS omitted the T-10, Lewis/Hummel Lake Road Property, proposed for RI designation in the 12/31/96 Maps, from detailed consideration. However, the circumstances for this property are substantially the same as for the two Lopez properties that were discussed in the draft SEIS. The Lewis/Hummel Lake Road Property has been designated Rural Timber/Agriculture-15 since 1979, and is in the agricultural open-space tax classification. It is currently used for mineral extraction but not for the other uses that would be allowed in the RI designation. The UDC would allow continued operation and reasonable expansion of the existing uses in the RFF designation, whereas the RI designation would introduce an intention to allow much more intensive industrial uses in an area surrounded by rural (farming, forestry, and residential) uses. **Recommendation:** It is recommended that the designation of this property be changed to RFF.

- **Official Maps—Decatur Island: Exhibit U-2, RGU Designation for Most of the Island (approx. 740 acres).**

The recommendation of the draft SEIS was to retain this change from the 12/31/96 Maps. The change of designation for 740 acres from RFF and other designations to RGU would have probable significant cumulative impacts. As was noted in the draft SEIS in Sections 2.2.2.4 and 3.3.6, the RGU designation provides for a more intensive and permissive rural development environment, in which more commercial, industrial, institutional, recreational, and other uses would be allowed than in RFF designation. Generally, development on the island and its impacts on habitat, visual and aesthetic quality, transportation, and other elements would be more extensive and intensive than in an RFF designation. Even with the various revisions of the Plan and the proposed UDC regulations, if this change were retained—as is recommended—the cumulative impact would still be significant, for there would still be more intensive use throughout most of Decatur Island.

The recommendation of the final SEIS is that of the draft SEIS: to retain this change and to allow an overall higher level of development and impact on Decatur Island. The designation fits with established trends and community sentiment, and maximum residential density would remain within generally accepted rural levels for most of the island. The cumulative significant impact would also be reduced somewhat by project-specific mitigation measures. The remaining additional impact of this approach would be an unavoidable adverse impact of this development decision.

- **UDC Section 3—Land Use Districts: Interim Provisions for Hamlet and Village Activity Centers.**

This issue was discussed in the draft SEIS, §§2.3.1.2, 2.3.2.2, and 3.3.5. Neither the Plan nor the UDC designate the land use districts within Activity Centers, neither includes guidance as to the intended or desirable placement of commercial, industrial, commercial, or other uses within these areas, nor do they distinguish one hamlet or village from another for purposes of establishing standards appropriate to each individually. This designation of land-use districts will occur only after location-specific plans

are developed by the affected communities: that work is scheduled to occur only after the adoption of the Plan and UDC. For this reason, it is desirable to establish interim provisions for allowable uses and development standards that will serve to ensure that development will not occur in a manner that may thwart the purpose of the hamlet or village activity-center designations regarding the physical scale and character of these areas and the nature of the uses to be allowed.

A simple limit on maximum use area to 5,000 square feet for commercial and industrial uses has been adopted as an emergency interim ordinance (Ordinance 7-1997). However, the ordinance does not address the potential scale or intensity of multi-family residential development, and does not prevent land division of larger parcels to accommodate multiple structures to exceed the square footage limit. It also does not address two other activity centers, both hamlets: Islandale and Westsound.

The following additional interim provisions are recommended for a new Section 3.8 in the Land Use Districts Section of the UDC. The interim maps showing residential densities (*see* the Appendix in the SEIS) should be incorporated during Comprehensive Plan adoption.

3.8 Interim Controls in Activity Centers.

- 1. Purpose.** To provide temporary controls for the development of certain activity centers, for which location-specific designations and standards have not yet been developed, until such designations and standards are adopted.
- 2. Applicability.** This section 3.8 shall apply to residential, commercial and industrial forms of development within the activity center boundaries shown on the Official Maps for the following: Deer Harbor, Orcas Village, Olga, Doe Bay, and Lopez Village exclusive of that area within the Lopez Village Planned Unit Development.
- 3. Standards.**
 - a. Building Height.** Building height shall not exceed 28 feet unless more than one taller building exists in the immediate vicinity, in which case the height standards in UDC Section 6 shall apply.
 - b. Building Scale.** The construction of any commercial or industrial building or buildings which exceed 5,000 square feet in gross useable area within any structure, or cumulatively on a single parcel, is prohibited. No multi-family residential building, or complex of residential buildings on a single parcel, shall include more than three dwelling units.
- 4. Industrial Development.** New industrial uses (as specified in Table 3.1) may not locate in a given activity center until land-use designations and standards are adopted as per Section 3.8.6 below.
- 5. Review.** The level of review required shall be as specified in Table 3.1.
- 6. Sunset.** These interim controls of UDC Section 3.8 will end for a given activity center named in Section 3.8.2 above when the location-specific designations and standards are adopted by the Board of County Commissioners.

- **UDC Section 6—Development Standards, Table 6.1—Reference to Activity Center Densities is Inaccurate.**

Related to the above, Table 6.1 in the UDC states that densities for activity centers are as shown on the

Official Maps. However, village and hamlet activity centers are the former Urban and Suburban areas, so the density information provided for the former Rural areas is not shown. For this reason, it is recommended that the interim density designation maps printed in the draft SEIS be referenced here instead as included in a new appendix to the UDC. The interim maps would be replaced upon adoption of specific maps for the villages and hamlets which would indicate density boundaries together with use designation boundaries.

- Change the bracketed item in Table 6.1. Maximum Density as follows:

[Please refer to the Interim Maps in the Appendix to the draft SEIS of October 1, 1997 Comprehensive Plan Official Maps.]

- **UDC Sections 3, 6, and 7: Rural Farm-Forest Land Use District—Development Standards.**

This issue was discussed in the draft SEIS in §§2.3.1.3, 2.3.2.3, and 3.3.5. The majority of developable land in the County, estimated to be as much as seventy percent, is within the Rural Farm Forest (RFF) classification. The RFF land-use designation is designed to provide residential living on rural lands compatible with small-scale farming and forestry activities. The intent, as stated in Policies 2.3.B.10.b.1 and .2 in the Plan, is to maintain a predominant portion of these lands for farming and forestry uses and activities. A mix of uses is allowed in the RFF district according to Table 3.2 in Section 3 of the UDC. Policy 2 further directs that site development standards for allowable uses in the RFF district be adopted, but such standards are not currently present in the draft UDC. Current development standards contained in the UDC are primarily designed to keep the physical impacts on-site, and the UDC also provides performance standards to minimize adverse environmental impacts for some uses. These standards do not accomplish the intent of the Plan for RFF, which is to ensure that the level and mix of activities on Rural Farm-Forest land happens in such a way that the overall rural landscape is maintained, and the rural character preserved.

The use of resource lands for uses other than farming and forestry and a single-family home site is limited in the proposed UDC to one acre regardless of parcel size. There is no similar limit for Rural Farm-Forest. One alternative that was suggested in the draft SEIS was that a similar provision (for a maximum percentage of parcel area developable for non-agricultural, non-forestry, non-SFR uses) be established for RFF. This would accomplish the stated purpose of the designation and acknowledge the part it plays in reflecting the Vision Statement of the Plan regarding the rural landscape and its importance to the islands' economy and quality of life.

The majority of the county is mapped as RFF, and the majority of that land area is in parcels of five to twenty acres (although many are smaller). If a standard of thirty percent (*see below*) is used per parcel, areas available for non-agricultural and non-forestry uses would be as follows:

Table 2.4 Area Available on RFF Parcels for Non-Agricultural, Non-Forestry Uses if such Uses are Limited to 30 Percent of Parcel Areas.

Parcel Size	30% of Parcel (sq. ft.)	30%+2,800 sq. ft. (typical SFR area)	Total Acres
Half Acre	6,534	9,334	.20
One Acre	13,068	15,868	.36
Two Acres	26,136	28,936	.66
Five Acres	65,340	68,140	1.56
Ten Acres	130,680	133,480	3.00
Forty Acres	522,720	525,520	12.00

The following mitigation measures, revised somewhat from those discussed in the draft SEIS, could ensure that the open rural landscape is preserved in the Rural Farm-Forest designation:

- Reduce the scale of uses allowed in RFF. Land uses other than single-family residential, farming and forestry to be either adequately screened or otherwise subject to a maximum developable area standard (percentage of a parcel available for land conversion) to maintain the visual quality of the rural landscape. Possible language is a new item 3.3.5:

5. Rural Farm Forest. In Rural Farm-Forest districts, allowable land uses other than single-family residential, farming, or forestry shall involve no more than thirty percent of a parcel, exclusive of driveway area, except for publicly-owned facilities.

- To mitigate the potential for further loss of visual quality, once the allowable percentage of a parcel has been converted, language could be added in Section 3 or Section 7 to ensure that subdividing a parcel will not yield additional opportunity for land conversion to uses other than single-family residential, farming or forestry.
- Alternatively, narrow the scope of allowable uses for the RFF land-use district in Table 3.2 and in Section 3, and/or prepare additional development standards for the RFF lands in Section 6 to ensure that a predominant portion remains in or available for farming and forestry uses.
- **UDC Sections 3, 6, and 7—Resource Land Use Districts—Subdivision Standards.**
Only one acre of parcels designated as Forestry Resource or Agricultural Resource can be converted to non-resource uses; however, there is nothing to prevent the extension of this one-acre allowance to parcels subsequently created out of larger parcels that had been designated as Forestry Resource or Agricultural Resource. The environmental impacts of this may be inconsequential for a 40-acre parcel created from a much larger one, but there are a number of smaller parcels in resource land designations for which the cumulative effects could be significant. These would be 1) an increase in the conversion of resource lands to other uses with each division, and 2) an increase in the fragmentation of the overall Resource Land base and a reduction in its ability to be economically worked.
- To mitigate the potential for further loss of resource land uses and values, once the allowable percentage of a parcel has been converted, language could be added in Section 7.6.2.h to ensure that subdividing a parcel will not yield additional opportunity for land conversion to uses other agricultural or forestry resource uses.

- **Comp Plan, Element 2—Land Use, and UDC Section 4—Performance Standards: Use of Private Roads for Commercial and Industrial Development.**

In the Rural General Use (RGU) designation portion (Section 2.3.B.10.a.4) of the Land Use Element of the Plan, an allowance is made (by Policy 2.3.B.10.a.4) for commercial development with access from a private road, subject to the agreement to the parties to the road easement. As a result, the UDC at Section 4.10.1.b (for commercial uses) includes this provision, but only in the RGU district; the UDC is completely silent on this matter for industrial uses at Section 4.21.1. This issue is identified as a nonsignificant impact in the draft SEIS in Table 1.3. The table identifies that the revision to the Plan only applies to the RGU designation.

There is no logical reason to require agreement by the parties to a private road easement for RGU but not for other land-use districts, nor to require this for commercial but not for industrial or institutional uses. Both the Plan and UDC should be revised to apply this requirement to all land use designations.

Note: if this requirement were adopted, another issue that has arisen could be addressed. Bed and breakfast operations that would use private roads have recently been controversial. This measure would require any B & B that depended on the use of a private road to secure the agreement of the parties to the road easement.

- Move Comprehensive Plan Policy 2.3.B.10.a.4 to Section 2.1.B, general policies, and renumber policy 5.
- Change UDC Section 4.10.1.b to delete “In RGU,” from the last sentence, as follows:
 - b. Use of a County access road or private road for access to new commercial development shall be permitted only if the applicant demonstrates that public health, safety and welfare will be protected, and if traffic and maintenance impacts to the private road are minimized. ~~In RGU,~~
~~Use of a private road shall be allowed only if all legal parties to a private road easement authorize the access.~~
- Add a new item 4.21.1.e:
 - e. Use of a County access road or private road for access to new industrial development shall be permitted only if the applicant demonstrates that public health, safety and welfare will be protected, and if traffic and maintenance impacts to the private road are minimized. Use of a private road shall be allowed only if all legal parties to a private road easement authorize the access.

- **UDC Section 7—Land Divisions: Bonding Provisions, §7.2.5.**

This issue was discussed in the draft SEIS, §§2.3.1.1, 2.3.2.1, and 3.3.4. Bonding for short subdivisions has not previously been allowed by the County, and the current Code discourages bonding for long subdivision improvements. In the current UDC draft, bonding is discussed only in Section 7.2.5, Bonding and Financial Guarantees, which states that “Bonds, assignments or sureties will not be accepted in lieu of satisfactory of the conditions [including completion of required improvements] of preliminary plat approval.” But the UDC then states, “However, a financial guarantee may be accepted as approved by the County Engineer and Auditor.” This is confusing and is also silent on preliminary short subdivisions, since the terms “preliminary plat” and “preliminary subdivision” generally refer to long subdivisions.

This language in the draft UDC would allow a proponent for a short subdivision the same opportunity to postpone completion of County-required improvements (road, water system, or other similar plat improvements) as is provided to a proponent for a long subdivision. This opportunity is currently not available to short plats because under current law short subdividing is expected to be a comparatively summary procedure, and short subdivisions are given no more than one year between preliminary and final approval. In contrast, State law allows five years for long subdivisions between preliminary and final approval, in part because long subdivisions are typically much larger, and improvements are more costly and time-consuming.

Short subdivisions are not phased developments as some long subdivisions are. If long subdivisions continue to be rare while short subdivisions are common, an allowance to bond for required improvements for short subdivisions would tend to extend an unreasonable cost to the public for small land divisions in the form of premature and unfinished development.

- The following is recommended to replace Section 7.2.5 in the draft UDC:

“No land division shall be approved until all required improvements have been completed and approved. Bonds, assignments and sureties will not be accepted in lieu of satisfactory completion of the conditions of preliminary short subdivision ~~plat~~ approval. However, a financial guarantee may be accepted, for a duration of no more than six months, to complete required long subdivision improvements as approved by the County Engineer and ~~Auditor~~ the Administrator.”

- Proposed new item 7.5.3.d, “Time Provided for Short Subdivisions,” would also provide for a time extension for improvements if there are delays in obtaining required state approvals (*see above*).

2.4 TABLES SUMMARIZING IMPACTS AND MITIGATION MEASURES

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Density		
<p>Suburban and R-2 Densities in Rural Areas; Shorelines §2.1.C., Land Use Densities §2.2.A., General Policy 9 §2.2.K., Sewage Disposal Policy 6 §3.3.A.1, §3.3.B.1, §3.3.C.1, §3.3.D.1, §3.3.E.1 & .6</p> <p>Impacts: Would retain Suburban and R-2 densities in the Rural areas. More intense development allowed than Rural areas can tolerate and still retain rural features, uses, habitat. Would increase demands for Urban services, with associated uses and impacts. Shoreline densities, except for Natural Environment, are all more dense than 1 unit per 5 acres.</p>	<p>§2.1.C. Added a paragraph to provide for protection of environmentally sensitive areas in rural areas and shorelines with potential densities between one-half and two acres per unit, to provide for site design and performance standards, and to ensure that urban-level services are not required.</p> <p>§2.2.A.9. Added a sentence to include an analysis of potential buildout and actual density reductions in rural areas and shorelines with potential densities between one-half and two acres per unit.</p> <p>§2.2.K.6. Deleted “municipal or.” This prohibits the extension of municipal sewage treatment systems into the rural area.</p> <p>UDC limits development on Resource parcels to one acre regardless of density.</p> <p>Unaddressed Impacts: Development at R-2 and Suburban (1 unit per .5 acre) densities is not compatible with long-term retention of rural features, but is allowed to continue in several locations. Any further resolution of the density issue is delayed for a year, but no provision is made to prevent vesting which might preclude options and incur avoidable but irreversible impacts. High densities in shoreline areas will continue and are not addressed. Policies still do not appear to meet GMA directives to protect rural lands from sprawl and associated impacts. Resource Lands development limit provides no protection against additional development after land divisions.</p>	Significant
<p>Subdivision in Natural Designations in the Shoreline Area §3.1.C. What the Designations Mean §3.3.F. Natural Environment, Policy 6</p> <p>Impacts: Would allow subdivision in designated Natural areas.</p>	<p>§3.1.C. Restored prohibition on subdivision in these environments. §3.3.F.6. Removed language that would allow for subdivision in Natural Environments.</p>	No impact
<p>Accessory Dwellings, Guest Houses, and Rural Density §2.2.A., General Policy 11 §5.2.A., Housing Policy 3 C. Definitions</p> <p>Impacts: Would allow residential use or rental of accessory dwelling units even where legal density would be exceeded. Could result in as much as a 10% increase in residential density in excess of density limits.</p>	<p>§2.2.A.11. Revised Policy 11 to allow occasional use of a guest house only by non-paying guests, relatives and health-care providers, and to allow use of a guest house for rental or regular occupancy only if standard density requirements are met. Restores policy direction to current County code and policy.</p> <p>§2.2.A.12. New policy provides an amnesty procedure to legalize currently unlawfully rented guest houses.</p> <p>§5.2.A.3. Deleted the policy that allowed the density exemption. Amnesty provision transferred to 2.2.A.12.</p> <p>C. Definitions. Removed “Accessory Dwelling Unit,” revised “Guest House.”</p>	Nonsignificant

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Density		
Accessory Dwellings, Guest Houses, and Rural Density (cont.)	Unaddressed impacts: The amnesty for guest houses that are currently being illegally rented or occupied is retained, allowing their density impacts to become permanent. The number of such cases is estimated to be small enough to result in nonsignificant impacts.	
Averaging of Density in Shoreline Areas §3.3.A.1, §3.3.B.1, §3.3.C.1, §3.3.D.1, §3.3.E.1. Impacts: Error in drafting of language would permit higher densities in the shoreline areas.	§3.3.A.1, §3.3.B.1, §3.3.C.1, §3.3.D.1, §3.3.E.1. Error was corrected. §3.5.L.13. New policy explains that maximum densities should not be construed to be minimum lot sizes. Result is no change from current code.	No impact
Land Uses with Potentially Significant Impacts		
Changes to Official Maps Site-Specific Map Changes §2.3.B.9.d., Rural Industrial Policy 2 Impacts: Some site-specific re-designations of selected parcels on the Official Map are inconsistent with other direction and policies in the Plan. Some new designations have been located in areas where they will have significant adverse impacts on surrounding rural lands.	§2.3.B.10.d.2. Revised policy to remove gravel pits and associated uses from the listed uses for rural industrial areas. Official Maps: Several changes are recommended to the Maps for the final SEIS and Plan adoption that would reduce impacts. Residual impacts: If recommended changes were accepted, the cumulative impact would still be significant due largely to more intensive use throughout most of Decatur Island. The recommendation is to allow this an overall higher level of impact on Decatur Island: the designation fits with established trends and community sentiment, and maximum residential density would remain within generally accepted rural levels for most of the island. The cumulative significant impact would also be reduced somewhat by project-specific mitigation.	Significant
Expansion of Uses; Nonconforming Uses §2.2.E, Recreation Policy 5 §2.3.B., Rural Lands Policies 6, 7, 8 Impacts: Rural land policies would allow alteration and expansion of certain existing uses (camps, small resorts, upland portions of marinas, gravel pits, and airstrips, airfields, and airports) subject to “reasonable performance standards.” These convert nonconforming uses into conforming uses., don’t give direction as to what the standards should ensure, nor do the policies establish how broadly these expansions of uses are to be allowed for in the regulations. Policy 2.2.E.5 considered tourist attractions up to 10 acres as being not significant.	§2.2.E.5. Deleted the ten-acre exemption for new tourist attractions. §2.3.B.6. Revision requires discretionary or conditional use permits for expansions of existing camps and small resorts that would expand the scope or scale of facilities or services, or that would be nonconforming. Expansion of existing uses that would conform to current scope and scale would need to meet performance standards. This is implemented in the UDC in Sections 3 and 4. §2.3.B.7. Revised policy to provide direction for when alteration or expansion of gravel pits would require conditional use permits. This is implemented in the UDC in Section 3. §2.3.B.8. Revised policy to provide guidance for performance standards for airstrips and airfields, and for when a conditional use permit is needed. This is	Nonsignificant and also Positive impacts

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Land Uses with Potentially Significant Impacts		
Expansion of Uses; Nonconforming Uses (cont.)	implemented in the UDC in Sections 3 and 4. §2.3.B.9. New policy provides additional direction for the evaluation of proposed alterations and expansions of nonconforming uses. This is implemented in the UDC in Sections 4 and 8.	
Land Uses with Potentially Significant Impacts		
Burden of Proof for New Activities §3.2.B. Economic Development Impacts: Policy from current code was deleted, placing on County the burden of proof for showing incompatibility of proposed commercial and industrial uses and activities. Would allow more commercial and industrial development and impacts to occur. Policy prohibiting oil processing was deleted.	§3.2.B.5 & .6. Restored policy from existing code placing burden of proof on applicant to show that new commercial or industrial activity or use is consistent with Shoreline Master Program and not feasible to locate in upland areas outside of the shoreline environment. Policy on oil ports and processing is restored and expanded to include oil pipelines.	No impact and Positive impact
Impacts to Rural Farm-Forest (RFF) Areas and to Resource Lands §2.3.B.9.b., Rural Farm-Forest Policy 2 §2.3.C., Resource Lands Policy 2 §2.3.C.b., Forest Resource Lands Policy 4 Impacts: Site standards were deleted for residential development on Rural Farm-Forest lands. Direction for Resource Lands was changed from applying standards to all development, to applying standards only when land is divided into 4 or more lots, thus setting different standards for development based on the process used to create the lots rather than on the impacts to be addressed. Incompatible uses would be allowed on the Forest Resource lands.	§2.3.B.10.b.2. Policy was revised to require site development standards for allowable uses so as to maintain a predominant portion of the Rural Farm-Forestry (RFF) lands in farming and forestry uses. This is not implemented by the UDC. §2.3.C.2. Unchanged §2.3.C.b.4. Still deleted. For Forest and Agricultural Resource Lands, the UDC limits the maximum area of development that is not related to agricultural or forestry uses and activities to one acre regardless of the assigned density. This provision does not apply to RFF Lands. Unaddressed impacts: The policies as currently drafted would allow incompatible uses and unmitigated impacts in agricultural and forest resource areas, lands which GMA has directed be given special protection. There is nothing in the UDC to implement the direction of the Plan to maintain a “predominant portion” of the RFF lands in farming and forestry uses.	Significant

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Land Uses with Potentially Significant Impacts		
<p>Impacts in Shoreline Areas and Natural Systems §3.2.A , Shoreline Use §3.2.F, Conservation §3.3.E, Conservancy Environment, Policies .3, .6, & .7. §3.3.F, Natural Environment, and Policy 3. §3.3.I, Marine Habitat Management Area Environment, Policy 2. §3.5.B., Aquaculture, Policy 9</p> <p>Impacts: Policy language directing that environmental protection is a primary consideration in all shoreline decisions was weakened or removed in various locations.</p>	<p>§3.2.A. Restored guidance directing protection of the shoreline environment. §3.2.F.10. New policy provides direction for commercial timber harvesting within the shoreline area, and that no commercial harvest is allowed within buffers. §3.2.F.11. New policy directs that natural resource use should minimize adverse impacts to natural systems and quality of the shoreline environment. §3.3.E.3, .6, & .7. Revised to shift burden of proof to applicant for compatibility of development in Conservancy areas. Added policy guidance for residential and recreational activities and development in Conservancy designations. §3.3.F. Deleted language which would have thwarted the purpose of the Natural designation. §3.3.F.3. Revised to direct that uses and activities in locations adjacent to Natural areas will not compromise the integrity of the Natural Environment.</p> <p>§3.3.I.d. Added “marine spawning and nursery areas” as a criterion for designation of Marine Habitat Management Area Environment. §3.3.I.2. Allows management plans to limit uses in upland areas as necessary to protect critical marine resources. §3.5.A.1 & .3. Expands on best management practices for water quality. §3.5.B.9. Removes exemption of single-family residences from requirement not to harm permitted aquaculture projects.</p>	<p>Nonsignificant or Positive impacts</p>
<p>Docks and Joint Moorages §3.3.G, Aquatic Environment, Policy 7 §3.5.C. Boating Facilities, Policies 6-10, 14, 23 §3.5.F., Industrial Development, Policy 4</p> <p>Impacts: The hierarchy for decision-making for docks in the current code was largely removed, and permits for docks were made easier to obtain. Significant cumulative impacts to natural systems and visual quality.</p>	<p>§3.3.G.7. Revised to encourage joint use of docks in the Aquatic Environment, provided a dock is appropriate at all. §3.5.C.6 - .9; new policies .10 & .11. These policies were revised or added to restore the decision hierarchy for the permitting of docks and moorages as found in current code. §3.5.C.15. A streamlined permit process was removed from being an incentive for developing multi-user docks; replaced this with construction and dimensional incentives. §3.5.C.23. Covered moorages are moved from General to Marinas, and limited to commercial construction or repair work (as provided in current code). §3.5.F.4. Revised to require joint use of industrial piers and shoreline facilities where such facilities are considered appropriate.</p>	<p>Nonsignificant or No impact</p>

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Land Uses with Potentially Significant Impacts		
<p>Bulkheads, Shoreline Stabilization §3.6.B., Bulkheads, Policy 5 §3.6.D., Shoreline Stabilization, Restoration, Enhancement, and Flood Protection, Policies 1 and 2</p> <p>Impacts: Bulkheads are only required to be consistent with County regulations. Shoreline stabilization and flood prevention measures would be allowed in new construction, thereby allowing new development that would be completely dependent on these measures. No direction is given regarding off-site and cumulative impacts of such measures.</p>	<p>§3.6.B.5. Revised to clarify that exempt bulkheads must be consistent with both state and County regulations.</p> <p>§3.6.D.1. Revised to prohibit new development in the shoreline area that would require shore stabilization and flood protection.</p> <p>§3.6.D.2. Revised to limit bank stabilization to prevention of damage to existing development.</p> <p>§3.6.D.11. New policy requires consideration of off-site and cumulative effects of all bank stabilization, restoration, and enhancement, and flood protection activities. Such activities are prohibited if they would result in beach or bank erosion along nearby shorelines.</p>	Nonsignificant or No impact
Subarea Plans		
<p>Geographically-Based Subarea Plans §2.6, Subarea Plans §2.6.A, Subarea Plans Goal</p> <p>Impacts: Potential impacts of new development were made probable by the disallowance of the two island-specific Subarea Plans.</p>	<p>§2.6 & §2.6.A. Specific geographic areas is restored as a category of subarea plans. Some aspects of the Shaw Island and Waldron Island subarea plans may be inconsistent with the Comprehensive Plan: the Plan provides direction to conduct a consistency review.</p>	Nonsignificant
Cumulative Impacts		
<p>Evaluation of Cumulative Impacts D. Administration §2.1, Plan Administration Policy 5 Impacts: Evaluation of development trends was substituted for evaluation of cumulative impacts of new development. No direction for when environmental evaluation of cumulative impacts will occur and for what types of development.</p>	<p>D. Administration §2.1.5. Revised to direct that cumulative impacts of development, not trends, shall be evaluated, and that development trends will be monitored. The UDC directs that cumulative effects be considered in SEPA evaluations and in shoreline and upland permit reviews.</p>	No impact
Future Map Changes & Ongoing Review of Land Use Element		
<p>§4.2.B., Land Use and Development Policy 3 §7.1.A., Purpose Impacts: Deleted direction that 1) future revisions to land-use designations should be based in part on criteria that include availability and adequacy of the water, and water quality concerns such as nonpoint pollution, and stormwater management; and 2) the geographical location of existing facilities be considered for development of Activity Center boundaries, designation of future land uses,</p>	<p>§2.2.A.13. Added a new policy that provides for the future review and revision of the Land Use Element and Official Maps, as directed by GMA, and provides criteria for that review.</p> <p>D. Administration. §3.1. Plan Implementation, Policy 7. Added language providing for the review of the Land Use Section as part of the regular review of the Plan.</p>	Positive impact

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
and analysis of potential effects on resource lands and critical areas.		
Water Supply and Associated Impacts		
<p>Water Supply §4.2.A., Policies 4, 5, 6 §4.2.D., Water Supply Development Policy 1</p> <p>Impacts: Allows intra-island transfer of water, removed the substantive authority to not accept those impacts by denying a proposal or placing mitigating conditions on it. Provides support for and promotes enhanced storage capacity for water, such as enlarged reservoirs; impacts of potential new reservoirs.</p>	<p>§4.2.B.6. New policy directs that land use and development should be approved and conditioned, in part on the availability and adequacy of the water supply, protection of water quality and control of pollution, and satisfactory management of greywater and stormwater runoff.</p>	Nonsignificant
<p>Salt Water Wells and Systems §3.5.N., Utilities and Capital Facilities, Policy 8</p> <p>Impacts: Would exempt desalination or reverse-osmosis systems from shoreline substantial development permit. Salt wells as source of water for such systems provide a strong draw for additional salt water intrusion into the aquifers.</p>	<p>§3.5.N.8. Policy is corrected to limit exemption from substantial development permit to desalination or reverse-osmosis systems whose intakes or outflows are not seaward of the ordinary high water mark.</p> <p>§3.5.N.13. New policy limits use of wells with saltwater intrusion or contamination, or land disposal of discharge from desalination or reverse-osmosis systems, to those approved by the County Sanitarian.</p>	Nonsignificant
Concurrency		
<p>Concurrency Requirements for Permitting §7.2.C., Concurrency Management Policy 4</p> <p>Impact: Drafting error directs the issuance of development permits upon the determination that sufficient Category A capital facilities exist to meet LOS standards (regardless of environmental impacts).</p>	<p>§7.2.C.4. The error was corrected to finding that a concurrency requirement was met.</p>	No impact
<p>Concurrency Requirements for Single-Family Residential Development §6.1.B., Level of Service Standards and Concurrency §7.3.A., County Solid Waste and Recycling Policies 1-6</p> <p>Impacts: The Plan excluded single-family residential (SFR) development from concurrency requirements. Most growth and growth-related impacts in the County are due to SFR development.</p>	<p>§6.1.B. and §7.3.A. Removed the exemptions of single-family residences from concurrency requirements.</p> <p>The UDC in Section 6 directs that the County develop a methodology for cumulative assessment and application of SFR concurrency responsibilities, except for subdivisions or where individual assessment is appropriate.</p>	No impact
<p>Concurrency Requirements for MPRs and PUDs §2.3.A., Activity Centers Policies 4.d.14 & .15</p> <p>Impacts: Concurrency requirements were deleted for Master Planned Resorts (MPR) and Planned Unit Developments (PUD).</p>	<p>§2.3.A.4.d.14 & .15. Restored concurrency requirements to the requirements for Master Plan resorts and Planned Unit Developments. Impacts of large developments will be shown and mitigated with each phase of approval.</p>	No impact

Table 2.5. Significant Adverse Impacts of Regulations in the Draft Unified Development Code; Proposed Revisions to the Code; and Revised Impact Levels Based on Implementation of Proposed Revisions.^(1, 2)

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts	Final Impact Levels
Utilities, Land Use and Environmental Protection		
<p>Utilities Siting §8.1.A., Purpose §8.2.F., Environmental Protection Policies 2 and 3 §8.2.C., Location & Siting Policies 1, 3, and 4 Impacts: “Where feasible” was inserted into several policies, considerably</p> <p>Utilities Siting (cont.) weakening the protection of natural habitat and other environments during location and extension of utility facilities. Requirements that new utility service facilities meet applicable land-use regulations were deleted. Deleted the statement that “environmental protection and energy conservation” are issues common to all utility service.</p>	<p>§8.2.F.1. Revised to include policy statement that environmental protection is to be considered part of the mission of utilities and of operation in the public interest. §8.2.F.2. Revised to remove “where feasible,” and to include a recognition that physical and service constraints may make some impacts unavoidable. §8.2.F.3. Revised to remove “where feasible,” and to require the development of compensating measures where mitigation is not feasible. Significant weakening of the land-use regulations and protection of natural habitat and other environments.</p>	Nonsignificant
Effects on Property Values		
<p>§1.2, Policy 4 D. Administration §2.2, Administration Responsibilities and Procedures, Policy 7 Impacts: The policy in the Administrative portion of the 12/30/96 Plan would make it more difficult to impose restrictions on property, likely resulting in increased environmental impacts. [The policy in Governance was worded more appropriately.]</p>	<p>D. Administration §2.2.7. Revised to clarify intent that restrictions imposed on the use of real property should be duly considered by the Assessor and the Board of Equalization in establishing the fair market value of property.</p>	No impact

Notes:

- Adoptions of comprehensive plans and development regulations are nonproject “actions” under SEPA, which means that SEPA compliance is necessary. WAC 365-195-610; RCW 43.21C.030; WAC 197-11-704
- The environmental review of nonproject actions must evaluate the impacts of the future activities that will be allowed in a particular area. A proposal’s effects include direct and indirect impacts caused by a proposal; impacts include those effects resulting from growth caused by a proposal, as well as the likelihood that the present proposal will serve as a precedent for future actions. WAC 197-11-060(4)(d)

Table 2.6. Changes Made to the Comprehensive Plan after the Final EIS that would have Nonsignificant Impacts, and Proposed Revisions to the Plan. ^{1, 2)}

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts
Concurrency	
<p>Concurrency—Tourist Attractions §2.2.E., Recreation Policy 5 Impact: Allowed tourist attractions up to 10 acres to not meet concurrency requirements.</p>	<p>§2.2.E.5. The concurrency requirement was restored.</p>
<p>Concurrency—Wash. State Ferry Service §6.4.B., WA State Ferry System Policies 1-15 Impacts: Concurrency standard for off-peak use is well below that of minimum service standard in the Plan. Ferry parking has no concurrency requirement in the Plan.</p>	<p>§6.4.B.6.d. Revised to recognize that a new ferry terminal location may be appropriate for San Juan Island in the future. §6.4.B.11. Revised to designate LOS C as adequate for peak service. §6.4.B.13. Revised to direct that the indicated measures will be taken if service falls below LOS C for peak or off-peak. §6.4.B.14. Revised to specify concurrency standard for ferry service is LOS C. §6.4.B.16.d. Revised to designate a concurrency requirement of LOS C for ferry parking facilities.</p>
<p>Concurrency—Arterial Roads in Activity Centers §6.5.C., LOS Policies 2 and 3 Impacts: There are no LOS standards or concurrency requirements for roads inside of designated activity centers, including the Town of Friday Harbor.</p>	<p>§6.5.C.2. Revised to include place-holders for LOS standards be adopted for activity center arterial roads and intersections. §6.5.C.6. Directs that LOS standards be adopted for activity center arterial roads and intersections. The Town hasn't yet adopted an LOS for vehicular traffic in the town, but will for its final plan: Joint Planning Policies have agreement to analyze traffic impacts on town streets and then to establish funding agreements.</p>
<p>Concurrency—County Docks §6.4.C., County Docks Policies 5 and 6 Impact: County dock LOS concurrency requirement was deleted.</p>	<p>§6.4.C.4. Removed “preliminary” from the LOS table. This SEIS provides additional discussion and alternatives for this facility.</p>
<p>Concurrency—Water and Sewer Capital Facilities §4.2. D Water Supply Development Policy 1 §7.3.B., Community Water Systems that Serve Activity Centers Policy 3 Impacts: The Plan allowed development of water resources for consumptive uses without requiring a responsible party for operation and maintenance. Development that requires new water capacity is not required to meet the full costs of providing that new capacity. The Plan provides for exceptions to requirement for new development to contribute to community water systems.</p>	<p>Concurrency reporting and other requirements will ensure that a responsible party meets the operational and maintenance requirements. Cost allocation to development is addressed by concurrency, and by the individual pricing policies of service providers. The UDC in sections 6 and 7 provides development standards for new water systems.</p>

Table 2.6. Changes Made to the Comprehensive Plan after the Final EIS that would have Nonsignificant Impacts, and Proposed Revisions to the Plan.^{1, 2)}

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts
Water Quantity and Quality	
<p>Water Supply and Quantity §4.2.A., General Policies 8 and 9 §4.2.B., Land Use and Develop. Policy 1 §4.2.C., Well Siting, Construction, and Operation Policies 1-3 §4.2.D., Water Supply Develop. Policies 1 and 3.a.3</p> <p>Impacts: Reduced documentation requirement from each new water use to only for potable water. Removed requirement that water supply be available as well as adequate. Allows new wells without requirements for registration or evaluation of suitability before drilling. Deleted the requirement that future development not reduce or contaminate water resources. Deleted requirement that development of a new potable water supply not result in an “unapproved” connection to existing water supply.</p>	<p>§4.2.A.8. Revised to include nonpotable and major new uses of water. §4.2.B.1. Revised to include availability as well as adequacy of water supply, and definitions of when water supply is available and adequate. §4.2.B.6. New policy directs that land use and development should be approved and conditioned, in part on the availability and adequacy of the water supply, protection of water quality and control of pollution, and satisfactory management of greywater and stormwater runoff. §4.2.C.1. Provides direction to work with property owners and agencies to acquire data on existing wells. §4.2.C.4. Provides direction to implement well registration, well-siting, and construction policies.</p>
<p>Stormwater, Water Quality §4.2.F., Water Quality Policy 4</p> <p>Impacts: Deleted the description of nonpoint source pollution prevention, weakened the policy basis for stormwater management rules.</p>	<p>§4.2.F.5. Provides expanded direction for use of best management practices and manuals for stormwater management and water quality protection.</p>
Upland Areas	
<p>Clearing and Grading Performance Standards §2.3.B., Rural Lands Policy 2</p> <p>Impact: Exempted clearing and grading activities of ≤1 acre from impact-reducing performance standards.</p>	<p>§2.3.B.2. Deleted exemption from performance standards for grading of one acre or less, application of standards to be based on amount of grading and severity of impact. UDC prescribes grading, clearing, and drainage performance and development standards in Sections 4 and 6.</p>
<p>Site Standards for Aviation Facilities §6.3.A., Air Transportation Policies 2-4</p> <p>Impact: Policies that provided for the management of impacts of, and site-specific standards for the expansion, alteration, and relocation of existing aviation facilities, and the location of new sites and facilities were deleted.</p>	<p>§2.3.B.8. Revised policy to provide guidance for performance standards for airstrips and airfields, and for when a conditional use permit is needed. The UDC prescribes performance standards in Section 4.</p>
<p>Road Scenic Design Standards §6.5.A., Road Classification, ROW, Design and Construction Policy 7</p> <p>Impact: Removed detailed guidelines for road design and construction.</p>	<p>The <i>Scenic Roads Manual</i>, and road standards in Section 6 of the UDC, provide sufficient guidance.</p>

Table 2.6. Changes Made to the Comprehensive Plan after the Final EIS that would have Nonsignificant Impacts, and Proposed Revisions to the Plan.^{1, 2)}

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts
Upland Areas	
<p>Commercial and Industrial Access via Private Roads §2.3.B.9.a., Rural General Use Policy 4</p> <p>Impact: Removed requirement that commercial and industrial uses in RGU lands have road access from a County road.</p>	<p>§2.3.B.10.a.4. Added “and where all parties to the easement and maintenance of the private road agree to the uses.” [Located as it is in §2.3.B.10.a, this only applies to RGU.]</p>
<p>Forestry; Open Space Land Use §2.2.F., Natural Resource Conservation Policy 3 Land Use §2.3.A., Activity Centers Policy 11</p> <p>Impacts: Deletion of forestry taxation program and substitution of a sustainable forest management program. Replacement of direction to establish open space areas around Activity Centers with a requirement for open space design standards.</p>	<p>No changes. Open space design standard will give equivalent protection.</p>
<p>Utilities Service and Facilities §8.2., General Goals and Policies §8.2.G., Energy Conservation Goal §8.3.A., Electricity Policy 5</p> <p>Impacts: Goal statement changed from requiring energy conservation to encouraging exploration of methods of conserving energy. Deleted encouragement to OPALCO to explore new or alternative technologies and power generation facilities.</p>	<p>No changes. Existing policy direction is sufficient to show intent of County is to encourage energy conservation.</p>
<p>Telecommunications Utilities §8.3.B., Telecommunications Policy 3</p> <p>Impact: Policies don’t reflect latest developments in personal wireless facilities regulation.</p>	<p>The newly written Personal Wireless Facilities Subarea Plan is incorporated by reference into the UDC.</p>
Shorelines	
<p>Public Access to Shorelines §3.2.C Public Access. §3.3.F., Natural Environment, Policy 3</p> <p>Impact: Public access requirements were reduced or weakened in many cases, but increased for Natural designations.</p>	<p>§3.3.E.9. Provides policy guidance for public access in Conservancy designations. §3.3.F.3. Provides for limited access to Natural areas.</p>

Table 2.6. Changes Made to the Comprehensive Plan after the Final EIS that would have Nonsignificant Impacts, and Proposed Revisions to the Plan.^{1, 2)}

SEPA Issues (Changes made between 10/2/96 and 12/31/96 to Indicated Sections of the Comprehensive Plan, and Resulting Impacts)	Proposed Revisions and Mitigation; Unaddressed Impacts
Shorelines	
<p>Houseboats §3.5.L, Residential Development, Policies 1 & 9</p> <p>Impact: Houseboats are newly allowed (current code prohibits). Water quality, shading of near-shore habitat. Plan only provides direction for adequate water and sewage disposal.</p>	<p>§3.5.L.1. Revised to define houseboats (but only as expressly provided in Policy 9) as a water-dependent residential use.</p> <p>§3.5.L.9. Revised the policy for houseboats, providing additional direction for permitting.</p>
<p>Setbacks for Shoreline Residential Development §3.5.L, Residential Development, Policy 4</p>	<p>§3.5.L.4. Policy was revised to state that all residential development should have building setbacks from the shoreline.</p>

Notes:

- Adoptions of comprehensive plans and development regulations are nonproject “actions” under SEPA, which means that SEPA compliance is necessary. WAC 365-195-610; RCW 43.21C.030; WAC 197-11-704
- The environmental review of nonproject actions must evaluate the impacts of the future activities that will be allowed in a particular area. A proposal’s effects include direct and indirect impacts caused by a proposal; impacts include those effects resulting from growth caused by a proposal, as well as the likelihood that the present proposal will serve as a precedent for future actions. WAC 197-11-060(4)(d)

3.1 INTRODUCTION

The County received 66 written comments on the draft SEIS and a petition with 87 signatures. Written responses in this final SEIS are limited to those comments which contained reference to specific sections of the draft SEIS. Comments pertaining solely to the Comprehensive Plan or Unified Development Code will be addressed as part of the Staff Report to the Planning Commission.

The full text of all letters received is available for review at the island public libraries and at the Planning Department in Friday Harbor.

3.2 RESPONSES TO COMMENTS ON THE VISION STATEMENT AND POPULATION BUILD-OUT AT CURRENT DENSITIES

Of all of the issues for which comments were received, this issue elicited the largest response. It is an issue fundamental to the long-term effectiveness of the proposed action, the adoption and implementation of the Comprehensive Plan and Unified Development Code. The following is included in response to acknowledge the problem and to record efforts throughout the planning process to address it.

Several letters (Symons, Campbell, Klein) and a petition signed by 87 people were submitted on the issue of the projected build-out potential, and the associated resident and visitor populations represented by them, stating concerns that the Plan does not fulfill the vision expressed in the vision statement for the future of the islands. For SEPA compliance purposes, the impacts of the Plan as currently proposed have been disclosed in earlier impact statements and this SEIS, and as several writers noted there are unavoidable significant adverse impacts associated with the new population growth and development contemplated in the Plan. The issue is one of addressing the cumulative impacts of the policy choices made at the planning stage.

The fundamental incongruities are the allowable densities and potential future land division beyond the 16,000 parcels that currently exist, the growth rate that actually occurs, and the resulting impacts on the human and natural environments. The Plan policies represent choices to be made, or tradeoffs, for land and shoreline use and development, water resources and water quality, capital facilities, housing policies, transportation, and natural resources, while growth continues. The implications of these choices have been identified in SEPA documents throughout the planning process.

The February 13, 1995 Draft Environmental and Economic Impact Statement (DEEIS) included analyses of several approaches to reducing build-out: 1) a one-percent annual growth limit, 2) density reduction alternatives, and 3) transfer of development rights (TDR). The current Plan proposal includes references to a future county TDR program while other approaches were not selected for various reasons.

1. The one-percent limit was shown to offer a notable reduction in the *rate* of buildout over the 20 year planning period, but at the expense of significantly affecting the affordability of housing.
2. TDR programs may or may not work for a rural (as opposed to suburban area) market where densities are already relatively high, particularly in the activity centers—these are the likely places to consider for “receiving areas”—and there is a large number of parcels already available. Also, TDR programs often rely on increasing density credits upon a transfer to a receiving area as an incentive to use the program. This could increase build-out overall while shifting new development away from rural areas.

3. Reductions to densities were modeled in the DEEIS and offered the most certainty overall among the alternatives considered.

One writer (Campbell) pointed out that the actual growth rate over the last twenty years is 4.9% and noted that the committees' choice of a 2.5% annual growth rate, for planning purposes, doesn't reflect the established trend. The higher rate may be true over longer periods of time; the 2.5% figure was based on the medium figure in the range provided to the county by the state Office of Finance and Budget and is an average annual rate estimate. According to the density reduction analysis included in the DEEIS, at an average annual growth rate of 2.5% it would take an estimated 59 years for build-out of existing and potential parcels. If the *annual* growth rate does increase significantly and stays at a higher rate over the planning period, then it is possible that build-out could occur sooner.

3.3 RESPONSES TO INDIVIDUAL COMMENT LETTERS

The full text of all letters received is available for review at the island public libraries and at the Planning Department in Friday Harbor. The following is a summary of all comments, followed by *responses to the comments in italics*.

Robert Weaver

General

Supports adoption of plan, maps and regulations as modified and with revisions recommended in the draft SEIS. *Comments noted.*

Helen and Eugene Hill

General

Support conclusions and recommendations made in the draft SEIS on the plan, maps and regulations. *Comments noted.*

Millie Thorson

General

Support conclusions and recommendations made in the draft SEIS on the plan, maps and regulations. *Comments noted.*

Dorothy and Dwight Henderson

General

Support conclusions and recommendations made in the draft SEIS on the plan, maps and regulations. *Comments noted.*

Mary Weaver

General

Support conclusions and recommendations made in the draft SEIS on the plan, maps and regulations. Interim measures for activity centers must be addressed. *Comments noted. See discussion on activity centers above.*

Joe Symons

Densities, Vision Statement

1 - Disappointed that steering committee language regarding density reduction methods is not included.

2 - Draft SEIS discussion of densities should have considered the county as a whole and not just five local areas.

3 - Density reduction doesn't necessarily mean downzoning; reducing build-out can be accomplished through other means. *See 3.2, above.*

Fred Klein**Densities, Vision Statement**

Referred to issues raised in his appeal to the Growth Management Hearing Board on the adoption of the 12/31/96 Plan and expressed disappointment that none of the proposed plan changes address his concerns about the relationship between the densities established in the 1979 plan and the vision statement for the new plan. *See 3.2, above.*

John Campbell**Densities, Housing**

- 1 - The 2.5% growth rate used in the plan is well below the actual rate, approximately 4.8%. The SEIS should assess the implications of this on density, water, housing, and capital facilities.
- 2 - The SEIS should note the connection between the economy, housing, and the natural environment; a five to ten acre per unit density does not itself protect the economy or the rural environment without density reductions and mandatory clustering on lots of ten acres or less.
- 3 - The housing element does not adequately address the issue of providing for affordable housing.

See 3.2, above. Regarding the adequacy of the housing element, it is acknowledged that it does not itself put in place specific programs for establishing and supporting development of low- and moderate-income housing units but it does identify and acknowledge housing needs for various parts of the county population and offers direction for ongoing efforts to be taken by the county to address housing needs. This is expected to be expanded upon as such programs (e.g., density bonuses and transfer of development rights) are developed.

Housing Advisory Board**Housing**

- 1 - The SEIS is inadequate because it suggests the housing element of the plan will mitigate housing needs.
- 2 - The housing element is not consistent with state law because it does not provide for accessory dwelling units and makes no provision for low- and moderate-income housing.
- 3 - The plan should expressly acknowledge that it does not adequately provide for this and should state that efforts will begin early in 1998 to do so.
- 4 - The plan should allow for the rental of small accessory dwelling units on a year-round basis subject to appropriate standards.

1 - See response to Campbell, above.

2 - The law requires that residential zones provide for accessory apartments subject to reasonable terms. To date, the Board of County Commissioners has chosen not to distinguish accessory apartments from separate guest houses; rental of an individual room or rooms in a house occupied by the owner is not regulated in the plan as drafted, however. Arguably, the only single-family residential "zone" equivalent in the proposed plan is the rural residential designation.

3 and 4 - Comments noted.

**Michel Brown, Daryl Brown, Mary Bradley
(and three additional with illegible signatures)****Rental of Guest Houses**

The six identical letters object to the change in the plan regarding rental of guest houses as exclusionary, noting that such use would have no greater impacts than home occupations, and object to the proposed amnesty provision only for long-term rentals; economic benefits to individuals and to the county were cited. *Comments noted.*

Richard and B.J. Arnold**Rental of Guest Houses**

Support allowance for rental of guest houses; it provides for affordable housing and people rely on the income to pay taxes. *Comments noted.*

Ken Speck**Rental of Guest Houses**

“New” regulations preventing year-round and vacation rentals interfere with private property rights and ignore the economic benefits to the county.

The proposed plan changes revert to the treatment of guest house rentals under the existing county code; since 1979, it has not been legal to rent a guest house if maximum allowable density is exceeded. The draft SEIS addressed the issue in terms of density and environmental impacts; it is not the place to address constitutional law or economic impacts.

Barry R. Acker and Dr. Daniel Levine**Rental of Guest Houses**

Both object to the revision that returns the treatment of guest houses to current Code, which would limit the rental of guest houses, and note that such units offer short-term solutions to the housing shortage for new arrivals to the islands, including teachers. *Comments noted; see responses above.*

(Some additional letters on the topic of guest house and vacation rentals were received after the October 30, 1997, deadline for comments on the DSEIS, but will be included in the record for the public hearings November 17-19, 1997.)

Paula Capitano**Activity Center Controls**

Supports interim ordinance 7-1997 and the continued use of a 5,000-square-foot limit for commercial and industrial uses. *Comments noted. See discussion on activity centers in Section 2.3, above.*

Duncan Taylor**Activity Center Controls**

Supports interim standards, including prohibiting industrial development, until an Orcas Village plan can be completed. Lists planning and development issues specific to Orcas Village. [Note: The letter also advised of issues to be addressed in a subarea plan for Orcas Village in the future, but was understood not to be proposing specific interim provisions for this particular activity center at this time.]

Comments noted. Prohibiting industrial development in the interim is primarily a policy choice, but is recommended because it would serve to prevent co-opting location decisions for industrial developments (as well as whether or not such uses are appropriate for a given activity center) before activity center plans are made. See the discussion on Activity Centers in Section 2.3, above.

Marguerite King**Activity Center Controls**

Requests addition of language to prevent multiple structures on the same lot from cumulatively exceeding the interim 5,000-square-foot limitation. *Comments noted. See discussion on activity centers in Section 2.3, above.*

Patricia Pirnack-Hamilton **Activity Center Controls**

Supports activity center controls additional to those in the emergency interim ordinance as discussed in the draft SEIS and requests an addition to prohibit multiple structures together

exceeding 5,000 square feet if on the same parcel or if on separate parcels created after October 15, 1997. *Comments noted. See discussion on activity centers in Section 2.3, above.*

Michael Krieger (for O.R.C.A.S.) Activity Center Controls

- 1 - Supports activity center controls additional to those in the emergency interim ordinance as discussed in the draft SEIS and requests an addition to prohibit multiple structures together exceeding 5,000 square feet if on the same parcel or if on separate parcels created after October 15, 1997.
- 2 - Supports changing the classification of Orcas Village from village to hamlet.

1 - Comments noted. See discussion on activity centers in Section 2.3, above.

2 - As defined in the Plan (Sections 2.3.A.1.c and d) villages and hamlets are similar but villages generally serve as centers for more than the immediately surrounding rural area. Orcas Village, with the presence of the island's ferry terminal and the businesses that are supported by visitors as well as residents, it more readily fits the village classification.

William J. Bangs, III Activity Center Controls

- 1 - Fully support the stated goals of the plan, particularly with regard to directing high density residential and mixed use development to activity centers and providing for standards to keep activity center development compatible with existing development patterns and community character.
- 2 - Equate Village Commercial with existing Urban and Village Residential with existing Suburban designation boundaries.
- 3 - Don't apply shoreline regulations for commercial and industrial development for Urban shorelines in activity centers.
- 4 - Take care that interim regulations do not conflict with or compromise the purpose of activity centers. Use the standards in UDC section 6 instead.

1 and 2 - Comments noted. See discussion on activity centers in Section 2.3, above.

3 - The concern is that the Shoreline Master Program (SMP) would act to counter the intention to concentrate development in activity centers, including the Urban shorelines. Under the Shoreline Management Act all the "shorelines of the state" are subject to the policy of the Act and to the local SMP. The purpose of the Urban shoreline environment is stated (Section 3.1.A of the Plan) and is expanded upon in the specific use regulations for the Urban environment in Section 5.5 of the UDC.

4 - The development standards referenced allow for lot coverage of 50% to 65% (a sliding scale for Village and Hamlet Residential, Industrial, and Commercial) but only for buildings larger than 5000 square feet; there is a proposed prescription not to exceed the three-dimensional building area of the largest existing building in the particular village or hamlet which could arguably substitute for the 5000 square foot maximum.

Bob Gamble Various Topics

- 1 - Supports the revised plan and UDC with most of the modifications recommended in the Draft SEIS.
- 2 - Objects to proposed amnesty provision for guest house rentals while otherwise maintaining that other such rentals will be illegal. Recommends removing amnesty provision and continued work on the issue following plan and UDC adoption.
- 3 - Supports subarea provision for specific geographic areas.
- 4 - Supports map changes recommended in the Draft SEIS.

- 5 - Supports additional interim controls for development in activity centers, including prohibiting industrial development, until new activity center plans are completed.
- 6 - The Draft SEIS refers to incorporation in the plan by reference of the recent ordinance on personal wireless facilities but does not identify that this will not address radio and television broadcast antennae, and suggests that these should specifically be limited to the existing Mount Constitution sites. Suggests that non-profit public access radio broadcast facilities might be allowable elsewhere if they are low-wattage (< 15 watts) and subject to the design criteria in the wireless facility ordinance.
- 7 - Impacts of vacation rentals are not addressed in the plan or SEIS.

1 - 4 Comments noted.

- 5 - *Comments noted. Prohibiting industrial development in the interim is primarily a policy choice, but is recommended because it would serve to prevent co-opting location decisions for industrial developments (as well as whether or not such uses are appropriate for a given activity center) before activity center plans are made. Regarding sewerage treatment facilities in activity centers (such as the Orcas Village area), the use table (Table 3.1 in the UDC) identifies these as provisional uses in all activity center designations, so they would be allowed and existing facilities would not become nonconforming. Also see the discussion on Activity Centers in Section 2.3, above.*
- 6 - *Concern regarding location, design and performance of broadcast facilities is legitimate and should be addressed in the UDC at Section 4.9. Since these can include antenna mounts well over 500 feet tall and since Mt. Constitution is the only location established in the county for these, it is appropriate to specifically identify that as the sole allowable location. Federal limitations on local control of these facilities continue to be debated at this writing; it would be prudent to narrowly but specifically provide for their location in the proposed UDC.*
- 7 - *Comment noted; there is no proposal in the plan or regulations to limit the "vacation" rental of an otherwise unoccupied residence.*

Maile N. Johnson and Eduardus Suij Various Topics

(The separate letters have identical texts.)

- 1 - Support the adoption of the revised plan and particularly note support changes in addition to those discussed in the Draft SEIS: would support deletion of the amnesty provision reversal of all map changes made for the 12/31/96 plan; urge the addition of a policy to prohibit intra-island transfer of water; urge restoration of the requirement that commercial and industrial uses in RGU have access only from public roads.
- 2 - The LOS for public beach access on Orcas is unacceptably low.
- 3 - Provision in the steering committee plan for a conservation forestry program was not restored; request specification in the plan that old growth forests should be eligible for a county forest management plan as is sustainable timber harvest.
- 4 - Request that right-to-farm and -forestry provisions be revised so as not to sanction the migration of pesticides or herbicides across property boundaries.
- 5 - Agree with density reduction alternatives discussed in Draft SEIS.
- 6 - Land divisions should include all contiguous property held by the same owner; demonstration of the availability of adequate potable water should be required for simple land divisions as well as for plats.
- 7 - Interim provisions for activity centers are important.
- 8 - Subdivision of resource lands should be avoided.
- 9 - Development standards for Rural Farm-Forest are needed as proposed in the Draft SEIS.
- 10 - The plan should acknowledge that it cannot achieve the goals expressed in the vision

statement without modifying densities and should include a moratorium on land divisions and a commitment to study fair and equitable means of reducing density over the next year.

1 - Comment noted. On the matter of the concern regarding the allowance for access to commercial and industrial uses from private roads. Such uses are not allowable in Rural Residential, while the designation criteria for Rural Commercial and Rural Industrial specify that they be accessible by a public arterial road (although all parcels within the designated might not be). For Rural General Use, the Plan specifies that use of private roads should be allowed only if all parties to a private road easement accept it. The Rural Farm-Forest section is silent on the issue.

At least one residential area on San Juan Island, immediately adjoining a proposed industrial zone (in the Town of Friday Harbor), has private, narrow streets that offer the only route to a public arterial from the proposed industrial lots. This provides an example of the potential impacts that may result if the UDC is not changed to qualify or limit the use of private roads to service these areas: the existing lot patterns within a given designation do not always allow for direct county road access, regardless of the designation criteria. One alternative to address this issue, which was removed from the Final Draft Plan for the 12/31/96 Version of the Plan, is to disallow access to commercial or industrial uses from private roads. A second alternative (the recommended one; see Section 2.3 above) is to relocate the provision currently proposed for the RGU designation (in both the Plan and the UDC) so that it will apply in all classifications, allowing use of private roads for commercial and industrial uses only upon the consent of the parties to the road agreement.

2 - This is a policy decision but as currently set, the low LOS could have an adverse impact on recreational opportunities in the future.

3 - Deletion of the conservation forestry policy language does not preclude pursuit of an educational program, such as the Pierce County Forestry Stewardship Program for owners of non-industrial forests operated through the Pierce County WSU Cooperative Extension Program. Any local tax incentives for conservation forestry management, however, would likely require state enabling legislation.

4 - Comment noted; this is an appropriate caveat to be added to the required disclosure statement.

5-10 - Comments noted.

Richard Strathman, FHL Various Shoreline Topics

- 1 - The revised plan is clearer and provides greater environmental protection than did the previous plan.
- 2 - Concerned about permit exemption for certain bulkheads since they can create problems for sediment supply and change marine habitat.
- 3 - Concerned about the implications of the dock exemption also and asks if the regulations in UDC Section 5.5.4 apply.
- 4 - Is there a way to address the problem of abandoned boats?
- 5 - Setbacks for shoreline houses help preserve the native plant communities and this should be considered in any exceptions allowed to the setback requirements.
- 6 - It should not be assumed that brine from a desalination plant is not potentially harmful to aquatic life or water quality if an outfall is in a depositional environment. If brine accumulates on or in sediments it can retard mixing and can starve animals living in the mud of oxygen.

- 7 - Vegetation planted to restore or enhance beaches should be native plants. Native species suited to the habitat don't require watering and would be preferable for landscaping than potentially invasive exotic species; it may be useful to state that non-native plants which have the potential to invade or have requirements for continued watering or fertilizing should be avoided.
- 8 - Natural environment designation criteria are written so that it can't be used to protect assemblages of plants and animals that are still common but intolerant of most kinds of development. This should be included.
- 9 - How does policy 3.2.E.5 address conflicting uses if a broad spectrum of recreational opportunities are to be optimized?
- 10 - Conservation policy 3.2.F.6 will help preserve opportunities for education and research on marine life.
- 11 - The suburban densities allowed on much of the county shorelines introduce impervious surfaces and exotic plants, affecting the natural character of shorelines and habitats; this doesn't appear to be recognized.
- 12 - Does RFF policy 3.3.D.8 protect against inputs that would preclude harvesting of clams or oysters?
- 13 - Conservancy shoreline densities can have a substantial impact on shoreline vegetation; it is not clear if long-term impacts can be avoided at such densities.
- 14 - The marine habitat management area designation is helpful.
- 15 - The addition of a no-loss policy for eel grass habitat would help preserve spawning sites and nursery areas
- 16 - Introducing allowance for houseboats will increase competition for space for boats and increase marine impacts by increasing pressure to expand marinas.
- 17 - A policy to improve as well as to keep open public road ends will increase impacts on nearshore habitats.

1 - Comment noted.

2 and 3 - Although some uses are eligible for exemption from permit requirements, by state law they are nevertheless subject to conformance with the policies and regulations for them in the SMP.

4 - Abandoned vessels are not subject to SMA/SMP jurisdiction.

5 - Comment noted.

6 - Comment noted; it would be useful to identify the locations where this is likely to be a concern but shoreline permit review will allow for this consideration.

7 - In order to avoid supplanting native plant communities and associated habitat it would be useful to include qualifying language regarding use of non-native species in landscaping and in beach restoration and enhancement such as that suggested.

8 - The designation criteria do not preclude the voluntary application of the Natural designation for the purpose noted.

9 - UDC Section 5.5.16 addresses control of the impacts of recreational activities including the use of land vehicles; it does not address the use of watercraft.

10 and 11 - Comments noted.

12 - The concern noted is addressed in siting and setback standards for various uses allowed in the RFF shoreline environment in the UDC (regulations by environment in addition to general use regulations.

13 and 14 - Comments noted.

15 - Section 2.5.B identifies very generally the critical areas (by definition this includes kelp and eel grass beds) to be protected through the environmentally sensitive area regulations in

UDC Sections 3.6.4.9.a(5) and 3.6.4.9.b(1) and (2) call for minimizing impacts to kelp and eel grass beds and establish a mitigation sequence to require that; the proposal does not include an express no-loss policy or requirement.

16 and 17 - Comments noted.

Peter Ways and Alan Bushley Subarea Plan Procedures

Support opportunities for subarea planning and wish to pursue a subarea plan for Henry Island. Comments and suggestions are offered to improve the procedures for subarea planning in Section 9.5 of the UDC. *Comments noted.*

Tom Schroeder Various Topics

- 1 - Disagree with draft SEIS in Table 1.3 reference to forestry programs.
- 2 - Support map changes recommended in Draft SEIS and also support reversal of Aleck Bay Park designation from Rural Residential to Rural Farm-Forest.
- 3 - Support draft SEIS recommendations in Section 2.1.3 for density reduction.
- 4 - Support recommended changes to land division provisions noted in draft SEIS for inclusion of parcels in contiguous ownership and water requirements for simple land divisions, and the provisions for time limitations on short plat completion; disagree with SEIS that an additional six month extension be provided for.
- 5 - Rather than percentage of land in RFF to be available for use other than a house, agriculture and forestry, suggests a maximum area that may be converted for other uses (two acres).
- 6 - Definition of open space resources should include forested landscapes.
- 7 - Questions why so many aviation-related terms are included in the Definition section of the UDC; meanings seem self-evident.

1 - Comment noted.

2 - Comment noted. The writer stated that he saw no basis for the change from Rural Farm-Forest to Rural Residential for the Aleck Bay Park area. The Aleck Bay Park area is a residential subdivision with sixty-five small lots that was platted in 1963. The change to Rural Residential is appropriate and is consistent with the application of this designation throughout the County.

3 and 4 - Comments noted.

5 - Comment noted; see discussion on RFF in Section 2, above.

6 - Open space resources as used in the UDC means those specifically named in the Open Space and Conservation Plan; this includes forested ridgelines and forest edges in the landscape.

7 - Comment noted.

Betty S. Gilson Various Topics

- 1 - Impacts of cottage enterprises, especially in Rural Farm-Forest areas, may be too large with no building size limit and up to six employees; proposes size limit and reduction to a maximum of six employees.
- 2 - Supports provision allowing for subarea plans for specific geographic areas.
- 3 - Support changes to the Shoreline element of the plan in general.
- 4 - Favor requiring location of accessory uses behind setback required for residences.
- 5 - Supports return to 28 foot height limit.

1 - The writer suggested reducing the number of employees for a cottage enterprise (other than residents of the dwelling unit associated with the enterprise) from six to four, and limiting accessory building size or use area (presumably other than the interior of the residence) to

2,500 square feet. It is difficult to predict the activity levels that could occur for cottage enterprises because the range of potential uses which may be classifiable as cottage enterprises is large. The number of employees is useful to consider in relation to typical businesses existing in the county, and it is true that few small businesses employ more than six employees. The number of employees is otherwise useful only to compare potential traffic impacts. The difference between six employees and four would likely be four vehicle trips per day.

A more effective way to address potential direct and cumulative impacts may be to expressly limit retail sales of goods unless the products are manufactured on the premises or the sales are solely incidental to the performance of a service. Such a limitation is not currently stated in the UDC for cottage enterprises, although commercial retail sales are restricted more than this in the Agriculture and Forestry designations; a recommendation is made in Section 2.2.

Regarding the size of accessory buildings or use area, other than within the dwelling unit, the proposed 2,500 square-foot figure (see Section 2.2) can be considered in relation to the 4,000 square-foot threshold for the exemption of minor new commercial development from environmental review requirements under SEPA. This is considerably larger than most residences in the county, and with the 35-foot standard height limit (in UDC Section 6) applied county-wide, 2,500 square feet is a figure both more in keeping with the typical residential building scale and sizeable enough to accommodate a substantial business operation, particularly in addition to area used within a dwelling and/or garage building (also used as a garage).

No specific suggestions were submitted regarding the scale of B&B inns allowed in RFF. An alternative (see Section 2.2) is to allow only B&B residences, which as defined are up to three rooms with a maximum of six guests at any time. B&B inns, by contrast, are allowed up to five rooms with fifteen guests (or up to ten rooms if the house is on the historic register). The inns are allowable by conditional use permit in RFF, as proposed, while B&B residences are allowed through an administrative permit based on compliance with the performance standards for them in UDC Section 4. It is not clear what additional consideration might be given to direct or cumulative impacts through the conditional use permit process for a B&B inn if the performance standards given for them are met.

These three use categories (cottage enterprise, B&B residence, and B&B inn) are likely to be the most common non-residential rural uses county-wide, and therefore have the greatest potential for adverse cumulative impacts on the rural landscape and on rural neighborhoods over time—especially in RFF, the most widely used rural land-use designation.

[It should be noted that the shoreline sections of the Plan (Element 3) and the UDC (Section 5) do not distinguish commercial or industrial uses from cottage enterprises, and thus on shorelines cottage enterprises would be subject to additional standards and permit requirements.]

2 - 5 - Comments noted.

Helen Machin-Smith and Daniel Mayes Lake Shorelines

1 - Concerned that some language is missing to address the density allowed for lake shorelines under Shoreline Master Program jurisdiction where no shoreline environment designation has been made.

2 - Support overall aims of new plan.

1 - See discussion in Section 2.2, above.

2 - Comment noted.

Town of Friday Harbor Pear Point/Turn Point Densities

1 - Town (Council) recognizes and supports policy changes to 12/31/96 plan regarding ferry terminal locations, extension of municipal sewage services into rural areas, alteration and expansion of existing airports, and transportation concurrency.

2 - Density at Pear Point/Turn Point is still an issue and the Town supports reduction of density to rural levels.

3 - Town does not support a one-year moratorium because it does not commit the county to density reduction while it prevents the Town from appealing the density issue.

4 - Neither the Town nor the UGA Management Agreement allow for extension of municipal services beyond the corporate boundary.

5 - The “concurrency activity center” concept includes reference to planning beyond the twenty year horizon and is outside the scope of the Town’s planning process.

1 - Comment noted.

2 and 3 - Earlier environmental review and this SEIS recognize that one of the major goals of the GMA is to reduce urban and suburban sprawl. In the main, this proposed plan achieves that goal. This SEIS has identified seven upland areas, including Pear Point/Turn Point, where half-acre to two acre per unit densities will have significant impacts. As a result, this SEIS identifies density reduction as the most direct mitigating measure but describes the alternative of a moratorium on land division in these areas until such time as the Board of County Commissioners decides on other density reduction or other mitigating measures. These measures are recommended for inclusion in the revisions to the Comprehensive Plan; once new measures are adopted, by amendment, they would be appealable to the Growth Management Hearing Board if the Town remains dissatisfied.

4 and 5 - Discussion regarding the “concurrency activity center” concept has been revised (see Section 2.3 in this Final SEIS) to address the extension of municipal services and other issues raised by the Town. While it does include consideration of planning beyond twenty years and thus extends the Town’s planning horizon, this is allowable under the GMA.

Joyce and Byron Harrell Various Topics

1 - Planning must be begun to address the problem of build-out which is not compatible with the environment or community as expressed in the vision statement.

2 - Guest house rental policy should go back to the language in the Steering Committee Plan; guest houses should only be used as an extension of one’s own home and not rented, which doubles water and sewer use and doubles the population.

3 - Agriculture should not be allowed on Natural shorelines.

4 - Wells should not be allowed in wetlands.

5 - Desalination systems should not be allowed in Natural shoreline areas.

new construction occurs in the setback area.

- 11 - Accessory residential uses on the shoreline should be required to locate landward of the primary structure and should be limited to a 16 foot height as in current code.
- 12 - Shoreline densities should not be higher in Conservancy than in Rural Farm-Forest.
- 13 - Desalination systems should not be allowed within Natural shorelines.
- 14 - Revise UDC Section 6.6.8.1.e to address environmental impacts from logging roads and the exemption statement should be changed to refer to the jurisdiction of the Forest Practices Act.
- 15 - UDC rules for simple land divisions should retain requirements to include continuous ownership of the parcel for five years by the same owner; the omission will increase the numbers of simple land divisions which do not receive the level of environmental review required for short plats.
- 16 - Requirement for demonstration of adequate potable water should be included for simple land divisions.
- 17 - Impacts of cottage enterprises, especially in Rural Farm-Forest areas, may be too large with no building size limit and up to six employees; proposes size limit and reduction to a maximum of six employees.
- 18 - With the addition of cottage enterprises, home occupations should involve no more than one outside employee.
- 19 - Correct the provision for garage or yard sales from ten to two per year as the TAC established.
- 20 - Add a minimum parking space requirement of one per two employees for cottage enterprises in Table 6.4.
- 21 - Existing enforcement provisions should be retained and the language in 10.3.6 should not allow issuance of a development permit for property where an ongoing violation occurs.
- 22 - Revise 10.4.3 to allow the administrator discretion as to what the initial compliance attempt should be.
- 23 - Limitations on fines make it cheaper to disobey the law than to comply.
- 24 - Add a new subsection to Section 1 to state that all references to specific laws or other cited sources include future amendments to them.
- 25 - Delete second sentence in 2.2.1 that says all present tense usage includes future and that all singular includes plural.
- 26 - Delete all words from the definitions section that are used in their ordinary sense (*e.g.*, adequate).
- 27 - A reference was omitted and needs to be added in 3.3.2.1.c so that performance standards apply to discretionary uses.
- 28 - Clarify the sentence in 9.9.3.6.a(1) regarding the redesignation criterion that the change would benefit public health, safety or welfare.
- 29 - If an official declaration referred to in 10.8.1 is to be made under oath it should say so.

1 - See discussion on RFF in Section 2.3, above.

2 - Comment noted.

3 - Digging or drilling wells in wetlands will alter the water regime and the plant community dependent on it. UDC Section 3.3.6.8.d(1)(x) modifies the exemption by requiring that wetland functions be maintained, but this is difficult to ensure with an exemption. This provision could be modified to exempt maintenance of, but not the creation of new, wells; however, the County does not currently require permits for wells in any location.

4 - Comment noted.

5 - Although an allowance is made for agricultural use of a Natural shoreline area by

conditional use, the requirement in UDC Section 5.5.2.b(6) for maintaining the purpose of the designation would be difficult to meet.

- 6 - *Comment noted; multiple access structures on a single shoreline parcel do not comply with the spirit of the law and would introduce unnecessary visual impacts.*
- 7 - *Comment noted; the effect of a 200 foot setback is to prohibit commercial development on Rural (formerly Suburban) shorelines since the shoreline jurisdiction is 200 feet from the OHWM. Section 5.5.7.b(2) specifically identifies the limited types of commercial uses allowed. Section 5.5.7.b(3) prohibits commercial development of Rural Farm-Forest shorelines except for the expansion of existing small resorts and camps or development associated with an existing commercial marina. The situation for Shaw Rural is similar. For Shaw Conservancy, the 100 foot commercial setback is consistent with that for Conservancy.*
- 8 - *The allowance for over 30% commercial harvest for conversions to non-timber uses was presumably added to acknowledge Class IV General and COHP forest practices permits, which provide for commercial harvest while allowing for conversion to non-timber use. This should be clarified to apply only when an allowable use is reviewed and authorized that requires clearing in excess of 30%.*
- 9 - 11 - *Comments noted.*
- 12 - *See discussion of Shoreline Densities in Section 2.3, above.*
- 13 - *Desalination location and functional requirements, and visual impact mitigation requirements in Section 5.5.19.c of the UDC, will limit the extent to which desalination will likely be used in Natural shoreline areas. The UDC restricts their use in Natural to serve only a single-family residence; prohibition would, arguably, be unreasonably discriminatory since one residence is allowed.*
- 14 - 16 - *Comments noted.*
- 17 - *See response 1 to Betty S. Gilson.*
- 18 - *The writer proposed reducing the number of employees in a home occupation (other than residents of the dwelling unit). Two employees would be likely to generate one or two round trips per day each. Combined with the five trips normally associated with a single-family residence, up to seven vehicular trips per day might result. (In San Juan County, five is established as an average number of total trips based on round trips.) It may be that with the introduction of cottage enterprises the home occupation standards should be tightened. However, the proposed home occupation standards mirror those in the current Code and the level of impact experienced with their use has been low. No change is recommended.*
- 19 - 29 - *Comments noted.*

Tom Starr

Various Topics

- 1 - *Financial impacts to property owners should be analyzed if proposing to include all contiguous property in the same ownership in a simple land division application.
What would it cost other land division applicants?*
 - 2 - *Costs to applicants for new clearing and grading regulations should be identified.*
 - 3 - *What is the cost to an applicant if the words “where feasible” are removed from policies regarding utilities?*
 - 4 - *What would a “concurrency activity center” cost the area property owners?*
 - 5 - *The change to the ferry LOS will require more ferry terminals according to WSF; what’s the economic impact on the affected property owners?*
 - 6 - *What are the economic impacts of the other items changed from the 12/31/96 Plan?*
- 1 - The financial impact for people seeking a series of simple land divisions for contiguous*

parcels is that fewer applications could be made and therefore fewer new parcels could be sold without platting. The financial impact for persons filing applications for short plats or long plats would depend on the numbers of new parcels to be created.

- 2 - *The concern may be that an Erosion and Sediment Control Plot Plan requirement will add additional cost to a small project. Small projects, such as single-family houses, that create less than 5,000 square feet of impervious surface area, do not have to produce a separate erosion and sediment control plot plan if the information can be adequately shown on other diagrams being prepared for the project. The control of stormwater runoff, avoidance of erosion, and protection of water quality are requirements of federal and state water quality statutes and codes, as well as required by policies in both versions of the Comprehensive Plan. Some small projects pose little threat of these impacts, and will have correspondingly negligible need to employ runoff controls: meeting the requirements in such cases will be straightforward and pose no plot plan costs. Some other small projects have the potential for significant erosion and stormwater runoff problems: for such cases, it is appropriate for the County to require that appropriate steps be taken to control the quality and quantity of runoff, avoid erosion, and protect downstream waters and downslope properties from impact, and that the control measures be shown as is the case for other required construction measures. If these can be shown on the project plot plan or other diagrams without creating too much clutter, no new plot plan is necessary. Projects that create 5,000 or more square feet of impervious surface can generate enough stormwater runoff and impact that additional requirements apply. These standards and requirements are in keeping with those of the Stormwater Management Manual for Puget Sound.*
- 3 - *Requirements for utility site selection and mitigation have been modified in the revised Plan. The concerns of OPALCO and other utilities are that their choice of locations is sometimes constrained due to physical limits, topographical or other terrain constraints, or limitations due to the existing, installed system. This does not always allow them to avoid sensitive sites, and not all impacts can be mitigated. The change addresses these constraints on the alternatives available to utility companies and provides flexibility, while at the same time requiring avoidance where possible, then mitigation where possible, and if neither are possible then the Plan requires compensating measures. This affirms that environmental quality is a necessary component of operation in the public interest. The words “where feasible,” when used in policy requirements for impact mitigation, have in practice resulted in the occurrence of significant impacts that were avoidable, and in a reduced level or lack of mitigation. The phrase implies that the County will accept unmitigated significant impacts, counter to the requirements of the State Environmental Policy Act.*
- 4 - *The “concurrency activity center” concept may be the only way to rationalize a suburban density for the Pear Point/Turn Point area if, as was discussed in the Draft SEIS, the area is not otherwise likely to be developed legally at that density under the GMA. A “concurrency activity center” would allow only rural-level densities until such time as urban services are available to support a higher density. That would provide property owners with an economic benefit they may otherwise not have if density here is reduced by the County or by direction from the state or the courts.*
- 5 - *As is noted in the responses to Brent Snow and Ellie Knauss, the ferry system, Town of Friday Harbor, and the County have made various operational adjustments to allow maintenance of the current LOS without the use of two-lane loading, unloading or the installation of overhead passenger handling, or additional terminal facilities. Irrespective of the LOS standard, if the islands continue to grow and to attract new residents and increased numbers of visitors, ferry system volume will increase to the point that some additional and/or new terminals will be needed.*

Ultimately, the only way to prevent the need for enlarged and upgraded ferry facilities would be to limit growth and visitation below the level where such facilities would be necessary. This would undoubtedly require a level of growth control and limits to land development that no one in the islands would support. The level of growth control and development limits could be raised if the level of service were allowed to deteriorate; however, no one or few people in the islands would support levels E or F as being "adequate" or desirable, and growth controls would still be needed. Even LOS D would eventually require growth controls if use continued to grow (as it will) and ferry facilities were prevented from expanding. The amount of growth allowed by the Comprehensive Plan, plus the need for continued adequate ferry service, require the County to recognize that expansion of facilities may be necessary during the 20-year planning period of the Plan.

Additional environmental discussion has been added in Section 2.2 of this final SEIS (see above). Economic impact evaluation is not a usual part of environmental review under SEPA, having been expressly removed as a requirement by the Legislature. However, the comments of the public to the BOCC have stressed the need for adequate ferry service, both for personal and business needs. As is noted above, if new ferry facilities were strictly precluded, eventually either strict growth controls and/or poor ferry service would be the result. Either would have serious economic effects. Reducing ferry LOS would delay the need for new facilities somewhat, at the cost of decreased quality of ferry service and some loss of business and business opportunities, which would generally increase in severity as the LOS declined. See also the discussion of Ferry System LOS in Section 2.2, above.

6 - The economic impacts of a non-project proposal (the Plan and UDC) are specifically not included in the requirements of SEPA and are not analyzed in this SEIS. In general, however, the UDC as drafted incorporates much of existing code requirements and what is newly introduced largely refines rather than compounds existing development regulations. In order to provide greater predictability for individual property owners and for the public, greater specificity is necessary and certainly makes for a longer document.

Ellie Knauss Various Topics

- 1 - UDC Section 10.6 establishes penalties for any person found to be in violation of any provision of the UDC. Opposes this as a blanket solution to enforcement and suggest that defined layers of action should be provided.
 - 2 - Opposes limitation on guest house rentals and suggests that the amnesty provision extend to short-term rentals; guest house rentals aren't long-term rentals and are therefore not part of the rental housing pool; the benefit is in the income that helps to allow families and seniors to remain on the island.
 - 3 - The increase in ferry service demands discussed in the Draft SEIS should not be the basis to allow for any additional ferry terminal structures such as an overhead walkway.
 - 4 - The increase in traffic volumes discussed in the Draft SEIS should not be the basis for widening county roads.
-
- 1 - *Penalties are not the only actions authorized to obtain compliance when a violation is found.. Voluntary compliance is sought first (see UDC Section 10.4).*
 - 2 - *Comments noted.*
 - 3 - *Currently, the ferry system, the Town of Friday Harbor, and the County, have made various operational adjustments to allow maintenance of the current LOS without the use of two-lane loading and unloading or the installation of overhead passenger handling. In the longer term*

WSF believes that these measures will be needed to handle increased volumes and still maintain the LOS at adequate levels. Additional planning and environmental review would be required for such facility changes; for example, overhead loading at the current facility at Friday Harbor would almost certainly be determined to be a significant impact due to its visual and aesthetic impacts. The concerns of the Town, County, and State, and the individual citizens and businesses of the islands would be solicited and considered at the time that more specific proposals were developed and evaluated. It is beyond the scope of this SEIS to consider these, except that such measures may be necessary, and some impacts unavoidable, if ferry system use continues to grow (as it will) and LOS is maintained at current levels or even if it is allowed to deteriorate to lower LOS levels. See also the discussion of Ferry System LOS in Section 2.2, above.

- 4 - *The Plan includes policies for the retention of scenic and rural quality, and incorporates by reference the policies and guidance of the County Scenic Roads Manual. One consideration in the adoption of the LOS standards was the pressure they might create to expand the road system; the final standards in part reflect that consideration, and the intent of the Plan to retain the environmental and rural qualities that County residents value. Further consideration of road impacts is beyond the scope of this SEIS: the 6-year Transportation Plan provides continuing program-specific review, and individual road projects receive their own site-specific review, and it is in these reviews that program- or project-specific decisions regarding widening and other matters will be determined.*

Ron Loewen (San Juan County Public Works) County Docks

The Public Works Department presented additional information and recommendations regarding County funding and concurrency for County docks.

Portions of the letter have been adapted for inclusion in the expanded discussion of this topic in Section 2.3 of this final SEIS. The concurrency recommendations of the department are reflected in the staff recommendations for additional revisions to the Plan and UDC.

Housing Advisory Board Housing Element

- 1 - SEIS is inadequate because it suggests the Housing Element of the Plan will mitigate the need for affordable housing.
- 2 - The Housing Element offers no tangible objectives or financial assistance, and it ignores the poor and the working community.
- 3 - Recommends adding two policies to Section 5.2.B of the Plan to acknowledge the inadequacy of the element, commit the county to draft a new one in 1998, and provide for rental of small accessory dwellings on a year-round basis subject to appropriate standards.

1 and 2 - The Housing Element does not itself put specific programs in place but it does acknowledge the seriousness of the problem and calls for programs to be developed to address them.

3 - Comments noted.

Mark Goldsmith, WA Dept. of Fish & Wildlife Various Topics

- 1 - Lists Plan policies where “shall”, used in place of “should”, would strengthen their effectiveness.
- 2 - Urges the addition of a requirement to notify the County before clearing and grading begins to the clearing and grading policy 2.3.B.2 in the Plan.
- 3 - Maps should be included in the Official Maps for all critical areas and resource lands.

- 4 - Restoration of the prohibition on subdivision in Natural shorelines is appropriate.
- 5 - New criterion for marine habitat area designation is appropriate as is the additional statement recognizing that upland activities can have damaging effects downstream.
- 6 - Requiring feedlot operators to prevent pollution of aquatic environments is appropriate; livestock manure is documented as a primary source of water pollution.
- 7 - Commented that designating much of Decatur Island as Rural General Use will likely cause adverse impacts to fish and wildlife habitats.
- 8 - Stream buffers should be increased, based on “an exhaustive review of the best available science” by the WDFW; if this is not possible, at least 100 feet should be provided for all streams to protect quality of water flowing into Puget Sound. Larger buffers may be needed where priority wildlife species occur.
- 9 - The County should adopt the WDFW Priority Habitats and Species (PHS) Program, a list of habitats and species given priority due to their population status, vulnerability, or recreational, commercial or tribal importance. A new policy is suggested.

1 - The use of “shall” is limited to the regulations, not the policies in the Plan where “should” is the proper directive term.

2 - While it would provide a way to determine if clearing or grading is to occur in a sensitive area before it begins, requiring notice to the County is impractical

3 - Critical area maps should be adopted by reference but unless and until the exact locations and physical boundaries of each can be established they should not be adopted as official maps themselves. The maps are illustrative only; what’s actually present on the ground determines the applicability of the critical area (environmentally sensitive area) regulations. Resource lands are shown on the proposed Official Maps: these are the Agriculture (AG) and Forestry (FOR) designations.

4, 5 and 6 - Comments noted.

7 - As was noted in the draft SEIS in Sections 2.2.2.4 and 3.3.6, the change of designation for approximately 740 acres from RFF and Island Center designations to RGU would have probable significant cumulative impacts. Additional discussion of this change is included in Section 2.3 above. To some extent, limitations on development (e.g., available services, transportation, and other factors including critical area and shoreline management provisions) will likely mitigate probable significant adverse environmental impacts. The designation fits with established trends and community sentiment, and maximum residential density would remain within generally accepted rural levels for most of the island. The staff recommendation remains to retain this change to RGU and to allow an overall higher level of development and impact on Decatur Island. See also the discussion of Official Maps in Section 2.3, above

8 - Type 2 - 5 streams and riparian areas associated with them are identified in UDC Section 3.6.9 but no specific buffers are required. General protection standards require case-by-case review and mitigation for non-exempt development or use activities. The County has very few year-round streams; originally adopted in 1992 as interim critical area regulations, the provisions for fish and wildlife habitat included in the UDC have been effective to date.

9 - The PHS Program list of endangered, threatened, sensitive, and candidate species was used in the initial development of the County’s interim critical area regulations. The choice made in 1992 was to limit regulatory protection to endangered species, while others may be protected by voluntary means and through case-by-case project mitigation (for vulnerable species such as great blue herons, osprey, and Trumpeter swans).

Bob Myhr**Various Topics**

- 1 - Supports revisions regarding rental of guest houses; allowing their rentals will exacerbate the affordable housing issue without addressing the issue. Land trusts, loan programs and other creative programs will help establish more affordable housing and help in home ownership.
- 2 - Suggests adding a new exemption from plat requirements as an incentive for property owners to voluntarily conserve open space resources identified in the Open Space and Conservation Plan in addition to that provided for properties transferred to a *bona fide* conservation organization to protect a listed species.

1 - Comment noted.

- 2 - There is merit to the concept as an incentive, but the same thing can be accomplished and is accomplished through conservation easements and the provision cited (UDC Section 7.1.3.i) is itself problematic. This is an addition to the exceptions in the current County Code and leaves unclear what land division requirements exist if a parcel so created is later transferred to an owner that is not a conservation organization; nor does it state whether or not once created, and a conservation easement is made, the conservation organization can simply resell it.. For this reason, it is not recommended that the even more open-ended list of rural and natural resources in the Open Space and Conservation Plan be added.*

Frederick C. Ellis, Sr.**Various Topics**

- 1 - Plan policies are not sufficient to protect Rural Farm-Forest lands; controls are needed to prevent them from being converted to development.
- 2 - Agriculture should not be allowed within Natural shorelines.
- 3 - Setbacks from shorelines should be 200 feet for all commercial development.
- 4 - Why can more than 30% of merchantable timber be cut on shorelines (to prepare land for another use)?
- 5 - Shoreline densities are inconsistent with the goals and policies; Conservancy shoreline densities should not be higher than in Rural Farm-Forest.
- 6 - Removing the simple land division requirement to have owned the parcel unchanged for five years will result in an explosion of new divisions without the level of environmental review available through plat requirements.
- 7 - Simple land division cannot be allowed unless availability of potable water is proven.
- 8 - Keep the maximum height for shoreline residential development at 28 feet except under very special circumstances.
- 9 - Regulations for historical sites are loose and incomplete.

1 - See discussion on RFF in Section 2.3, above.

2 - Although an allowance is made for agricultural use of a Natural shoreline area by conditional use, the requirement in UDC Section 5.5.2.b(6) for maintaining the purpose of the designation would be difficult to meet.

3 - Comment noted; the effect of a 200 foot setback is to prohibit commercial development on Rural Farm-Forest shorelines since the shoreline jurisdiction is 200 feet from the OHWM. Section 5.5.7.b(3) prohibits commercial development of Rural Farm-Forest shorelines except for the expansion of existing small resorts and camps or development associated with an existing commercial marina. The situation for Shaw Rural is similar. For Shaw Conservancy, the 100 foot commercial setback is consistent with that for Conservancy.

4 - The allowance for over 30% commercial harvest for conversions to non-timber uses was presumably added to acknowledge Class IV General and COHP forest practices permits, which provide for commercial harvest while allowing for conversion to non-timber use. This

should be clarified to apply only when an allowable use is reviewed and authorized that requires clearing in excess of 30%.

5 - *See discussion of Shoreline Densities, above.*

6 - 9 - *Comments noted.*

Jan Sundquist

Various Topics

- 1 - Address reduction of shoreline densities soon.
- 2 - Policies do not meet GMA guidelines to protect rural areas from urban sprawl.
- 3 - Protection for resource lands should be added to prevent additional development after land divisions.
- 4 - Rural Farm-Forest needs site development standards similar to those for resource lands. UDC Table 3.2 would allow uses to encroach on long-term forest production in RFF. Commercial communication towers, community sewerage treatment facilities, duplexes, playing fields and outdoor recreation should be in RGU, not RFF.
- 5 - Supports removal of allowance for rental of guest houses.
- 6 - Support changes to official maps recommended in Draft SEIS for the Port Stanley site and Aleck Bay Road gravel pit site.

1 and 2 - See discussion of shoreline densities in Section 2.3, above.

3 - See discussion on Resource Lands and Land Divisions in Section 2.3, above.

4 - See discussion on RFF in Section 2.3, above.

5 and 6 - Comments noted.

Jan Chamberlin-Lea

Various Topics

- 1 - Supports revisions to the 12/31/96 Plan, particularly provisions for subarea plans, disallowance for rental of guest houses, policies regarding dock development and restoration of clearing and grading standards.
- 2 - Supports additional changes outlined in the Draft SEIS.
- 3 - Avoid creating parcels without water and avoid the cumulative effects of development without planning.
- 4 - Need good interim provisions for activity centers until plans can be developed.
- 5 - The number and scale of uses allowed in Rural Farm-Forest is too large.
- 6 - Definitions are needed for “personal and professional services” and the RGU designation was omitted from the UDC Definitions section.
- 7 - UDC Section 4.12.6.b is confusing; it refers to access, collector and arterial roads but only access road is defined in the UDC.
- 8 - Return to the current code setback of 200 feet for commercial development on RFF shorelines.
- 9 - Nonconforming residence expansions and accessories should be allowed only landward of the setback line for the primary structure.
- 10 - Keep the 16 foot height limit in current code for residential accessories.
- 11 - In UDC Sections 8.3.b.2 and 9.3.5, the County should notify abutting property owners of applications. Requiring the applicant to do it invites improper notifications.

1 - 4 - Comments noted.

5 - See discussion on Rural Lands, above.

6 - A definition for personal and professional services is proposed.

7 - 10 - Comments noted.

11 - Comment noted; the burden is on the applicant in part to avoid potential County liability for

damages if notice is incomplete or in error, and partly to avoid additional administrative time and expense. With clearly stated notice requirements and improved electronic access to up-to-date ownership records, it should not be necessary for the County to take this responsibility.

Steve Hance, West Beach Resort Master Planned Resorts

- 1 - Supports concept of allowing conditional expansion of “historic” resorts in the rural areas; Master Planned Resort seems to be more than is needed for West Beach Resort.
- 2 - The term “historic” resort is explained in a footnote to the use table (UDC Table 3.1) but the only reference in definitions is to sites on the historic register.
- 3 - Would like some provision for conditional use permits to remain valid longer than five years, or at least to make time extensions administrative as long as reasonable progress continues to be made.

- 1 - The writer noted that UDC provisions (in Section 4.33) allow for the expansion of small resorts in the Rural Farm-Forest designation, and that these might be more appropriate to the kind and scale of activities at the West Beach Resort than would the UDC procedures for Master Planned Resorts. Several modifications have been made to Section 9.6 in the UDC (and are proposed in staff recommendations) as a result of discussions with the managers of the three proposed Master Planned Resorts. The recommended revisions better define the development procedures for these facilities, and address the concerns of the writer. However, the Plan also provides an option for West Beach Resort to revert to the status of a small resort (in a Rural Farm-Forest designation) within a year of adoption of the Plan should the owner indicate a desire not to proceed with an MPR and Master Plan.*
- 2 - Comment noted; a definition for historic resorts, similar to that for historic camps, is proposed.*
- 3 - See discussion of Permit Duration in Section 2.2, above.*

Miki Brostrom Various Topics

- 1 - Supports the revised Plan and the UDC with all recommendations included in the Draft SEIS with exception of an addition to the definition of “forest practice”, to which language is added that is not consistent with the definition in the Forest Practices Act. Why was a 30-day time limit added to the definition of this activity when forest practices permits are good for two years, with a two-year renewal option.
- 2 - Supports changes to the proposed Plan Maps recommended in the Draft SEIS.
- 3 - Regulations in any form must be carefully administered.

- 1 - The thirty-day provision in the definition pertains only to the timber processing portion of the definition. Effectively, it places timber processing operations of longer than 30 days into the "Forest Products, Processing" category in tables 3.1 and 3.2. The wording in the UDC definition has been clarified.*
- 2 and 3 - Comments noted.*

Judy Gilson Moody Various Topics

- 1 - Supports changes recommended in Draft SEIS.
 - 2 - Supports Plan revision to allow for geographic subarea plans.
 - 3 - Urge removal of exception from clearing and grading standards of up to one acre.
- Comments noted.*

Dr. Magda Mische**Various Topics**

- 1 - Supports revised version of Plan.
- 2 - Suburban and R-2 densities are not compatible with long-term retention of rural features; density is the reason for the need to mitigate impacts and must be addressed as soon as possible. The Draft SEIS identified unavoidable significant adverse impacts that may be avoidable if appropriate action is taken to address build-out.
- 3 - Support map changes that would reduce impacts from redesignations made with the 12/31/96 Plan.
- 4 - UDC does not address how to maintain a predominant portion of Rural Farm-Forest for farming and forestry.
- 5 - A lower standard for ferry service offers an effective way to discourage rapid growth.

1 - Comment noted.

2 - See discussion in Section 3.2, above.

3 - Comment noted.

4 - See discussion of RFF in Section 2.3, above.

5 - Concurrency and LOS are capital facilities planning and funding tools. They are not intended to be used to control growth or to substitute for appropriate development and land-use policies. If the growth rate is too great to support and fund an adequate LOS, then either the LOS must be reduced or the amount of growth allowed by the Plan (in the form of the Land Use Map and other such measures) must be reduced. If a lower rate of growth is desired in the long term for the San Juan Islands, the appropriate means would be for the BOCC to modify the land-use designation, Official Maps, and allowable densities to reduce the amount of growth that could occur. See also the discussion of Washington State Ferry System LOS in Section 2.2, above.

Brent Snow, General Manager**Roche Harbor Resort and Marina****Ferry Service - Concurrency**

- 1 - Concerns about ferry system usage data in Appendix 6 of the Plan, that: a) the data are outdated; b) the regression analysis in the Appendix is based on a small sample and therefore has a low confidence; and c) the WSF data on overloads are not equivalent to the data used by the Plan.
- 2 - Concern that the level of service (LOS) for ferry service to the County during the past year may not have met the standard now in the Plan.
- 3 - Concern that a higher LOS standard could result in the failure of some new developments to pass a concurrency test, with the possibility of permit denial (which the writer considers to be an unevaluated significant environmental impact).
- 4 - Concern that, if the current ferry system service does not meet LOS standard C, that it would be inappropriate to set the LOS standard to C.

See also the discussion of Washington State Ferry System: Concurrency and Levels of Service in Section 2.2, above.

1 - a) The analyses were conducted using the best available information, but it is correct that the data in Appendix 6 have not been updated for nearly a year. This is a work item that the County intends to complete before adoption of the Plan.

b) It is also correct that, generally, a larger sample will give greater confidence that the plotted regression line correctly represents the real situation. However, because the underlying assumptions and variables change over time, a larger sample spread over a

larger time period can sometimes show a greater spread of data points and therefore not yield greater confidence of regression accuracy; it is also the case that confidence in all projections decreases the farther the projections are extended. This is why the Plan directs the County to periodically review and update its data and projections.

c) The differences in data types between WSF and the Plan existed earlier as well as now. The data that are necessary for the updating will be obtained and converted as was done previously. In the longer term, WSF and WSDOT may be required to revise their data collection to more closely match the needs of local jurisdictions in order to facilitate local-state concurrency determinations.

- 2 - The writer expressed a concern that the level of service (LOS) for ferry service to the County during the past year may not have met the standard now in the Plan. and also presented general recollections or impressions of several knowledgeable people regarding the current LOS of the ferry service: these people differ regarding whether or not the system currently provides an adequate LOS. Because we have not yet performed the updating of Appendix 6 (see response A above), we cannot at present say with authority where the system now stands, although it has also been our impression from interactions with the ferry system managers this year that LOS C is currently being met. The updating of the data and analysis will allow us to determine the current condition.*
- 3 - A higher LOS standard means better service for the community, but this also means that more capacity is needed to meet adequate levels of service. Some capital facilities currently have excess capacity that can be used freely by new development to meet concurrency requirements until it is exhausted; others are already at the point where concurrency mitigation is required. Eventually, all current capital surpluses will be used up, and all new development will be subject to conditioning for concurrency according to the methodologies that the service providers will prepare.*

The ferry system is believed to still be in surplus, but possibly it is not (see above). Whether or not it is in surplus, eventually the surplus will be exhausted. This is not an environmental impact: it is how concurrency works. The environmental impact is the demand that new development places on capital facilities, the new construction that is needed to provide additional capital facility capacity, the impacts of the construction and operation of that new capacity, and the environmental costs to the public. Concurrency requirements are one form of mitigation for the impacts of new development on capital facilities: concurrency requires the new developments to pay for the additional capacity needed to service their new demand. If it so happens that there is currently a capital surplus which allows new developments to occur without paying for new capital facility capacity, this is in essence a “windfall” for the new developments, and the exhaustion of that windfall and the implementation of the regular permit procedures is not an environmental impact. A higher LOS standard does leave less excess or windfall capacity available to be used free by developers. But whatever the LOS standard, eventually there will be no spare capacity, and at that time new development would be required to provide for new capacity concurrent with the development: a higher LOS standard could lead to that time occurring sooner than would a lower LOS standard.

It should be noted that concurrency is not the only review or requirement for capital facilities. Concurrency speaks to planning and financing of capital facilities, but new projects are also subject to review and conditioning of environmental impacts under the State Environmental Policy Act (SEPA). Even if there is currently a capital surplus, and thus

concurrency would not require capital measures from new projects, if a project has an individually identifiable impact on capital facilities and services its impact may be conditioned under SEPA. Thus, a new resort or large addition to a resort that had identifiable impacts on the ferry system, even if that system currently had surplus capacity, might for example be required to do shuttle transporting to reduce its impact and to prolong the period where existing capital facility capacity would be adequate; or, it might be required to mitigate traffic impact and congestion problems (which shuttle-busing could also address).

The Comprehensive Plan provides a clear sequence or hierarchy of actions to take and re-evaluations to make in the event that the LOS standards are not being met. The Plan and the UDC also provide that an applicant should propose a variety of capital and/or non-capital strategies to meet concurrency requirements. If an applicant creates a new demand which would lower LOS below the level of adequacy, the applicant can propose measures that would reduce demand (such as having customers walk onto the ferry, and providing shuttle transport for them while on the island), increase capacity, redirect the demand to ferries that have less chance of being overloaded, and others. The Growth Management Act requires that denial of permits be one means of addressing a failure to meet concurrency requirements; however, the GMA and the Comprehensive Plan both consider permit denial to be the measure of last resort, after other responses have failed. Furthermore, such denial could not be used as a long-term measure: rather, if the LOS were not being met and there were no intent to correct the capacity deficit in the future, the LOS would have to be reduced, after which permits could again be issued.

The UDC requires service providers to develop methodologies for concurrency testing; the methodologies for the County's facilities will be developed in the early part of 1998. The methodology for the ferry system is somewhat problematic because there is no apparent consensus regarding how to integrate local and state planning for highways and ferries, who will do the testing, and how concurrency will result in localized system improvements to state highways and ferries. If a methodology satisfactory to both WSF and the County cannot be achieved, the concurrency test as provided in the UDC cannot be conducted. In that event, concurrency mitigation would be handled, as it has been in the past, via SEPA review: in practice, only a project or subdivision with an individually measurable impact would be conditioned. Individual single-family residential housing can only be evaluated for impacts on ferry service by a cumulative methodology.

Given the several responsive approaches available in the Plan, and the variety of responsive conditioning provided by the UDC, we do not consider it likely that any permits would be denied for failure to meet ferry system concurrency, although some projects might have mitigative conditions placed on them in the future, such as discussed above. Permit denial is one possible responsive measure, but only as a last resort and only for a short period.

- 4 - The writer's opinion is that the actual LOS of the last year is the most appropriate standard. In 1996 the ferry system was providing service at LOS C, and to our and the Town's understanding at present it still is. But regardless of whether or not this is true, the GMA directs communities to set the LOS standards to locally determined levels of adequacy. If the locally determined adequate LOS is greater than what is currently being provided, there is a deficit. This is allowable under the GMA: communities can decide that current service levels are inadequate. The Plan clearly states that new developments are not responsible for*

correcting this deficit, only the additional demands of their new developments.

The BOCC has heard much opinion on the appropriate LOS for ferry service, and the preponderance of opinion has been to provide service about at the level of C. The BOCC determined that Level C was closest to what the community considered to be adequate service: this decision is of course could be changed by the BOCC. One factor that enters into their decision is that the County has been told by the WSF that our decision on LOS standards will affect the future capital expenditures of WSF. Specifically, if we decided on Level D, a new ferry that is scheduled to be added to the San Juan system would almost certainly be reassigned, locking us into Level-D service indefinitely.

Setting the LOS to the level of performance of the last year, as suggested by the writer, would in fact set the LOS according to a single data point. If the service level were inadequate by community standards, it would also perpetuate this inadequacy. This is contrary to the intent of the GMA.

Dorothy G. Hungar

Various Topics

- 1 - Draft EIS discussion on mitigation for water supplies (Chapter 3, page 3-24) implies that water will not be available to support densities; if true, this should be accounted for in the Plan and growth levels.
- 2 - Standards are needed for Rural Farm-Forest to keep a predominant portion in agriculture and forestry uses.
- 3 - Interim provisions for activity centers are needed; if there are shortcomings in Ordinance 7-1997 steps should be taken now.
- 4 - An ongoing housing advisory board should be established to assist with strategies for affordable housing.

1 - The regulation referred to, Section 5.5.19.b(5), does not proceed from a determination that water supply is inadequate nor is it meant to suggest that. The limitations on the use of these systems for subdivisions is in the Shoreline Master Program section of the UDC, and this regulation and limitation is included in order to lessen the environmental impacts of these systems on the shoreline and offshore environments. Section 5.5.19.b(8)iv is based on water supply considerations, but is directed at situations where the intake source is already salt-contaminated, where the use of these systems would worsen the situation.

2 - See discussion of RFF in Section 2.3, above.

3 - See discussion of Activity Centers in Section 2.3, above.

4 - A Housing Advisory Board has been appointed and is active currently.

Doreen and David Keyes

Cost of Regulations

- 1 - Object to the proposed Plan and UDC; these go far beyond reasonable regulation of a property owner's development rights; urge their abandonment.
- 2 - The cost to comply with the proposed code will create economic hardships even for one building a single-family residence; examples are the requirement for submittal of geohydrologic data and an erosion and sediment control plot plan. These will add thousands of dollars to the cost of a small project.

1 - Comment noted.

*2 - **Geohydrologic data.** The Comprehensive Plan requires that new development demonstrate that a proposed water supply is both available and adequate for the proposed use.*

Availability can be shown in any of three ways, one of which is that existing geohydrologic data support the probable occurrence of water in amounts exceeding prior appropriations. The supply is adequate if it can meet the new demand without lowering the quantity or quality legally available to prior users, or if a water supplier finds that it has adequate capacity to serve the new demand. These criteria do not require new geohydrologic data to be gathered unless existing information are not sufficient. The Health Department and Washington Department of Ecology regulations would probably not require geohydrologic survey for individual single-family residential development except in identified areas of critical water shortage.

Erosion and sediment control plot plan. *Small projects, such as single-family homes, that create less than 5,000 square feet of impervious surface do not have to produce a separate erosion and sediment control plot plan if the information can be adequately shown on other diagrams being prepared for the project. The control of stormwater runoff, avoidance of erosion, and protection of water quality are requirements of federal and state water quality statutes and codes, as well as required by policies in both versions of the Comprehensive Plan. Some small projects pose little threat of these impacts, and will have correspondingly negligible need to employ runoff controls: meeting the requirements in such cases will be straightforward and pose no plot plan costs. Some other small projects have the potential for significant erosion and stormwater runoff problems: for such cases, it is appropriate for the County to require that appropriate steps be taken to control the quality and quantity of runoff, avoid erosion, and protect downstream waters and downslope properties from impact, and that the control measures be shown as is the case for other required construction measures. If these can be shown on the project plot plan or other diagrams without creating too much clutter, no new plot plan is necessary, Projects that create 5,000 or more square feet of impervious surface can generate enough stormwater runoff and impact that additional requirements apply. These standards and requirements are in keeping with those of the Stormwater Management Manual for Puget Sound.*

Albert B. Hall

Plan Changes and Regulations

- 1 - Surprised that changes in Plan from 12/31/96 version are not so extensive; should have been made as amendments.
- 2 - Draft SEIS reflects a “siege mentality” and a bias against growth and development and a belief that private citizens will not willingly take care of the common good themselves.
- 3 - Terms like rural character are not tightly defined and extend too much discretionary power to planning officials. *Comments noted.*

Joan Berkowitz

Plan Changes and Regulations

- 1 - New Plan proposal and regulations trample private property rights with too many new regulations that will require additional enforcement officials and dramatically increase property taxes.
- 2 - Four years of public input on the 12/31/96 Plan didn’t happen with this one.
1 - Comment noted.
2 - Comment noted. See Section 1, above.

Robert P. Grass

Various Topics—Revised Plan

- 1 - Requirement that guest houses be rented only when density is not exceeded is impossible to meet and represents selfish no-growth attitudes.
- 2 - Placing burden of proof that a shoreline location is needed for commercial or industrial

development is inappropriate (3.2.B.5 and 6).

- 3 - Requiring proof of water adequacy represents a no-growth attitude (4.2.B.6).
- 4 - Restrictive policies on desalination are inappropriate no-growth attitudes (3.5.M.13).
- 5 - Removing concurrency exception for single-family residential development will drive costs up (6.1.B and 7.3.A).
- 6 - County should not concern itself with private road use agreements (2.3.10.A).
- 7 - Prohibiting extension of municipal sewer systems to rural areas removes a way to control pollution in an effort to contain growth; this is counter-productive (2.2.K.6).
- 8 - Removal of exception for grading one acre or less is micro-management and represents inappropriate no-growth attitudes (2.3.B).

- 1 - *The density requirement for rental of guest houses is currently the law. The change was to remove a new allowance to exceed density.*
- 2 - *The policies noted are based on the state Shoreline Management Act, which establishes preferences for use of shorelines.*
- 3 - *This is required by the state subdivision statute and the Growth Management Act.*
- 4 - *The primary restrictions are to prevent reliance on desalination for new subdivisions based not on an anti-growth posture but on the facts that these are high-maintenance systems and that until a homeowners association is peopled with homeowners who can manage the system operation, the adequacy and availability of required water supplies is not guaranteed.*
- 5 - *The awkwardness of the concurrency requirement is acknowledged; the sections referenced include language to direct development of a system that will view single-family development in a cumulative manner rather than on a house-by-house basis for new construction.*
- 6 - *Comment noted. See response 1 to Maile N. Johnson and Eduardus Suij. The purpose of allowing use of private roads for commercial and industrial uses only upon the consent of the parties to the road agreement is to avoid knowingly expressing an intention to ignore the potentially significant impacts of such use on surrounding properties as well as on the privately-maintained roads themselves.*
- 7 - *Comment noted.*

Robert E. Scott, Sup., San Juan Island National Historical Park

- 1 - Concur with Draft SEIS and plan revisions; appear to be more in keeping with the Growth Management Act and the Vision Statement than the previous document.
- 2 - Suggests adding a policy to encourage land owners to set aside a certain percentage of their land from future development if they are offered tax incentives.
Comments noted.

Rip and Julie Van Camp Official Maps

Support the recommendation in the Draft SEIS to change the map designation for the County's Port Stanley property from Rural Industrial to Rural Farm-Forest. *Comment noted.*

Lynn T. Waller Official Maps

Supports the recommendation in the Draft SEIS to change the map designation for the County's Port Stanley property from Rural Industrial to Rural Farm-Forest. *Comment noted.*

Kim Nichols Official Maps

Supports reversal of map changes to Rural Industrial on three Lopez properties: Aleck Bay Road gravel pit, Channel Road gravel pit, and at Hummel Lake and Center Roads. *Comments noted. See discussion in Section 2.3, above.*

Nancy Ewert**Official Maps**

Supports reversal of the designation changes to Rural Industrial for the gravel pits on Hummel Lake Road, Aleck Bay Road and Channel Road and the reversal of the Rural General Use designation at Mail Bay on Waldron Island. *Comments noted. See discussion in Section 2.3, above*

No Signature (Address Provided) Official Maps

- 1 - Prefer to have the Steering Committee version of the Plan.
- 2 - Designation changes made 12/31/96 should be reversed, including gravel pit locations on Hummel Lake Road, Channel Road, Aleck Bay Road, and the Port Stanley property, all on Lopez, and the Mail Bay property on Waldron. *See discussion in Section 2.3, above*

Cynthia Dilling**Various Topics**

- 1 - Designation changes made 12/31/96 should be reversed, including gravel pit locations on Hummel Lake Road, Channel Road, Aleck Bay Road, and the Port Stanley property, all on Lopez, and the Mail Bay property on Waldron.
- 2 - Shoreline densities should be corrected: Conservancy density should not be higher than that for Rural Farm-Forest.
- 3 - Return the requirement for five years of continuous ownership for simple land divisions; require determination of adequate and available water for simple land divisions.
- 4 - For cottage enterprises and home occupations, the number of “full time” employees might necessarily include more part time workers; eight full-time employees represents a commercial use and is not suited to the home.

1 - Comment noted. See discussion in Section 2.3, above

2 - See discussion of Shoreline Densities in Section 2.3, above.

3 - Comment noted.

4 - See discussion of RFF in Section 2.3, above.

Ted and Susan Sanchez**Official Maps**

Support changing the designation of Rural Industrial land at Hummel Lake and Center Roads to agricultural use. *Comment noted; see discussion in Section 2.3, above.*

Peter Eglick (for Peter and Betsy Currie) Official Maps

Support changing the designation of Rural Industrial land at Hummel Lake and Center Roads to agricultural use. *Comment noted; see discussion in Section 2.3, above.*

Katie Brooks**Official Maps**

Concern that residential and agricultural uses along the Deer Harbor Slough would be subject to more intensive development under the hamlet designation, which would harm the existing pastoral and water views; also noted was the interest of the Land Bank in most of the Slough area.

The area receives some protection from the Conservancy shoreline designation applies within the Slough and to the area within 200 feet of it. Further, the Slough and much of the surrounding area are subject to two conservation easements that will prevent the intrusion of commercial or industrial development (other than one additional B&B Inn allowed for by the terms of one of the easements). In the area north of the Deer Harbor Road the pastoral and

water views of concern are largely protected by voluntary means. Although this area could be excluded from the hamlet designation, the effect would be to isolate an area with suburban densities in a rural land classification, and is therefore not recommended. See discussion of Official Maps, above.

Douglas Bullock

Official Maps

Concerned about hamlet designation at Deer Harbor. *See response to Katie Brooks, above.*

Dorothy Austin

Official Maps

1 - Not enough Conservancy shorelines designated to protect sensitive areas.

2 - Villages and hamlet areas are too big, invite unwanted development.

1 - *For this Plan the existing shoreline designations were changed in name only: "Suburban" was renamed and applied as either "Rural" or "Rural Residential," and the former "Rural" was renamed as "Rural Farm-Forest." Otherwise, no other changes were made to the designations. Further changes may be requested or proposed for specific areas, subject to the amendment procedures and designation criteria.*

2 - *Activity Center boundaries were drawn with the participation of islanders who live in and use them, to incorporate existing "urban" and "suburban" density areas and the existing patterns of development, and projected needs.*