

**PLANNING COMMISSION  
 COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA  
 TUESDAY NOVEMBER 15, 2011**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers</i>	
	<i>Dean Enell – Chair</i>	
	<i>Mike Joselyn</i>	
<i>District 2</i>	<i>Mitchell Howard</i>	
		<i>Anna-Marie Sibon</i>
	<i>Mahmoud Abdel-Monem</i>	
<i>District 3</i>	<i>Wayne Havens</i>	
	<i>William Lippens</i>	
		<i>Scott Yonkman – Vice Chair</i>

Meeting called to order at 9:02 a.m. by Chair Enell

**ROLL CALL**

Wayne Havens, Mahmoud Abdel-Monem, Mitchell Howard, Dean Enell, Mike Joselyn, Val Hillers, William Lippens.

Planning staff present: Robert Pederson – Director, Andrew Hicks – Long Range Planner

Public Works staff present: Bill Oakes – Director, Joantha Guthrie – Project Manager.

**APPROVAL OF MINUTES**

**November 8, 2011**

*Commissioner Hillers moved for approval of the minutes, Commissioner Joselyn seconded, minutes were approved unanimously.*

**ITEMS FROM THE PUBLIC**

None

**DIRECTOR'S REPORT**

Director Pederson introduced Jamie Hartley, the new Clean Water Utility Planner to the Planning Commission as the newest Planning & Community Development team member.

He advised the Commission that as a result of a meeting yesterday it became apparent that the proposed changes to the APZ will need to come back to the Planning Commission as part of next year's docket. Further research into how the APZ zoning rules were established indicated they were established in Ordinance C-87-07 in conjunction with amendments to the Comprehensive Plan. They were created as part of a docket item and are therefore necessary to be continued to the 2012 docket.

Meetings with the Navy and outreach to the neighbors will continue and it will come back to the Planning Commission as part of their 2012 docket. The matter was continued to the December 13<sup>th</sup> hearing and will need to be continued on into next year. Staff will make sure those who came to testify at the last hearing are made aware of this as well.

**OLD BUSINESS** – Continued from November 8, 2011

**248/11 CPA** – An amendment to the Island County Comprehensive Plan updating the Parks and Recreation Element.

Joantha Guthrie – Public Works provided a document that addressed the changes made in response to the public comment.

Public Works Staff Response to emailed letter received 11/10/2011 from Marianne Edain [wean@whidbey.net]. Staff response noted in **BLUE**.

Nov. 10, 2011

**TO:**          Joantha Guthrie, Island County Public Works  
                  Bill Oakes, Island County Public Works Director  
                  Bob Pederson, Island County Planning Director  
                  Planning Commission  
**FROM:**      Whidbey Audubon Society, Whidbey Environmental Action Network, Whidbey  
                  Camano Land Trust

**SUBJECT:** Planning Commission Direction on Draft Parks and Recreation Element

We want to thank you for your positive response to many of our concerns as expressed on our joint letter of November 3, 2011. Its a pleasure to have a cooperative process working to create a good plan.

We want to suggest a definition for ‘Wildlife Corridors’ and briefly review the direction provided by the Planning Commission as we understand it. This list does not include the changes already made that were apparently accepted.

•Wildlife Corridor definition:

Wildlife Corridors are connecting habitat that links larger patches of habitat, allowing the movement, migration, and dispersal of animals and plants. These areas are called 'corridors' even though they are not always linear. Connecting one habitat with another allows species to flow between larger habitat patches, interbreed, genetically mix, and access food and other resources. It can help re-establish populations that have been reduced or eliminated and counteract the negative effects of inbreeding and reduced genetic diversity that often occur within isolated populations. It is the long term intent of the Parks & Recreation Element to create corridors with

formal permanent protection, typically through fee simple land acquisition or purchase of easements from willing landowners.

PW: Wildlife Corridor definition added to Section 1.3 *TERMINOLOGY & DEFINITIONS*.

- (Item 3) Divestment of ecologically important lands.

Based on our notes, the Planning Commission directed that the policy for divestment of ecologically important lands should unambiguously require (with “shall include” language) long term protection of conservation values.

PW: In Section 5.2 *POLICIES* under *LAND PROTECTION* a new policy was added. In Section 6.2 *TRANSITION STRATEGIES* under *SHORT-TERM STRATEGIES* Strategy 22 was modified. In Section 7.1 *CAPITAL FACILITIES PLAN* Bullet point “Consider Trade or Divestment” was modified.

- (Item 6) Shoreline access signing.

While the sense of the Planning Commission regarding the shoreline access issue was somewhat ambiguous, overall it favored informing the public of these accesses as the information about them becomes available. Note that this does not direct Public Works to sign all accesses tomorrow, but it does indicate that the plan should include language favoring signing all public accesses where there are no health, safety, or environmental concerns.

PW: In Section 5.2 *POLICIES* under *BEACH ACCESS* Policy 18 was modified and a footnote added.

- \* (Item 9) Conservation Area classification.

Regarding the seven parks that we believe should be classified as Conservation Areas (Rhododendron Trust Land, Greenbank North Trust Land, Deer Lagoon, Brainers Trust Land, Wahl Road Trust Land, Glendale Trust Land, and Iverson Preserve; and the two parks that should be considered for this classification (Camano Ridge and Elger Bay Trust Land): While these were not discussed in detail, it appeared to be the Planning Commission’s intent that these should be reconsidered and either be reclassified as Conservation Areas or a detailed explanation be provided as to how these do not meet the definition of Conservation Area.

PW: As discussed at the Planning Commission’s meeting on November 8, 2011, Public Works agrees that **Deer Lagoon** meets the criteria for being a Conservation Area and changes were made to Map C-3 and Table C-1 to reflect this change.

Staff is recommending that **Rhododendron Park** have three classifications: The ball fields and playground be classified as “Community Park”, a portion of the forested area be classified as “Conservation Area” and the Campground and Trails be classified as “Natural Recreation Area”. These changes are reflected in Map C-2.

*Staff recommends the following properties remain Natural Recreation Areas:*

**Greenbank North:** This property contains trails that are identified in the Island County Code as “Non-motorized Trails” which are considered transportation routes. Additionally, these trails service an area that would otherwise go un-served. Staff recommends this property remain a Natural Recreation Area.

**Brainers Trust Land, Wahl Road Trust Land, and Glendale Trust Land:** All three of these properties are identified as able to fill Trail service gaps in their perspective areas as defined in the plan (see Map 3). Staff recommends these properties remain Natural Recreation Areas.

**Iverson Preserve:** A site management plan for Iverson Preserve has recently been written and includes plans to improve public beach access. The “Natural Recreation Area” designation is consistent with the new site management plan.

**Camano Ridge:** This property has planned Capital Improvement projects in process that will improve public access to the trail system. This property is one of the only properties on Camano Island that offers trails for equestrian use. Staff recommends this property remain a Natural Recreation Area.

**Elger Bay:** This property has an existing trail system that is frequently utilized. The Friends of Camano Island Parks has a desire to improve public access to these trails. Therefore Staff recommends this property remain a Natural Recreation Area.

Again, we must emphasize our belief that it is imperative to keep this process moving forward in a timely fashion so that the BICC can begin its adoption process of Element 7 of the Comprehensive Plan before the end of December 2011 and actually adopt the Plan before March 1, 2012 in order to meet RCO requirements.

Tom Cahill, Whidbey Camano Land Trust  
Sarah Schmidt, Whidbey Audubon

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### **Proposed Changes to**

**“November 8, 2011 – DRAFT of the Island County Comprehensive Plan 7. Parks and Recreation Element”**

**per discussion at the Island County Planning Commission’s Public Hearing from November 8, 2011 and Public Comments submitted by November 11, 2011.**

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#### ***1.3 Terminology & Definitions***

The Parks and Recreation Plan uses the following definitions throughout this element of the Comprehensive Plan:

- ***Park Lands:*** All the lands managed by the Island County which are formally used for or dedicated to outdoor recreation and/or conservation. There are three types of properties

that make up Island County Park Lands : 1) Community Parks; 2) Conservation Areas; and 3) Natural Recreation Areas.

- *Community Parks:* Any area that has been set aside or is managed for outdoor recreation purposes, has associated built elements (e.g. boat ramps, picnic tables, playground equipment, or ballfields), and is consistent with the Capital Facilities element definition 1.1.3 “Community parks” (owned and operated by the County).
- *Conservation Areas:* Park lands set aside primarily for ecological conservation or environmental protection. Conservation Areas may include fish or wildlife habitat, aquifer recharge areas, significant ecosystems, ecologically critical areas, or agricultural or forest resource lands. These areas may also support outdoor recreational uses, where these uses do not conflict with conservation efforts.<sup>1</sup>
- *Natural Recreation Areas:* Park lands that offer recreational opportunities in a natural setting but do not meet the definition of a Community Park or Conservation Area. Examples of these are beach access sites without built elements, off-leash dog parks and forest areas with a greater focus on outdoor recreational use.
- *Outdoor Recreation:* Outdoor Recreation refers to a leisure activity (or the act of engaging in a leisure activity) that is typically associated with outdoor, natural or semi-natural settings, such as a beach, forest, grassland, lake, mountain, wetland, or farmland. Hiking, boating, camping, horseback riding, bicycle riding, fishing, hunting, and nature interpretation are examples of outdoor recreation activities.
- *Low-impact Recreation:* Low-impact recreation refers to a leisure activity that typically has minimal impact on the natural environment. Hiking, camping, horseback riding, bicycling, and fishing are examples of low-impact recreation.
- *High-impact (Active) Recreation:* High-impact or Active recreation is used to describe activities and/or facilities that have a significant impact on the natural environment. Motorized recreational use (dirt bikes, snowmobiles, etc), ball fields, playgrounds and tennis courts are examples of high-impact recreation.
- *Habitat:* Habitat is used in a broad fashion to refer to the area or natural environment in which an animal, plant, or ecological community normally occurs, lives, or grows (also called “Habitat Area”).
- *Wildlife Corridor:* Wildlife Corridors are connecting habitat that links larger patches of habitat, allowing the movement, migration, and dispersal of animals and plants. These are called ‘corridors’ even though they are not always linear. Connecting one habitat with another allows species to flow between larger habitat patches, interbreed, genetically mix, and access food and other resources. It is the long term intent of the Parks & Recreation

<sup>1</sup> A conservation area is one of three types of park land in Island County’s park land classification system. Conservation areas, Natural recreation areas, and community parks are discussed in Chapter 3.

Element to create corridors with formal permanent protection, typically through fee simple land acquisition or purchase of easements from willing landowners.

- *Natural Lands*: As defined in the Natural Lands Element, Natural Lands include any land area where preservation in its existing state would conserve or enhance natural, scenic, or cultural resources; protect surface water or groundwater supplies; promote the conservation of soils, wetlands, beaches, or tidal marshes; enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, or other open spaces; enhance recreation opportunities; preserve historic sites; preserve working agricultural landscapes; or preserve visual quality or scenic vistas along transportation corridors.

To some extent, Parks, Conservation Areas, and Natural Recreation Areas are overlapping terms. To avoid confusion, the term “Natural Lands” is used in this document to refer to the Natural Lands Element. The terms “County Park Lands” or “County Park System” refer to Island County lands that support recreation and conservation. At times, these County lands are also called the “parks and habitat system” (or “parks and habitat areas”) to call attention to the natural areas within parks.

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### **Land Protection**

Acquire priority lands that conserve habitat and natural resources, preserve open space, improve beach access, maintain island character, and improve and expand outdoor recreational opportunities for public enjoyment.

- POLICY 4. Protect habitat and working landscapes that can help recharge aquifers, prevent surface and groundwater pollution, filter sediments, limit air and noise pollution, maintain wildlife habitat and other natural systems, or addressing identified recreation needs without causing degradation of habitat, including cumulative degradation.
- POLICY 5. Maintain and protect the important ecological functions of parks lands, including those provided by wetlands, stream corridors, shoreline systems, and forests.
- POLICY 6. Connect park lands by identifying and conserving wildlife habitat corridors, riparian corridors, and protected space along other elongated natural features where such connections support trail development and connectivity.
- POLICY 7. Cooperate with other public and private agencies to protect habitat and provide recreation opportunities before the most suitable sites are lost to development.
- POLICY 8. Evaluate unassigned County lands to determine which sites do or do not support the vision and goals of this plan. Consider divestment of public land that have little value for conservation or outdoor recreation.

POLICY 9. Only accept land donations that support the County's niche, as well as the goals and objectives noted in this plan.

POLICY 10. Should an existing County land with resource restrictions on its title be considered for divestment, the County shall honor those restrictions. Additionally, should any existing County land with conservation value (that does not have any encumbrance on title) be considered for divestment, the County should consider placing conservation restrictions on title before divestment.

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### **Beach Access**

Increase public access to the County's beaches and shoreline areas, creating recreation opportunities that respect the ecological integrity of the shoreline ecosystem.

POLICY 11. Plan, design, and develop beach access areas adhering to the goals and policies set forth in the County's Shoreline Master Program.

~~POLICY 11.~~ POLICY 12. Inform the public of existing Island County public shore accesses where recreational use does not pose a threat to public health, safety, or the environment, and Once clear County title is established, physical location is established, a viable view is established or a viable tidal access is established, the County should identify sites with signs (including from the water side for kayak and canoe pullouts) where appropriate and consistent with the Non-Motorized Trails Plan (updated in 2009) and the Shoreline Master Program (currently being updated).

~~POLICY 12.~~ POLICY 13. Identify opportunities to increase public waterfront access through the recovery of public road ends where public access is being blocked, provision of swimming beaches, coastal and water vistas and accesses, motorized and non-motorized boat launches, public boat moorage, and water viewpoints while being consistent with goals and policies set forth in the County's Shoreline Master Program.

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### **6.2 Transition Strategies**

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### **Short-Term Strategies**

The following short-term strategies should be implemented in the first one to two years to transition to the new service niche.

STRATEGY 1. Site Evaluation: Using Table 12 as a base, further evaluate existing sites to determine which sites are suitable for increased facility development. Prioritize projects using the prioritization criteria presented in Chapter 7, and add these projects to the County's CFP.

\* Prioritization Policy is being addressed in the Shoreline Master Program update.

STRATEGY 2. Transition Plan: Create a transition plan for sites or facilities which do not fit within the County's niche. Identify which sites (if any) can be sold or immediately transferred to other jurisdictions, and which sites should be held until a long-term transition is feasible. On existing County owned properties with existing resource restrictions on the title, the County shall honor those restrictions. Additionally, should any existing County land with conservation value (that does not have any encumbrance on title) be considered for divestment, the County should consider placing conservation restrictions on title before divestment.

## Jurisdictional Situation

Thirdly, the County should consider whether another agency is better positioned to acquire, manage, or protect the site based on location, jurisdiction, land ownership, or interests. Island County Parks should consider sites based on the following acquisition criteria:

CRITERION 14. Conservation and Recreation Capacity: To be managed by the Island County Parks Department, the site needs to have the capacity to address both habitat conservation and outdoor recreation needs.

### *7.1 Capital Facilities Plan*

To achieve the vision, goals and objectives of this plan, improvements are needed throughout the park system. These improvements range from renovating existing sites to acquiring, planning and developing new sites. It also may include divesting of sites that do not fit the County's niche or support its vision for the future. However, regarding sites with important ecological value, the County should consider an accompanying legal instrument that assures long-term protection and management of the site.

- *Consider Trade or Divestment:* Several County sites support non-niche uses that may be better managed by another agency. Some County sites are not well positioned to meet habitat or recreation needs. Very small sites don't appear to have a capacity to meet the County niche. In these cases, it is recommended that the County further evaluate these sites and consider divestment. This recommendation is especially applicable to the many small, unassigned, undesignated sites in the inventory. Site divestment may involve selling properties, trading them for different parcels, assigning or giving them to another agency or County department for management. On existing County owned properties with existing resource restrictions on the title, the County shall honor those restrictions. Additionally, should any existing County land with conservation value (that does not have any encumbrance on title) be considered for divestment, the County should consider placing conservation restrictions on title before divestment.

Commissioner Bill Lippens asked about the divestment language, stating that where there are existing restrictions on a property it is proposed to honor those, but it still hasn't changed the language from should consider to shall regarding new restrictions on property being considered to be divested. He asked for the reasoning behind not wanting to change the language once it has been determined to have conservation value.

Public Works Director Bill Oakes stated the language used was as far as his Department wanted to go in an attempt to tie future decisions of the Board of County Commissioners. He didn't feel it should be done in a planning document. They should consider establishing conservation easements on properties that are considered to be divested. The County has not divested itself of any properties nor is there likely to be people that will take the property unless there is a new parks organization formed.

Commissioner Lippens stated that unless there was rationale as to why it would be a hindrance to getting rid of properties that had no conservation value; if it does have conservation value why would you want to get rid of it without requiring future property owners to honor that conservation value. He stated he was not confident all future County Commissioners would honor those values.

Director Oakes replied that part of his angst with this is that it doesn't define what a conservation value is and there is not time to do that. It does indicate the Board or future Board should consider those values if they divest themselves of a property.

Director Pederson added that "should or should consider" is language you find in planning document. "Shall or must" is the type of language you would see in a regulatory document like Code. There is some concern that strong of policy language is attempting to bind the hands of a future legislative decision by the Board to divest themselves of property.

Commissioner Howard stated if you control the definition of conservation value precisely then you might as well make it a "shall", even if it is an overreach of sorts it is in a regulatory realm, but if no-one is able to define conservation value adequately it would be unwise to put a shall at the end of that.

Commissioner Lippens stated conservation value is open ended and therefore open to debate, he felt it was an out. Since you would have to decide at the time of divestment as to whether or not it actually had conservation value. It then would allow the community to decide and once it is decided it does have conservation value then you are required to place restrictions on it. Until it has been decided that it has that value you don't have to place restrictions on it. If the community says it doesn't have conservation value, restrictions wouldn't be required.

Commissioner Enell commented that in Policy 10, if a property currently has some restrictions on the title you shall enforce them, if it doesn't you shall consider enforcing conservation. The question that needs to be looked at is whether the County wants to engage in a process of adding such language to the title of property it holds. He stated he would like to have the Board consider this additional effort.

Commissioner Howard suggested changing the “should” in Policy 10 in the last clause to “shall consider” it makes it clearer that the Commission wants them to consider this.

Commissioners Lippens and Enell preferred this language.

Commissioner Hillers thought it was indecisive.

Commissioner Lippens replied that “shall” has stronger meaning.

### **Setting County Priorities**

Even with prioritization criteria and land acquisition/evaluation criteria, Island County may find it difficult to weigh different priorities against each other. It may seem difficult to decide whether the protection of rare species is more important than the protection of aquifer recharge areas. At first, it also may seem difficult to prioritize projects that fit the County’s niche, and avoid those that do not—especially where critical or significant habitats are involved. How should the County respond to requests to meet non-niche needs? How should the County weigh habitat values against recreation demand, especially when evaluating land donations and acquisition potential?

It is important to note that land acquisition and facility management for Island County is as much a management question right now as it is a question of ecology or even public priorities. Most people agree that there is no point in buying a car if you can’t afford to put gas in it, change the oil, and buy the required insurance. The capital investment requires that you have the resources to support ongoing operations and maintenance. Similarly, park development and conservation requires that the County have the staffing and financial resources to support ongoing facility maintenance and land stewardship. The planning process helped the County understand how underfunded and understaffed the current system is. It is time for the County to focus on expanding its operations and ~~services maintenance~~ to provide the same high ~~operational~~ level of service that it does for land ~~ownership acquisition~~.

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Chair Enell opened the hearing to public comment

#### **Elliot Menashe, Clinton WA**

Made a clarification comment on conservation value related to the realm of research on for Ecosystem Services, there is a whole lot of qualitative data discussion on what could be considered and could be incorporated into the plan to help define conservation value.

The Forest Service has thousands of pages and their various summaries that include watershed value to reduce stormwater, the wildlife, fisheries, riparian areas, and it might be able to be put directly into the Comp Plan and that would help in the future.

**Sarah Schmidt** 243 Rhodena Dr., Coupeville

Stated she was still concerned about the difference between a Natural Recreation Area and a Conservation Area. She was glad to find out that Rhododendron Park was going to be deemed a Conservation Area, but in looking at the map it appears to be just a sliver of the area. The vast majority of that forest is still marked as a Natural Recreation Area.

It appears that in the evaluation of properties any land with trail development has to be a recreation area. The definition doesn't say anything about conservation or ecological value of the area. She was concerned about habitat protection.

**Steve Erickson**

Felt more focus on the map needs to be done; regarding the Rhododendron Map there is only a sliver that isn't Natural Recreation Area. It needs to be delineated, same for the campground expansion. This sort of planning should confine the developed areas to avoid impacts of cumulative changes over time.

Regarding should and shall he would normally agree with Mr. Pederson, however in this case there will not be regulatory language to follow. Therefore he felt it should be "shall" not shall consider, but "shall". The intent is to bind the hands of future commissioners. It needs to say "shall protect".

He further stated their intent was to bind future County Commissioners, so that if they decide to divest some area that has important conservation value and don't intend to preserve its conservation value they would have to change the Plan first through a public process.

Regarding beach access, he question what was meant by clear county title, what is meant by establishment of clear county title, and what is meant by physical location is established before viable view or viable access to tidelands.

Director Oakes replied clear county title would be that the title company agrees that the County owns the property. Physical location established means that a licensed surveyor or the County Engineer certifies the location of where that titled property is and a viable access would be that it is a viable access; it is not over 150' bluff and 20' wide and that it is not completely inaccessible that it is a viable access. There are some that exist that are inaccessible.

**Tom Cahill** 1895 Brainer Rd.

Echoed Mr. Erickson's statement that the language in regard to should and shall needs to be as strict as possible so that the message is clear in this document and that if it is not going to be followed there will be significant public input at that particular point down the road. That is the key point he would like to emphasize.

He also wanted to emphasize the importance of keeping this whole process moving.

**Marianne Edain, WEAN**

Ecosystem Services is important, but it is a little late to introduce this at this point. Everyone presumes upon the natural world to provide services no one thinks about, such as:

- Clean water, there are natural processes that make that happen
- Clean air
- Soil that grows food

All of these are ecosystem services and there are many more. The conservation areas being talked about provide significant ecosystem services and there is a whole body of study that is trying to monetize those services. If the ecosystem does not provide those services than it must be done in an extremely expensive engineered fashion, therefore it is in our economic interest to protect conservation lands.

In that interest she wanted to see the suggested conservation lands be put into that category. Wanted all parties to be mindful that part of this process is to be eligible for RCO funding and is concerned that some of the language might make that more difficult.

Discussed Rhododendron Park as it relates to being an ecosystem, it is a very unusual plant community which is why it is listed by Natural Heritage. It has lost a lot of its conservation value due to the tinkering that has been done. Feels it is wrong to have it designated as recreation and not conservation.

**Elliot Menashe** Island Citizens for Public Beach Access

Stated he thought there should be a detailed catalog of all the publicly owned properties. It may be complicated by clear title, by location, by surveys, by use, but it seems absurd that Island County does not know what it has or where it's located.

He further stated they have been trying to get this catalog for over a year. He sent a letter which was forwarded to the Planning Commission and hoped they would consider it.

He also wanted to support the words and work of the Audubon Society, the Land Trust, and WEAN in their comments.

**Sarah Schmidt**

Wanted to add a specific wording suggestion on Policy 10:

Additionally should any existing County land with important or significant conservation value be considered for divestment the County shall place conservation restrictions on title before divestment. This will place the emphasis on defining the conservation value.

**Linda Bainbridge** 4459 Towhee Lane, Greenbank

Stated she wanted to add that it seemed the existence of trails seemed to be the main sticking point as to whether a property could be considered in Conservation Areas. She agreed with Sarah that the definition given in the document didn't seem to preclude trails. She also asked to add her voice for the stronger support for the lands that were named by the Audubon Society, WEAN, and the Whidbey Camano Land Trust as Conservation Areas.

Karen Stewart – Shoreline Master Program Update Coordinator

Commented that tomorrow from 4:30 – 6:30 in the Commissioner’s Hearing Room there would be a public work shop dealing with beach public access, at that meeting they will discuss additional inventory defined in the process. County road ends is one of the topics.

Chair Enell closed the public comment portion of this hearing.

Ms. Guthrie responded to public comments:

Definitions – these come from Chapter 1, the Executive Summary, as you get further into the document the definitions get into a deeper and broader definition. The reason staff wants these properties to remain Natural Recreation Areas is because they are consistent with the definitions.

Commissioner Hillers asked if an area was marked as a Conservation Area would prohibit trails.

The way the document is worded public access will be discouraged to those Conservation Areas.

Ms. Guthrie – this is the Parks and Recreation Plan, painstaking processes have been taken to try to balance the wording for parks and recreation and conservation because the Department recognizes that parks and recreation properties are going to have those conservation values.

The Natural Lands Element is the appropriate place to address the in depth policy on conservation properties and not the Parks and Recreation Element. This document does meet the RCO requirements.

Director Oakes echoed the above statement. The intent of the conservation areas is to discourage people from using those properties and not the idea of building parking lots capable of housing horse trailers so they could be used for equestrian activity. Conservation is to be the major purpose and everything else secondary.

Regarding the divestment policy, he stated that because it is so grey he would stick with the staff recommendation, but would accept the “shall consider”.

Regarding beach access there is a gross oversimplification of this problem. Just because the Assessor’s database indicates it is owned by Island County does not mean it is owned by Island County, there have already been examples of this. Simply because a property is shown to be a beach access on a 2 dimensional map does not mean in 3 dimensional space it is, there are also examples of this. The hope for the Shoreline Master Program is that it will identify a base inventory and identify a way to prioritize how we look at those.

The low hanging fruit has already been signed; access points that may or not be there need to be prioritized through the Shoreline Master Program process.

Chair Enell asked how many other easy ones are still out there.

Mr. Oakes stated he didn’t think there were many easy ones at all. In the last two years any examples that have come up have not turned out to be easy.

Commissioner Abdel-Monem stated that one thing that hasn't been mentioned is that many of these access points are adjacent to private property. When the County puts up a sign, there are property rights at issue, adjacent to the County owned beach and those people's rights should be respected and considered when putting the sign on these access points.

Commissioner Hillers stated she hadn't talked at the last meeting about her opinions and stated she appreciated the joint letter, but the letter suggested what the opinions of the Planning Commission were, when most had not yet stated their opinion since deliberations hadn't been completed, she thought seemed a little odd.

She stated in general she felt the Parks and Recreation document was a good one. She felt good about a lot of the changes that have been made. The definitions seem fine.

**Andrew Hicks provided the Proposed Findings of Fact for review.**

Policy 10

*Commissioner Hillers suggested the second sentence, "Additionally should any existing County lands with significant conservation value that does not have an encumbrance on title be considered for divestment the county should consider placing conservation restrictions on title before divestment. (Add significant and change shall to should)*

*She then moved to make that change. Commissioner Howard seconded.*

Commissioner Lippens stated he liked the addition of the word significant because it brings it up to a higher standard, but he still felt it should say the County shall place conservation restrictions on title before divestment. Then the real discussion takes place as to what is a significant conservation value and that is where the County has a chance to discuss whether this property is worthy of placing restrictions. Once they've made that determination then they have to put restrictions on it.

Commissioner Abdel-Monem disagreed, he did not want to tie the Commissioners hands, and he didn't feel it belonged in this planning document. Maybe there are other considerations to be made, financial, liability, etc.

*Commissioner Lippens moved to amend the motion to say shall consider placing place conservation restrictions, Commissioner Joselyn seconded.*

Commissioner Howard stated he leans towards support of the amendment of the motion. In those circumstances where the Board of County Commissioners determines it does have significant conservation value, then, the County shall place restriction before divestment.

Chair Enell stated it becomes important in the future when things are contested the emphasis should be based on whether the land has conservation value, and if it can be established the commissioners would be obligated to preserve those lands.

*Chair called for a vote on the amendment. Commissioners Abdel-Monem, Commissioner Havens, and Commissioner Hillers opposed, the motion passed 4 to 3.*

**POLICY 10 Should an existing County land with resource restrictions on its title be considered for divestment, the County shall honor those restrictions. Additionally, should any existing County land with significant conservation value (that does not have any encumbrance on title) be considered for divestment, the County shall place ~~should consider placing~~ conservation restrictions on title before divestment.**

*Chair called for a vote on the amended motion.*

*Commissioner Abdel-Monem and Commissioner Havens opposed, motion carried 5 to 2.*

*Commissioner Hillers moved to incorporate the same amendments to the language in Strategy 2, page 4 of 6, Short-Term Strategies, and in the Capital Facilities Plan, Commissioner Howard seconded, motion carried unanimously.*

Commissioner Howard stated his remaining concern is the maps and whether or not they need changed. Specifically Rhododendron Park, stating he would not want to make any changes unless there was a profound reason to make that change.

Chair Enell preferred there to be a delineation of how Rhododendron Park will be used in the future, clearly showing the Conservation Area within the very large blue marked area on the current map.

Director Oakes stated changes were made in relation to the GIS capabilities the County has and changes were made only to those areas where they knew they didn't have any plan to impact areas that would be designated as Conservation Areas. Areas that have some impact are shown as Natural Recreation Areas. The map is not perfect, there is enough there to identify that this collective County property will have three designations, a County Park, a Conservation Area, and a Natural Resource Area.

A long term goal for that Park is to have a Master Plan for that park.

Chair Enell stated that the Department has indicated their intention to delineate this as it moves forward.

*Commissioner Hillers moved to recommend approval of the Parks and Recreation Plan update in the form presented and as amended today, Commissioners Howard seconded, motion carried unanimously.*

**RECESS**

**Discussion on the Findings of Fact.**

*Commissioner Lippens moved to make a motion to accept the Findings of Fact as presented.*

Director Pederson recommended a change:

Finding No. 13 should read the Planning Commission held public hearings on October 25, 2011, November 8, 2011, and November 15, 2011 in Coupeville. During the public hearingg the Planning Commission heard comments.

Commissioner Enell suggested adding mention of the community input by way of a joint recommendation by the Land Trust, WEAN, and Audubon on suggested changes as it was helpful and efficient.

Commissioner Howard suggested amending finding No. 14. to include “interest groups, particularly a collaborative effort by the Whidbey Camano Land Trust, Whidbey Environmental Action Network, and the Audubon Society.”

Commissioner Enell suggested making it a unique collaborative effort.

*Commissioner Hillers moved to approve the Findings of Fact as presented with the additions in No. 13 and of the date of November 15<sup>th</sup> as a public hearing and making the word hearing plural, and of the additional in No. 14 of particularly a unique collaborative effort by the Whidbey Camano Land Trust, Whidbey Audubon Society, and WEAN, Commissioner Howard seconded, motion carried unanimously.*

*Commissioner Howard moved to authorize the chair to sign the Findings just approved, Commissioner Hillers seconded, motion carried unanimously.*

Director Pederson provided the public with the next steps in this process. It will be transmitted to Board, the Board will place it on their agenda to schedule for a public hearing and then it will change or be adopted at that hearing.

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

Meeting adjourned at 11:05 p.m.

Respectfully submitted,



Paula Bradshaw