



## Skagit County Board of Commissioners

Ron Wesen, First District  
Kenneth A. Dahlstedt, Second District  
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October 25, 2019

Members of the Southern Resident Orca Task Force  
Office of the Governor  
P.O. Box 40002  
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The Skagit County Board of Commissioners appreciates the opportunity to comment on the Southern Resident Orca Task Force 2019 Report and Recommendations. We acknowledge and appreciate the time and effort that each member dedicated to this extensive process. The health of Puget Sound, the Southern Resident Orca pod, and our native salmon runs are of paramount importance to residents of Skagit County.

It is because of the importance of this topic that Skagit County reviewed the 2019 Draft Year 2 Report and Recommendations. We support many of the recommendations that focus on the importance of adequately funding local programs that endow salmon habitat restoration, the removal of known salmon barriers, and helping local efforts to reduce contaminants from entering Puget Sound. For example, Skagit County has a number of programs and partnerships that would benefit from increased funding and provide enhanced protection of our southern resident pod and native salmon runs. Those County programs include the following:

- Active participation and support of the Skagit Watershed Council's implementation of the Chinook Salmon Recovery Plan (Recommendation #6)
- Implementation of a Local Source Control program through the Skagit County Health Department that reduces the potential of contaminants entering surface waters (Recommendation #31)
- The Skagit Marine Resources Committee monthly monitoring of 3 forage fish sites in Skagit County (Recommendation #15)
- The successful Natural Resource Stewardship Program, which utilizes local funding to provide flexible options for voluntary enhancement of riparian areas (Recommendation #5)
- Development of a multi-agency plan to remove known salmon barriers throughout the Skagit Watershed (Recommendation #5)
- Continued compliance with Skagit County's NPDES Phase II Municipal Stormwater Permit (Recommendation #31)

The above projects highlight Skagit County's dedication to enhancing and protecting Puget Sound and the Salish Sea. Skagit County appreciates and strongly supports the recommendations that would increase the capacity and effectiveness of these programs and reduce the burden of unfunded mandates.

Although Skagit County has identified a number of recommendations that we support, there are several recommendations that we find concerning. First, Recommendation #48 (line 1633), recommends that the State revise statutes to shift from a “no net loss” standard to a “net ecological gain” standard. This proposed change is inconsistent with current GMA and directly conflicts with the Voluntary Stewardship Program goals and legislation (RCW36.70A.700). We are concerned that transformational changes to this policy could have far reaching impacts and complicate the GMA compliance of 27 counties in Washington State, including Skagit County.

Second, Recommendation #38 (line 895), recommends the state “explore setting standards for local stormwater funding to ensure that all programs have the resources necessary to protect water quality.” Although the intention of this recommendation may sound positive, implementation of this recommendation would circumvent local control of surface water special assessments and transfer that authority to the State. This reach into local control is deeply concerning and could have negative impacts on our long-standing Drainage Utility Program, which supports many of our restoration efforts.

Our concern over the state pursuing policies that circumvent local control is further heightened as we review Recommendation #48 (Line 1621), which recommends (Line 1642) “Disincentivizing growth in sensitive riparian and forest areas by requiring mitigation ratios greater than 1:1 while incentivizing infill and development in brown fields that would not impact critical habitats.” We support the approach of incentivizing infill and redevelopment of brownfields and look forward to participating in a discussion to see how these outcomes can be achieved in our communities. We are concerned about the prospect of placing additional financial burdens on property owners that would result from an increased mitigation ratio especially if there are other approaches that could result in a similar outcome.

Line 1642 recommends that communities “Implement regulations that preclude new development if existing stormwater and wastewater infrastructure are within a percentage of their thresholds.” Community investment in stormwater and wastewater infrastructure is costly, often involving complex funding mechanisms. The proposal to limit development activity that would rely on these facilities based on a new threshold could significantly impact local communities and stifle their ability to provide services to their communities. We support the ability for communities to be able to rely on the planned capacity of their infrastructure and would encourage you to consider this as you review your options for implementation of Goal 6.

The Skagit County Board of Commissioners appreciates this opportunity to provide comments on the 2019 Southern Resident Orca Task Force Report and Recommendations. We are supportive of recommendations that provide local governments with resources for programs that work well and have significant concerns about those that undermine GMA and circumvent local control. We look forward to the opportunity to continue to be a part of this process as it moves forward.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

  
Lisa Janicki, Chair

  
Ron Wesen, Commissioner

  
Kenneth A. Dahlstedt, Commissioner