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Anacortes Planning Commission
Municipal Building - Council Chambers
904 6th Street

April 24, 2024
6:00 PM

PRELIMINARY AGENDA
[Packet Materials](#) / [Watch Meeting](#)

1. **Roll Call**
2. **Minutes**
 - a. Minutes of 02/28/2024 and 03/27/2024 were submitted for approval.
3. **General Public Comment**
4. **Public Hearings**
 - a. SDP-2024-0001 - Shoreline substantial development permit application for the installation of fiber conduit at Cap Sante Marina (Port of Anacortes)
 - b. 2025 Comprehensive Plan Update Public Participation Plan
5. **Other Business**
 - a. Planning Commission Procedures
6. **Planning Department Update**
7. **Adjournment**

**Citizens wishing to comment on items not on the agenda may do so under Public Comment. Citizens wishing to comment during a public hearing may do so as those items are considered by the Planning Commission during the course of the meeting.*

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Anacortes Planning Commission Minutes - February 28, 2024

Roll Call

Chairperson Linda Martin called to order the Anacortes Planning Commission meeting of February 28, 2024 at 6:00 p.m. Commissioners Linda Martin, Jim Stoneman, William McCombs, Paul Ryan, and Mike Mills were present. Commissioners Frank Jeretzky and Luke Currier were absent.

Minutes

Minutes of 12.13.2023; 01.10.2024 and 01.24.2024.

The minutes for December 13, 2023 were approved as submitted by Martin, Stoneman, Ryan and McCombs; Mills abstained; the minutes for January 10, 2024 and January 24, 2024 were approved as submitted by Martin, Stoneman, Ryan, McCombs and Mills.

Public Comment

No public comment.

Public Hearings

LEG-2023-03: Draft regulations for short-term rentals in the C, CBD, MMU and CM zones (Public Hearing)

Libby Grage presented a slideshow starting with the background regarding short-term rentals. On March 2, 2023 City Council adopted Ordinance 4046 which enacted the moratorium for short-term rentals in the C, CBD, MMU and CM zones. On May 22, 2023 Council adopted Ordinance 4052 extending the moratorium until March 27, 2024. From June 2023 through December 2023 staff did research and got input from the Council Planning Committee. On January 14th the draft regulations were released. The Planning Commission held a workshop where the draft regulations were discussed. Tonight is the public hearing for the draft regulations.

City Council's reasoning for the moratorium was due to short-term rentals being a subject of community concern and contrary to the city's goals to promote housing for those that work in Anacortes. Some concerns include removal of existing housing from long-term housing stock; increased demand and reduced supply of housing, which results in higher overall housing costs; Comprehensive Plan goals and policies emphasized encouraging additional housing in certain zones, but the new housing units that were achieved under this being converted to STR's is contrary to the housing goals; and concern that allowing new Multi-Family units converted to short-term rentals may impact the community feel and livability of those units. This could mean that there would be empty units during different times of the year, leading to less community.

Ms. Grage reviewed the map of the affected areas. She clarified that in other parts of town, such as R2, Old Town, R3, and R1, STR's were already not allowed. The exception to that are Bed & Breakfast's, which require a CUP and owner occupancy, and there is a limit on the number of rooms that can be rented. Staff identified 93 listings for STR's representing 82 unique rental units citywide. That data showed that a median nightly rate of \$156.00 in 2021. Single-family homes made up 88% of that number, while 10% were multi-family homes and 86% of these were for renting the entire home short term.

The proposed regulations key goals that were identified were to prevent housing from being taken off the long term housing market; to preserve sense of community in existing and future neighborhoods and allow for economic gain by owners and residents. Other considerations included staff resources to administer and enforce new regulations; the impacts on existing STR owners; consistency with GMA housing requirements and the 2023 Housing Action Plan recommendations.

Libby summarized the proposal as follows: to add new overnight lodging type and definition in AMC for "Short-term Rental"; to prohibit new STR's in the C, CBD, MMU and CM zones; and to allow existing, legally established STR's with current business license to continue operation. She reviewed the definitions of

the various housing types and the addition of STR's in AMC 19.44.050.

Ms. Grage pointed out there are different types of STR's: non-owner occupied and owner occupied STR's. The non-owner occupied is where the owner does not live there and the entire unit is rented, which removes this unit from the long-term housing market. The other STR is where the owner lives there as their principal residence and rents out a spare room, which does not take units from the long-term housing market. Libby reviewed the Commissions questions from the last meeting and staff's responses. (1) How do STR's affect the community and what's the problem with them? Staff found that the primary concern is how STR's impact the long-term housing availability and affordability. (2) Has staff looked at any other method to manage STR's? Staff looked at caps on the number of STR's per neighborhood or city-wide, fees & taxes; or limits on the frequency of rental. Ultimately staff is not recommending any of those. She pointed out that the State Legislature is considering HB 5334 which would allow a City to impose an excise tax on the sale of lodging of STR's up to 10%. (3) Is the STR business license transferable. She said it is. (4) How many units have been established? Staff estimates there are approximately 10-20 units. (5) Do we have data showing the impacts of STR's on housing costs. Staff does not have Anacortes specific data, but there have been multiple studies that show an increase in short-term rentals contributed to higher asking rents for long-term rentals and a reduction in the number of available units for rent. (6) How many dwelling units are in these zones? She clarified that the C zone has 213; CBD has 124; MMU has 77 and CM has 11. (7) Rental registration for existing STR's? She said that existing legally established short-term rental's will have a current business license for such a use. Staff is not recommending establishing a registration requirement. She reviewed a summary of public comment received. Many of them talked about the benefits of STR's to the community, including temporary housing options (temporary workers, relocating families, traveling nurses, and prospective residents); STR's provide an alternative to hotels; short-term rentals benefit the community through increased tourism and taxes; STR's provide a source of income for homeowners/property investors; and existing STR's should be grandfathered in .

Public Hearing Opened

Ron Worthum, Realtors Association, Burlington said this was brought to his attention by the realtor's group. We feel that since Anacortes is a destination city we have a lot of members that deal with people visiting and there are merchants encouraging people to visit, but the hotel capacity is limited, so the overflow will go to other surrounding towns. The Comprehensive Plan includes need for diversity of housing types to meet the community needs. STR's accomplishe this. They recommend allowing STR's and regulating them so that they will be taxed and if there is a problem, they can be shut down. He commented that 90% of the the City already bans short-term rentals and this removes the rest. He doesn't see the problem with STR's.

Josh Blee, Windermere Real Estate Anacortes, gave his personal perspective that when he an his wife came here looking for a place to stay, it was tough to find a place for his entire family (3 kids). Hotels were not the right fit for his needs. He doesn't believe short-term rental's take away from the long-term housing market. He pointed out that there is a market for STR's. There are specific people that will use these, so it doesn't affect those wanting long-term rentals. When there are no rentals in the CBD, it puts pressure on the non-compliant STR's. People will find a place to stay. This will create a compliance issue. There are other economic benefits for the City; such as generating tax revenue, job creation, travelers, helping with downtown revitalization because it allows property owners to use the spaces that are already in Downtown. He agrees that winter is a slower time for STR's, but those could then be rented for longer term, but not the standard 1 year rental.

Horiah Hojimora, Anacortes, read a letter to the Planning Commission. Short-term rentals help visiting tourists and employees. These cater to many peoples needs. These are essential accomodation options that we need to keep. This also generates income for the owners. STR's have positive impacts on the neighborhoods. They also provide for affordable housing projects. She gave the example of a new development that isn't selling that could be rented out short term. She wants a solution to benefit all residents.

Jason Gould, Reality Real Estate and owner of 3 units in Anacortes. He pointed out that the Supreme Court

deemed these as residential in nature, not commercial. He gave a summary of housing in Anacortes which includes 3342 rentals and 1421 vacant homes, which is 12% of the total housing market in Anacortes. Those vacant homes are hurting affordable housing. STR's are 0.06% of the total housing in Anacortes. He does not feel that short-term rentals are the problem; the need for more housing is. Builders need to be able to build. In his experience, the people that rent these types of homes are looking for longer term solutions, this allows them to take the time to find what they are looking for. He reviewed the concerns presented by staff stating that supply and demand will naturally flux. Allowing STR's will enhance the ability for flexible housing. Currently there is a tight market for housing. We need to encourage more building, which is the solution. He feels that there is a sense of community within STR's. They allow for a flexible housing mix. He would like to see short-term rentals in all of Anacortes. He pointed out that there are only 75 Air B&B's in Anacortes. In his opinion, there is no reason to be addressing this.

Kathleen Flannigan, Anacortes said she wrote letter on behalf of Evergreen Highlands in support of this proposal. This is in line with the current housing goals and will allay fears of the community regarding rental units being taken off the long-term rental market. She does not want to see out-of-town owners and guests over run Anacortes. Most of the opposition to this are from realtors, which are specific stake holders. Public Hearing closed.

Planning Commission Discussion

Paul Ryan commented that we want to preserve the neighborhoods. He has considered both sides of this issue. In his opinion, this proposal is not affecting the established neighborhoods. He referenced the letter from Evergreen Highlands and the concerns for safety. In other cities, there are registrations for these units. There are specific minimum codes that need to be maintained. He feels that could help quell citizen concerns. He referenced Cannon Beach, where they have requirements for STR's, such as requiring an operators license, fees for registering, and restrictions listed in the rental unit on do's/dont's. There's a lot of transparency for renters, neighbors, and owners on what's expected. Regarding affordable housing being taken away from workers; he wonders if some of our retail establishments close early because they don't have the ability to have more employees because they cannot afford to live in Anacortes.

Linda Martin clarified that this does not remove the existing short-term rentals; rather it's about new STR's. Jim Stoneman pointed out that there have been some good comments tonight. In looking back at the initial moratorium, he's leaning towards supporting this recommendation.

Mike Mills asked why these 4 zones were not included in the short-term rental ban in 2019 for the residential zones.

Ms. Grage said she did not remember if there was specific discussion about that. It's possible that this was not an issue in these zones back then.

Mr. McCombs stated that there have been good points brought up. He agrees that Anacortes definitely needs affordable housing, but there is a need for STR's too. He understands that we need to provide housing options, but this affects about 20 units. That's 3/10ths of one-percent of the total housing in Anacortes. He understands the benefit to the City for short-term rentals, but does not feel this impacts the long-term affordable housing market significantly. He suggested a different type of control, such as a cap for short-term rentals or owner-occupied requirements. He likes the flexibility for STR's when advantageous to do so.

Mr. Ryan referenced Bellingham, stating they have no cap on housing in their downtown. He prefers setting regulations for short-term rentals in Anacortes. This could make both sides happy.

Linda Martin commented that she remembers the genesis of the moratorium being units that were built as affordable housing but were converted to STR's.

Libby stated that was one reason for community concern. The development regulations allowed for more flexibility in the C and CBD zones to build townhouses to increase the housing supply. There were quite a few of these that were built as townhouses, but converted to short-term rentals.

Ms. Martin said that in general she agrees with the comment that we should allow the market to dictate this, but she also agrees that we need more housing in Anacortes. If a unit is used as STR, it is off the market for

new long term renters. We want to encourage tourism, which is what STR's will do; but on the other hand, we need support those that work here and provide affordable housing for those individuals. Since we're allowing those units that are here now, it makes sense to provide for more opportunities for long-term rentals as opposed to units for visitors.

Paul Ryan wondered if the potential changes coming later this year (during the Comprehensive Plan update) would accommodate the need for affordable housing options for residents of Anacortes. He wants to balance the need for affordable housing along with viable commerce.

Mr. Mills pointed out that we don't have a problem right now, but we're trying to make sure we don't get into one. He expressed concern of conversion of existing properties to STR's, which creates fewer housing units at higher market rates. The priority of providing a variety of housing that supports a wide-range of affordability, which leads him to be concerned about taking units out of the marketplace. He referenced public comment that recommended allowing STR's but capping the number of them, which would be burdensome to staff and hard to regulate.

Jim Stoneman pointed out that the moratorium creates a cap.

William McCombs said he sees this a bit differently. If a STR closes down, there is not a new STR replacing it. If we go thru with this, we will lose those short-term rentals over time. He preferred to use a cap to maintain the existing short-term rentals.

Libby clarified that the proposal would not eliminate new B&B's in these zones. There are requirements for those.

Mr. McCombs reference slide 4 stating that if the unit is owner occupied, it is not taking away a housing unit, but it is also offering the option of a STR. In this case, the owner gets to have an income.

Ms. Martin said the Commissioners might be able to do both. She recommends closing these 4 areas now, but also recommend that we look at the rest of the City to address this.

Jim Stoneman moved to accept the staff recommendation for the 4 zones as presented in packet. Linda Martin seconded.

Vote: Mills, Martin and Stoneman ayes; McCombs and Ryan nay. The motion passes.

William McCombs moved to have the City Council implement regulations to allow for resident occupied STR's in all zones of the city. Mr. Mills seconded.

Mr. Stoneman asked if staff should review this and bring more information back to the Planning Commission.

Libby agreed because this would need to be a separate amendment process with public input.

Vote: Mills, McCombs, Ryan, and Martin ayes; Stoneman nay. The motion passes.

Other Business

2045 Population and Housing Projections

John Coleman presented the Population and Housing Projections for the 2025 Comprehensive Plan update. The Comprehensive Plan takes a snapshot in time for our existing infrastructure and looks at a 20-year projection for growth. GMA requires periodic updates to the Comprehensive Plan. The update is for 2025-2045. We are looking to see how much housing is going to be needed over the next 20 years. It also looks at jobs, growth, etc. It looks to see if we need to annex any of the Urban Growth Area (UGA). These areas are not under City jurisdiction, but is where we plan to grow if needed. The intent is to avoid sprawl.

The GMA has mandatory topics that will be reviewed in the Comprehensive Plan update. Those include population projections, employment projections, available housing options for new residents by AMI, a climate element (new), the UGA and critical areas. There will be a lot of public input on this. We are just at the beginning of the process.

The population projections guide everything. He clarified that the County population projection comes from the Office of Financial Management and our region selected the median number. The OFM median projection has been pretty spot on in the past for our area. He reviewed the Skagit Council of Governments and their review process for growth patterns for the county and each of the jurisdictions. SCOG reviewed

population trends for the last 20, 30, 40+ years to come up with new projections for each of the cities. The last 10 years saw an increase, so we also took that trend into account in the projections. He reviewed the population and employment estimates for this planning period. He pointed out that staff will be looking at how to accommodate that increase. The types of jobs also impacts the type of land needed to accommodate those. For example, industrial employment takes more land, so the number of people per square foot is much less than an office.

Next, John reviewed a slide of trends by housing types. The reality is that we need a mix of housing types. In 2019, most homes were single-family residences. Then changes were made to development regulations to be in line with the 2016 Comprehensive Plan and we saw an increase in multi-family and ADU's. Then in 2021, we saw an increase in cottage housing, townhomes, multi-family and ADU's. By changing the rules, developers followed along which shows the market need. In 2022, we saw an increase in multi-family, ADU's and duplexes. In 2023, we noticed a decrease in the number of permits. We have a good mix of housing types being developed in Anacortes.

Cities are now required to plan on how to accommodate for housing in all income ranges. John reviewed the area median income (AMI) figures. This is used largely to aide in setting the fair market rate (FMR) for rentals, especially for supported housing. We need to look at each AMI band so that we can provide housing for that income level. The 0-50% AMI is supported housing; such as, Anacortes Family Center. These are likely not going to be homeownership. The 51-80% AMI is likely going to be multi-family units. The 81-100% AMI is multi-family, duplex, townhomes, and some homeowners. Then 101-120+% AMI is homeownership. He clarified that this is for new units that are going to be needed over the next 20 years for those that want to live in Anacortes. If you look at what it costs to build a SFR, you can reverse engineer that to determine what income is needed to afford that mortgage, you'll need well above the AMI for Anacortes to afford that home. We currently have approximately 277 units for the 0-50% AMI. It's not the city's responsibility to provide the land for supported housing, but we need to have development regulations that make this variety possible. We have to be able to accomodate all of these types of housing. In order to understand how to accomodate growth, we need to know how much land we have in each zone. This is a parcel by parcel study of land in the city. This will tell us how much land is undeveloped or underdeveloped. Then we can make policies to allow for this growth. We also have to do this with the employment projections to ensure we have the land to accommodate that growth. He reviewed the zoning map and the potential for infill/growth in each zone. He pointed out that the Housing Action Plan has R3A, but we don't actually have that zoning area on our curent map. The Planning Commission could recommend creating this.

Mr. Coleman reviewed the next steps. We have been given a \$125K grant for the Comprehensive Plan update. We contracted with Makers to update much of that. We are waiting on a \$5K climate grant for the techninacal studies and public outreach. We are working on a public participation plan. Our goal is to bring that before the Planning Commission on March 27th if we have it from Makers. The Comprehensive Plan update was due by June 2025, but HB 2296 just passed both the House and Sentate to extend this timeline to December 31, 2025. Having that extra time will allow more public engagement.

Linda Martin said she appreciated the information.

Mike Mills asked if the population, employment and housing forecasts take into the account our unique features, such as being an island. We are limited in the UGA and our forest lands are larger than other communitites. He wonders if these things were taken into account when coming up with the figures.

John clarified that we are doing this to plan to make sure we can accommodate growth. This is based on our historic growth pattern. We need to anticipate it. We can't say we don't want to grow. If we did, we wouldn't be able to handle the growth and we would end up with traffic problems, our housing affordability problems will get worse, and our sewer system won't be able to handle the increase in population. We need to be prepared for the anticipated growth and prepare for it. Our anticipated growth is manly in the Sharpe's Corner area due to other geographical limitations.

Mr. Mills said he was hoping to hear that the geographical constraints for each unique city were considered. John clarified that Burlington has the most natural constraints. Each community has their own growth

concerns that need to be addressed. Anacortes is a desirable city, which is why we see the growth projections to be what they are. The constraints are what draw people here.

Ms. Martin referenced the housing allocations by AMI asking how more than 50% of the growth falls within the 0-50% AMI.

Mr. Coleman pointed out that staff is doing more research on this and it will be brought before the Planning Commission.

William McCombs commented that these are the easiest to accommodate because they are smaller units, that are easier to build and less expensive.

John agreed. He said these are typically multi-family units. Each unit costs less to produce.

Linda asked what the growth projections are for the school districts.

John stated their projections are largely based on our projections. He clarified that school capital facilities are also addressed in our capital facilities element. The same is true for the Hospital and other large businesses.

Adjourned 8:25pm.

Adjournment

Anacortes Planning Commission Minutes - March 27, 2024

Roll Call

Chairperson Linda Martin called to order the Anacortes Planning Commission meeting of March 27, 2024 at 6:00 p.m. Commissioners Linda Martin, William McCombs, Frank Jeretzky, Paul Ryan and Luke Currier were present. Commissioners Jim Stoneman and Mike Mills were absent.

Minutes

There were no minutes provided for review.

Public Comment

There was no public comment.

Public Hearings

Other Business

2025 Comprehensive Plan Update - Review of the Draft Public Participation Plan

John Coleman reviewed the Public Participation Plan (PPP) for the Comprehensive Plan update. He stated that we are planning for growth for the 20-year period from 2025-2045. This includes infrastructure to accommodate the anticipated growth and confirming the zoning needed to accommodate growth. This is a GMA mandate for a periodic update. The periodic cycle is when we look at critical areas, UGA, etc. This is due by December 31, 2025.

He reviewed the packet, which includes the draft PPP. He reminded everyone that they can view the current plan on the City's website. He reviewed the mandatory topics that will be reviewed; which include population projections, employment projections, available housing options for new residents by area median income (AMI), climate element, UGA and critical areas. The climate element includes a resiliency sub-element and greenhouse gas emissions sub-element. He reviewed the 20-year population projections. The intent is to plan for growth and not get overwhelmed by it if we don't plan appropriately. He reviewed the housing growth projections in relation to the AMI brackets. There are a lot more units needed below the 100% AMI, which has raised some concerns. John clarified that this takes into account the existing lack of housing for each income bracket.

Mr. Coleman reviewed the housing type slide. In 2016 we updated the Comprehensive Plan to allow for infill, including cottage housing, duplexes, triplexes and townhomes. Then in 2019 the new rules went into effect, which is evident in the various housing types shown in the slide. Anacortes saw a shift in more middle housing being built. This indicated that our zoning codes were holding the builders back from developing the middle housing types that they were ready to build. These changes allowed the development community to build more affordable housing. We are studying the available, developable land in the City. In order to accommodate growth, we need to know how much land we have in each zone. We are performing the land analysis now, which will be brought to the Planning Commission. We need to determine how to accommodate the anticipated housing and new jobs. Some ideas are increasing density, new zoning designations, expanding the UGA or other options.

One component of the Comprehensive Plan update is a PPP to engage with residents, stakeholders, tribes, and state agencies early and often. The PPP is how we plan to do that and includes a schedule for the parts of the Comprehensive Plan that will be addressed and the approximate timeline. He reviewed the roles and responsibilities slide. The City will review the housing based on income bands, plan for equitable outreach, avoid racially disparate impacts (even unintended impacts), reviewing the climate and land use elements.

The Planning Commission will hold public meetings, public hearings, and workshops. We will need to address peoples schedules, access to meetings, access to computers, etc. The City Council will make the final decision on the recommendations. If we determine that the UGA needs to be expanded, we don't make that decision. We will present a report to the board of Skagit County commissioners outlining how we will accomodate that growth in the UGA. That process will include a public meeting process. Skagit County makes that decision because the UGA is beyond our jurisdiction. UGA's are designated as an area planned to accomodate future growth. The County treats these areas a little differently until annexation, which is driven by property owners. Development in the UGA is to City standards; including water, sewer, roads, and sidewalks. Handling it this way ensures that an area already set aside for potential growth is developed at the city standard they were originally pre-planned to be.

The transportation plan also needs to meet regional requirements, so that will go through Skagit Council of Governements. The SKOG steering committee make recommendations to the Board of Commissioners after a public process. Having a Steering Committee ensures that all sides are heard and everyone has a say in how the county-wide planning policies that affect the cities are handled. This adds an extra layer, but it provides more public participation and gives cities a stronger say in future growth.

William McCombs asked how the city accounts for those that live outside the city but use city services. Mr. Coleman clarified that those residents have impacts on city infrastructure, which impacts our transportation plna. We are trying to create policies that assumes 20% of new development will happen in the county. The transportation zones (TAZ's) are used in modeling for road infrastructure. This helps to show where trips are generated and what the impacts are. We are looking at the details of people traveling into the city. There is also a complex water plan that takes into account the potential growth into the UGA. Mr. McCombs said that since we are looking at housing and employment projections for the city only, is staff taking into account the fact that many users of Anacortes's infrastructure may not be city residents. John Coleman clarified that we assume that 20% goes to the county. They are doing the same process with their population projections and how they are going to accommodate housing. Mr. Jeretzky referenced the Haddon Road boundary. He said that Anacortes is more limited in what can be developed in the existing city limits. In his opinion, the Haddon Road area would be a logical area for growth since sewer and water are already in that area. . John Coleman said that the county would protect that area for future urban development instead of larger lots. Once designated as UGA, the property owners have the opportunity to annex into the City. We can't offer services in the UGA. Annexation is not usually beneficial for the city. We want them to annex so that we can manage the infrastructure and ensure that they are built to city standards; including roads, sewer, and water. In order to facilitate development in that area, there's incentive for owners to annex in. Then they can develop to higher standards.

Frank Jeretzky asked if property owners can decline being annexed into the city.

Mr. Coleman clarified that this planning process will determine where we think our UGA boundary should be. Those owners will be notified to determine if they want to be included in the UGA for future aneation. There are logical areas for UGA, but there may be a few owners that don't want to be in the UGA. We try to work with them during this update process. Once you're in the UGA, it's on the owners to want to be annexed so we want people to be for this change as early in the process as possible. We will work to determine the potential new zoning for that new UGA area and talk with the owners. In order to be annexed, the owners submit a petition for annexation which goes to the City Council. The petition needs to be signed by 60% ownership in the area that was selected as potential UGA. Owners that don't sign can end up being included in the annexation, but we try to work with them.

Mr. Jeretzky asked if there are any housing AMI numbers projected for the MJB property to help with infill. John Coleman said that should be in the land capacity analysis that will be coming to Planning Commission soon. The land analysis helps to determine if we need to expand the UGA at all or if we can accomodate the growth within the city's current boundaries.

William McCombs asked if there can there be housing costs associated with the AMI brackets.

John Coleman said the Department of Commerce has ranges. He reminded the commissioners that the 0-30% will likely be supported housing, which is usually multi-family. Those units will be subsidized. The 31-50% will be mostly multi-family and subsidized. The units in the 51-80% bracket will also be multi-family, but not supported. The 81-100% range will included more duplex, triplex, and middle housing types. New single-family residences will only fit within the 120% AMI range.

Frank Jeretzky pointed out that Anacortes has unique factors in that we have dramatically higher housing costs, but not necessarily higher incomes.

Mr. Coleman stated that the commissioners have the local knowledge that will assist in the planning. Forty percent of the city population is over age 60. There are all sorts of local factors that will come into play.

Luke Currier asked if there opportunity to push back on the numbers.

John Coleman said the steering committee gave all the communities their numbers and they cannot be negotiaited.

Mr. Coleman moved on to the PPP Goals. He remained everyone that this is a living document. See slide for list of goals. We have to meet the law, but can add goals to meet our needs. He reminded the Planning Commission that we are working to reach out to underrepresented populations to encourage their participation. Our land use policies form the future of our community, so we want a varied input. The PPP audience is everyone; including but not limited to tribal governments, members of the public, residents, workers, students, property & business owners, non-government organizations, counties/cities/towns and Washington State agencies. The important thing is we're thinking about who could be involved and reaching out to them. The Department of Commerce oversees the Comprehensive Plan update. They make sure it's consistent with state and federal laws and the other communities in our county. SEPA is reviewed by the Department of Ecology. In regard to the Federal Government, the Naval Air Station has an impact, as does the Coast Guard, FAA and National Parks service.

John Coleman reviewed the PPP tools on how to get the word out. There's a webpage and subscription email list. The city set up an email for this at compplan@cityofanacortes.org. We are planning to do direct mail, news releases, social media, A-Town publication, public meetings/workshops, student and teacher outreach, open houses, surveys, targeted stakeholder interviews, climate policy advisory team (CPAT), community and civic groups. CPAT will aide in development of the Comprehensive Plan with focused work groups to review goals and policies that will go into the drafts that will come before the Planning Commission. He reviewed the purpose of the surveys. il anyone has other ideas for additional tools, please let us know. We want people to be involved.

Mr. Coleman asked Libby to review the draft PPP schedule. Ms. Grage reviewed the PPP plan and the more detailed schedule for the entire update. We are in the initial project startup stage. Today we published the Comprehensive Plan update webpage. People can go to that in the future for all documents and other project related information. Since early spring, John has been going out to the community to get the word out. The next few months will be focused on outreach and land analysis. This gives us an idea of the changes that will be needed. We're hoping to have workshops May through July. There will be public notices for those. Then until the end of the year, we will be gathering data. We plan to have a draft of the complete Comprehensive Plan document in early 2025. Then there will be Planning Commission public hearings after which you will make recommendations to City Council. We anticipate adoption in fall 2025. This schedule will change, but this is the framework based on the deadline. This will be updated on the website as changes occur.

John Coleman commented that we accepted the \$125K grant for the Comprehensive Plan update. We have a contract with Makers for much of the update. We are waiting for the Department of Commerce to execute the \$500K grant for the climate element. We are also working with Makers for the climate element work. Makers will be faciliating many of the climate element meetings. We will have a Planning Commission

hearing on April 24th for a public hearing on the PPP. There is no April 10th meeting planned at this time.

William McCombs asked if the Health Council includes the medical community and Island Hospital.

John Coleman stated he did not know the details of the makeup of the group.

Mr. McCombs wondered if we seeing input from the medical community.

Mr. Coleman said this is more letting people know that this process is happening, and less reaching out and seeking input from specific people and groups.

William McCombs asked of clarification as to what is meant by "pop up tabling".

John Coleman clarified that staff will set up a table at specific locations and have information available.

They will also be able to answer questions.

Linda Martin asked how citizens can find the website.

Libby Grage clarified that they can google "2025 Comprehensive Plan update Anacortes" and it will be the first result.

Adjournment

7:24



Planning Commission Agenda Bill

Meeting Date: April 24, 2024

Agenda Item: 4.a.

Subject: SDP-2024-0001 - Shoreline substantial development permit application for the installation of fiber conduit at Cap Sante Marina (Port of Anacortes)

Staff Contact: Grace Pollard, LIBBY GRAGE

Approved for Submittal to Commission by

LIBBY GRAGE

John Coleman

Action Type

Public Hearing

Summary Statement: Tonight, the Planning Commission will hold an open-record public hearing on the above-referenced permit application. Upon close of the public hearing, the Planning Commission may deliberate and make a decision on the application.

Background: The Port of Anacortes proposes to install fiber conduit at Cap Sante Marina. The fiber conduit will link the north basin of the marina from the pier at JKL Docks with the west basin at a junction box at the central pier by the harbormaster's office. The proposed run is approximately 1,250-linear-feet and approximately 12-inches-deep and 4-inches-wide. The proposed route is directly outside the esplanade walkway, waterward of the railing. The area of work is located within the Urban Shoreline Environment Designation and is zoned Commercial Marine (CM).

Previous Action: N/A

Competing Viewpoints Considered:

Recommended Motion: I move to approve Shoreline Substantial Development Permit SDP-2024-0001 with the conditions recommended in the staff report.

Alternative Actions: Approve the application with alternative conditions
Deny the application

Attachments (listed in order presented):

1. Staff Report
2. Application
3. Project Narrative
4. Drawings
5. SEPA Exemption Determination
6. JARPA Application
7. West Basin FEMA_Boundary_Memo_4-26-23
8. Cap Sante Marina North and West Basin Redevelopment Critical Areas Report DRAFT (1)
9. Notice of Application and Public Hearing
10. 20240424-PoA

11. 20240423-PoA
12. 20240423-Chidester2
13. 20240423-Chidester1



Anacortes Planning, Community & Economic Development Department

904 6TH Street / P.O. Box 547, Anacortes, WA 98221

360.299-1984 - Office Hours: Mon-Fri 8:00 AM – 5:00 PM

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT: STAFF REPORT

File Number	SDP-2024-0001	Date of Report	April 18, 2024
Project Title	Cap Sante Marina North and West Basin Fiber Conduit Installation	Related File(s)	PRE-2023-0048
Project Location	Cap Sante Marina – 1019 Q Ave.		
Request	The applicant has requested a shoreline substantial development permit for the installation of fiber conduits at Cap Sante Marina to provide bandwidth for growing data needs. The fiber conduit will link the north basin of the marina from the pier at JKL Docks with the west basin at a junction box at the central pier by the harbormaster's office. The proposed run is approximately 1,250-linear-feet and approximately 12-inches-deep and 4-inches-wide. The proposed route is directly outside the esplanade walkway, waterward of the railing.		
Landowner/Applicant	Port of Anacortes Kevin Anderson, Port Environmental Specialist 100 Commercial Ave Anacortes, WA 98821		

SITE INFORMATION

Zoning & Comp. Plan Des.	Commercial Marine (CM)	Shoreline Environment Designation	Urban
Present Use of Property	Cap Sante Marina		

PROJECT LOCATION



PROCEDURAL

1. **Type of Review.** According to AMC Table 19.20.030(1) and 18.16.100(B), shoreline substantial development permit applications for projects valued less than \$1 million are considered a Type 3 review. For Type 3 reviews, the Planning Commission holds the public hearing and renders the final decision regarding the proposed shoreline substantial development permit.
2. **Project History.**
 - A mandatory preapplication meeting was held on January 2, 2024, with the mandatory preapplication neighborhood meeting held on January 23, 2024.
3. **Environmental Review.** The Port of Anacortes, as lead agency, determined the scope of work to be categorically exempt from SEPA Review per WAC 197-11-800(23).

4. **Public notice and reviewing departments/agencies.** A notice of application with a 30-day public comment period was published in the Anacortes American, posted on the project site and mailed to property owners within 300 ft.

Application Submitted	January 8, 2024
Determination of Completeness	February 5, 2024
Notice of Application & Public Hearing	March 6, 2024
Open Record Public Hearing (Planning Commission)	April 24, 2024

5. **Reviewing departments/agencies.** The project application was routed for review to applicable agencies and City departments.

REVIEWING DEPARTMENTS & AGENCIES			
City of Anacortes	Local Agencies	State & Federal	Other
• Building • PW – Operations • PW – WWTP • PW – Engineering • PW – Water	N/A	• USACE • DAHP • DOE • WDFW • WA DNR	• Samish Indian Nation • Sauk-Suiattle • Skagit System Cooperative • Stillaguamish Tribe • Swinomish Tribe

6. **Consideration of written comments and applicant responses.** The notice of application public comment period ended April 5, 2024. In making its recommendation, the Department considered timely received written comments and the applicant’s responses, if any, as required in AMC 19.20.130(C).

6.1. The following comments from the Building Department were received: “All proposed work is above the flood elevation of 7' NGVD 29 or 11' on the site plans. Proposed top of trench is 14' and bottom at 12', so a Flood Development Permit is not required. Documentation has been attached to the Floodplain Documents submittal.”

These comments were relayed to the applicant.

6.2. No other public or agency comments were received for the proposal.

DEPARTMENT REVIEW – FINDINGS OF FACT

1. **The City of Anacortes Shoreline Master Program (SMP)** contains many goals, policies, and development regulations. Not all are applicable to each Shoreline Substantial Development Permit project proposal. Below, staff has listed some of the goals, policies, and regulations believed to be the most relevant, however all applicable regulations apply even if not noted below.
2. **SMP Chapter 5: Shoreline Environments & Associated Policies and Regulations.** This section contains the shoreline environment designations. The intent of designating shoreline environments is to encourage development that will enhance the present or desired character of the shoreline. Management policies are an integral part of the environment designations and are used for determining uses and activities that can be permitted in each environment. Specific development

regulations specify how and where permitted development can take place within each shoreline environment.

2.1. The subject property is located within the **Urban** shoreline environment designation.

2.1.1. The purpose of the Urban designation is to provide for commercial, industrial, and recreational uses; residential uses in some locations; and public land uses while seeking opportunities for protection and restoration of ecological functions.

2.2. **Shoreline Uses and Modification Matrix and Development Standards:**

2.2.1. Per Table 5.1 Shoreline Use and Modification Matrix the following uses are permitted in the Urban environment designation.

2.2.1.1. Marinas

2.2.1.2. Utilities. Accessory utilities are small-scale distribution services directly serving a permitted shoreline use. For example, power, telephone, cable, communication antennas, water, sewer lines, including stormwater systems.

3. **SMP Chapter 6: Environmental Protection General Regulations.** The intent of these regulations is to provide policies and regulations that protect the shoreline environment as well as the critical areas found within the shoreline jurisdiction. The Shoreline Management Act (SMA) mandates the preservation of the ecological functions of the shoreline by preventing impacts that would harm the fragile shorelines of the state.

3.1. DR-6.3.2 In approving shoreline developments, the City of Anacortes shall ensure that shoreline development, use, and/or activities will result in no net loss of ecological functions necessary to sustain shoreline resources, including loss that may result from cumulative impacts of similar developments over time to the extent consistent with constitutional and statutory limitations on the regulation of private property.

3.1.1. The proposal is anticipated to result in no net loss of ecological functions necessary to sustain shoreline resources provided appropriate Best Management Practices (BMPs) are implemented during construction activities and the area is restored to its pre-project configuration, or an enhanced condition, upon construction completion.

3.2. DR-6.4.2 All shoreline permits shall contain provisions that require developers to comply with all applicable state law requirements regarding preservation of archaeological and historic resources, including provisions to stop work and notify the appropriate agencies should protected resources be uncovered during excavation.

3.3. DR-6.4.7 An erosion and sedimentation control plan shall be submitted with a permit application for activities that involve the removal of vegetation, stockpiling of earth or other materials, or any activity that could result in shoreline erosion or siltation. Said program shall conform to the City of Anacortes' Engineering Design Standards and shall at a minimum, utilize Best Management Practices (BMPs) to prevent shoreline erosion and siltation.

3.4. DR-6.5.8 requires certain new development, expansion, or redevelopment projects of non-water-dependent uses to install dense native riparian vegetation consisting of trees, shrubs, and groundcovers along portions of the fifteen-foot wide strip of land lying immediately landward of the edge of existing shoreline armoring.

3.4.1. The project proposes to install the fiber conduit between the waterward edge of the waterfront esplanade and the landward edge of the existing shoreline armoring, which is where native riparian vegetation may be required to be installed under future development proposals.

4. **SMP Chapter 8: Specific Use Policies and Development Regulations.** This chapter provides specific policies and regulations for specific uses. The performance standards contained herein augment standards established through other land development regulations. Where conflict arises between these and other applicable controls, the regulations that provide more protection to the shoreline area shall apply.

4.1. Section 8.14 Utilities (Primary)

4.1.1. Utilities are services and facilities that produce, transmit, carry, store, process, or dispose of electric power, water, sewage, communications, oil, gas, stormwater, and the like. The provisions in section 8.14 apply to primary use and activities such as sewage treatment plants, sewer lift pumps, stormwater outfalls, and fuel storage facilities. On-site utility features serving a primary use, such as water, sewer, or gas line to a residence are “accessory utilities” and shall be reviewed as appurtenances to the primary use. The proposed fiber conduit is an “accessory utility”.

CONCLUSIONS OF LAW

1. Installation of accessory utilities to serve a primary use is a permitted action.
2. The shoreline permit was reviewed for conformance with all applicable Shoreline Master Program regulations, including but not limited to, the above list.
5. The subject proposal is consistent with the Washington State’s Shoreline Management Act, City of Anacortes’ 2010 Shoreline Master Program and development regulations listed therein for developments within the Urban shoreline environment designation.
6. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.
7. Staff reserves the right to supplement the record of the case to respond to matters and information raised subsequent to the writing of this report.

RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission approve the shoreline substantial development permit subject to the following conditions of approval:

1. The applicant/landowner shall comply with all applicable state law requirements regarding preservation of archaeological and historic resources, including provisions to stop work and notify the appropriate agencies should protected resources be uncovered during excavation.
2. The scope of the project shall not exceed that as set out in the shoreline permit application and shall be valid only for the improvements described within the application materials, except as modified by this decision or other jurisdictional agencies, or as approved through a permit revision, if applicable.

3. The existence of the fiber conduit installed under this permit may not be used as justification to avoid compliance with shoreline vegetation planting requirements that may be triggered under future shoreline development permit applications.
4. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
5. Prior to site work, the applicant/landowner shall submit to the City an erosion and sedimentation control plan for activities that involve the removal of vegetation, stockpiling of earth or other materials, or any activity that could result in shoreline erosion or siltation. Said program shall conform to the City of Anacortes' Engineering Design Standards and shall at a minimum, utilize Best Management Practices (BMPs) to prevent shoreline erosion and siltation.
6. After site construction activities are completed, the site shall be restored to the pre-project configuration, or an enhanced condition.
7. The applicant/landowner shall comply with federal statutes including but not limited to: Endangered Species Act, Clean Water Act, Marine Mammal Protection Act, and other federal statutes.
8. The project shall comply with all applicable Shoreline Master Program regulations, including but not limited to those listed above.
9. Development shall comply with AMC 18.16.130 regulating the time limit for shoreline permits as follows:
 - 8.1 *Construction, or substantial progress toward completion, must begin within two (2) years after approval of the permit. Substantial progress toward construction shall include, but not limited to, the letting of bids, making of contracts, purchasing of materials involved in development, but shall not include development or uses which are inconsistent with the Shoreline Management Act or the city's master program. In determining the running two-year period hereof, there shall not be included the time during which development was not actually pursued by construction and the pendency of litigation reasonably related thereto made it reasonable not to so pursue; provided, that the city may, in its discretion, extend the two-year time period for a reasonable time based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.*
 - 8.2 *5-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.*



City of Anacortes, WA

City of Anacortes, WA

904 6th Street
Anacortes, WA 98221
(360) 293-1902
<http://cityofanacortes.org/>

PERMIT

SDP-2024-0001

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

SITE ADDRESS: 1019 Q AVENUE ANACORTES
PRIMARY PARCEL: P32888
PROJECT NAME: MARINA FIBER UPDATE

ISSUED:

EXPIRES:

APPLICANT: PORT OF ANACORTES - ANDERSON
100 COMMERCIAL AVE
ANACORTES, WA 98221
360-770-5194

OWNER: PORT OF ANACORTES
100 COMMERCIAL AVE
ANACORTES, WA 98221

Detail Name

Are there additional properties included in project site boundary? (besides the address/parcel number already provided)
If so, list the site address and parcel numbers here, and add the 'owners' to the Permit Contacts list

Is more than 1 land use permit application type required for your project?

Related preapplication file # (if applicable)

Estimated project value (Labor plus materials)

Present zone designation

Are there critical areas or buffers on site or within 300'?

Shoreline Environment Designation as determined by the SMP.

Type 3-PC: SSDP projects valued less than \$1MIL on sites less than 3 acres. Type 4-CC: SSDP projects valued at \$1MIL or more or on a site of 3 acres or more.

Flood Zone

Detail Value

Yes
P32881, P32880

No
Pre-2023-0048

\$37,000

CM

Yes

URBAN

Type 3

AE

FEES:

Shoreline Substantial
Development Permit Fee
Critical area report
review/confirmation

Paid

\$1,630.00

\$120.00

Totals : **\$1,750.00**

Due

\$0.00

\$0.00

\$0.00

January 2, 2024

Planning Staff
City of Anacortes
904 6th Street
Anacortes, WA 98221

RE: Port of Anacortes Fiber Upgrade

Dear PCED Staff,

The Port of Anacortes proposes installation of fiber conduits at Cap Sante Marina to provide bandwidth for growing data needs. Cap Sante Marina is a public marina serving both recreational and commercial vessel owners. The facility includes 107 acres of in-water and upland property, approximately 1,000 slips for boats, a fuel dock, a pump out, a small craft hoist, a trailer boat launch, a commercial loading dock with 1-ton hoists (T-Dock), and web lockers to support maritime commerce.

The proposed fiber conduits would link the north basin of the marina with the west basin and harbormaster's office. The Port has been incrementally improving communication lines at the marina to provide higher speed and more reliable data connections; the most recent work included connections of fiber at the fuel dock, trailer boat launch, and harbormasters office with the installation data lines in conduit (see permit number SDP-2019-0001 for reference). The proposed work is like previous work in scope and methods. The Port proposes installation of conduit from a junction box at the central pier at the harbormaster's office to the pier at JKL Docks (Figure 1).



Figure 1: Fiber conduit route at Cap Sante Marina

The proposed run of conduit is approximately 1,250 feet in length. The proposed conduit is 1.5" schedule-80 PVC conduit; this size of conduit allows for future expansion, if necessary, by being able support more than one Cat-6 fiber cable. The conduit will be laid in a shallow trench approximately 12" deep and approximately 4" wide (Figure 2). The proposed route will be directly inside the esplanade walkway at the marina. This route was chosen to minimize disruption to paved surfaces and public access. At the section of the route where the esplanade bends to the east the conduit will be surface mounted to the side of the existing esplanade slab with brackets. The substrate in this portion of the route are not suitable for burial of conduit, consisting mostly of rip-rap and quarry spalls.

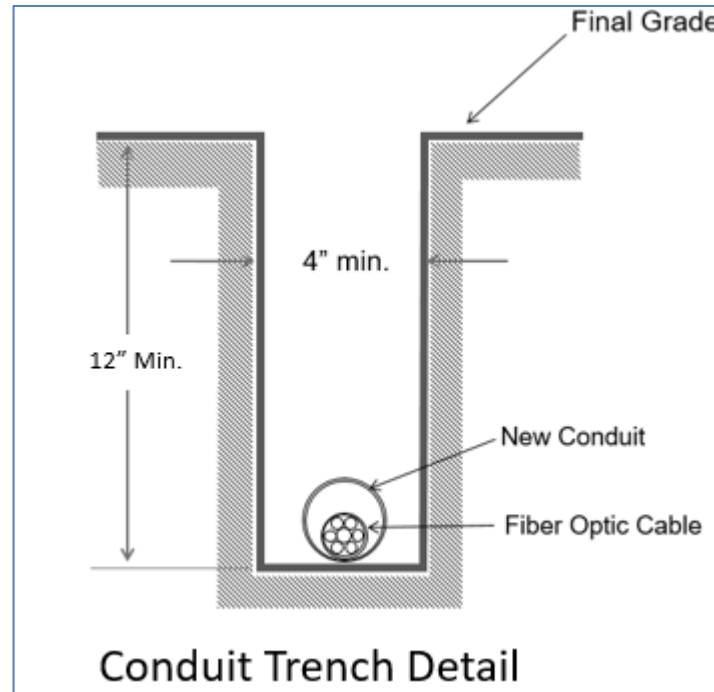


Figure 2: Trench details

The conduit route is above the high tide line (10.63') and ordinary high water (10.2') at about +14' and outside the jurisdictional boundaries of the Army Corps of Engineers and Department of Fish and Wildlife. The excavation will be shallow and excavated materials will be laid on a tarp or board and prevented from entering the water. Once the excavation is complete, the conduit will be laid. Prior to backfill a metallic locate tape will be placed over the conduit. Grade will be restored and compacted once the conduit has been laid. Finally, the fiber lines will be pulled through the conduit, connected, and brought into service. This work will require the use of hand tools and power equipment (mini excavator or trencher, and a compressor) to dig the trench, install conduit, and pull cable lines. The Port estimates the work to take less than a week and would like to conduct the work in the Spring of 2024.

Thank you for your attention to this issue. If you have any questions, please contact me by email or phone (360-293-1827 kevin.anderson@portofanacortes.com).

Best regards,
Kevin Anderson



PROJECT SITE MAP

LATITUDE: 48.521483N
LONGITUDE: -122.606469W

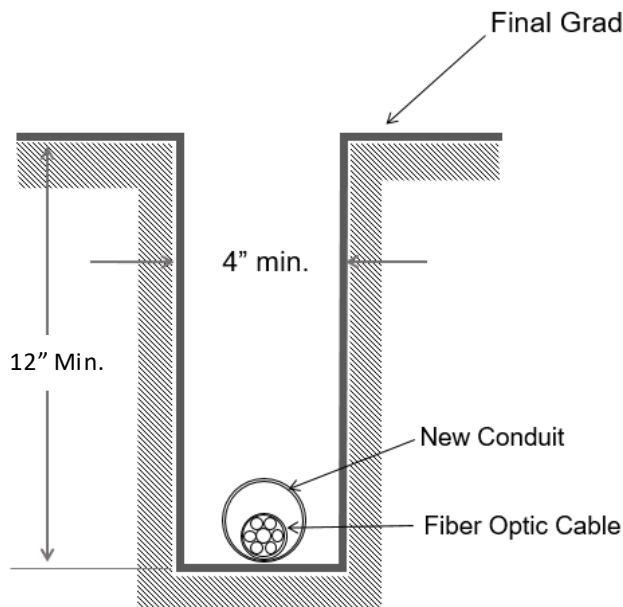
PURPOSE: Install fiber conduits from the Central Pier to JKL dock at Cap Sante Marina.

- Excavate a shallow trench
- Lay 1" PVC conduit
- Backfill with native materials

CAP SANTE MARINA
JKL to Central Pier Fiber
Conduit

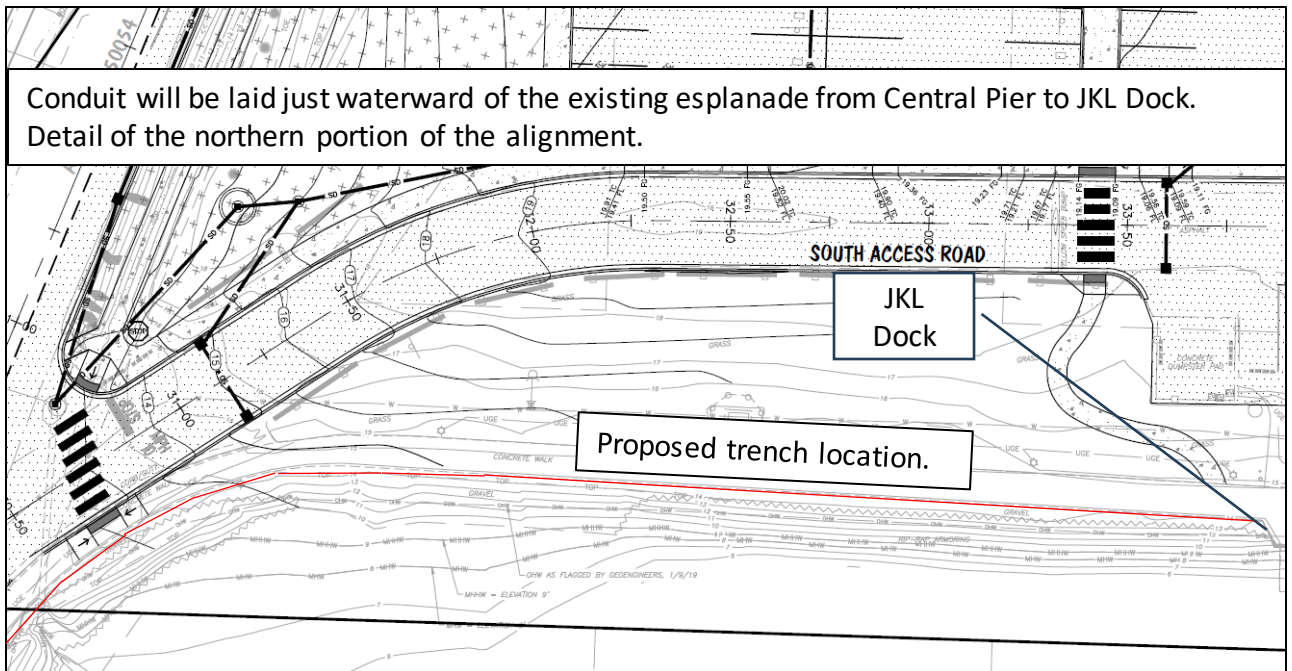
PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221

PROPOSED:
AT: 1019 Q Ave
APPLICATION BY: PORT OF
ANACORTES



Conduit Trench Detail

Install ~1,250 lf of conduit for fiber optic data cables at the marina to meet growing data capacity. Conduit will be 1" diameter PVC conduit with locate tape.



PURPOSE: Install fiber conduits from the Central Pier to JKL dock at Cap Sante Marina.

- Excavate a shallow trench
- Lay 1" PVC conduit
- Backfill with native materials

CAP SANTE MARINA
JKL to Central Pier Fiber
Conduit

PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221

PROPOSED:
AT: 1019 Q Ave
APPLICATION BY: PORT OF
ANACORTES



Date: December 19, 2023

To: Port of Anacortes SEPA Files
Marina Fiber Upgrade

From: Kevin Anderson, Environmental Specialist

Re: SEPA Review of Marina Fiber Upgrades

The Port of Anacortes proposes utility-related actions encompassing underground fiber installation at Cap Sante Marina. Cap Sante Marina, a year-round marina with 1,007 slips, is located in Fidalgo Bay at 1019 Q Avenue.

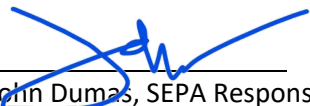
The proposed utility-related project involves underground fiber installation from the Central Pier to the J-K-L Dock pier. The underground fiber work will consist of sections of utility trenching parallel to the existing esplanade. The proposed trench will be approximately one-foot deep, and the conduit will be two 1-inch diameter PVC conduits with locate tape. One of the conduits will be a spare “dark conduit” without fiber cables to meet possible future needs.

The Port of Anacortes requires fiber improvement to continue providing quality service to marina customers and tenants and meet growing data demands. The proposed utility-related actions constitute the improvement of existing shoreline structures.

The Port of Anacortes, as lead agency, has determined that this project is categorically exempt from SEPA review based on the criteria described in WAC 197-11-800 (23):

Utilities. *The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.*

- a. *All communications lines, including cable TV, but not including communication towers or relay stations.*



John Dumas, SEPA Responsible Official

20 Dec 2023

Date



WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form^{1,2} [\[help\]](#)

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps
of Engineers®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1–Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [\[help\]](#)

Marina Fiber Upgrade

Part 2–Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)

Anderson, Kevin

2b. Organization (If applicable)

Port of Anacortes

2c. Mailing Address (Street or PO Box)

100 Commercial Avenue

2d. City, State, Zip

Anacortes, WA, 98221

2e. Phone (1)

2f. Phone (2)

2g. Fax

2h. E-mail

360-7705194

Kevin.Anderson@portofanacortes.com

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [\[help\]](#) screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

Part 3–Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
3b. Organization (If applicable)			
3c. Mailing Address (Street or PO Box)			
3d. City, State, Zip			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail

Part 4–Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- ☒ Same as applicant. (Skip to Part 5.)
- ☐ Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- ☐ There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.
- ☐ Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail

Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- ☐ There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]			
☐ Private			
☐ Federal			
☒ Publicly owned (state, county, city, special districts like schools, ports, etc.)			
☐ Tribal			
☐ Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
Cap Sante Marina: 1019 Q Avenue			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Anacortes, WA 98221			
5d. County [help]			
Skagit			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
	18 and 19	35	02
5f. Provide the latitude and longitude of the project location. [help]			
Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)			
48.513636 N lat. / -122.609513 W long.			
5g. List the tax parcel number(s) for the project location. [help]			
The local county assessor's office can provide this information.			
P32880, P32881, P32888			
5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]			
Name	Mailing Address	Tax Parcel # (if known)	
Port of Anacortes	100 Commercial Avenue	Multiple throughout Cap Sante Marina	
	Anacortes, WA 98221		
City of Anacortes	PO Box 547	City right-of-way	
	Anacortes, WA 98221		

Samish Indian Nation	PO Box 217	P125270
	Anacortes, WA 98221	
Seafarers' LLP	PO Box 973	P118627
	Anacortes, WA 98221	

5i. List all wetlands on or adjacent to the project location. [\[help\]](#)

N/A

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [\[help\]](#)

Fidalgo Bay

5k. Is any part of the project area within a 100-year floodplain? [\[help\]](#)

☒ Yes ☐ No ☐ Don't know

5l. Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

The proposed project will occur within the Port's Cap Sante Marina within areas with no vegetation present. The southern, western, and northern portion of the marina uplands are heavily developed and consist of an armored shoreline extending from the MHHW down to a depth of -12 ft to -14 ft MLLW.

The marina uplands are heavily developed and consists of concrete sidewalks, asphalt roads and commercial and Port buildings. The shoreline is dominated by riprap down to a depth of 0 ft MLLW. Below the riprap, the substrates consist of mud, which has historically been dredged.

5m. Describe how the property is currently used. [\[help\]](#)

The project site located within a large recreational and commercial boat marina operated by the Port. The marina includes approximately 107 acres of in-water and upland property and provides 1,007 boat moorage slips that support local tourism, fishing and other commercial marine activities. Existing structures within the marina include moorage floats, a fuel dock, one small craft hoist at P/Q dock, two 1-ton hoists at T-Dock for commercial usage, a boat travel lift, a floating pumpout facility, along with upland amenities such as vehicle and boat trailer parking and webblockers, retail space, a public esplanade and the Port's Harbormaster's office.

5n. Describe how the adjacent properties are currently used. [\[help\]](#)

Adjacent properties include commercial and retail west of Q Avenue, Seafarers' Memorial Park and an office complex to the south and Port properties to the north.

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

Within the scope of the project, riprap, concrete abutments, timber pier, concrete sidewalk and asphalt roadways are located aboveground and are in good condition. Various utilities (power, water, sewer, storm, natural gas and communications) are located belowground and in good condition.

5p. Provide driving directions from the closest highway to the project location, and attach a map. [\[help\]](#)

From I-5, take SR-20 to Anacortes. Continue on SR-20, and exit in Anacortes at R Avenue. At the roundabout, take the second turn onto Q Avenue. Turn right at Seafarers Way.

Part 6–Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

The Port's proposed utility-related project involves underground fiber installation from the ramp and lighting pole at JKL Docks in the north basin to the harbormaster office.

6b. Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

The Port requires the fiber improvement in order to continue providing quality service to marina customers and tenants.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- ☒ Commercial
 ☐ Residential
 ☐ Institutional
 ☐ Transportation
 ☐ Recreational
☐ Maintenance
 ☐ Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

- | | | | |
|--|--|---|--|
| ☐ Aquaculture
☐ Bank Stabilization
☐ Boat House
☐ Boat Launch
☐ Boat Lift
☐ Bridge
☐ Bulkhead
☐ Buoy
☐ Channel Modification | ☐ Culvert
☐ Dam / Weir
☐ Dike / Levee / Jetty
☐ Ditch
☐ Dock / Pier
☐ Dredging
☐ Fence
☐ Ferry Terminal
☐ Fishway | ☐ Float
☐ Floating Home
☐ Geotechnical Survey
☐ Land Clearing
☒ Marina / Moorage
☐ Mining
☐ Outfall Structure
☐ Piling/Dolphin
☐ Raft | ☐ Retaining Wall (upland)
☐ Road
☐ Scientific Measurement Device
☐ Stairs
☐ Stormwater facility
☐ Swimming Pool
☒ Utility Line |
|--|--|---|--|

☐ Other:

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

The project is located within Cap Sante Marina in Fidalgo Bay, Anacortes. The project site lies within a 1% annual chance flood hazard area.

The proposed utility-related project involves underground fiber installation from JKL dock to the harbormaster office. The work entails upland trenching just waterward of the esplanade along the marina basin. The trench will begin at the JKL dock ramp and ends at the esplanade adjacent to the harbormaster office at the central pier to connect to existing conduit. It is anticipated that the proposed project will require the operation of a small excavator, dump truck, horizontal directional boring equipment and hand tools.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: Spring 2024 End Date: Spring 2024 ☐ See JARPA Attachment D
(once all permits have been obtained)

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]
\$37,000
6h. Will any portion of the project receive federal funding? [help]
If yes, list each agency providing funds.
☐ Yes ☒ No ☐ Don't know

Part 7–Wetlands: Impacts and Mitigation

☐ Check here if there are wetlands or wetland buffers on or adjacent to the project area.
 (If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]						
☐ Not applicable						
7b. Will the project impact wetlands? [help]						
☐ Yes ☐ No ☐ Don't know						
7c. Will the project impact wetland buffers? [help]						
☐ Yes ☐ No ☐ Don't know						
7d. Has a wetland delineation report been prepared? [help]						
If Yes, submit the report, including data sheets, with the JARPA package.						
☐ Yes ☐ No						
7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [help]						
If Yes, submit the wetland rating forms and figures with the JARPA package.						
☐ Yes ☐ No ☐ Don't know						
7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [help]						
- If Yes, submit the plan with the JARPA package and answer 7g. - If No, or Not applicable, explain below why a mitigation plan should not be required.						
☐ Yes ☐ No ☐ Don't know						
7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [help]						
7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [help]						
Activity (fill, drain, excavate, flood, etc.)	Wetland Name¹	Wetland type and rating category²	Impact area (sq. ft. or Acres)	Duration of impact³	Proposed mitigation type⁴	Wetland mitigation area (sq. ft. or acres)

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report. ² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package. ³ Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable. ⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)						
Page number(s) for similar information in the mitigation plan, if available: _____						
7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [help]						
7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [help]						

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

☒ Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [help]
☐ Not applicable
The project is located upland the regulatory elevations for both the Army Corps of Engineers and will not directly impact adjacent waterbodies.
8b. Will your project impact a waterbody or the area around a waterbody? [help]
☒ Yes ☐ No
8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [help] If Yes, submit the plan with the JARPA package and answer 8d. If No, or Not applicable, explain below why a mitigation plan should not be required.
☐ Yes ☒ No ☐ Don't know
See answer to 8a.
8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan. If you already completed 7g you do not need to restate your answer here. [help]
N/A
8e. Summarize impact(s) to each waterbody in the table below. [help]

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
N/A	N/A	N/A	N/A	N/A	N/A
¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided. ² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain. ³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.					
8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [help]					
N/A					
8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [help]					
N/A					

Part 9–Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [help]			
Agency Name	Contact Name	Phone	Most Recent Date of Contact
WA Department of Fish and Wildlife	Beth Tate	360-466-4345	October 2023
City of Anacortes	Grace Pollard	360-293-1901	October 2023
9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [help] - If Yes, list the parameter(s) below. - If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: http://www.ecy.wa.gov/programs/wq/303d/.			
☒ Yes ☐ No			
The project takes place within the Port's Cap Sante Marina in Fidalgo Bay, Puget Sound. Fidalgo Bay is located immediately south and east of the project site. The combined areas of Padilla Bay, Fidalgo Bay, and Guemes Channel are listed on Ecology's 303(d) list for bacteria, copper, dissolved oxygen, temperature and ammonia-N.			
9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [help] Go to http://cfpub.epa.gov/surf/locate/index.cfm to help identify the HUC.			
HUC 17110002			

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help] Go to http://www.ecy.wa.gov/water/wria/index.html to find the WRIA #.
WRIA 3
9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help] Go to http://www.ecy.wa.gov/programs/wq/swqs/criteria.html for the standards.
☐ Yes ☐ No ☒ Not applicable
9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help] - If you don't know, contact the local planning department. - For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.
☐ Urban ☐ Natural ☒ Aquatic ☐ Conservancy ☒ Other: <u>Urban Shoreline</u>
9g. What is the Washington Department of Natural Resources Water Type? [help] Go to http://www.dnr.wa.gov/forest-practices-water-typing for the Forest Practices Water Typing System.
☒ Shoreline ☐ Fish ☐ Non-Fish Perennial ☐ Non-Fish Seasonal
9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help] If No, provide the name of the manual your project is designed to meet.
☒ Yes ☐ No
Name of manual: _____
9i. Does the project site have known contaminated sediment? [help] If Yes, please describe below.
☐ Yes ☒ No
No known contamination has been identified at the immediate project site.
9j. If you know what the property was used for in the past, describe below. [help]
The project site was developed as a public marina in 1927. There are no places or objects within the project site that have been identified on or proposed for listing on national, state or local preservation registers.
9k. Has a cultural resource (archaeological) survey been performed on the project area? [help] If Yes, attach it to your JARPA package.

☐ Yes ☒ No

In 2009, a Cultural Resources Assessment was completed for the adjacent Scott Paper Company lumber mill (Scott site), which identified no close buildings or structures, no indications of shipwrecks, and no evidence for ethnohistoric or other tribal sites in the immediate area. Given the history of the well-developed site and recent construction projects completed in the marina at the nearby Scott Site and at Seafarers' Memorial Park, archeological or cultural impacts are not anticipated. However, if evidence of these features is encountered during construction, the Port will notify local tribes and the state's Department of Archeology and Historic Preservation (DAHP) and take appropriate steps.

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Three salmonid species that are listed under the Endangered Species Act (ESA) that may be present at the project site include the Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), Coastal-Puget Sound bull trout (*Salvelinus confluentus*) and Puget Sound steelhead trout (*O. mykiss*). Additionally, two rockfish species present in Puget Sound are listed under the ESA, though their presence in the marina is unlikely: bocaccio (*Sebastes paucispinis*) and yelloweye rockfish (*S. ruberrimus*). Marbled murrelet (*Brachyramphus marmoratus*), an ESA-listed bird species, is potentially present in Fidalgo Bay but unlikely to use the marina. Additional listed species in the vicinity that are extremely unlikely to occur include the Southern Resident killer whale (*Orcinus orca*), humpback whale (*Megaptera novaeangliae*) and leatherback sea turtle (*Dermochelys coriacea*).

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

WDFW includes bocaccio and yelloweye rockfish on its priority habitat species list.

Fish resources in Fidalgo Bay area include Pacific salmon, forage fish and a number of flatfish and pelagic species typical of Puget Sound. Surf smelt (*Hypomesus*), sand lance (*Ammocetes hexapterus*) and Pacific herring (*Clupea harengus pallasii*) are important forage fish for salmonids. Surf smelt require high intertidal beaches with gravel for spawning. Sand lance also require upper intertidal spawning habitat, with sandy gravel beaches. Although the steep intertidal shorelines within the marina do not provide suitable spawning habitat for these species, surf smelt spawning has been mapped as occurring on and around both the north and south breakwaters at the mouth of the marina. The eastern shoreline of the marina basin has also been mapped for spawning. Surf smelt spawning activity occurs on this beach from May to September, unlike adjacent spawning beaches across Fidalgo Bay, which receive smelt spawn virtually year-round. The nearest known sand lance spawning beach is in the southern portion of Fidalgo Bay over 1.5 miles from the project site. No herring spawning occurs near the marina.

In summary, it is determined that there will be no effect to the listed species (in 9l.) due to the location and type of work being proposed. Listed species will not be susceptible to impacts related to the project activities because there is no suitable habitat present at the project location. The project involves upland. Therefore, we have determined that this project will have no effect on the listed species. Additionally the project will have no effect on designated critical habitats for these species. See attached No Effects Letter.

Part 10–SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.oria.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

☒ A copy of the SEPA determination or letter of exemption is included with this application.

☐ A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.

☐ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

☒ This project is exempt (choose type of exemption below).

☒ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?
WAC 197-11-800 (23)(a) Utilities

☐ Other: _____

☐ SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [\[help\]](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

☒ Substantial Development ☐ Conditional Use ☐ Variance

☐ Shoreline Exemption Type (explain): _____

Other City/County permits:

☐ Floodplain Development Permit ☐ Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

☐ Hydraulic Project Approval (HPA) ☐ Fish Habitat Enhancement Exemption – [Attach Exemption Form](#)

Washington Department of Natural Resources:

☐ Aquatic Use Authorization

Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.

Do not send cash.

Washington Department of Ecology:

☐ Section 401 Water Quality Certification

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

☐ Section 404 (discharges into waters of the U.S.) ☐ Section 10 (work in navigable waters)

United States Coast Guard permits:

☐ General Bridge Act Permit ☐ Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

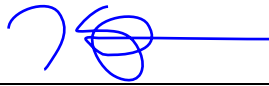
I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

Kevin Anderson

Applicant Printed Name



Applicant Signature

12/19/2023

Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

Authorized Agent Printed Name

Authorized Agent Signature

Date

11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Property Owner Printed Name

Property Owner Signature

Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-011 rev. 07/2017



Pacific Surveying & Engineering, Inc

land surveying • civil engineering • consulting • environmental
909 Squalicum Way #111, Bellingham, WA 98225
Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

April 26, 2023

Grace Pollard

City of Anacortes Planning, Community & Economic Development Department

904 6th Street

Anacortes, WA 98221

**RE: PRE_2023_0003: West Basin Development Plan
Cap Sante Marina- FEMA Boundary**

Dear Grace,

On behalf of our client, the Port of Anacortes, I have attached for City of Anacortes review and approval an exhibit map depicting the difference between FEMA and surveyed floodplain boundaries in the vicinity of our proposed Cap Sante West Basin Redevelopment project. Based on correspondence with the City Floodplain Manager, Rob Frisinger, and pursuant to the provisions of City of Anacortes Municipal Code 19.74.040(C)(5) we are requesting a formal determination from the City that the proposed project is not actually located in the floodplain (despite current FIRM map designations) and may continue without the need for a Flood Development Permit.

The attached map depicts the following features for your review:

- ... Proposed West Basin Development Map
- ... FEMA FIRM Map Floodplain Boundary intended to represent the Base Flood Elevation of 7' (NGVD 29 vertical datum). This line is shown as a blue dashed line.
- ... Ground Survey determined Floodplain Boundary representing the true location of the 7' NGVD 29 contour. This line is shown as a solid green line near the Cap Sante Marina shoreline

As can plainly be seen on the attached exhibit map and based on the results of an actual ground survey using the methods prescribed in WAC 332-130-145, it has become evident that the FEMA FIRM Maps for this area are inaccurate and not based on reliable topographic data.

Please take note that our West Basin project datum is MLLW (Tidal). A conversion factor of -4.3 feet was used to convert project datum to FEMA datum (NGVD 29) for this exercise. The translated Base Flood Elevation would represent the 11' contour (rounded) on our West Basin existing conditions map, which actually lands near the top of slope of the existing Cap Sante Marina revetment rock wall (see map). Vertical Datum conversions were determined using a published elevation benchmark records and verified using NOAA's VDatum conversion tool. A copy of these results are attached for your records.

Please let us know if you have any questions or need additional information to support this request for determination.

Sincerely,
Pacific Surveying and Engineering

A handwritten signature in blue ink, appearing to read "Adam Morrow", with a stylized flourish at the end.

Adam Morrow, PLS
Survey Project Manager
Principal

Enclosures

cc: Rob Frisinger, City of Anacortes Deputy Building Official
Steve Lange, City of Anacortes Department of Public Works
Brenda Treadwell, Port of Anacortes
Brad Tesch, Port of Anacortes
Kevin Anderson, Port of Anacortes

CAP SANTE MARINA - WEST BASIN FEMA EXHIBIT



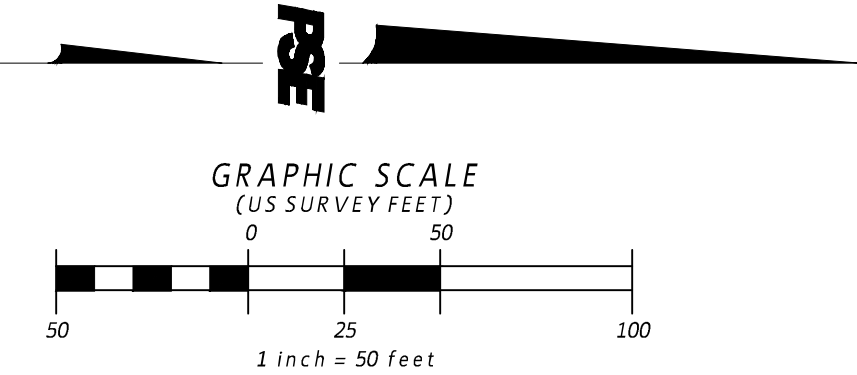
DATA	
DRAWN:	TJM
CHECKED:	ASM
DATE:	04/25/2023
DWG:	2022331_svE_FEMA.dwg
SCALE:	1" = 50'
JOB#:	2022331
FIELD BOOK:	N/A
SHEET	1 OF 1

CAP SANTE MARINA
FEMA EXHIBIT
PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221



PACIFIC SURVEYING
& ENGINEERING, INC.

909 Squalicum Way, Suite 111 | BELLINGHAM, WA 98225
T: 360.671.7387 | F: 360.671.4685
WWW.PSESURVEY.COM | INFO@PSESURVEY.COM



National Flood Hazard Layer FIRMette



122°36'40"W 48°31'5"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

122°36'2"W 48°30'41"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/19/2021 at 5:15 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevation** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevation (BFEs) shown on this map apply only landward of 0.0' National Geodetic Vertical Datum (NGVD). Users of this FIRM should be aware that coastal flood elevations may also be provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this community. Elevations shown in the Summary of Stillwater Elevations table should be used for construction, and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures in this jurisdiction.

The **projection** used in the preparation of this map is Universal Transverse Mercator (UTM) zone 10. The **horizontal datum** is NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the National Geodetic Vertical Datum of 1929. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

Spacial Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit their website at www.ngs.noaa.gov.

Base map information shown on this FIRM was provided in digital format by the City of Anacortes, Washington.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map showing the layout of map panels for this jurisdiction.

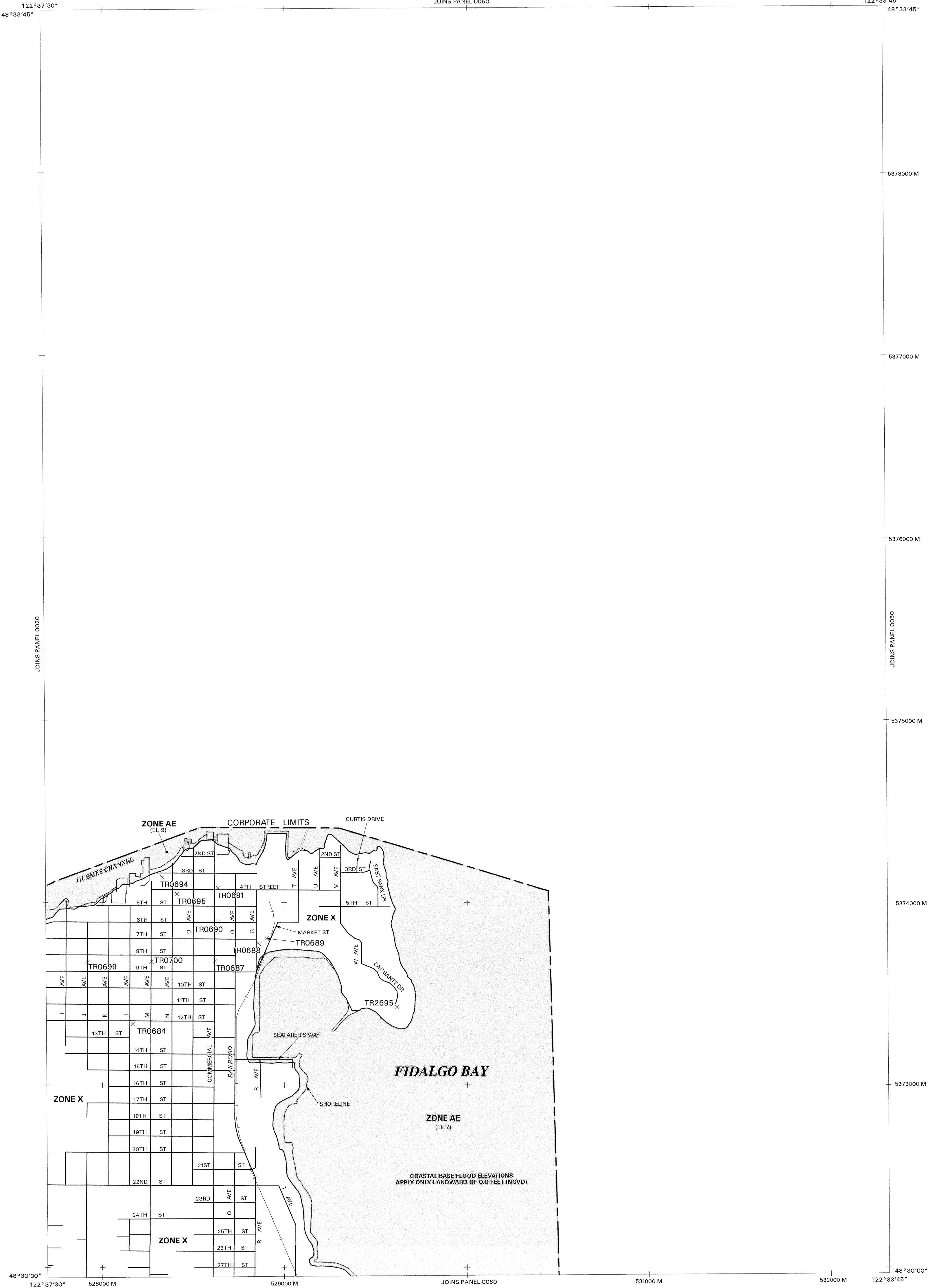
An accompanying Flood Insurance Study report, Letters of Map Revision or Letters of Map Amendment revising portions of this panel, and digital versions of this PANEL may be available. Contact the **FEMA Map Service Center** at the following phone numbers and Internet address for information on all related products available from FEMA:

Phone: 800-358-9616
FAX: 800-358-9620
www.fema.gov/msc

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA-MAP** (1-877-336-2927) or visit the FEMA website at www.fema.gov.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report may reflect stream channel distances that differ from what is shown on this map.

All Special Flood Hazard Areas shown within the City of Anacortes were previously published for the Unincorporated Areas of Skagit County, Washington. Dates shown below are from the Effective FIRM for Skagit County: Initial Identification - October 25, 1974; Flood Hazard Boundary Map Revisional - September 13, 1977 & April 1, 1980; Flood Insurance Rate Map Effective - January 3, 1985



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A** No base flood elevations determined.
- ZONE AE** Base flood elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood event.
- ZONE A99** Area to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no base flood elevations determined.

- ZONE V** Coastal flood zone with velocity hazard (wave action); no base flood elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE D Areas determined to be outside the 0.2% annual chance floodplain.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or velocities.

Base Flood Elevation line and value; elevation in feet*

Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the National Geodetic Vertical Datum of 1929

Cross Section Line

Transect Line

97°07'30", 32°22'30" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)

4276000M 1000-meter Universal Transverse Mercator grid values, zone 10

600000 FT 5000-foot grid ticks

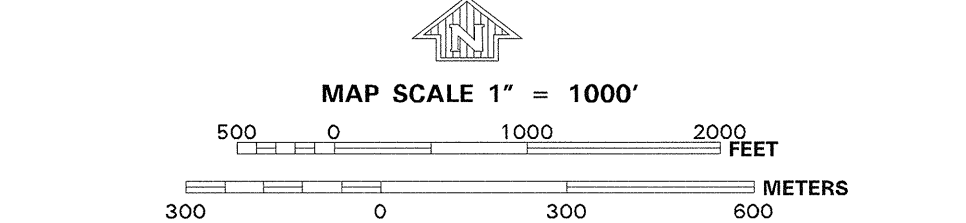
Bench mark (see explanation in Notes to Users section of this FIRM panel).

River Mile

- MAP REPOSITORY**
City of Anacortes City Hall 804 6th Street Anacortes, WA 98221
(Maps available for reference only, not for distribution.)
- INITIAL IDENTIFICATION**
See Notes to Users Area
- FLOOD HAZARD BOUNDARY MAP REVISIONS**
See Notes to Users Area
- FLOOD INSURANCE RATE MAP EFFECTIVE**
See Notes to Users Area
- FLOOD INSURANCE RATE MAP REVISIONS**

Refer to the FLOOD INSURANCE RATE MAP EFFECTIVE date shown on this map to determine when actuarial rates apply to structures in the zones where elevations or depths have been established.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at (800) 638-6620.



NATIONAL FLOOD INSURANCE PROGRAM

FEDERAL EMERGENCY MANAGEMENT AGENCY

PANEL 0040A

FIRM

FLOOD INSURANCE RATE MAP

CITY OF ANACORTES, WASHINGTON

SKAGIT COUNTY

PANEL 40 OF 100

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ANACORTES, CITY OF	530317	0040	A

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

FEDERAL EMERGENCY MANAGEMENT AGENCY

MAP NUMBER
5303170040A

EFFECTIVE DATE:
SEPTEMBER 17, 2003

Federal Emergency Management Agency

Page 43 of 135

BENCHMARK	TIDAL MLLW (US Survey Ft)	NAVD88 (US Survey Ft)	NGVD29 (US Survey Feet)	MLLW-NGVD 29 Difference
Q 329	17.005	16.457	12.674	4.331
P 329	31.394	30.846	27.060	4.334
Cap Sante	201.059	200.511	196.752	4.308
Tidal 14	27.290	26.742	22.976	4.314
S 329	70.912	70.364	66.588	4.324
R 329	159.193	158.645	154.859	4.334

Regional Information

* Region : Contiguous United States

Horizontal Information

	Source	Target
Reference Frame:	NAD 1927	NAD83(2011)
Coor. System:	Geographic (Longitude, Latitude)	Geographic (Longitude, Latitude)
Unit:	meter (m)	meter (m)
Zone:	AL E - 0101	AL E - 0101

Vertical Information

	Source	Target
Reference Frame:	NGVD 1929	NAVD 83
Unit:	foot (U.S. Survey) (US_ft)	foot (U.S. Survey) (US_ft)
	☒ Height ☐ Sounding	☒ Height ☐ Sounding
	☐ GEOID model:	☐ GEOID model:

Point Conversion ASCII File Conversion

Input

Latitude: 48.516156
e.g. 33.7586 or 33 45 30.9600

Longitude: -122.606811
e.g. -118.7691 or -118 46 8.7600

Height: 7
e.g. 3.037

[Drive to on map](#)

[Reset Map](#)

☐ to DMS

Output

Latitude: 48.5159840554

Longitude: -122.6080893779

Height: 11.285

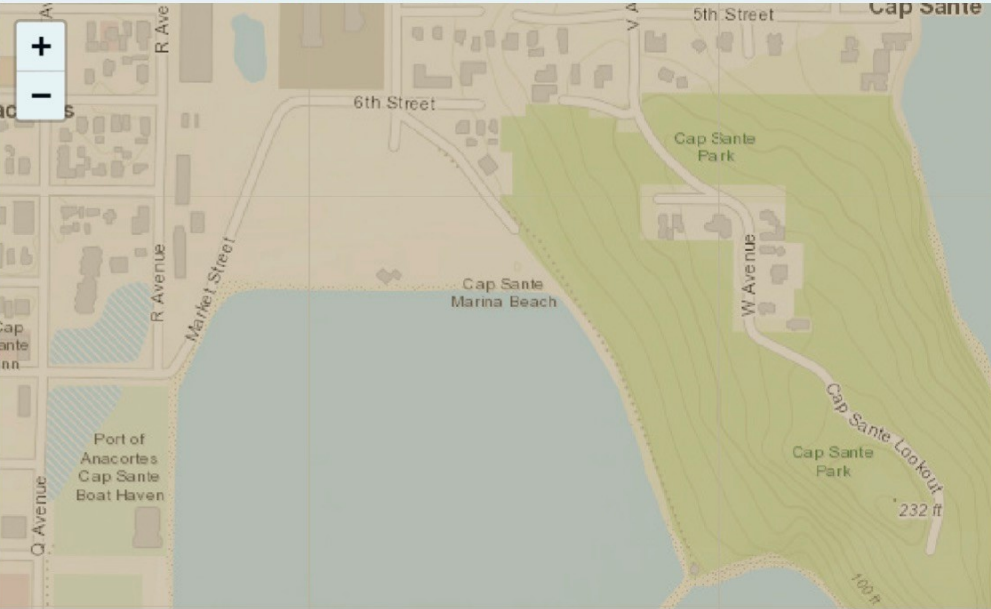
[Drive to on map](#)

[Reset Map](#)

Vertical Uncertainty (+/-): 0.3985678 US_ft

Vertical_Area: WAjdfuca03_8301:3:0

- ☒ Valid Tidal area
- ☒ Non-Tidal area
- ☒ Non-Valid area
- ☒ IGLD85
- ☒ SVU area



Critical Areas Assessment Report

West Basin Master Plan
Anacortes, Washington

for
Port of Anacortes

July 10, 2023



554 West Bakerview Road
Bellingham, Washington 98226
360.647.1510

Critical Areas Assessment Report

West Basin Master Plan Anacortes, Washington

File No. 5147-031-02

July 10, 2023

Prepared for:

Port of Anacortes
100 Commercial Avenue
Anacortes, Washington 98221

Attention: Brenda Treadwell

Prepared by:

GeoEngineers, Inc.
554 West Bakerview Road
Bellingham, Washington 98226
360.647.1510

John T. Porco, BS
Staff Biologist

Fiona M. McNair, PWS
Associate Biologist and Wetland Scientist

JTP:FMM:tlm

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APPENDICES

Appendix A. West Basin Upland Redevelopment Conceptual Design and North Basin Upland
Improvements Plan Set

Appendix B. Background Maps and Data

Appendix C. Site Photographs

1.0 INTRODUCTION AND PROJECT UNDERSTANDING

GeoEngineers, Inc. (GeoEngineers) was contracted by the Port of Anacortes (Port) to perform wetland and stream ordinary high water mark (OHWM) delineation and fish and wildlife habitat conservation areas (FWHCAs) assessment in support of the proposed West Basin Masterplan (project) in Anacortes, Washington as shown on Figure 1, Vicinity Map. We understand that the Port is designing improvements to the Cap Sante Marina Waterfront, with proposed mixed-use development that will include updated circulations patterns, improved parking amenities, public access upgrades, formalized development pads and enhanced utilities. See Appendix A, West Basin Upland Redevelopment Conceptual Design and North Basin Upland Improvements Plan Set for a Conceptual Design of the West Basin Upland Redevelopment and a Plan Set for the already permitted North Basin Upland Improvements. This report is intended to provide baseline critical areas (wetland, stream and FWHCAs) data in accordance with the City of Anacortes Shoreline Master Plan (SMP) (Anacortes Municipal Code [AMC] Chapter 18.16) and Critical Areas Code (AMC Chapter 19.70).

1.1. Project Location and Site Description

The project is located along the shoreline of Cap Sante near Cap Sante Park and the Port in Anacortes, Washington within Section 18 of Township 35 Range 02E of the Willamette Meridian (W.M.) and located within Water Resource Inventory Area (WRIA) 3 Lower Skagit/Samish and Hydrologic Unit Code (HUC) 17110002 Strait of Georgia. Approximately 26 acres of assessment area, shown on Figure 2, Wetland and Shoreline Map, was investigated for the presence (or absence) of wetlands, streams and other FWHCAs. The majority of the project area is already developed with multiple parking lots and commercial and residential buildings. Trees, shrubs and grasses are present, but they are mostly ornamental species located within isolated landscaped areas. The majority of the shoreline within the Cap Sante Marina was covered in quarry spall/riprap armoring with scattered weedy species. Salt marsh habitats were observed at the northeast and northwest corners of the marina basin, below the OHWM, within the assessment area. Cap Sante Park abuts the eastern border of the assessment area.

2.0 DATA REVIEW

The US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map depicts estuarine and marine, freshwater emergent and freshwater forested/scrub-shrub wetlands within the assessment area (USFWS 2023a). The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey maps the majority of the project area as Xerorthents, 0 to 5 percent slopes (USDA-NRCS 2023), which is a soil on the national hydric soils list (USDA-NRCS 2015). A small section in the northeastern part of the project area is mapped as Fidalgo-Lithic Xerochrepts – rock outcrop complex, 3 to 30 percent slopes (USDA-NRCS 2023), a soil that is not on the national hydric soils list (USDA-NRCS 2015).

Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline, are within shoreline jurisdiction and are subject to review under the City of Anacortes SMP (AMC Chapter 18.16). The project area has an Urban shoreline environmental designation with an associated shoreline setback of 25 feet (Figure 2) per Table 5.2 (Shoreline Development Standards Matrix) of the Anacortes SMP.

Within the assessment area, the Federal Emergency Management Agency (FEMA) National Flood Hazard Mapper depicts areas within approximately 75 to 150 feet of the marine OHWM as within a special flood hazard area, Zone AE¹ (100-year floodplain) (FEMA 2023). The remaining assessment area is mapped as an area of minimal flood hazard (Zone X) (FEMA 2023). The base flood elevation (BFE) within the Zone AE area is mapped as +7 feet (North American Vertical Datum of 1988 [NAVD88]) (FEMA 2023). The OHWM in the Anacortes area is approximately 9½ to 10 feet (NAVD88), and therefore the areas immediately adjacent to the OHWM, which are generally above the OHWM and flat and paved, are likely above the BFE.

The Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) mapping tool depicts the same wetlands as shown by NWI within the assessment area (WDFW 2023). PHS reports documented surf smelt (*Hypomesus pretiosus*) and Pacific herring (*Clupea pallasii*) breeding areas, Dungeness crab (*Metacarcinus magister*) presence, Pinto Abalone (*Haliotis kamtschatkana*) potential habitat, Yuma myotis (*Myotis yumanensis*), cliffs/bluffs and a biodiversity area/corridor (Cap Sante Park) (WDFW 2023). Because Cap Sante Park is a Priority Habitat it is a designated FWHCA and may require a buffer per City of Anacortes SMP Appendix A-5.1 (Designation of fish and wildlife habitat conservation areas).

The USFWS Information for Planning and Consultation (IPaC) report (USFWS 2023b) for the project area lists seven threatened, endangered or candidate species and one critical habitat on the species list (potential to occur at the project site) including:

- North American Wolverine (*Gulo gulo luscus*) - Proposed Threatened
- Marbled Murrelet (*Brachyramphus marmoratus*) – Threatened
- Streaked Horned Lark (*Eremophila alpestris strigata*) – Threatened
- Yellow-billed Cuckoo (*Coccyzus americanus*) - Threatened
- Bull Trout (*Salvelinus confluentus*) - Threatened
- Dolly Varden (*Salvelinus malma*) - Proposed Similarity of Appearance (Threatened)
- Golden paintbrush (*Castilleja levisecta*) – Threatened
- Bull Trout (*Salvelinus confluentus*) - Critical Habitat

The National Oceanic and Atmospheric Administration (NOAA) Fisheries *Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead* report (NOAA 2023) includes a total of two threatened salmon and steelhead species and their critical habitat with potential to occur at the project site including:

- Puget Sound Steelhead (*Oncorhynchus mykiss*) – Threatened and Critical Habitat
- Puget Sound Chinook Salmon (*Oncorhynchus tshawytscha*) – Threatened and Critical Habitat

Maps and data reports from the file review are included in Appendix B, Background Maps and Data.

¹ Defined by FEMA as areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods.

3.0 FIELD ASSESSMENT METHODS

Two GeoEngineers' biologists conducted a field investigation on June 20, 2023 to characterize and delineate wetlands and streams within the assessment area. Figure 2 depicts the delineated marine shoreline OHWM, shoreline setback and shoreline jurisdiction within the assessment area and estimated wetland habitat and buffer outside of the assessment area. The OHWM of the Cap Sante Marina shoreline was identified by examining breaks in the topography and shifts in vegetation according to United States Army Corps of Engineers (USACE) protocol as referenced from Regulatory Guidance Letter (No. 05-05) (Riley 2005), Ordinary High Water Mark Identification, December 7, 2005 and according to the Washington State Department of Ecology (Ecology) 2016 guidance (Anderson et al. 2016). The Washington Administrative Code (WAC) was also referenced for the definition of OHWM (WAC 173-22-030 § 11). A photographic record was also collected during the field investigation to document existing site conditions. Representative photos are included in Appendix C, Site Photographs.

4.0 FIELD ASSESSMENT RESULTS

The majority of the marine shoreline was covered in quarry spall/riprap armoring with some salt marsh areas of the shoreline vegetated by saltgrass (*Distichlis spicata*), pickleweed (*Salicornia sp.*), Puget Sound gumweed (*Grindelia squarrosa*). GeoEngineers delineated the OHWM of the shoreline to establish a 200-foot buffer in which the project would be subject to shoreline jurisdiction.

Salt marsh habitats were observed at the northeast and northwest corners of the marina basin, below the OHWM, within the assessment area, and one freshwater wetland was identified just outside the project area to the northwest. Salt marsh habitats were not delineated because they are outside of the proposed development footprint and the potential wetland to the northwest was not formally delineated or rated because it is just outside of the assessment area. Figure 2 shows the estimated wetland boundary and estimated buffer. The wetland appeared to be a depressional wetland with moderate habitat functions and a highly disturbed buffer, so we estimate the wetland is most likely not Category I or Category II (this cannot be confirmed without a formal wetland rating). With a high intensity of proposed adjacent land use, the required wetland buffers for Category IV wetlands is 50 feet and for Category III wetlands ranges from 80 to 300 feet (AMC 19.70.235(C)). The offsite wetland is likely a Category III wetland with a low or moderate habitat score, thus would have a maximum buffer of 150 feet (AMC 19.70.235(C)). The buffer is shown as stopping at Market Street and 6th Street on Figure 2 because the roads functionally and physically isolate the areas south/east of the roads per AMC 19.70.235(M).

Cap Sante Park, a mapped biodiversity area, was observed to the east of the assessment area. The forested park included Douglas fir (*Pseudotsuga menziesii*), Pacific madrone (*Arbutus menziesii*), western redcedar (*Thuja plicata*), oceanspray (*Holodiscus discolor*), nootka rose (*Rosa nutkana*), Himalayan blackberry (*Rubus armeniacus*) and Oregon grape (*Mahonia aquifolium*). Because the park is a biodiversity area, it is considered a priority Habitat and is designated as a FWHCA and subject to AMC 19.70.

5.0 RELEVANT MUNICIPAL CODE

Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline, are within shoreline jurisdiction and are subject to review under the City of Anacortes SMP (AMC 18.16, SMP 2.3). Per AMC 18.16.010, "All proposed uses and development occurring within shoreline jurisdiction must conform

to Chapter 90.58 RCW, the Shoreline Management Act and this master program whether or not a permit is required.” All new structures or additions to structures on any lot shall meet all buffer, setback, height and other construction requirements of the Master Program and the Shoreline Management Act. The project area is located within an Urban shoreline environmental designation. Per Table 5.2 (Shoreline Development Standards Matrix) of the SMP, projects within an Urban environmental designation outside of Burrows Bay are subject to a shoreline setback² of 25 feet (for non-water-dependent uses), a maximum structure height of 50 feet and a lot coverage maximum³ of 50 percent. According to Chapter 12 of the SMP, a water-dependent use is defined as, “A use or a portion of a use, which, as its primary characteristic, cannot exist in any other location than on the water because it is dependent on the water by the intrinsic nature of its operations.”

For redevelopment along the marine shoreline, the SMP provides requirements for riparian vegetation in connection with new development and redevelopment projects of non-water dependent uses that abut the City of Anacortes’ marine shorelines (AMC 18.16).

The City of Anacortes critical areas code provides requirements for assessment and reporting of all shoreline areas, floodplains, wetlands, streams, other critical areas and related buffers within 300 feet of a proposed project area and provides requirements for proposed mitigation of any impacts to critical areas or their buffers (AMC 19.70.115 and 19.70.220). All wetlands that are located within shoreline jurisdiction are subject to Appendix A of the SMP, “Shoreline Critical Areas Regulations”. Appendix A of the SMP summarizes protections to critical areas within shoreline jurisdiction (AMC 18.16).

The observed wetland lies outside the assessment area and has an estimated maximum buffer of at least 150 feet (AMC 19.70.235(C)) that, per AMC 19.70.235(M), stops at Market Street and 6th Street (paved public roadways greater than 8 feet wide) and thus does not extend into the project area for the proposed North Basin Upland Improvements (see the site plan in Appendix A). We understand that the Cap Sante Marina North Basin Upland Improvements portion of the project has already been permitted, see Appendix A.

6.0 SUMMARY

GeoEngineers performed wetland, stream OHWM and FWHCA delineation and assessment services for the West Basin Master Plan. One marine shoreline (Fidalgo Bay) was identified, and one Priority Habitat (Cap Sante, biodiversity corridor) was observed during the site investigation within the assessment area. Salt marsh habitats were observed at the northeast and northwest corners of the marina basin, below the OHWM. These areas were not delineated because they are located outside the project footprint and delineation of these features was not part of our scope. The project will be subject to the City of Anacortes SMP (AMC 18.16) and Critical Areas Code (AMC 19.70) including AMC requirements for riparian vegetation in areas abutting the marine shoreline (AMC 18.16). Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline are within shoreline jurisdiction and are subject to review

² Setback shall be the minimum distance measured in feet from the OHWM on a horizontal plane perpendicular to the shoreline.

³ Buildings or structures in the Shoreline Area shall not occupy a greater percentage of a lot than indicated.

under the City of Anacortes SMP and development within areas abutting the marine shoreline are subject to a shoreline setback⁴ of 25 feet.

7.0 LIMITATIONS

GeoEngineers has prepared this critical areas report in general accordance with the scope and limitations of our proposal. Within the limitations of scope, schedule and budget, our services have been executed in accordance with the generally accepted practices for critical areas assessments in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

This letter has been prepared for the exclusive use of the Port of Anacortes, authorized agents and regulatory agencies following the described methods and information available at the time of the work. No other party may rely on the product of our services unless we agree in advance to such reliance in writing. The information contained herein should not be applied for any purpose or project except the one originally contemplated.

The applicant is advised to contact all appropriate regulatory agencies (local, state and federal) prior to design or construction of any development to obtain necessary permits and approvals.

8.0 REFERENCES

Anacortes Municipal Code (AMC). 2022. City of Anacortes Municipal Code, Title 19. Division 7, Chapters 18.16 and 19.70. Available at: https://anacortes.municipal.codes/AMC/19_Div7

Anderson, Paul S., S. Meyer, Dr. P. Olson, and E. Stockdale. 2016. Determining the Ordinary High Water Mark for Shoreline Management Act Compliance in Washington State. Publication Number 16-06-029. March 2010, revised October 2016. City of Lynden Municipal Code 16.08 Shoreline Management. Available at : [Chapter 16.08 - SHORELINE MANAGEMENT | Code of Ordinances | Lynden, WA | Municode Library](#)

City of Anacortes. 2010. City of Anacortes Shoreline Master Program. September 2010. Available at: <https://www.anacorteswa.gov/DocumentCenter/View/861/2010-Shoreline-Master-Program-PDF>

Federal Emergency Management Agency (FEMA). 2023. National Flood Hazard Layer. Available at: <https://www.fema.gov/national-flood-hazard-layer-nfhl>

National Oceanic and Atmospheric Administration (NOAA). 2023. Fisheries *Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead*. Available at: https://www.westcoast.fisheries.noaa.gov/publications/gis_maps/maps/salmon_steelhead/critical_habitat/wcr_salmonid_ch_esa_july2016.pdf

Riley, Don T. 2005. Ordinary High Water Mark Identification. United States Army Corps of Engineers, Regulatory Guidance Letter, No. 05-05.

⁴ Setback shall be the minimum distance measured in feet from the OHWM on a horizontal plane perpendicular to the shoreline.

United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS). 2023. Web Soil Survey. Available at: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS). 2015. National Hydric Soils List. Updated December 2015. Available at: http://www.nrcs.usda.gov/wps/PA_NRCSCconsumption/download?cid=stelprdb1248596&ext=xlsx

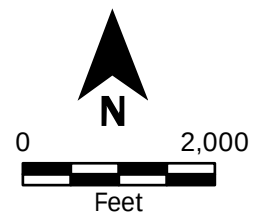
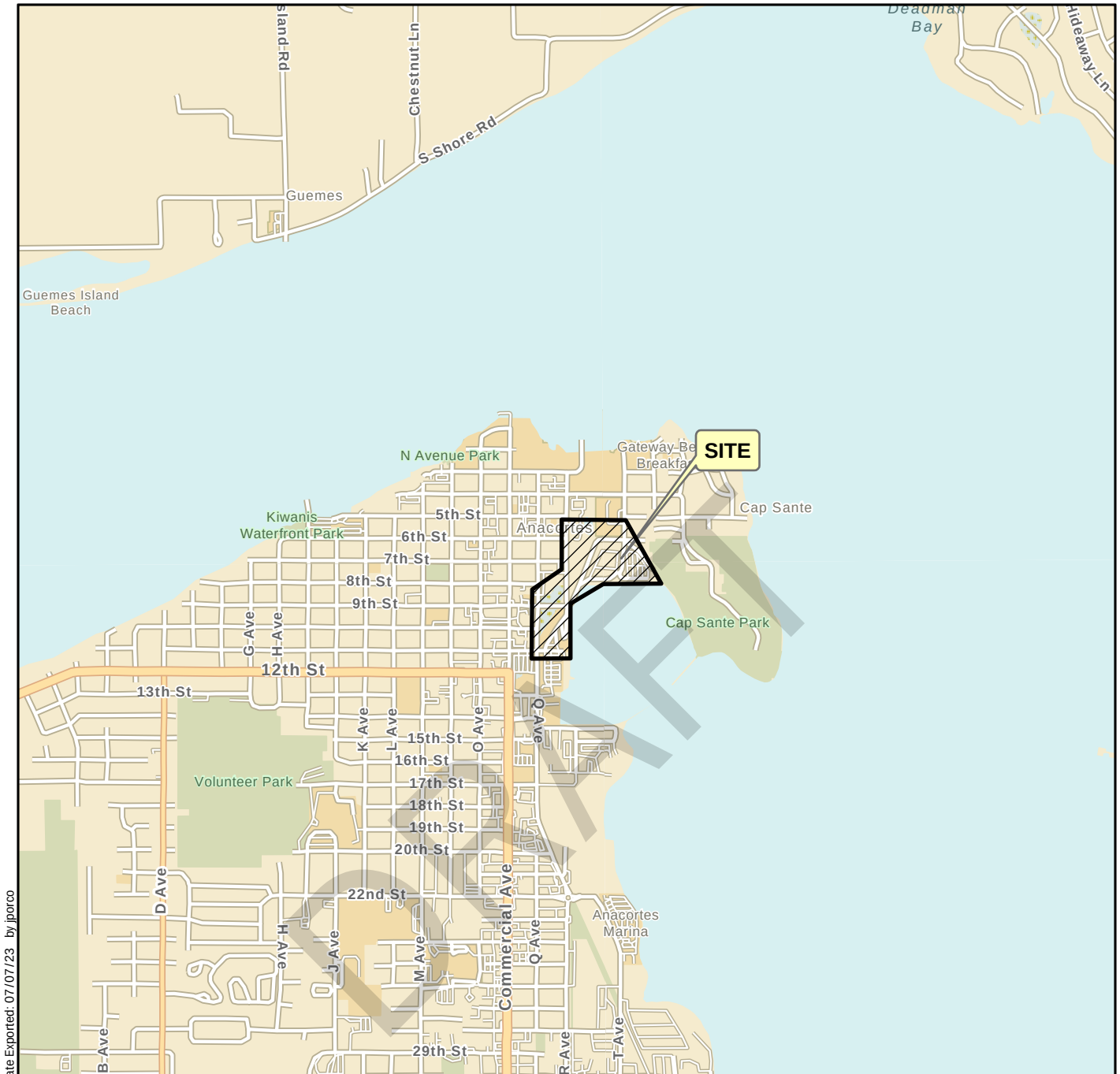
United States Fish and Wildlife Service (USFWS). 2023a. Wetlands Mapper. Available at: <http://www.fws.gov/wetlands/Data/mapper.html>

United States Fish and Wildlife Service (USFWS). 2023b. Information for Planning and Consultation. Available at: <https://ecos.fws.gov/ipac/>

Washington Administrative Code (WAC) 173-22-30 Interim water typing system. Available at: <https://app.leg.wa.gov/WAC/default.aspx?cite=173-22-030>

Washington Department of Fish and Wildlife (WDFW). 2023. Priority Habitat and Species Interactive Map Viewer. Available at: <http://wdfw.wa.gov/mapping/phs/>

DRAFT



Source(s):
• ESRI

Coordinate System: NAD 1983 UTM Zone 10N

Disclaimer: This figure was created for a specific purpose and project. Any use of this figure for any other project or purpose shall be at the user's sole risk and without liability to GeoEngineers. The locations of features shown may be approximate. GeoEngineers makes no warranty or representation as to the accuracy, completeness, or suitability of the figure, or data contained therein. The file containing this figure is a copy of a master document, the original of which is retained by GeoEngineers and is the official document of record.

Vicinity Map

West Basin Master Plan
Anacortes, Washington



Figure 1

P:\1515147031\GIS\15147031 Project_JTP\15147031 Project.aprx\15147031 Project Date Exported: 07/10/23 by jporco



Legend

- Assessment Area
- OHWM
- Shoreline Jurisdiction
- Shoreline Setback (25 feet)
- Approximate Wetland Boundary
- Maximum Wetland Buffer (150 feet)

Notes:

1. Wetland boundary was estimated using lidar and aerial imagery

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Disclaimer: This figure was created for a specific purpose and project. Any use of this figure for any other project or purpose shall be at the user's sole risk and without liability to GeoEngineers. The locations of features shown may be approximate. GeoEngineers makes no warranty or representation as to the accuracy, completeness, or suitability of the figure, or data contained therein. The file containing this figure is a copy of a master document, the original of which is retained by GeoEngineers and is the official document of record.

Wetland and Shoreline Map

West Basin Master Plan
Anacortes, Washington

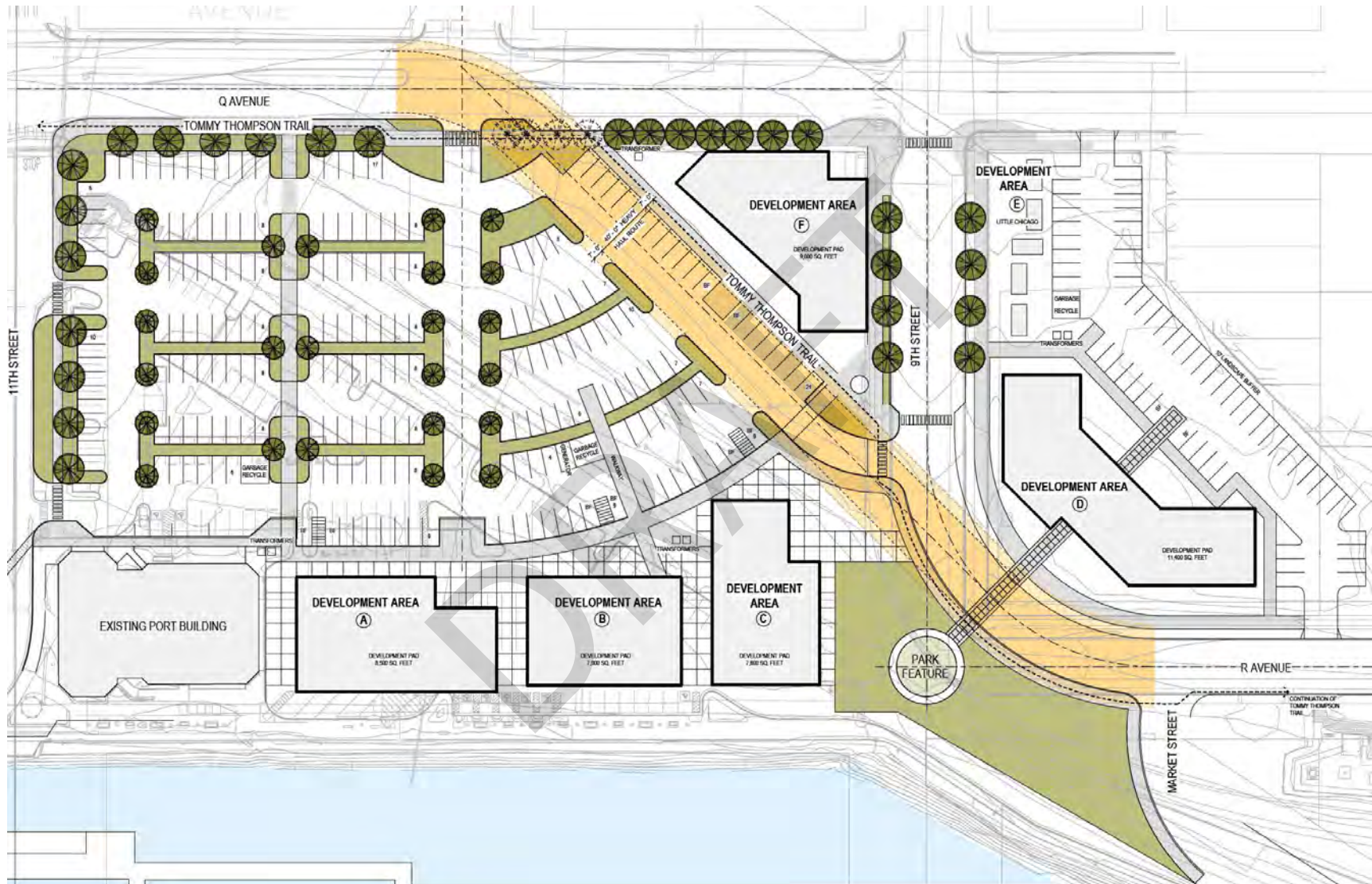
GEOENGINEERS 

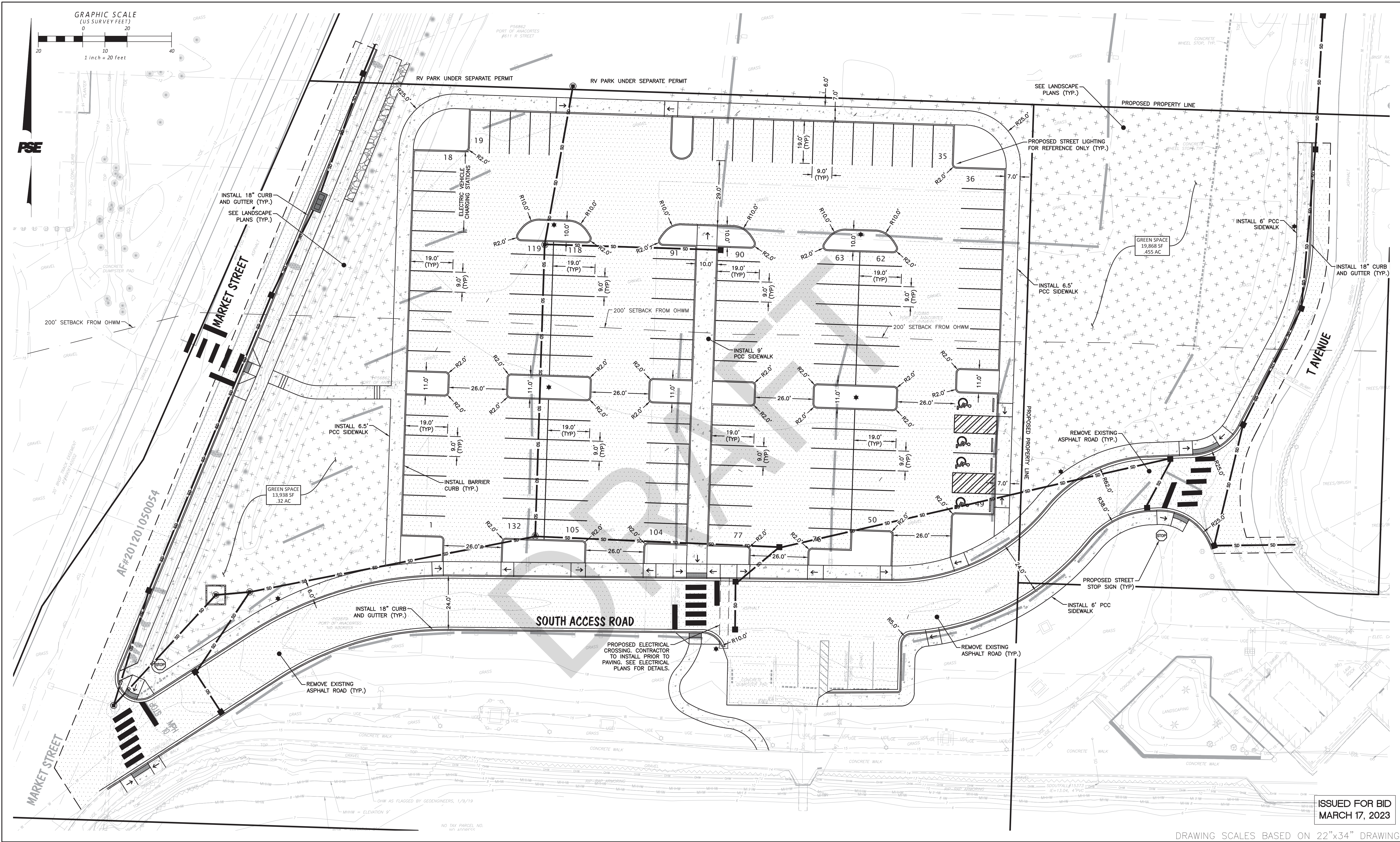
Figure 2

APPENDIX A
**West Basin Upland Redevelopment Conceptual Design
and North Basin Upland Improvements Plan Set**

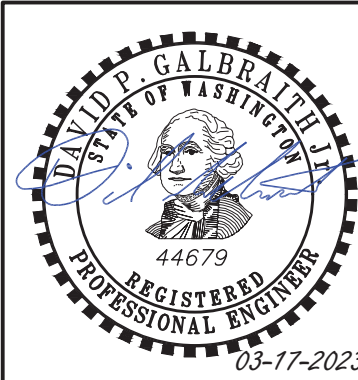
DRAFT

West Basin Upland Redevelopment Conceptual Design





PACIFIC SURVEY & ENGINEERING INC
909 SQUALICUM WAY·SUITE 111
BELLINGHAM, WA 98225
PHONE:360.671.7387 FAX:360.671.4685 EMAIL: info@psurvey.com
www.psurvey.com



NO.	DATE	BY	REVISION



CAP Sante Marina North Basin
UPLAND IMPROVEMENTS, PORT OF ANACORTES
PROJECT #PROP-18

JKL PARKING, PROP-18C
SITE PLAN

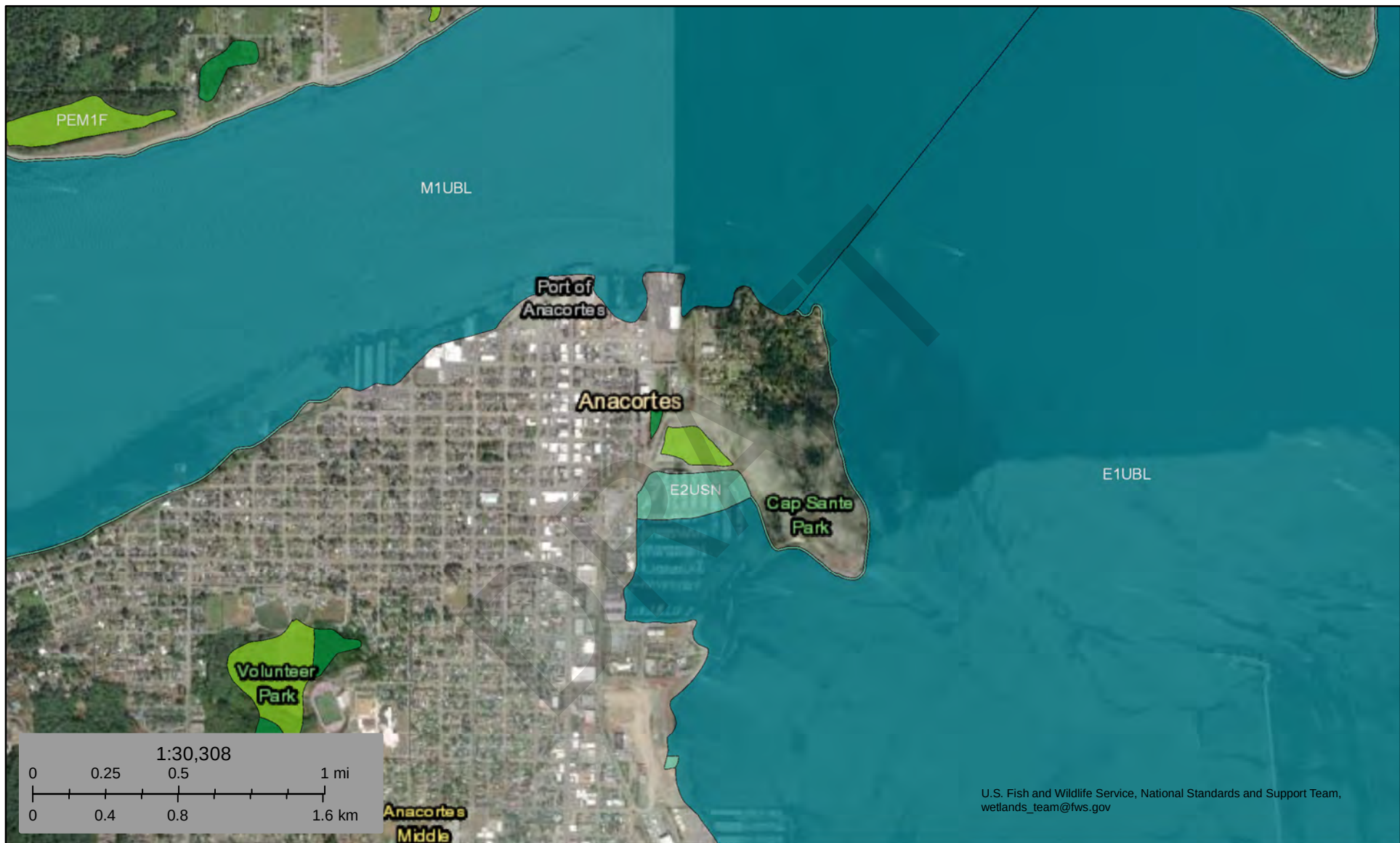
DRAWN: JG	PROJECT NO.:2020064
DESIGN: JG	SCALE: AS NOTED
CHECKED: DG	DATE: 03/17/2023
SHEET NO.	
CC.02	INDEX: 17 OF 34

ISSUED FOR BID

APPENDIX B

Background Maps and Data

DRAFT



June 28, 2023

Wetlands_Alaska

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Soil Map—Skagit County Area, Washington



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Skagit County Area, Washington

Survey Area Data: Version 22, Sep 8, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 25, 2020—Jul 28, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
20	Bow-Urban land complex, 0 to 8 percent slopes	29.5	5.5%
31	Clallam-Urban land complex, 0 to 8 percent slopes	93.9	17.5%
55	Fidalgo-Lithic Xerochrepts-Rock outcrop complex, 3 to 30 percent slopes	72.0	13.4%
165	Xerorthents, 0 to 5 percent slopes	88.0	16.4%
Totals for Area of Interest		535.5	100.0%

Skagit County Area, Washington

20—Bow-Urban land complex, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2hv1

Elevation: 0 to 450 feet

Mean annual precipitation: 20 to 60 inches

Mean annual air temperature: 48 to 50 degrees F

Frost-free period: 150 to 220 days

Farmland classification: Not prime farmland

Map Unit Composition

Bow and similar soils: 60 percent

Urban land: 35 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bow

Setting

Landform: Terraces, hillslopes

Parent material: Volcanic ash, glaciolacustrine deposits, and glacial drift

Typical profile

H1 - 0 to 7 inches: gravelly ashy loam

H2 - 7 to 17 inches: very gravelly ashy loam

H3 - 17 to 31 inches: clay loam

H4 - 31 to 60 inches: silty clay

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 6 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 10.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: C/D

Ecological site: F002XA007WA - Puget Lowlands Wet Forest

Forage suitability group: Seasonally Wet Soils (G002XN202WA)

Other vegetative classification: Seasonally Wet Soils (G002XN202WA)

Hydric soil rating: Yes

Description of Urban Land

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8

Hydric soil rating: No

Minor Components

Bellingham, undrained

Percent of map unit: 5 percent

Landform: Depressions

Other vegetative classification: Wet Soils (G002XN102WA)

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Skagit County Area, Washington

Survey Area Data: Version 22, Sep 8, 2022

DRAFT

Skagit County Area, Washington

31—Clallam-Urban land complex, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2hvf

Elevation: 30 to 150 feet

Mean annual precipitation: 23 inches

Mean annual air temperature: 48 degrees F

Frost-free period: 160 to 200 days

Farmland classification: Not prime farmland

Map Unit Composition

Clallam and similar soils: 45 percent

Urban land: 40 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Clallam

Setting

Landform: Hillslopes

Parent material: Glacial drift

Typical profile

H1 - 0 to 11 inches: gravelly ashy loam

H2 - 11 to 27 inches: very gravelly loam

H2 - 27 to 60 inches: very gravelly sandy loam

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: 20 to 40 inches to densic material

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: About 18 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very low (about 2.6 inches)

Interpretive groups

Land capability classification (irrigated): 3w

Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: C

Ecological site: F002XA001WA - Puget Lowlands Dry Forest

Forage suitability group: Limited Depth Soils (G002XN302WA)

Other vegetative classification: Limited Depth Soils (G002XN302WA)

Hydric soil rating: No

Description of Urban Land

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8

Hydric soil rating: No

Minor Components

Bow

Percent of map unit: 5 percent

Landform: Terraces

Other vegetative classification: Seasonally Wet Soils
(G002XN202WA)

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Skagit County Area, Washington

Survey Area Data: Version 22, Sep 8, 2022

Skagit County Area, Washington

55—Fidalgo-Lithic Xerochrepts-Rock outcrop complex, 3 to 30 percent slopes

Map Unit Setting

National map unit symbol: 2hw8

Elevation: 20 to 1,300 feet

Mean annual precipitation: 15 to 30 inches

Mean annual air temperature: 48 to 52 degrees F

Frost-free period: 160 to 210 days

Farmland classification: Not prime farmland

Map Unit Composition

Fidalgo and similar soils: 45 percent

Rock outcrop: 20 percent

Lithic xerochrepts and similar soils: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Fidalgo

Setting

Landform: Hillslopes

Parent material: Volcanic ash, and colluvium from glacial drift, argillite, and argillitic residuum

Typical profile

H1 - 0 to 3 inches: gravelly ashy loam

H2 - 3 to 25 inches: very gravelly ashy fine sandy loam

H3 - 25 to 29 inches: extremely gravelly loamy sand

H4 - 29 to 33 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 30 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: About 19 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: F002XA001WA - Puget Lowlands Dry Forest

Forage suitability group: Limited Depth Soils (G002XN302WA)

Other vegetative classification: Limited Depth Soils (G002XN302WA)

Hydric soil rating: No

Description of Rock Outcrop

Typical profile

R - 0 to 60 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 30 percent

Depth to restrictive feature: 0 inches to lithic bedrock

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: No

Description of Lithic Xerochrepts

Setting

Landform: Hillslopes

Parent material: Glacial drift and residuum from argillite

Typical profile

H1 - 0 to 2 inches: gravelly loam

H2 - 2 to 16 inches: gravelly loam

H3 - 16 to 20 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 30 percent

Depth to restrictive feature: 10 to 20 inches to lithic bedrock

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very low (about 2.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: D

Hydric soil rating: No

Data Source Information

Soil Survey Area: Skagit County Area, Washington

Survey Area Data: Version 22, Sep 8, 2022

Skagit County Area, Washington

165—Xerorthents, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2htw

Elevation: 0 to 250 feet

Mean annual precipitation: 15 to 60 inches

Mean annual air temperature: 48 to 50 degrees F

Frost-free period: 180 days

Farmland classification: Not prime farmland

Map Unit Composition

Xerorthents and similar soils: 95 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Xerorthents

Setting

Landform: Flood plains, hillslopes

Parent material: Human transported and disturbed material

Typical profile

H1 - 0 to 7 inches: variable

H2 - 7 to 60 inches: stratified extremely gravelly sandy loam

Properties and qualities

Slope: 0 to 5 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Capacity of the most limiting layer to transmit water (Ksat): High
(1.98 to 5.95 in/hr)

Depth to water table: About 24 to 72 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very low (about 2.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A

Hydric soil rating: No

Minor Components

Bow

Percent of map unit: 5 percent

Landform: Terraces

Other vegetative classification: Seasonally Wet Soils
(G002XN202WA)

Hydric soil rating: Yes

Data Source Information

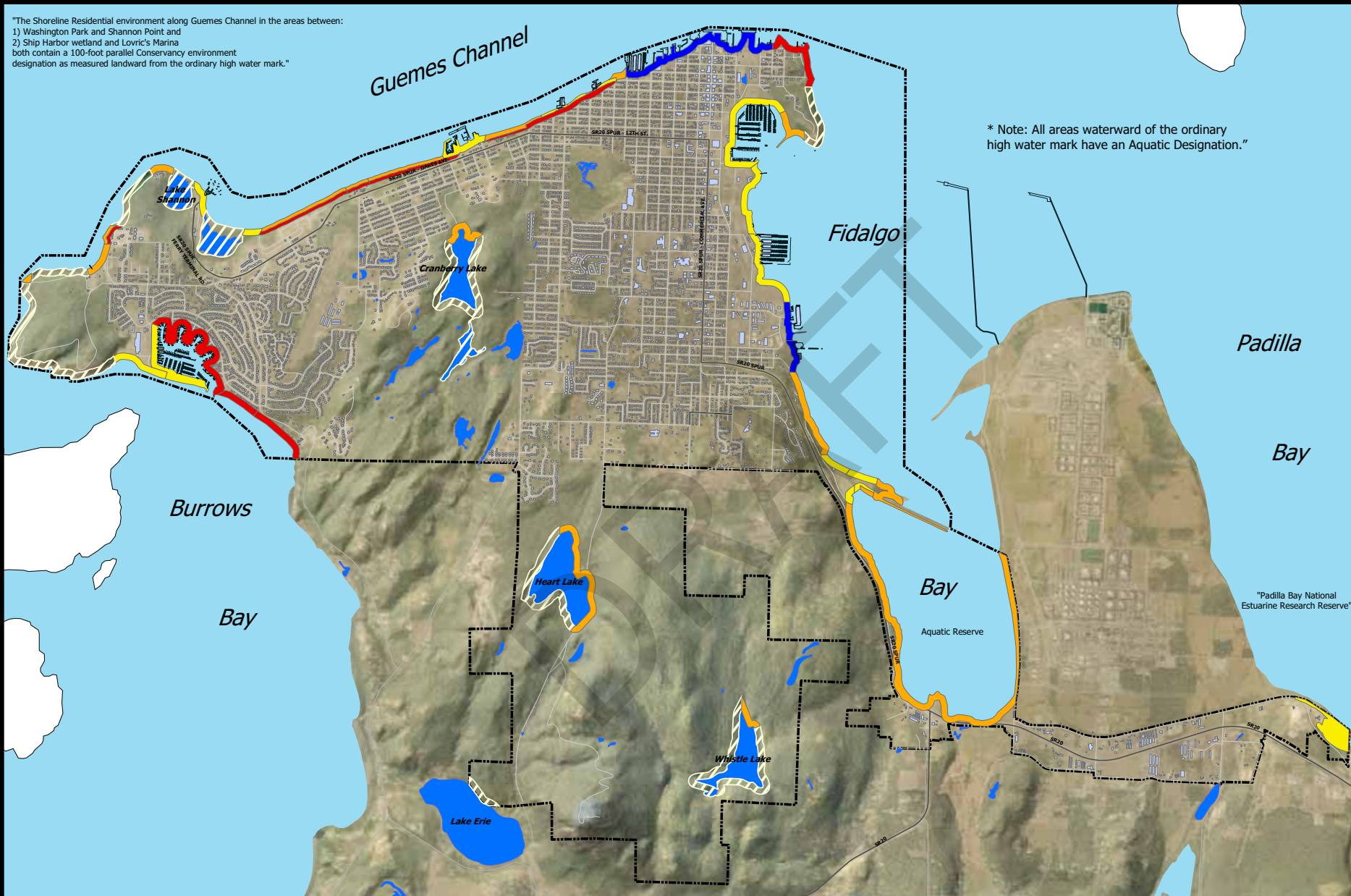
Soil Survey Area: Skagit County Area, Washington
Survey Area Data: Version 22, Sep 8, 2022

DRAFT

"The Shoreline Residential environment along Guemes Channel in the areas between:
 1) Washington Park and Shannon Point and
 2) Ship Harbor wetland and Lovric's Marina
 both contain a 100-foot parallel Conservancy environment
 designation as measured landward from the ordinary high water mark."

Guemes Channel

* Note: All areas waterward of the ordinary high water mark have an Aquatic Designation."



City of Anacortes Shoreline Master Program

Environment Designation	
	Conservancy
	Natural
	Shoreline Residential
	Urban
	Urban Maritime
	Buildings-2010
	Lakes & Ponds
	Major Streets
	Minor Streets
	City Limits



0 0.25 0.5
Miles



February 2010

This map was created from available public records and existing map sources, not from field surveys. Map features from all sources have been adjusted to achieve a "best fit" registration to the ownership parcels map. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field "ground truthing".

Official Shoreline Environment Designation Map

Figure 5.1



P:\0382030\GIS\MXD\0382030001_F02_Streams and Wetlands.mxd Date Exported: 12/15/17 by mtrrost

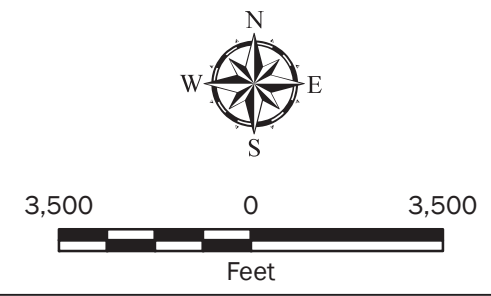
Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: ESRI Data and Maps

Projection: NAD 1983 UTM Zone 10N

- Legend**
- CityLimits
 - Wetlands
 - Streams
 - ACFL Anacortes Community Forest Lands
 - Project Location



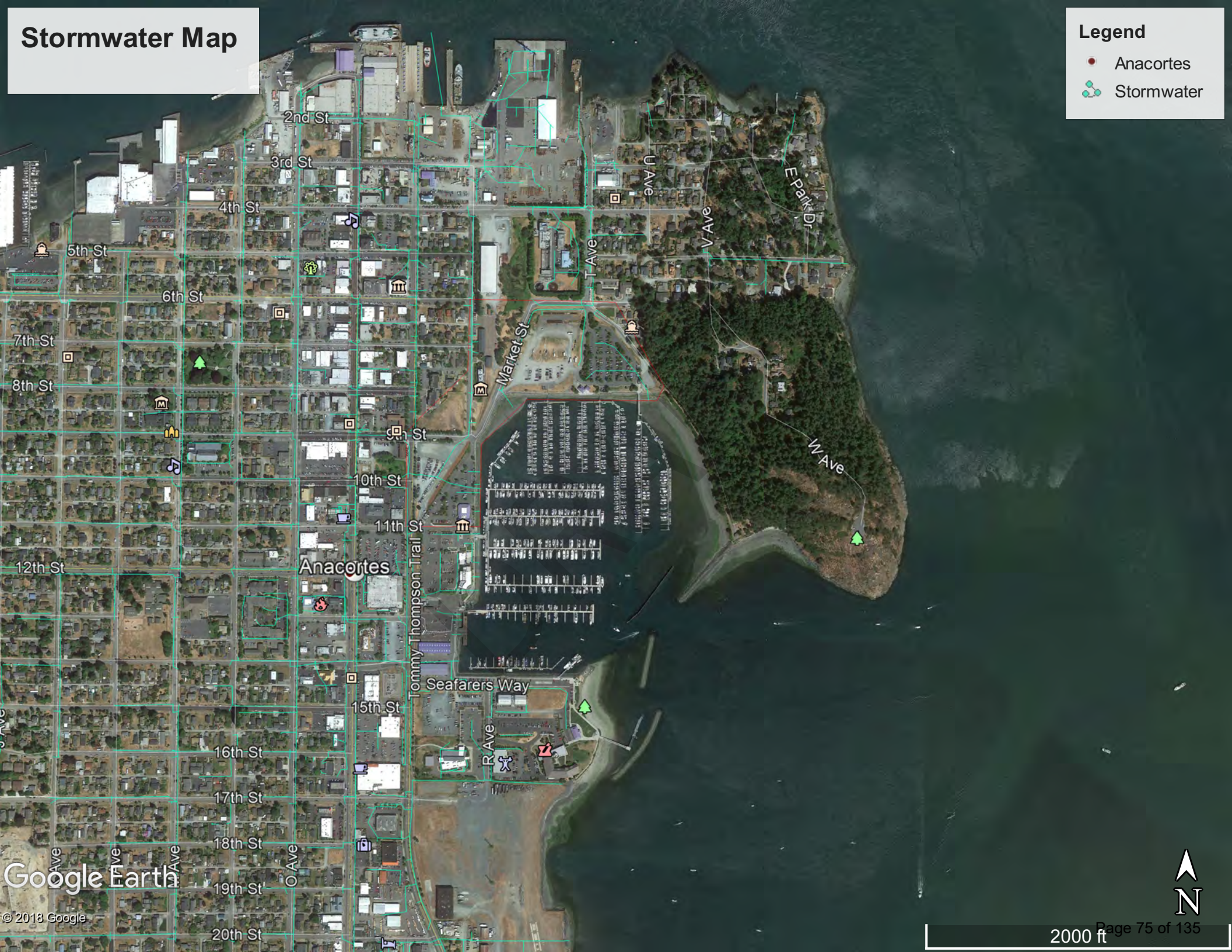
Streams and Wetlands	
North & West Basin Upland Redevelopment Anacortes, Washington	
	Figure 2

Stormwater Map

Legend

Anacortes

Stormwater



Cap Sante



Eelgrass

- Fringe (continuous)
- Fringe (patchy)
- Bed (continuous)
- Bed (patchy)

Dunegrass

- Fringe (continuous)
- Fringe (patchy)
- Bed (continuous)
- Bed (patchy)

Surfgrass

- Fringe (continuous)
- Fringe (patchy)

Kelp

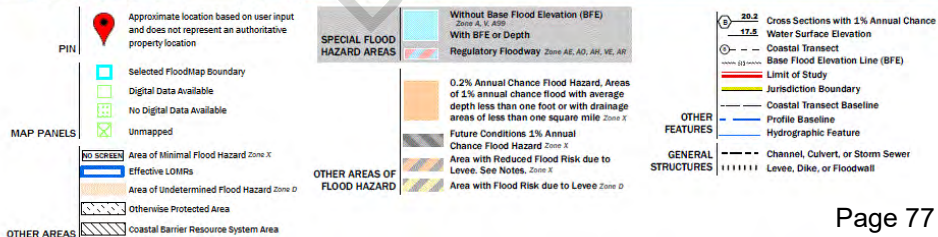
- Fringe (continuous)
- Fringe (patchy)

Salt Marsh

- Fringe (continuous)
- Fringe (patchy)
- Bed (continuous)
- Bed (patchy)

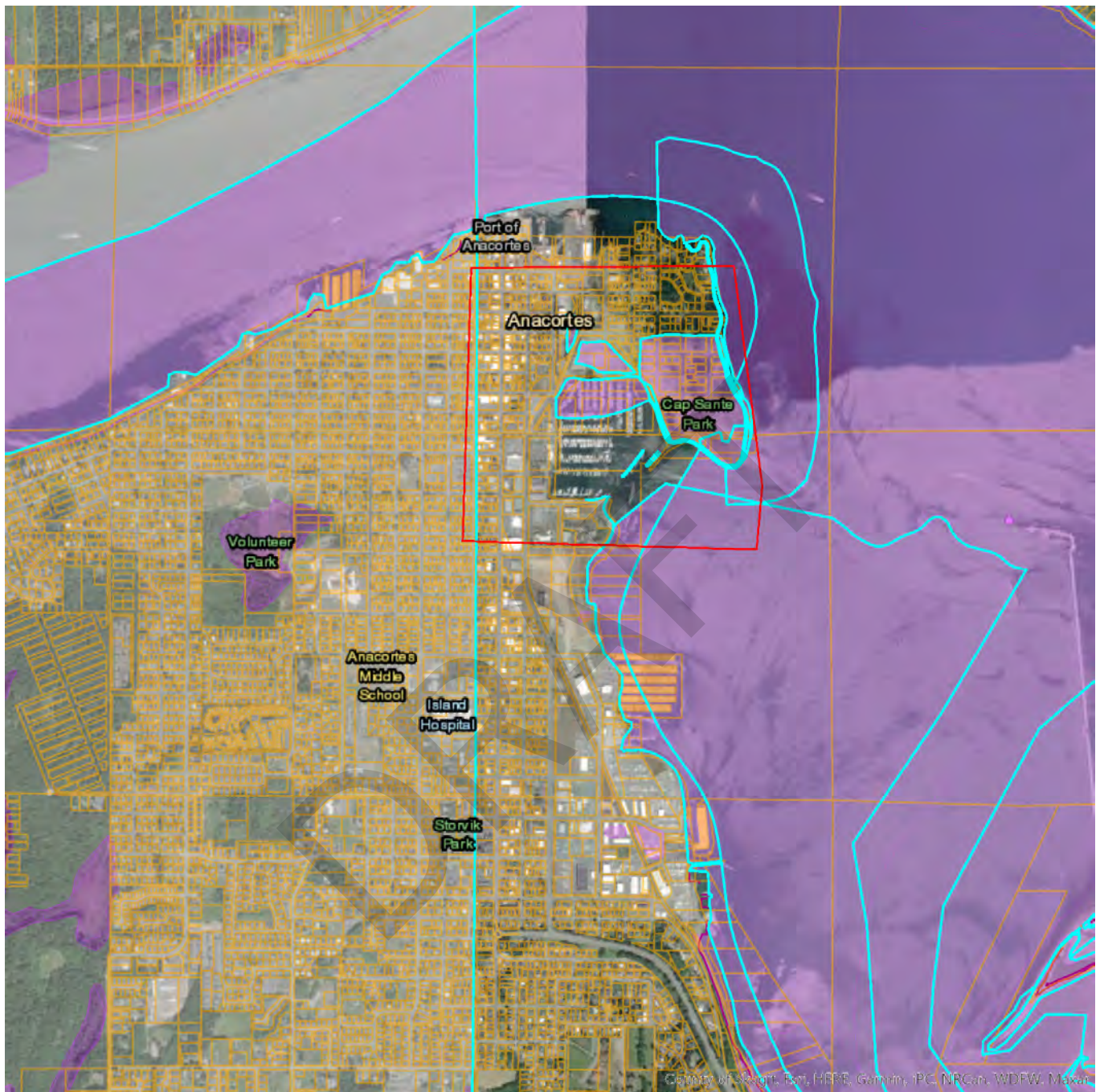
Low Marsh

- Fringe (continuous)
- Fringe (patchy)
- Bed (continuous)
- Bed (patchy)





Priority Habitats and Species on the Web



Report Date: 06/28/2023

PHS Species/Habitats Overview:

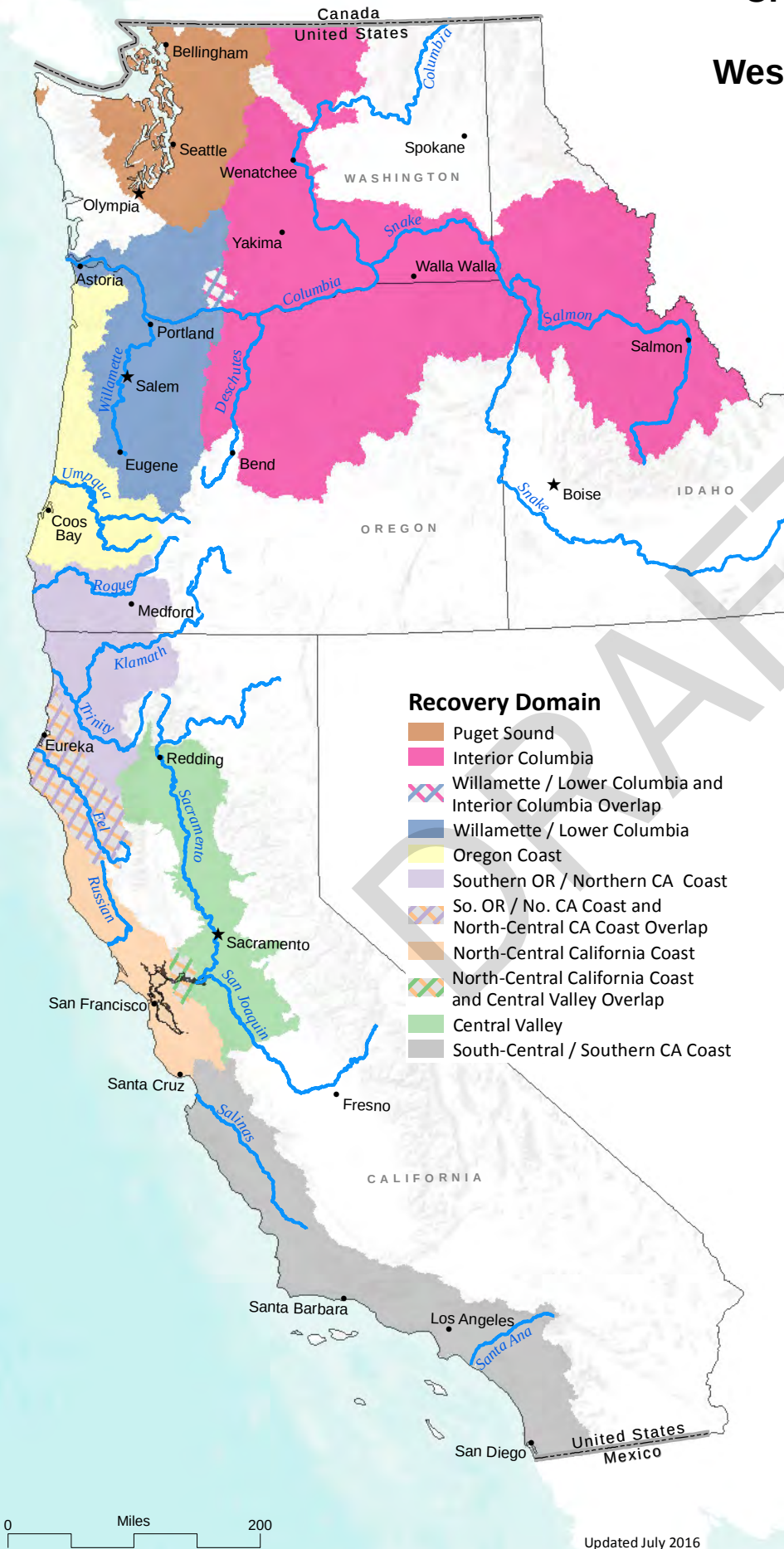
Occurrence Name	Federal Status	State Status	Sensitive Location
Surf Smelt	N/A	N/A	No
Dungeness crab	N/A	N/A	No
Pinto Abalone Potential Habitat	N/A	Endangered	No
Pacific Herring (Georgia Basin DPS)	N/A	Candidate	No

DRAFT

Biodiversity Areas And Corridor	N/A	N/A	No
Cliffs/bluffs	N/A	N/A	No
Estuarine and Marine Wetland	N/A	N/A	No
Freshwater Pond	N/A	N/A	No
Freshwater Emergent Wetland	N/A	N/A	No
Freshwater Forested/Shrub Wetland	N/A	N/A	No
Yuma myotis	N/A	N/A	Yes



Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead



Evolutionarily Significant Unit / Distinct Population Segment	ESA Status	Date of ESA Listing	Date of CH Designation
Puget Sound Recovery Domain			
Hood Canal Summer-run Chum Salmon	T	3/25/1999	9/2/2005
Ozette Lake Sockeye Salmon	T	3/25/1999	9/2/2005
Puget Sound Chinook Salmon	T	3/24/1999	9/2/2005
Puget Sound Steelhead	T	5/11/2007	2/24/2016

Interior Columbia Recovery Domain			
Middle Columbia River Steelhead	T	3/25/1999 1/5/2006	9/2/2005
Snake River Fall-run Chinook Salmon	T	4/22/1992	12/28/1993
Snake River Spring / Summer-run Chinook Salmon	T	4/22/1992	10/25/1999
Snake River Sockeye Salmon	E	11/20/1991	12/28/1993
Snake River Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Upper Columbia River Spring-run Chinook Salmon	E	3/24/1999	9/2/2005
Upper Columbia River Steelhead	T	8/18/1997 1/5/2006	9/2/2005

Willamette / Lower Columbia Recovery Domain			
Columbia River Chum Salmon	T	3/25/1999	9/2/2005
Lower Columbia River Chinook Salmon	T	3/24/1999	9/2/2005
Lower Columbia River Coho Salmon	T	6/28/2005	2/24/2016
Lower Columbia River Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Upper Willamette River Chinook Salmon	T	3/24/1999	9/2/2005
Upper Willamette River Steelhead	T	3/25/1999 1/5/2006	9/2/2005

Oregon Coast Recovery Domain			
Oregon Coast Coho Salmon	T	2/11/2008	2/11/2008

Southern Oregon / Northern California Coast Recovery Domain			
Southern OR / Northern CA Coasts Coho Salmon	T	5/6/1997	5/5/1999

North-Central California Coast Recovery Domain			
California Coastal Chinook Salmon	T	9/16/1999	9/2/2005
Central California Coast Coho Salmon	E	10/31/1996 (T) 6/28/2005 (E) 4/2/2012 (RE)	5/5/1999
Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Northern California Steelhead	T	6/7/2000 1/5/2006	9/2/2005

Central Valley Recovery Domain			
California Central Valley Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Central Valley Spring-run Chinook Salmon	T	9/16/1999	9/2/2005
Sacramento River Winter-run Chinook Salmon	E	11/5/1990 (T) 1/4/1994 (E)	6/16/1993

South-Central / Southern California Coast Recovery Domain			
South-Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Southern California Steelhead	E	8/18/1997 5/1/2002 (RE) 1/5/2006	9/2/2005

Critical Habitat Rules Cited

- 2/24/2016 (81 FR 9252) Final Critical Habitat Designation for Puget Sound Steelhead and Lower Columbia River Coho Salmon
- 2/11/2008 (73 FR 7816) Final Critical Habitat Designation for Oregon Coast Coho Salmon
- 9/2/2005 (70 FR 52630) Final Critical Habitat Designation for 12 ESU's of Salmon and Steelhead in WA, OR, and ID
- 9/2/2005 (70 FR 52488) Final Critical Habitat Designation for 7 ESU's of Salmon and Steelhead in CA
- 10/25/1999 (64 FR 57399) Revised Critical Habitat Designation for Snake River Spring/Summer-run Chinook Salmon
- 5/5/1999 (64 FR 24049) Final Critical Habitat Designation for Central CA Coast and Southern OR/Northern CA Coast Coho Salmon
- 12/28/1993 (58 FR 68543) Final Critical Habitat Designation for Snake River Chinook and Sockeye Salmon
- 6/16/1993 (58 FR 33212) Final Critical Habitat Designation for Sacramento River Winter-run Chinook Salmon

ESA Listing Rules Cited

- 4/2/2012 (77 FR 19552) Final Range Extension for Endangered Central California Coast Coho Salmon
- 2/11/2008 (73 FR 7816) Final ESA Listing for Oregon Coast Coho Salmon
- 5/11/2007 (72 FR 26722) Final ESA Listing for Puget Sound Steelhead
- 1/5/2006 (71 FR 5248) Final Listing Determinations for 10 Distinct Population Segments of West Coast Steelhead
- 6/28/2005 (70 FR 37160) Final ESA Listing for 16 ESU's of West Coast Salmon
- 5/1/2002 (67 FR 21586) Range Extension for Endangered Steelhead in Southern California
- 6/7/2000 (65 FR 36074) Final ESA Listing for Northern California Steelhead
- 9/16/1999 (64 FR 50394) Final ESA Listing for Two Chinook Salmon ESUs in California
- 3/25/1999 (64 FR 14508) Final ESA Listing for Hood River Canal Summer-run and Columbia River Chum Salmon
- 3/25/1999 (64 FR 14517) Final ESA Listing for Middle Columbia River and Upper Willamette River Steelhead
- 3/25/1999 (64 FR 14528) Final ESA Listing for Ozette Lake Sockeye Salmon
- 3/24/1999 (64 FR 14308) Final ESA Listing for 4 ESU's of Chinook Salmon
- 3/19/1998 (63 FR 13347) Final ESA Listing for Lower Columbia River and Central Valley Steelhead
- 8/18/1997 (62 FR 43937) Final ESA Listing for 5 ESU's of Steelhead
- 5/6/1997 (62 FR 24588) Final ESA Listing for Southern Oregon / Northern California Coast Coho Salmon
- 10/31/1996 (61 FR 56138) Final ESA Listing for Central California Coast Coho Salmon
- 1/4/1994 (59 FR 222) Final ESA Listing for Sacramento River Winter-run Chinook Salmon
- 4/22/1992 (57 FR 14653) Final ESA Listing for Snake River Spring/summer-run and Snake River Fall Chinook Salmon
- 11/20/1991 (56 FR 58619) Final ESA Listing for Snake River Sockeye Salmon
- 11/5/1990 (55 FR 46515) Final ESA Listing for Sacramento River Winter-run Chinook Salmon



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington Fish And Wildlife Office

510 Desmond Drive Se, Suite 102

Lacey, WA 98503-1263

Phone: (360) 753-9440 Fax: (360) 753-9405



In Reply Refer To:
Project Code: 2023-0099137
Project Name: Cap Sante

June 28, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

DRAFT

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Washington Fish And Wildlife Office

510 Desmond Drive Se, Suite 102

Lacey, WA 98503-1263

(360) 753-9440

DRAFT

PROJECT SUMMARY

Project Code: 2023-0099137
Project Name: Cap Sante
Project Type: Port Development
Project Description: Shoreline redevelopment
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@48.5159502,-122.60540583774306,14z>



Counties: Skagit County, Washington

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
North American Wolverine <i>Gulo gulo luscus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5123	Proposed Threatened

BIRDS

NAME	STATUS
Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

FISHES

NAME	STATUS
Bull Trout <i>Salvelinus confluentus</i> Population: U.S.A., conterminous, lower 48 states There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8212	Threatened
Dolly Varden <i>Salvelinus malma</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1008	Proposed Similarity of Appearance (Threatened)

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Taylor's (=whulge) Checkerspot <i>Euphydryas editha taylori</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5907	Endangered

FLOWERING PLANTS

NAME	STATUS
Golden Paintbrush <i>Castilleja levisecta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7706	Threatened

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Bull Trout <i>Salvelinus confluentus</i> https://ecos.fws.gov/ecp/species/8212#crithab	Final

IPAC USER CONTACT INFORMATION

Agency: GeoEngineers

Name: John Porco

Address: 554 W Bakerview Road

City: Bellingham

State: WA

Zip: 98226

Email: jporco@geoengineers.com

Phone: 5099910982

DRAFT

APPENDIX C

Site Photographs

DRAFT



Photograph 1. A paved pathway runs between Cap Sante Park and Cap Sante Marina.



Photograph 2. A small salt marsh is located in the northeast corner of Cap Sante Marina.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-1



Photograph 3. A parking lot is present north of the marina. Grass and small trees are scattered through this area.



Photograph 4. The northeastern salt marsh and armored shoreline are dominated by saltgrass and gumweed.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-2



Photograph 5. Looking west along the armored shoreline.



Photograph 6. Looking east along the armored shoreline; vegetated areas begin to transition to bare riprap.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-3



Photograph 7. The shoreline consists of bare riprap along the northern edge of the marina.



Photograph 8. A small salt marsh is located in the northeast corner of the marina and is characterized by saltgrass and gumweed.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-4



Photograph 9. Rotary Park is located north of the marina and consists of mowed grass with a few scattered small trees.



Photograph 10. A creeping ornamental plant dominates the western shoreline of the marina.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-5



Photograph 11. The parking lot on the western edge of the marina.



Photograph 12. Another parking lot on the northwestern edge of the marina.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-6



Photograph 13. A dog park is located along the western edge of the proposed project area. The park consists of an open, grassy field.



Photograph 14. An apartment building is located northeast of the dog park and within the northwestern corner of the proposed project area.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-7



Photograph 15. A wetland is located near the northwest corner of the proposed project area. The wetland has a Himalayan blackberry overstory that transitions into reed canary grass and cattails.



Photograph 16. This wetland had standing water at the time of the site visit.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-8



Photograph 17. A parking lot is located in the northeast corner of the proposed project area.



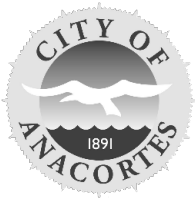
Photograph 18. This paved parking lot in the northeast corner of the project area abuts a raised gravel lot in the background of this photo. This gravel lot is in an area that NWI maps as emergent wetland.

Site Photographs

West Basin Master Plan
Anacortes, Washington



Figure C-9



NOTICE OF APPLICATION including written comment period & NOTICE OF PUBLIC HEARING

File Number: SDP-2024-0001
Property Owner: Port of Anacortes
Applicant: Kevin Anderson, Port Environmental Specialist
100 Commercial Ave. – 360.770.5194 –
kevin.anderson@portofanacortes.com



Date of Application: January 8, 2024

Date of Completeness: February 5, 2024

Project Location: Cap Sante Marina - JKL Dock to Central Pier

NOTICE IS HEREBY GIVEN THAT AN APPLICATION WAS MADE FOR THE FOLLOWING PROPOSAL:

The applicant has requested a shoreline substantial development permit for the installation of fiber conduits at Cap Sante Marina. The fiber conduit will link the north basin of the marina from the pier at JKL Docks with the west basin at a junction box at the central pier by the harbor master's office. The proposed run is approximately 1,250-linear-feet and approximately 12-inches-deep and 4-inches-wide. The proposed route is directly outside the esplanade walkway, waterward of the railing. The area of work is located within the Urban Shoreline Environment Designation and is zoned Commercial Marine (CM).

SEPA Review: The Port of Anacortes, as lead agency, has determined that this project is categorically exempt from SEPA Review based on the criteria described in WAC 197-11-800(23).

Existing Environmental Documents: Critical Areas Assessment Report (DRAFT).

Required Project Permits/Approval: City of Anacortes Grading Permit

Public Comment Period: The joint Notice of Application and Public Hearing was published on March 6, 2024. Written comments must be submitted to the contact person listed below by **5:00 PM on April 5, 2024**, verbal testimony will be accepted at the public open-record decision hearing.

Hearing Body: An open-record decision hearing will be held by the Planning Commission on **April 24, 2024, at 6:00 pm** in the Council Chambers (904 6th Street), and via Zoom video conferencing.

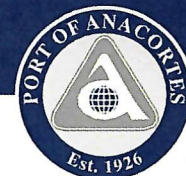
- Virtual meeting participation instructions and connection information can be viewed at anacorteswa.gov/700. Hearings will be conducted in accordance with the rules of procedure adopted by the hearing body.
- Members of the public who require special assistance to participate in or access the public hearing may contact the City Clerk 24 hours before the meeting to make special arrangements. Dial 360-299-1960.

ANY PERSON HAS THE RIGHT TO RECEIVE NOTICE, PARTICIPATE IN ANY HEARINGS, REQUEST A COPY OF THE FINAL DECISION AND APPEAL THE DECISION AS PROVIDED BY LAW.

Document Availability: Application documents may be reviewed by scanning the above QR Code or at <https://ci-anacortes-wa.smartgovcommunity.com/Public/Home> and clicking "Public Notices" then selecting file no. **SDP-2024-0001**. The staff report will be available at 2pm the Thursday before the scheduled open-record decision hearing.

City Contact: Grace Pollard, Senior Planner; Phone: (360) 588-8231
Email: gracep@cityofanacortes.org; City of Anacortes Planning Dept., P.O. Box 547, Anacortes, WA 98221
Written comments must be substantive and include the name and address of the commentor.

Appeal: Within 14-days after written notice of the decision is distributed, any party with standing may file a local appeal to be heard by City Council, per AMC 19.20.180. Appeal of the final decision of the City of Anacortes shall be filed within twenty-one days of the date of filing the final permit with the Department of Ecology and shall be heard by the Shorelines Hearings Board pursuant to the procedures and timelines of RCW 90.58.180.



April 23, 2024

City of Anacortes Planning Commission
City of Anacortes
904 6th Street
Anacortes, WA 98221

RE: SDP-2024-0001: Shoreline substantial development permit application for the installation of fiber conduit at Cap Sante Marina

Dear Planning Commissioners,

It has been brought to my attention that a letter bearing my name was submitted by Mega Corp. That letter was not produced by me, nor do I stand behind any of its contents.

I had one interaction with Mr. Chidester regarding this project whereby I told him I am only aware the project is happening and do not have any details.

It is not my role at the Port of Anacortes to endorse any contractors or their means and methods. That said, if a formal communication was to come from me it would be on this letterhead.

Please disregard the contents of the letter submitted under my name by Mega Corp.

Thank you,

A handwritten signature in red ink that reads 'Brad Johnson'.

Brad Johnson
Harbormaster

Libby Grage

From: Kevin Anderson <Kevin.Anderson@portofanacortes.com>
Sent: Tuesday, April 23, 2024 10:09 AM
To: Libby Grage
Subject: FW: comments - Cap Sante fiber

***** This email is from outside the City of Anacortes network. Please use caution when clicking on links, opening attachments, or replying. *****

Hi Libby,

The letter purported to be authored by our Harbor Master, Brad Johnson, is not from him. He did not write the letter of support. How do we address this?

-Kevin

Best Regards,

Kevin Anderson | Environmental Specialist

Direct (360) 299-1827 | Mobile (360) 770-5194

317 Commercial Ave, Anacortes, WA 98221



Port of Anacortes  

Public Communication: Information contained in any communication to or from the Port of Anacortes, including attachments, may be subject to the disclosure requirements of Washington's Public Records Act, Ch. 42.56 RCW.

Our administrative office has moved. Please note the new address listed in my signature.

From: Brad Johnson <Brad.Johnson@portofanacortes.com>
Sent: Tuesday, April 23, 2024 10:05 AM
To: Kevin Anderson <Kevin.Anderson@portofanacortes.com>
Subject: RE: comments - Cap Sante fiber

No, I did not write that letter.

Brad

Brad Johnson | Harbormaster

Mobile (360) 661-0259

From: Kevin Anderson <Kevin.Anderson@portofanacortes.com>
Sent: Tuesday, April 23, 2024 10:01 AM

To: Brad Johnson <Brad.Johnson@portofanacortes.com>

Subject: FW: comments - Cap Sante fiber

This you brad?

Kevin Anderson | Environmental Specialist

Mobile (360) 770-5194

From: Libby Grage <LibbyB@cityofanacortes.org>

Sent: Tuesday, April 23, 2024 9:56 AM

To: Kevin Anderson <Kevin.Anderson@portofanacortes.com>

Subject: comments - Cap Sante fiber

Hi Kevin,

We just received the attached comments regarding the fiber project.

Libby Grage | City of Anacortes

Planning, Community & Economic Development Department

Planning Manager

P.O. Box 547 | 904 6th Street | Anacortes, WA 98221

360.299.1986 (work) | 360-661-3505 (work cell)

libbyb@cityofanacortes.org | www.cityofanacortes.org

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.



PCED Received

04/23/2024

Document received by the Planning, Community
& Economic Development Department

Submitted by: Ashlan Chidester

04/23/24

To Whom It May Concern,

As the Harbor Master at the Port of Anacortes Cap Sante Marina, I am pleased to provide my recommendation for Mega Corp Telecom's proposed fiber optic infrastructure project within our marina premises.

Mega Corp Telecom's proposal outlines the installation of fiber conduits to enhance connectivity within Cap Sante Marina, linking critical areas and facilities. The proposed project aligns with our vision of promoting technological advancement and improving services for our tenants, visitors, and stakeholders.

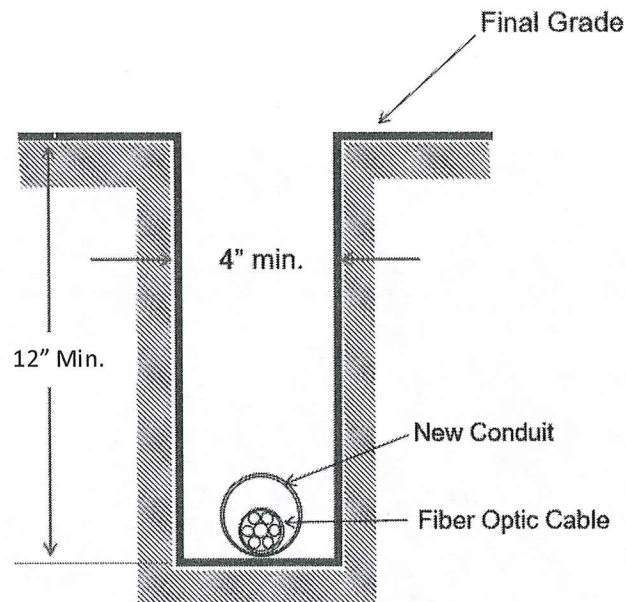
The implementation of fiber optic infrastructure offers numerous benefits to Cap Sante Marina. It provides high-speed internet connectivity, enabling efficient communication, data transmission, and access to online services for businesses, residents, and guests. Additionally, fiber optics support advanced applications such as video surveillance, environmental monitoring, and smart marina management systems, enhancing safety, security, and operational efficiency.

Furthermore, Mega Corp Telecom has demonstrated a commitment to quality, reliability, and customer satisfaction, making them a preferred vendor and supplier for fiber optic solutions. Their expertise in telecommunications infrastructure, combined with their track record of successful projects, instills confidence in their ability to deliver exceptional service and value to Cap Sante Marina.

I fully endorse Mega Corp Telecom's proposal and recommend proceeding with the installation of fiber optic infrastructure as outlined. This collaboration represents an opportunity to elevate the technological capabilities of Cap Sante Marina and enhance the overall experience for our community members.

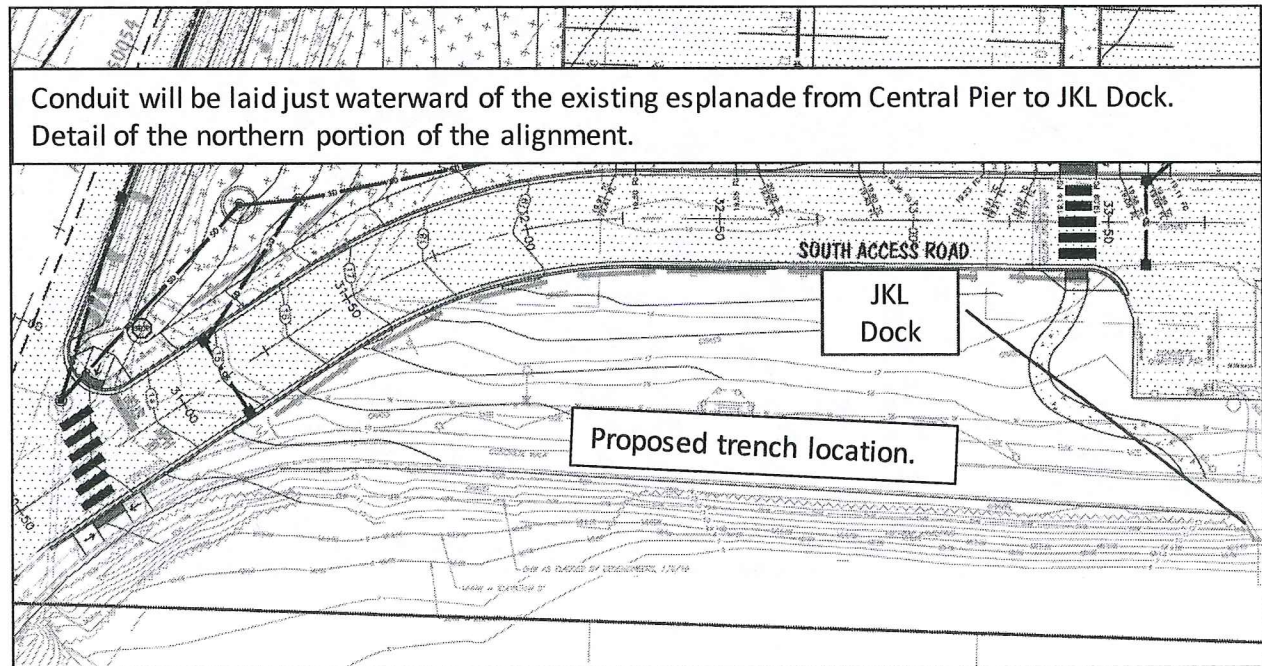
Sincerely,

Brad Johnson
Harbor Master
Port of Anacortes - Cap Sante Marina



Conduit Trench Detail

Install ~1,250 lf of conduit for fiber optic data cables at the marina to meet growing data capacity. Conduit will be 1" diameter PVC conduit with locate tape.



PURPOSE: Install fiber conduits from the Central Pier to JKL dock at Cap Sante Marina.

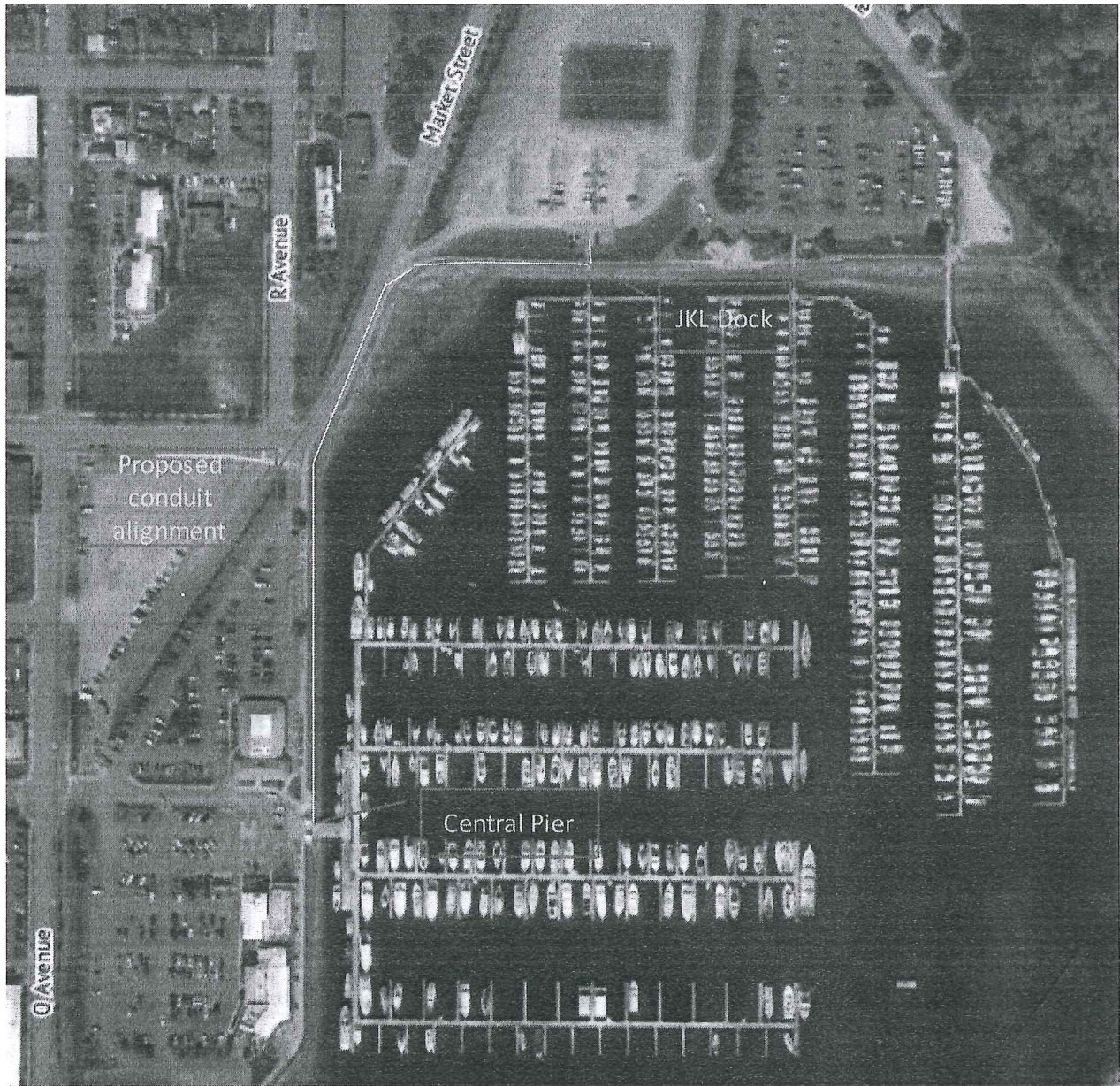
- Excavate a shallow trench
- Lay 1" PVC conduit
- Backfill with native materials

CAP SANTE MARINA
JKL to Central Pier Fiber
Conduit

PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221

PROPOSED:
AT: 1019 Q Ave
APPLICATION BY: PORT OF
ANACORTES

SHEET 1 of 2 DATE: OCT 2023



PROJECT SITE MAP

LATITUDE: 48.521483N
LONGITUDE: -122.606469W

PURPOSE: Install fiber conduits from the Central Pier to JKL dock at Cap Sante Marina.

- Excavate a shallow trench
- Lay 1" PVC conduit
- Backfill with native materials

CAP SANTE MARINA
JKL to Central Pier Fiber
Conduit

PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221

PROPOSED:
AT: 1019 Q Ave
APPLICATION BY: PORT OF
ANACORTES

SHEET 1 of 2 DATE: OCT 2023

	Recurring	Time
Grand Totals - 36 Months	7,564.85	5,500.00

Request Paperwork

The quote information shown is based upon the specific location information, requirements, and terms shown below.

Quote Details

1019 Q AVE, ANACORTES, WA, 98221

Quote Date: 04/22/2024

Valid Through: 06/21/2024

One Pipe Multi-Connect
3 YEAR TERM

Service Requirements

Service Type:	One Pipe Multi-Connect	Blended Internet?:	Yes
Total Blended Internet Bandwidth:	2000	Total Bandwidth:	2000
Port Speed:	2000	Extended Demarc Provider:	Customer
Public IP's:	6		

Network Services			
Description	Qty	Price	Monthly
One Pipe Multi-Connect Managed Service - 2000M 10GigE	1	1,645.71	1,645.71
Massive Blended Internet Connect - 2000M 10GigE	1	700.00	700.00
24/7 Circuit Monitoring with Alerts	1	0.00	0.00
/29 = 8 IP addresses (6 Usable)	1	18.00	18.00
Sub Total:			2,363.71

Network Services- Installation Fees

Description	Qty	Price	Unit Discount	One-Time
One Pipe Multi-Connect Managed Service - 2000M 10GigE	1	2,500.00	0.00	2,500.00
Massive Blended Internet Connect - 2000M 10GigE	1	1,500.00	-1,500.00	0.00
/29 = 8 IP addresses (6 Usable)	1	0.00	0.00	0.00
Customer to Provide Extended Demarc	1	0.00	0.00	0.00
Sub Total:				2,500.00

Site Summary	Monthly (\$)	Install (\$)
Original Totals	2,363.71	4,000.00
Discount	0.00	-1,500.00
Revised Totals	2,363.71	2,500.00

Request

1019 Q AVE, ANACORTES, WA, 98221

Quote Date: 04/22/2024

Valid Through: 06/21/2024

One Pipe Multi-Connect
3 YEAR TERM

Service Requirements

Service Type:	One Pipe Multi-Connect	Blended Internet?:	Yes
Total Blended Internet Bandwidth:	1000	Total Bandwidth:	1000
Port Speed:	1000	Extended Demarc Provider:	Customer
Public IP's:	6		

Network Services

Description	Qty	Price	Monthly
One Pipe Multi-Connect Managed Service - 1000M GigE	1	892.86	892.86
Massive Blended Internet Connect - 1000M GigE	1	370.00	370.00
24/7 Circuit Monitoring with Alerts	1	0.00	0.00
/29 = 8 IP addresses (6 Usable)	1	18.00	18.00
Sub Total:			1,280.86

Network Services- Installation Fees

Description	Qty	Price	Unit Discount	One-Time
One Pipe Multi-Connect Managed Service - 1000M GigE	1	250.00	0.00	250.00
Massive Blended Internet Connect - 1000M GigE	1	1,500.00	-1,500.00	0.00
/29 = 8 IP addresses (6 Usable)	1	0.00	0.00	0.00
Customer to Provide Extended Demarc	1	0.00	0.00	0.00
Sub Total:				250.00

Site Summary	Monthly (\$)	Install (\$)
Original Totals	1,280.86	1,750.00
Discount	0.00	-1,500.00
Revised Totals	1,280.86	250.00

Request

1019 Q AVE, ANACORTES, WA, 98221

Quote Date: 04/22/2024
Valid Through: 06/21/2024

One Pipe Multi-Connect

3 YEAR TERM

Service Requirements

Service Type:	One Pipe Multi-Connect	Blended Internet?:	Yes
Total Blended Internet Bandwidth:	500	Total Bandwidth:	500
Port Speed:	500	Extended Demarc Provider:	Customer
Public IP's:	6		

Network Services			
Description	Qty	Price	Monthly
One Pipe Multi-Connect Managed Service - 500M GigE	1	738.57	738.57
Massive Blended Internet Connect - 500M GigE	1	210.00	210.00
24/7 Circuit Monitoring with Alerts	1	0.00	0.00
/29 = 8 IP addresses (6 Usable)	1	18.00	18.00
Sub Total:			966.57

Network Services- Installation Fees				
Description	Qty	Price	Unit Discount	One-Time
One Pipe Multi-Connect Managed Service - 500M GigE	1	250.00	0.00	250.00
Massive Blended Internet Connect - 500M GigE	1	1,500.00	-1,500.00	0.00
/29 = 8 IP addresses (6 Usable)	1	0.00	0.00	0.00
Customer to Provide Extended Demarc	1	0.00	0.00	0.00
Sub Total:				250.00

Site Summary	Monthly (\$)	Install (\$)
Original Totals	966.57	1,750.00
Discount	0.00	-1,500.00

Revised Totals	966.57	250.00
----------------	--------	--------

Request

1019 Q AVE, ANACORTES, WA, 98221

Quote Date: 04/22/2024

Valid Through: 06/21/2024

One Pipe Multi-Connect
3 YEAR TERM

Service Requirements

Service Type:	One Pipe Multi-Connect	Blended Internet?:	Yes
Total Blended Internet Bandwidth:	3000	Total Bandwidth:	3000
Port Speed:	3000	Extended Demarc Provider:	Customer
Public IP's:	6		

Network Services			
Description	Qty	Price	Monthly
One Pipe Multi-Connect Managed Service - 3000M 10GigE	1	1,885.71	1,885.71
Massive Blended Internet Connect - 3000M 10GigE	1	1,050.00	1,050.00
24/7 Circuit Monitoring with Alerts	1	0.00	0.00
/29 = 8 IP addresses (6 Usable)	1	18.00	18.00
Sub Total:			2,953.71

Network Services- Installation Fees				
Description	Qty	Price	Unit Discount	One-Time
One Pipe Multi-Connect Managed Service - 3000M 10GigE	1	2,500.00	0.00	2,500.00

Massive Blended Internet Connect - 3000M 10GigE	1	1,500.00	-1,500.00	0.00
/29 = 8 IP addresses (6 Usable)	1	0.00	0.00	0.00
Customer to Provide Extended Demarc	1	0.00	0.00	0.00
Sub Total:				2,500.00

Site Summary	Monthly (\$)	Install (\$)
Original Totals	2,953.71	4,000.00
Discount	0.00	-1,500.00
Revised Totals	2,953.71	2,500.00

[Request](#)

Above prices are budgetary, subject to capacity, vendor availability and subject to verification at time of orders.

FAQs

Question: How can I get more information about one of the quotes?

Answer: Please feel free to contact me with any questions you may have.

Question: How much time do I have to make a decision based upon the pricing provided?

Answer: Quotes are typically valid for 30 days but promotions can have different expirations. We will confirm all pricing prior to placing the order for you.

Question:

Answer:

This proposal contains confidential and proprietary information.



Members of the City Planning Commission

Submitted by: Ashlan Chidester

My name is Ashlan Chidester and I am the Owner of Mega Corp Telecommunications located in Anacortes. I am also a Certified Fiber Optics Engineer. I would like to submit a few comments and requests for information about this project.

1. Avoiding Surface Mounting

A. Addressing unsuitable substrate that consists of rip-rap and quarry spalls should use a more durable conduit material. For example, high density polyethylene(HDPE) or rigid Steel conduit. Exploring the feasibility of boring or directional drilling to install the conduit beneath the unsuitable substrate, rather than surface-mounting.

B. Avoid the surface mounting due to damage & vandalism at high traffic tourist hub and the aesthetics are not pleasing.

2. Proper Trench Burial Depth & Cable Protection

A. Industry standard is 18-36" for fiber and 48" for conduit; the proposed trench diagram is 12" deep x 4" wide. As a general guideline, the trench width should be at least twice the diameter of the conduit to allow for proper placement and compacting of backfill material. Not recommended.

B. We ask the project team to provide specifics on their plans for cable slack, bend radius, and splicing locations to ensure the fiber is properly protected and can effectively provide uninterrupted service to 1,007 boats at full capacity during peak times. For cable protection we recommend Underwater Fiber Optic Sensing Cables to utilize specialized sensing techniques.

3. Testing and Verifying Cable Performance

A. After cable run, we would like a defined procedure for validating the cables performance and integrity and provide data on bit-error rate, fiber loss, and other optical characteristics to ensure the cables are functioning as expected.

B. We request to establish a process to closely monitor the actual cable installation process and provide feedback to the project team if any concerns arise and maintain open communication to ensure best practices are adhered to.

Thank you for your attention and consideration.

megacorp telecom.com

360-541-0882

support@megacorp telecom.com



Planning Commission Agenda Bill

Meeting Date: April 24, 2024

Agenda Item: 4.b.

Subject: 2025 Comprehensive Plan Update Public Participation Plan

Staff Contact: John Coleman

Approved for Submittal to Commission by

LIBBY GRAGE

John Coleman

Action Type

Public Hearing

Summary Statement: The 2025 Comprehensive Plan Update Public Participation Plan (PPP) identifies how the City will provide for early and continuous public participation in the development and amendment of the Comprehensive Plan and development regulations implementing the plan, as required by the Growth Management Act.

A public hearing will be held on 4/24/24 to take public comment on the draft PPP.

Background:

Previous Action: The draft PPP was introduced at the [March 28, 2024 Planning Commission meeting](#).

Competing Viewpoints Considered: Public comment will be taken during the public hearing. Several written public comments have been received to date.

Recommended Motion: I move to recommend City Council adoption of the 2025 Comprehensive Plan Update Public Participation Plan.

Alternative Actions: Do not recommend approval.
Recommend approval, with changes.

Attachments (listed in order presented):

1. Draft Public Participation Plan (3/28/24 Draft)
2. Public Comment - 20240404-MacKenzie
3. Public Comment - 20240325-Turner
4. Public Comment-20240419-Stidham-SkagitTransit

Public Participation Plan for the City of Anacortes Comprehensive Plan Update

DRAFT March 28, 2024

Introduction

The City of Anacortes is conducting a required periodic update of its Comprehensive Plan. The Anacortes Comprehensive Plan is a broad statement of the community's values and vision for its future, directing the orderly and coordinated physical development of the City for the next 20 years. A major update to the Comprehensive Plan is conducted approximately every 10 years – this update is due by December 31, 2025.

The Washington State Growth Management Act (GMA) requires the periodic update of comprehensive plans and development regulations to ensure that they are consistent with recent changes to state law, updates to countywide planning policies, and to update information such as population changes and infrastructure needs and investments. The periodic update will include a review of the city's zoning policies and urban growth area (UGA) to ensure there is sufficient capacity of land available to accommodate projected housing and employment growth over the next 20 years.

One component of the required update is that the City establish a public participation program to engage with residents, stakeholders, tribes, and state agencies early and often. This Public Participation Plan (PPP) identifies how the City will provide for early and continuous public participation in the development and amendment of the Comprehensive Plan and development regulations implementing the plan, as required by the GMA.

Roles and Responsibilities

The City of Anacortes is responsible for updating the Comprehensive Plan in compliance with the Growth Management Act. This responsibility includes actively inviting public input and coordinating with local, state, and regional agencies. The City has hired a consultant, MAKERS Architecture and Urban Design, to assist with the update process.

The Anacortes Planning Commission, an appointed advisory body, is required to review amendments to the Comprehensive Plan and development regulations, hold public hearings, and provide recommendations to the City Council.

The Anacortes City Council is responsible for considering the Planning Commission's recommendations and adopting the updated Comprehensive Plan and development regulations.

The Board of Skagit County Commissioners is responsible for making decisions on amendments to the county-wide planning policies and the Skagit County Comprehensive Plan, including any city-proposed changes to the Anacortes UGA boundary.

Public Participation Goals

Initial goals for community engagement for the Comprehensive Plan update include:

- Build awareness about the Comprehensive Plan, the development regulations, the process under which they are developed, adopted, and amended, and how the public can participate in the process.
- Spur a productive community conversation about Anacortes's long-term challenges and opportunities.
- Elevate the voices of communities most affected by past and current discriminatory land use and housing practices, who are vulnerable to potential impacts of plan outcomes, and/or who are historically underrepresented in planning processes. This could include, but is not limited to, youth, people of color, renters, and low-income individuals.
- Focus resources on soliciting input on elements of the update process likely to be of greatest interest/impact to the community.
- Offer engagement opportunities that are relevant to all audiences.
- Share data and community stories to increase the shared understanding of issues.

Audiences & Partners

There are multiple audiences and partners – individuals, agencies, and governments – that may participate in the Anacortes Comprehensive Plan update, and each may choose to engage in the process in different ways. The city will use the tools and actions in this public participation plan to reach and give a voice to as many of those people and organizations as possible. While outreach and engagement will focus on those who currently live, work, play or otherwise interact with Anacortes, the needs of those who *want* to live and work in the future in Anacortes will also be considered.

Participants in the update process are anticipated to include, but are not limited to:

- **Tribal governments:** Samish, Swinomish, , Sauk-Suiattle, Upper Skagit,
- **Members of the public:** Anacortes residents (current and future), workers, students, property owners, and business owners.
- **Non-governmental organizations:** Chamber of Commerce, service clubs, local environmental groups, Downtown Anacortes Alliance, religious institutions, Skagit Habitat for Humanity, Skagit Land Trust, Anacortes Community Health Council, Anacortes teachers and educational staff union, Boys and Girls Club of Skagit County, Anacortes Family Center
- **Elected and appointed officials:** City Councilmembers, Planning Commissioners, Anacortes Housing Authority, Port of Anacortes, Island Hospital, Anacortes School District, Fidalgo Pool and Recreation District
- **Anacortes City Departments and Service Providers:** Public Works (Engineering, Operations, GIS, Water, Sewer, Stormwater), Human Resources, Parks and Recreation, Museum, Fiber, Police, Fire and Emergency Medical Services
- **Other Service Providers:** Electric, gas, cable, telecommunications providers
- **Counties/Cities/Towns:** Skagit County, Island County, La Conner, Oak Harbor
- **Washington State agencies:** Department of Ecology, Department of Commerce, Office of Financial Management, Department of Transportation (highways, aviation, ferries),

Department of Fish and Wildlife, Department of Natural Resources, Department of Archaeology and Historic Preservation

- **Federal government:** Naval Air Station Whidbey, U.S. Coast Guard, Army Corps of Engineers, Federal Aviation Administration, National Parks Service

Communication Tools

The communication tools that will be used in the Comprehensive Plan update process may include, but are not limited to:

Webpage

Planning, Community & Economic Development Department (PCED) staff will maintain a distinct webpage with Comprehensive Plan information. Relevant documents and schedules will be posted on the webpage along with announcements and notices concerning upcoming meetings, hearings, and public involvement opportunities. The webpage URL is:

<https://www.anacorteswa.gov/1650/2025-Comprehensive-Plan-Update>

Subscription Email List

A subscription email list ([Notify Me](#)®) will be created for dissemination of announcements and notices to subscribed parties.

City Contact Email Address

A specific city email address (CompPlan@cityofanacortes.org) has been created for community members to send their comments throughout the update process. All comments received will be read and considered by staff and forwarded to the Planning Commission and City Council at appropriate times during the update process.

Direct Mail

Postcards or other informational materials may be directly mailed to residents during the update process to notify the public about opportunities to participate, key dates or deadlines, and/or public meetings and hearings.

News Release(s)

For major topics and decisions, the City of Anacortes may prepare press releases and distribute them to local papers.

Social Media

Established social media platforms will be used to promote public meetings and opportunities to participate in the comprehensive plan update process.

A-Town Is Our Town Quarterly Newsletter

Information about the Comprehensive Plan update process will be published in one or more editions of the A-Town, which is mailed to every resident in Anacortes.

Outreach Methods

Open Houses

Open houses may be held to encourage the public to review information at their own pace, with informational stations addressing different issues, and opportunities for providing feedback. Open houses may be held in-person or virtually.

Survey(s)

Surveys may be used to solicit input from a broad range of community members, including those who may be unlikely to attend in-person or virtual meetings. The surveys could be used to receive specific feedback on elements of the comprehensive plan update, or to help better understand the community's point of view on certain topics. Surveys could be web-based, in-person, or paper-based.

Targeted Stakeholder Interviews

Stakeholder interviews will be held with parties who can provide context on current Anacortes issues, opportunities, and priorities. The interviews can be conducted with individuals or groups of people.

Stakeholder interviews will consider opportunities to meet with frontline communities dealing with environmental health and climate change impacts, and communities who are historically underrepresented in planning processes.

Climate Policy Advisory Team

As recommended by Commerce Climate Element guidance, the City will form a Climate Policy Advisory Team (CPAT) to aid in the development of the Anacortes Comprehensive Plan Climate element.

Pop-Up Tabling at Specific Locations

City staff will go to where the community is at, and host pop-up tabling activities at specific locations. Pop-up events can coincide with popular events that take place at parks or community centers (e.g. youth sports games), along with regularly scheduled community gatherings and festivals. Tabling can also take place at everyday locations, such as during lunch hours at popular restaurants and cafes or grocery stores at peak shopping times on weekends.

Each pop-up tabling opportunity should include visual material corresponding to the focus element and informational materials that direct people to the website.

Community and Civic Groups

City Staff will be available to meet with organized community and civic groups upon request throughout the project to offer updates and seek feedback. This opportunity should be identified on the project website, in newsletters, and whenever City staff engage with the public.

Public Meetings / Workshops

Public meetings and workshops will be held as informal public gatherings to solicit public feedback. When possible, public meetings may be scheduled as part of regular Planning Commission and City Council Meetings. Public meetings or workshops may involve presentations by city staff, question and answer sessions, and interactive activities.

Student and Teacher Outreach

To help the City get more youth engagement and input on the Comprehensive Plan, City staff can conduct outreach to local schools. The intent of the outreach is to augment civic education with an introduction to students about planning and community concerns, with the intent of acquiring youth perspectives about local issues.

Preliminary Project Schedule

This schedule will be adjusted throughout the update process.

Activity	Time Frame (anticipated)
Project initiation	
Public participation plan	March – April 2024
Establish website, email list	March – April 2024
Project awareness building	March – May 2024
Shaping the Plan	
Agency / Partner Meetings	April – June 2024
Survey	April – May 2024
Workshop / Open House #1	May – July 2024
Pop-up tabling	April – September 2024
Stakeholder interviews	June – December 2024
Planning Commission Work Sessions	April 2024 – March 2025
Climate Policy Advisory Team meetings	May 2024 – February 2025
Student and teacher outreach	April – June 2024; October – December 2024
Workshop / Open House #2	September – November 2024
Refining the Plan	
Draft Comprehensive Plan Element Review	January – March 2025
Planning Commission meetings/ work sessions	January – March 2025
Workshop / Open House #3	January – March 2025
Adopting the Plan	
SEPA Determination	Spring 2025
Planning Commission Public Hearings & Recommendation	Spring – Summer 2025
City Council review and adoption	Summer – Fall 2025

Libby Grage

From: Chris MacKenzie <chrismacknz@outlook.com>
Sent: Thursday, April 4, 2024 2:29 PM
To: Comp Plan
Subject: draft ppp

**** This email is from outside the City of Anacortes network. Please use caution when clicking on links, opening attachments, or replying. ****

Hi Libby,

I learned about your Public Participation Plan for the 2025 Comp Plan update in the Legals column of yesterday's Anacortes American. I'm not sure how many other folks saw it, few I'd guess. How else do you currently reach out to the public?

I hope you'll consider using social media. PCED actually has a FaceBook page. It has 545 followers and last posted something on July 12, 2022. Posting there will give to those of us who care the opportunity to share with other community groups. The Anacortes Community group, for example has 19,000 followers, The Port of Anacortes has 3,600 followers, Downtown Anacortes has 1,400 and there are many other local pages with significant followings. Subsequent conversations on NextDoor for example could broaden your reach your reach even further. I hope you'll consider allocating some funding to your social media presence!

The Comprehensive Plan is the fundamental base for the work of the Downtown Anacortes Alliance. Extensive outreach deep into the community is crucial to the outcome we all hope to achieve. We're consistently and increasingly engaged with residents in many ways. How can we help?

Chris MacKenzie
1302 7th Street, Anacortes, WA 98221
chrismacknz@outlook.com
206-295-7336

Libby Grage

From: CityClerk <cityclerk@cityofanacortes.org>
Sent: Monday, March 25, 2024 8:41 PM
To: pced
Subject: FW: Comment for planning commission meeting on Tuesday March 26

Hello,

Please see below written comment from Bill Turner.

Best,

Greg Francioch
Legal Assistant
Assistant to the City Clerk
City of Anacortes
P.O. Box 547
Anacortes, WA 98221
360-299-1960

Visit the City of Anacortes public records document center today!

NOTE: Public documents and records are available to the public as provided under the Washington State Public Records Act (RCW 42.56). This e-mail may be considered subject to the Public Records Act and may be disclosed to a third-party requestor.

-----Original Message-----

From: William Turner <bill.h.turner@gmail.com>
Sent: Monday, March 25, 2024 4:26 PM
To: CityClerk <cityclerk@cityofanacortes.org>
Cc: Doyle John <jdoyle9991@yahoo.com>; turner sally <sallycturner@gmail.com>
Subject: Comment for planning commission meeting on Tuesday March 26

***** This email is from outside the City of Anacortes network. Please use caution when clicking on links, opening attachments, or replying. *****

Dear Planning Commission,

I am pleased that you are assessing public participation plan for our work on the 2025 Comp Plan on Tuesday. This will aid the public and the City in creating a comp plan that works for Anacortes.

I am still disappointed by the City Council ignoring your recent request for more public participation for new rules for ADUs and multi housing projects. The new state mandates for affordable housing can be complex and are essential for our future. But if we don't reach out for public participation, how will our citizens know how they can promote affordable housing? Developers will know but the public may not.

The 2016 Comp plan has a number of provisions for enhancing our efforts for affordable housing, but not one thing has been done by the City to do their part, except a number of fruitless committees meetings.

I was a member of Skagit Habitat for Humanity, and recent President for 2 years, and started lobbying to City to begin the necessary work that the State mandated and our Comp plan promotes, starting in 2018. Nothing yet!

Housing is a serious issue. Let's get going and find housing for workers, the people who take care of us.

WE NEED OUR WORKERS HERE!

Sincerely Bill Turner

2012 I Ave, Anacortes

Sent from my iPad

Libby Grage

From: John Coleman
Sent: Thursday, April 18, 2024 6:04 PM
To: Crystle Stidham
Cc: Libby Grage
Subject: RE: [EXTERNAL] Invitation to Participate in the 2025-2045 Comprehensive Plan Update

Thanks for your comments Crystle,
We will include them in the record and see about getting Skagit Transit and the disabled population added to the final draft as well as review the rest of your comments. Thanks again!



*John Coleman, AICP
Director of Planning, Community and
Economic Development
City of Anacortes
360-293-1901*

From: Crystle Stidham <cstidham@skagittransit.org>
Sent: Tuesday, April 16, 2024 7:48 PM
To: John Coleman <johnc@cityofanacortes.org>
Subject: RE: [EXTERNAL] Invitation to Participate in the 2025-2045 Comprehensive Plan Update

***** This email is from outside the City of Anacortes network. Please use caution when clicking on links, opening attachments, or replying. *****

Good evening, John,

Thank you so much for sending this to me. The Public Participation Plan looks a lot like ours! I really appreciate the opportunity to participate in the development of the Comprehensive Plan as a voice for those who use (or could use) public transportation. I noticed that Skagit Transit is not listed as a “partner” in the development of the plan. As I mentioned in my presentation yesterday, I feel like public transportation is a crucial part of the growth in the County (to include the City of Anacortes), and I wish that we would have been listed as one of the stakeholders, especially since the plan targets underrepresented populations such as youth, people of color, and low-income individuals. I extracted this list of “underrepresented populations” from bullet #3 under the header Public Participation Goals. I know this is not an all-inclusive list, but I think the consultant should have added the disabled population as well.

Also, I noticed that the Anacortes Housing Authority was listed as a partner. Should the Skagit County Housing Authority be listed as well? What about North Star?

I signed up for email notifications for updates on the project and plan to attend the public hearing on April 24th. I will be flying back from a conference that day so my attendance may be virtual, but I will be there.

Thanks again for sending this information to me. I’m looking forward to the collaboration.

Respectfully,

Crystle

From: John Coleman <johnnc@cityofanacortes.org>
Sent: Tuesday, April 16, 2024 3:50 PM
To: Crystle Stidham <cstidham@skagittransit.org>
Subject: [EXTERNAL] Invitation to Participate in the 2025-2045 Comprehensive Plan Update

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Crystle,

The City of Anacortes is beginning the process of updating its Comprehensive Plan to make sure we are planning to accommodate the next 20 years of growth. Because your organization is an important part of the community, we encourage your participation in the update process! The Planning Department has created a webpage dedicated to the 2025-2045 Comp Plan update: <https://www.anacorteswa.gov/1650/2025-Comprehensive-Plan-Update>.

On that page, you will find our draft Public Participation Plan, which identifies how the City will provide for early and continuous public participation in the development and amendment of the Comprehensive Plan and development regulations implementing the plan, as required by the Growth Management Act. In other words, it describes how we plan to seek engagement from as many members of the public as possible. While we plan to use multiple methods of outreach, much of the outreach will be held at the Planning Commission meetings.

The Planning Commission will be holding a public hearing on the proposed Public Participation Plan at its April 24 meeting (6PM in the city Council Chambers), here is a link to the meeting documents page, just look for April 24: <https://www.anacorteswa.gov/700/Meeting-Documents-and-Video>. More materials will be available as we get closer to that date.

In the coming months we will be reviewing our projected population and employment growth, determining how much land is available in the city limits, then working on way to make sure we have the necessary land, infrastructure and regulations to accommodate the growth in a way that matches the community's values. Those values are largely written as goals in the various elements of the Comprehensive Plan. The Planning Commission will be working on updates to the various elements of the update continuously throughout the process. The City is also working to create a brand-new Climate Element.

You can sign up for email notifications about the update, including project news, notices of public meetings and other opportunities for involvement and document availability here: <https://www.cityofanacortes.org/list.aspx?ListID=343> . We hope you will be a part of the process of envisioning the future of Anacortes!



John Coleman, AICP
Director of Planning, Community and
Economic Development
City of Anacortes
360-293-1901

WARNING EXTERNAL EMAIL: This email originated from outside of the organization. Be vigilant in making sure this email is legitimate.



Planning Commission Agenda Bill

Meeting Date: April 24, 2024

Agenda Item: 5.a.

Subject: Planning Commission Procedures

Staff Contact: John Coleman

Approved for Submittal to Commission by

LIBBY GRAGE

John Coleman

Action Type

Discussion

Summary Statement: Rules of Procedure define the process the Planning Commission shall follow when holding a public meeting. The Planning Commission Rules of Procedure has not been updated in the recent past. Staff has drafted a major rewrite of the Rules of Procedure that reflects current regulations and city processes. The updated procedures specify the duties of the commission members, the election of a Chairperson and Chairperson pro tem, the public hearing procedures and other processes. If passed, the updated Rules of Procedure will supersede any previously adopted.

Staff recommends that the Planning Commission review the draft and make a motion to adopt the updated Rules of Procedure.

Background: The existing Planning Commission Rules of Procedure are outdated, thus it is recommended that updated Rules of Procedure be adopted.

Previous Action:

Competing Viewpoints Considered:

Recommended Motion: Make a motion to adopt the updated Planning Commission Rules of Procedure which shall supersede any previously adopted Rules of Procedure.

Alternative Actions:

Attachments (listed in order presented):

1. PC Rules of Procedure (4-24-24)

Anacortes Planning Commission

Rules of Procedure

1	General Provisions	
1.1	Authority.....	
1.2	Mission Statement.....	
2	Organization Of The Planning Commission.....	
2.1	Membership.....	
2.2	Election of Officers.....	
2.3	Duties of Chairperson and Vice-Chairperson.....	
3	Meetings.....	
4	Agenda.....	
5	Work Sessions.....	
6	General Public Comment.....	
7	Public Hearing Procedures.....	
8	Conflict of Interest and Appearance of Fairness.....	
9	Code of Ethics and Decorum.....	
10	Amending Rules of Procedure.....	

1. GENERAL PROVISIONS

1.1 Authority. The Planning Commission has all the powers and performs each and all the duties specified in Anacortes Municipal Code (AMC) Title 19.

1.2 Mission Statement.

The primary mission of the Anacortes Planning Commission is to thoroughly review and refine the City's Comprehensive Plan and Development Regulations in order to ensure that growth in Anacortes will bring us to what the community has decided is the vision for the city. The Planning Commission seeks out public involvement in updating the vision for the city. As the population grows, public services must be provided for, using means established by the Planning Commission and the City Council. The Planning Commission's role in updating the Comprehensive Plan and Development Regulations ensures that developments are consistent with what the community envisions for Anacortes. The Planning Commission will also advise the City Council on policy and guide the development of the City.

The Planning Commission will perform application review and/or public hearings as specified in Title 19 AMC. The Planning Commission will make determinations on permit applications or make recommendations to the City Council on various permit types as specified in Title 19, as it may be amended from time to time.

The Planning Commission shall carry out the responsibilities designated by ordinance and other duties assigned by the City Council. The members of the Planning Commission accept the responsibility of the office and declare their intention to execute the duties defined under the State and Municipal law to the best of their ability and to respect and observe the requirements established by the City Council.

2. ORGANIZATON OF THE PLANNING COMMISSION

2.1 Membership:

- a) The Planning Commission consists of seven members with a term of office of six years.
- b) When terms expire, the Mayor shall appoint new members or reappoint existing members pursuant to AMC 2.42.020.
- c) If a Commission member has more than four (4) total absences from regularly scheduled meetings in a calendar year, the Chairperson shall inform the Mayor who may appoint a new Commission member to fill the member's term.
- d) No person shall hold the office or be a member of the Planning Commission unless that person is a resident of the city or the urban growth area.
- e) If a member of the Planning Commission ceases to be a resident of the city or urban growth area, the office must be vacated.

2.2 Election of Officers:

- a) Officers must be appointed each year at the Planning Commission's first regular meeting of the year. This must be done by nomination and voting. Nominations are made by members; members do not nominate themselves unless no nominations are made.
- b) A Chairperson and Vice-Chairperson must be elected by a majority of the Commission members at the first regular meeting of each year. A quorum must be present to elect the Chairperson and Vice-Chairperson. The newly elected officers must assume their role at beginning of the next meeting.
- c) If the term of the Chairperson ends prior to the election of the Chairperson and the Vice-Chairperson, the Commission must elect an interim Chairperson until the regularly-scheduled election.
- d) In the absence of the Chairperson and the Vice-Chairperson, a Chairperson pro tem must be elected informally by the members present to conduct the meeting.

- e) In the event of the resignation of the Chairperson or the Vice-Chairperson, the Commission must expeditiously elect a new officer to fill the vacancy for the unexpired term.
- f) The Planning Commission, by majority vote of those present, may create special committees and assign one or more members to such committees.

2.3 Duties of the Chairperson and Vice-Chairperson:

- a) The Chairperson calls meetings to order, records attendance into the record, and assigns subcommittees and duties as needed.
- b) The Chairperson keeps members on track with the agenda and ensures that the Planning Commission moves through its tasks punctually.
- c) The Chairperson opens the floor for motions made by members, asks for discussion from members, asks for seconds to the motions, calls for voting by reading the motion into the record and may state in the record the vote of each member.
- d) The Chairperson presides at all Commission meetings and has the powers generally assigned such office in conducting the meetings.
- e) It is the Chairperson's duty to see that the transaction of the Planning Commission's business is in accord with these Procedures.
- f) The Vice-Chairperson must, in the absence of the Chairperson, perform all of the duties of the Chairperson at a regular or special meeting.
- g) In the absence of the Chairperson and Vice-Chairperson, the present members may elect a temporary Chairperson to preside at the meeting.

3. MEETINGS

- a) The Planning Commission must determine a regular meeting time (time, place, and frequency) as necessary.
- b) All meetings of the Planning Commission must be open to the public.
- c) Executive sessions may be held only in accord with the requirements imposed by RCW 42.30.110 and RCW 42.30.140.
- d) To conduct official Planning Commission business, a quorum must be present. If no quorum exists due to members leaving the meeting, no official action can be taken.
- e) The Planning Commission meetings must be governed by the guidelines and procedures contained in the current edition of *Roberts Rules of Order*.

- f) To the extent it does not violate public notice requirements, the printed agenda of a regular meeting may be modified, supplemented, or revised at the beginning of the meeting by the affirmative vote of the majority of Commission members present.
- g) The Planning Commission may devote part of its meetings to an informational study session during which no comments from the public will be permitted, unless the Chairperson or a majority, on a case-by-case basis, decides otherwise.
- h) Action is taken by a majority vote of the members present and voting. Any member may abstain from voting. A tie vote means a motion fails.
- i) After 9:00 PM, the Planning Commission must hear no new agenda items unless a majority of the Commissioners present decide otherwise.
- j) A staff person will be responsible for the written recording of all Planning Commission meetings.
- k) All approved minutes will be retained by the City of Anacortes in accordance with retention requirements under the Public Records Act at Chapter 42.56 of the Revised Code of Washington.

4. AGENDA

- a) The preparation of the agenda will be the duty of the Planning Director or his/her designee, and he or she will coordinate that preparation with the Chairperson.
- b) The agenda may be divided into sections and continue until subsequent meetings when it is apparent that one meeting will not be sufficient to complete the scheduled business.
- c) Copies of the agenda will be available to all Planning Commission members at least two days prior to a regular meeting date.
- d) The agenda will indicate whether the Planning Commission intends to take formal action on a particular matter.
- e) The Planning Commission may continue a public hearing to a future date for reasonable purposes. A continued public hearing does not require new public notice.
- f) Once a public hearing is closed, it cannot be re-opened without issuance of a new public notice.

5. STUDY SESSIONS

- a) The Planning Commission may conduct informal study sessions to carry out its duties.
- b) The Commission may consider information and recommendations from staff and comments from the public during the study session.

6. PUBLIC COMMENT

- a) A opportunity for public comment will be provided at each Planning Commission meeting consistent with the requirements of Chapter 42.30 of the Revised Code of Washington.
- b) The Public Comment period is for comments not related to items on that meeting's agenda.
- c) If appropriate, there will be an opportunity for the public to comment on agenda items as they are addressed by the Commission.
- d) Each speaker is limited to 3 minutes speaking time.
- e) Members of the public wishing to provide comment may only speak if acknowledged by the Chairperson.
- f) If audience comment or behavior becomes disruptive, the Chairperson may recess or adjourn the meeting.

7. PUBLIC HEARING PROCEDURES

- a) The Chairperson must open the public hearing on the subject case by identifying the proposal.
- b) The Chairperson must state that the testimony and input will be taken in the prescribed fashion.
- c) All persons wishing to speak on the matter before the Planning Commission must first be recognized by the Chairperson.
- d) Any commenter must state his or her name and address for the record, as well as any group or organization he or she represents.
- e) All statements by the speaker must be addressed to the Planning Commission.
- f) The Chairperson may limit the amount of time allowed to any person or group to allow efficient and thorough hearing procedures.
- g) The Chairperson may limit input to avoid duplication.
- h) There will be no cross-examination of speakers.
- i) The presentation order will be as follows:
 - 1) Staff Planner: Presentation of staff report and other materials and correspondences into the record.

- 2) Proponent: Presentation and statements by representatives of the proponent/applicant.
 - 3) Chair: Open public hearing.
 - 4) Members of the Public: Presentations and statements by the public who wish to speak for or against the proposal/application. The hearing is to gather information; questions from the public are not answered at the public hearing. Questions about the proposal/application must be addressed to staff during regular city hall business hours or in writing to the Planning, Community and Economic Development Department.
-
- j) After the public testimony portion, the public hearing is then closed.
 - k) Planning Commissioners then deliberate on the proposal/application and the testimony received.
 - l) Commissioners may ask questions of staff and applicants to clarify their understanding of relevant points or to gather additional information. All questions shall be posed through the Chairperson who shall ask the appropriate party for answers.
 - m) A motion for disposition may then be made. For proposals that require a recommendation from the Planning Commission to the City Council, the motion may be to continue the hearing to gather more information, to recommend approval, approval with conditions, denial of the proposal/application, or to forward to the City Council with no recommendation. For proposals/applications that require a decision by the Planning Commission, the motion may be to continue the hearing to gather more information, to approve, approve with conditions, or to deny the proposal/application.
 - n) Planning Commission recommendations must be transmitted to the City Council in writing and must include the recommendation, findings of fact, the planning staff report, other correspondences, if any, and a summary of testimony presented to the Planning Commission. Planning Commission decisions must be in writing and must include the decision, findings of fact, the planning staff report, other correspondences, if any, and a summary of testimony presented to the Planning Commission.

8. CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

All members of the Planning Commission must act in accordance with the Appearance of Fairness Doctrine at Chapter 42.36 of the Revised Code of Washington. If any Commissioner has a personal interest in any matter before the Planning Commission that would prejudice their actions, they must publicly disclose the conflict of interest and recuse himself or herself from participating in the proceedings and voting on the matter.

9. CODE OF ETHICS AND DECORUM

- a) A Planning Commissioner is a representative of the City of Anacortes and, therefore, a Commissioner's actions should reflect that representation.
- b) Members of the Planning Commission must fully comply with RCW Chapter 42.23, the Code of Ethics for Municipal Officers.
- c) Members of the Planning Commission must fully comply with RCW Chapter 42.30, Open Public Meetings Act, including RCW 42.30.205 which requires training on the OPMA's requirements.
- d) While the Planning Commission is in session, a Commission member must neither, by conversation or otherwise, delay or interrupt the meeting or the peace of the Planning Commission, nor disrupt any Commission member while speaking nor refuse to obey the orders of the Chairperson.
- e) To preserve the integrity of the Planning Commission, if a Commission member reasonably believes that he/she has a conflict of interest in regard to a matter before the Planning Commission, the Commissioner should recuse himself/herself from discussion or vote on the matter and must leave the Council Chambers while the matter is under consideration. A Commission member may seek advice from the City Attorney in making this determination.

10. AMENDING RULES OF PROCEDURE

- a) The Planning Commission, at a regularly scheduled meeting, may amend these Rules of Procedure by motion and a consensus.
- b) All members must be present to amend the Rules of Procedure.

Planning Commission Chair

Date