

EXISTING LAND USE PLANS AND REGULATIONS APPLICABLE TO THE PROPOSAL

Skagit County plans or ordinances for areas including the site of the proposed action are the Skagit County Comprehensive Plan of 1968, Skagit County Interim Zoning Ordinance #4081 and Skagit County Shoreline Management Master Program. A discussion of the proposed action's relationship to each of these plans or ordinances follows.

Comprehensive Plan of 1968

The 1968 Comprehensive Plan for Skagit County is being amended by districts as provided in RCW 36.70.320. Skagit County has been divided into six geographical areas and a comprehensive plan has been, or will be, developed for each district. For those districts where revised plans have not been completed, the 1968 Comprehensive Plan applies. The site of the proposed Interpretive Center lies in the Southwest District, whose plan is scheduled for revision in the fall of 1977.

The 1968 Comprehensive Plan map designated Fir Island, the site of the proposed Interpretive Center Complex, as "Agricultural Floodway," and the area riverward of Wiley Slough and Freshwater Slough as "Floodway." However, the Comprehensive Plan text is very general and provides no specific definitions or policies for these designations.

Interim Zoning Ordinance #4081

The site of the proposed interpretive center building is zoned Agriculture. The ordinance text does not define this zone, or list uses which are permitted, conditional or prohibited (see Appendix 1). The ordinance does state minimum

lot requirements for single family residences in this zone. The proposed Interpretive Center would not violate any regulations contained in the ordinance for this zone.

The area lying riverward of Wiley Slough and Freshwater Slough is zoned as Public Use. The ordinance states specific lot areas and widths, required setbacks, and off-street parking for public buildings in this zone (see Appendix 1). The proposed viewing blinds would not violate any of these regulations.

Construction in a floodway designated by U.S. Army Corps of Engineers is subject to flood management regulations contained in this ordinance (Appendix 1). However, structures located on tracts 20 acres or larger in an agriculturally zoned area are exempt from these standards. Therefore, the proposed Interpretive Center would be exempt.

Shoreline Management Program

Skagit WRA is laced with sloughs of Skagit River, which are considered associated wetlands of the river. Projects undertaken as part of the Interpretive Center program on Skagit WRA would be within 200 feet of these associated wetlands and, therefore, would be subject to regulations under the Skagit County Shoreline Management Master Program.¹ Pages referenced in parentheses refer to the text of that program.

Construction of an interpretive center building would be considered under policies and regulations of Scientific and Educational Resources, Chapter 7.14 (pages 7-96 - 7-99).² Maintenance and improvement of existing trails to permit increased use related to the interpretive program, and construction of observation blinds are considered recreational uses.³ Therefore, they would be subject to policies and regulations for Recreation, Chapter 7.12 (pages 7-76). Because the shorelines of Skagit River and Skagit Bay are declared Shorelines of Statewide Significance, policies for such shorelines would apply (Chapter 5.03, page 5-2). A discussion of Shoreline designations for areas of the proposed action, and appropriate policies and regulations follow.

The shoreline designation for the Interpretive Center site is Rural. This area is defined (page 3-18):

"Rural Shoreline Area is a shoreline typified by low overall structural density and low to moderate intensity of uses; primary uses include agriculture, outdoor recreation, forestry operations and low to moderate residential density."

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1. The Skagit County Shoreline Master Program and Shoreline Area Designation Map; approved October 5, 1976.
 2. Letter to WDG from Otto Walberg, Associate Planner, Skagit County Planning Department; May 12, 1977.
 3. *ibid.*

Interpretive centers are specifically listed as a conditional use for Rural areas under Scientific and Educational Resources (Regulations A.(3), page 7-97, and B.(5)a., page 7-99). Implementation of the proposed interpretive center program would subject shoreline activity on adjacent or nearby sites to the following regulation (Regulation B.(4), page 7-99):

"Conflicting uses - Shoreline developments or uses adjacent to or near officially recognized or known scientific, educational, archeological, or historic sites shall be located, designed, and operated so as not to conflict with or adversely affect the purpose, character or value of the resources and site."

Various general policies guiding scientific and educational activities would apply to the proposed action (page 7-96). They are quoted and discussed below.

"(1) Existing legislation - The provisions and regulations of the National Historic Preservation Act of 1968 and the State Historic Preservation Act (RCW 43.51) should be adhered to.

(2) Identification - Resources, sites, and areas having a high potential scientific and educational value should be identified and researched by qualified personnel.

(3) Protection - Scientific and educational resources, especially archeological and historic sites and natural areas, that are sensitive to shoreline and land modification, development, adverse impact, or encroachment should be protected and preserved for future use.

(4) Evaluation - Proposals for shoreline use or development in areas known or suspected to contain material, remains, artifacts, formations, or processes of scientific or educational value, should provide for site inspection or evaluation by qualified personnel to ensure such resources are properly recovered and/or preserved."

As discussed under ARCHEOLOGICAL/HISTORICAL there are no known archeological or historical resources on the site, nor did qualified personnel feel that there is a need for a cultural resources reconnaissance at this time (see letter from Harvey S. Rice, Assistant Director of the Washington Archeological Research Center, Appendix 12). Therefore, the policy to comply with existing legislation has been followed and the status of cultural resources requiring protection has been identified and evaluated.

The entire Skagit WRA has been identified as a valuable natural resource which has been used for scientific and educational purposes as discussed under PUBLIC SERVICES. The proposed action attempts to enhance such uses. The resources have been evaluated by Game Department personnel and others for many years. Descriptions of existing conditions for physical elements of the environment in this statement are summaries of this available information. Management of this area by the Game Department is guided by the goal of protecting its natural resources. Increased public awareness of natural processes as a result of Interpretive Center programs would also help protect this and other areas.

"(6) Conflicting Uses and Impacts - Shoreline and land uses adjacent to or near scientific and educational resources should not conflict with or adversely impact the purpose and value of these resource sites and areas."

Use as an educational site would not interfere with wildlife harvest (see FLORA and RECREATION).

The area between Freshwater Slough and the South Fork of Skagit River, where existing trails would be improved and observation blinds constructed, is designated Conservancy. This area is defined (page 3-5):

"Conservancy Shoreline Area means

(1) an area containing natural resources which can be used/managed on a multiple use basis without extensive alteration of topography or banks; including, but not limited to forest, agricultural and mineral lands, outdoor recreation sites, fish and wildlife habitat, watersheds for public supplies, and areas of outstanding scenic quality, and/or

(2) a shoreline area containing hazardous natural conditions or sensitive natural or cultural features which require more than normal restrictions on development and use of such areas; including, but not limited to eroding shores, geologically unstable areas, steep slopes, floodways, natural accretion beaches, and valuable natural wetlands or historic sites."

The following regulations apply to recreational use in an area designated Conservancy (Regulation A.(4), page 7-80).

"a. Recreation development not requiring significant numbers or types of structures or alterations of topography is permitted subject to the General and Tabular Regulations.

b. Recreation developments such as golf courses, playing fields, and other activities requiring extensive topographic modifications and/or structures are not permitted within the Conservancy shoreline area.

c. All landscape plantings shall consist of native, self-sustaining vegetation.

Existing trails on dikes would be improved to accommodate increased use, but no alterations of topography would occur. The three proposed 25-square-foot observation blinds would not constitute significant numbers or types of structures. No landscaping would be involved in these activities.

General regulations guiding recreational uses which apply to the proposed action are quoted and discussed below (pages 7-81 - 7-82).

"(1) Floodways - Recreational development structures and facilities of a permanent nature except for officially approved accessory uses shall be located out of the officially mapped floodway of the Skagit River, its tributaries, and the Samish River.

(2) Shore defense and flood protection works - Recreational developments shall be located and designed to avoid or minimize the need for structural shore defense and flood protection works."

Trails which would be used in the interpretive center program exist on previously constructed dikes. No additional flood protection works would be required. The three 25-square-foot observation blinds would be designed to avoid impacts associated with permanent structures.

"(3) Design - Recreational developments shall be designed so as not to conflict with on-site and adjacent or nearby shoreline characteristics and existing developments and uses."

The proposed trail improvements and observation blinds would not conflict with any existing shoreline characteristics or developments. As discussed in RECREATION, the proposed interpretive program would not conflict with the existing Game Department harvest program.

"(4) Shoreline resources and fragile/unique areas - Shoreline resources such as but not limited to fresh and salt water marshes, estuaries, and fresh and salt water accretion beaches, if part of a recreation development, shall be utilized only for non-intensive, non-structural, and non-extractive recreation activities."

The proposed interpretive center program for use of this area would be both non-intensive and non-extractive.

As motor and recreational vehicles are not allowed on existing trails, regulation (5) would not be applicable. Also, no sewage or waste disposal facilities or other utilities would be constructed in conjunction with trail improvement (regulations (6) and (7)). No fertilizers, pesticides, or herbicides would be required (regulation (8)).

"(9) Relationship with other recreation areas - Recreational development shall not unduly burden nor create use conflicts with adjacent and nearby public or private recreation facilities and areas."

As discussed under RECREATION, the proposed interpretive program would not interfere with existing harvest use of property owned by the Game Department or private sportsmen. The proposed program would include information on proper use of other natural recreation areas and should, therefore, help to alleviate problems at other areas.

"(10) Public health, safety, and use - Recreational developments shall be located, constructed, and operated so as not to be a hazard to public health and safety nor should they materially interfere with the normal public use of the water and shoreline."

The interpretive center programs would not present a hazard to public health or safety (see discussion under HUMAN HEALTH). Normal public use of the water and shorelines would be enhanced rather than interfered with.

Because no significant new structures in a Conservancy area would be constructed, the tabular regulations for construction of recreation facilities would not apply (pages 7-82 - 7-84).

General policies for recreational uses are quoted and their relationship to the proposed action is discussed below (page 7-76).

"(1) Developments, including commercial or residential activities, should be encouraged to provide public recreational access and use of shorelines. Such access or developments should neither unduly conflict with adjacent uses nor adversely impact the shoreline environment."

The proposed interpretive center program would improve and enhance public recreational use of shorelines. Such access would not conflict with adjacent agricultural use or existing recreational use (see LAND USE and RECREATION). The shoreline environment would not be adversely impacted (see all sections of ELEMENTS OF PHYSICAL ENVIRONMENT).

"(2) A variety of recreational experiences and activities should be encouraged to satisfy the diversity of demands."

The precise purpose of the proposed program is to vary recreational opportunities at Skagit WRA to meet a growing diversity of demand for recreation (see RECREATION).

"(3) Recreational activities and facilities along the shoreline of Skagit County should comply with the guidelines, policies, and regulations of appropriate county, state, and federal agencies and this program."

The proposed program would comply with all appropriate policies and regulations, as discussed in this section.

"(4) If shoreline areas suited for one or more forms of recreation are scarce yet in demand in Skagit County, such shorelines should not be developed for other types of recreation that are already well supplied."

No other shoreline in Skagit County is as well suited for an interpretive center program, nor is such a program provided elsewhere (see RECREATION).

Policies with regard to location and access of recreational uses are quoted and discussed with regard to the proposed program below (pages 7-76 - 7-77).

"(1) Active shoreline recreational access, developments, and opportunities should be allowed to expand only in those areas already used for such purposes or on those shorelines environmentally capable of supporting such activities."

Skagit WRA is already used for recreational uses other than harvest (see RECREATION). As discussed under various elements of the physical environment in this impact statement, the shorelines would be generated by the proposed program.

"(2) Passive shoreline recreational access and opportunities should minimize the concentration of users at specific points or portions of shoreline areas. This may be accomplished, where appropriate and feasible, by a combination of linear shoreline trails or easements tied in with a series of public parking or access points."

More than 14.2 miles of linear trails are available for users throughout the headquarters access area. These trails would be tied in with a twenty car parking lot at the interpretive center building and four other access areas with trails around Skagit Bay managed by the Game Department. Policies (3) and (4) relate to private development and, thus, would not be applicable to the proposed action.

"(5) Shoreline recreation developments, designations, activities, and accesses should not be sited in locations where the health, safety, and welfare of the users will be endangered by existing land and water activities."

Existing use of Skagit WRA for harvest would not endanger other users because of seasonal differences between use activities and the Game Department's authority to regulate such activities (see RECREATION).

Because those shorelines included in Skagit WRA are unique, the following policies are quoted and discussed below (page 7-77).

"(1) Unique and fragile shoreline areas such as accretion beaches, marshes, estuaries, and wetlands that are susceptible to damage from structural recreational development and to periodic and seasonal changes in water levels should be identified, protected, and preserved for less intensive forms of recreation."

The proposed program would be much less intensive than most types of shoreline recreational development. Its primary goal would be to increase public awareness of unique and fragile natural resources and, thus, would contribute to the protection and preservation of such resources.

"(2) Unique and fragile shoreline areas such as point bar beaches, sand bars, and other accretion beach forms whose formation and maintenance are dependent upon water borne transport and deposit of sand and gravel materials should be identified, protected, and preserved for more passive forms of recreation."

The proposed program is a passive form of recreation which would not require construction of any type that would interfere with waterborne transport of sediments.

"(3) Plans for recreational activities, development, designations, and accesses should identify and make provisions for the preservation, protection, and proper use (see (1) and (2)) of unique and fragile shoreline areas and their associated biological life and communities."

The proposed interpretive center program would require no alteration of existing shoreline resources in this area. As discussed above, the program would increase public awareness and understanding of these biophysical resources and their value.

Policies for design of recreation facilities constructed in a Conservancy area are quoted and discussed with regard to the proposed action below (pages 7-77 - 7-79). Since no sewage disposal or auxiliary use facilities or large, grassy, open spaces are proposed in the area designated Conservancy, policies (1), (2), and (3) would not apply to the proposal.

"(4) Variations in modes of travel along, between, and to shoreline areas and access points should be encouraged. These might include trails, pathways, or corridors for walking, bicycling, horseback riding, and other pedestrian means of transport.

(5) Recreational motor vehicles should be prohibited except in designated areas."

Travel in areas designated Conservancy would be limited to pedestrian and handicapped traffic.

"(6) Recreational or access development should be designed to protect and preserve scenic views and aesthetic values of the shoreline environment."

Existing scenic views and aesthetic values would be preserved by the proposed program (see AESTHETICS).

To avoid duplication and minimize possible conflicts, the Skagit County Master Program contains various policies which are quoted and discussed with regard to the proposed program below (pages 7-78 - 7-79).

"(1) Shoreline recreation developments, designations, activities, and accesses should be compatible with the adjacent and surrounding land and water uses."

There would be no conflict between the proposed program and adjacent agricultural uses.

"(2) There should be a minimum of conflict between the recreation activities and between the activities and existing land and water uses.

(3) Proposed shoreline and shoreline linked activities or developments that would interfere with an existing or previously identified or designated recreational experience should be discouraged."

Existing use of Skagit WRA is recreation. There would be no conflict between hunting and other forms of recreation. For a complete description of existing activity and potential impacts of the proposed program, see RECREATION.

"(4) Plans for public or private recreational developments should consider and not conflict with or impinge upon existing and planned recreation developments, designations, and systems of other public agencies."

The proposed program would not conflict with or duplicate recreational plans, developments, designations, or systems of other public agencies.

Policies for consideration and minimization of impact of shoreline recreation proposals are contained in the Skagit County Master Program (page 7-79). This environmental impact statement provides all the information required by those policies.

Policies for shorelines of statewide significance are quoted and discussed below (page 5-2).

"(1) The statewide interest should be recognized and protected over the local interest."

The proposed interpretive center program would serve citizens from all of the State of Washington. Statewide interest and public awareness of shoreline resources and their value would be served by the interpretive center program.

"(2) The natural character of shorelines of statewide significance should be preserved."

The natural character of existing shoreline would be preserved by the proposed action.

"(3) Uses of shorelines of statewide significance should result in long-term benefits to the people of the state."

Increased public awareness of the biophysical processes of estuaries such as Skagit Bay would be a long-term benefit to the people of the State of Washington.

"(4) The natural resources and ecological systems of statewide significance should be protected."

The shorelines of this area would continue to be protected. Increased public awareness of the value of shoreline resources would help protect other shorelines throughout the state.

"(5) Public access to publicly owned areas in shoreline of statewide significance should be increased."

While the proposed action would not increase the amount of access to these shorelines, existing trails would be improved and maintained to permit more use.

"(6) Recreational opportunities for the public should be increased on shorelines of statewide significance."

The proposed interpretive center program would increase and enhance recreational opportunities on these shorelines.

In conclusion, the proposed interpretive center would be in compliance with all regulations and policies of the Skagit County Shorelines Master Program. It is, in fact, encouraged by many of them (such as policies for shorelines of statewide significance).