

**ISLAND COUNTY COMMISSIONERS' WORK SESSION SCHEDULE
SEPTEMBER 17, 2025**

Those interested in attending the meeting virtually please

Login: <https://zoom.us/j/98589156528?pwd=ds1haw2vO3AjRMwsuzQmctwFq0TcVW.1>

Passcode: 163571

Or by phone: (253) 215-8782 **Webinar ID:** 985 8915 6528 **Passcode:** 163571

9:00 a.m.	Commissioners' Office
10:35 a.m.	Planning & Community Development
11:20 a.m.	Public Works

NOON BREAK

1:00 p.m.	Public Works (cont.)
1:30 p.m.	2025 Budget Workshop September 17: Clean Water Utility

The Board of County Commissioners meets routinely in Work Session the first three Wednesdays of each month. Work Sessions are held in the Annex Building, Board of County Commissioners' Hearing Room, #B102, 1 NE 6th Street, Coupeville, WA.

Work Sessions are public meetings that provide an informal workshop format opportunity for the Board to review ongoing items with departments or to meet with other agencies, committees, or groups to discuss specific topics of mutual interest. Items are typically reviewed at Work Session before being scheduled on the agenda for the Board's regular Tuesday business meetings.

While Work Sessions do not have time set aside for verbal public comment, written public comment is welcomed and can be directed to the Clerk of the Board by submitting comments to CommentBOCC@islandcountywa.gov. If you have questions regarding public comment, you may call (360) 679-7385. Written public comments are considered a public record.

Times for each department are approximate; a time slot scheduled for a specific department may be revised as the Work Session progresses. Because of the workshop format and time sensitivity, certain items, topics, and materials may be presented that are not included in the published agenda. **If you are interested in reviewing those documents, please contact the Clerk of the Board at (360) 679-7354.**

ASSISTIVE LISTENING AVAILABLE: Please contact the clerk for an assistive listening device to use during the meeting. Please return the device at the end of the meeting.

NOTE: Audio recordings are posted within 48 hours of the meeting date. To listen to the recording visit the [Agenda Center](#) on the Island County website.



ISLAND COUNTY COMMISSIONERS

WORK SESSION AGENDA

MEETING DATE: 9/17/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners

From: BOCC Staff

Amount of time requested for agenda discussion. 95 minutes

DIVISION: Administrative

Agenda Item No.: 1

Subject: House Bill 2015 and Use of the 0.1% Safety Sales and Use Tax for Law & Justice purposes.

Description: Discussion of House Bill 2015 and Use of the 0.1% Safety Sales and Use Tax and next steps.

Attachment: Summary of House Bill 2015

Request: *(Check boxes that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input checked="" type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

DIVISION: Administrative

Agenda Item No.: 2

Subject: Joint Tourism Board Invoice Process

Description: Discussion of Joint Tourism Board Monthly Invoice Process.

Attachment: None

Request: *(Check boxes that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input checked="" type="checkbox"/> Other: <u>Board Direction</u> |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

(Continued on next page)

DIVISION: Administrative

Agenda Item No.: 3

Subject: 2026 2% Hotel-Motel Tax Grant Recommendations

Description: Lodging Tax Advisory Committee 2026 2% Hotel-Motel Tax Grant Recommendations.

Attachment: 2026 Funds Recommendations, 2026 Points and Average Scores

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

DIVISION: Administrative

Agenda Item No.: 4

Subject: 2026 Commissioner Designated Holiday

Description: Discussion of 2026 Commissioner Designated Holiday.

Attachment: Draft Resolution C-53-25

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



Summary: Funding Local Law Enforcement Under HB 2015 (Chapter 350, Laws of 2025)

Introduction

[House Bill 2015](#), sponsored by Representative Entenman (D-47th LD), creates two funding mechanisms for local jurisdictions to obtain funds for public safety. The first is the Local Law Enforcement Grant Program (CJTC Grant Program) to be administered by the Criminal Justice Training Commission (CJTC); and the second allows for a new councilmanic 0.1 percent sales and use tax for a broad range of public safety purposes. These tools may be used independently or in conjunction with each other. The 2025-2027 Operating Budget provides \$100 million for the CJTC Grant Program, and the bill goes into effect on July 27, 2025.

Local Law Enforcement Grant

To qualify for the new CJTC Grant Program, the local law enforcement agency must have:

- Issued and implemented policies and practices consistent with the Keep Washington Working Act, including the Attorney General's model policies.
- Participated in CJTC training.
- Issued and implemented policies and practices regarding the use of force and de-escalation tactics.
- Implemented use of force data collection and reporting.
- Issued and implemented policies and practices consistent with state law and CJTC model policies and training addressing firearm relinquishment pursuant to court orders.
- A 25 percent officer completion rate with the CJTC's 40-hour crisis intervention team.
- A 100 percent officer compliance rate for officers required to complete trauma-informed, gender-based violence interviewing, investigation, response, and case review training, and if requested by the CJTC, participated in agency case reviews.
- Except as it applies to tribal law enforcement agencies, received funding from a local option sales and use tax act for criminal justice purposes under [RCW 82.14.340](#), public safety under [RCW 82.14.450](#), or under the new tax authority created in part II of the bill.

- A chief of police, marshal, or sheriff who, meeting certain requirements, is certified by the CJTC.
- Issued and implemented policies and practices that prohibit volunteers from enforcing criminal laws.

Additionally, a law enforcement agency must also provide CJTC with a detailed staffing plan meeting certain specific requirements, and the average rates for the preceding year for 911 responses and case closures.

Funds received from the CJTC's Grant Program can only be used for:

- Recruiting, funding, and retaining new law enforcement officers from the community in which the officer will be working, and recruiting, funding, and retaining new county corrections officers, peer counselors, and behavioral health personnel working in co-response in Washington.
 - Grants may provide up to 75 percent of the entry-level salaries and fringe benefits of full-time local or tribal law enforcement officers for a maximum of 36 months, with a minimum 25 percent local cash match requirement and a maximum state share of \$125,000 per position. Any additional cost for salaries and benefits higher than the entry level is the responsibility of the grant recipient agency.
- Use of force, de-escalation, crisis intervention, and trauma-informed trainings for officers to remain in compliance with the commission's required trainings.
- Broader law enforcement and public safety efforts including, but not limited to, emergency management planning, environmental hazard mitigations, security personnel, community outreach and assistance programs, alternative response programs, and mental health crisis response.

Grant funds cannot be used for lateral hires. Grants must be distributed in order of priority to:

- Applicants seeking to establish co-response teams or community immersion law enforcement programs;
- Applicants that currently maintain co-response teams and are seeking funding to hire additional officers;
- All other applicants.

The CJTC must provide annual reports to the legislature detailing how the funds have been used, and the grant program expires on June 30, 2028. The bill also imposes additional reporting

requirements on the Washington Association of Sheriffs and Policy Chiefs regarding the number and type of law enforcement officers across the state.

New 0.1% Public Safety Sales and Use Tax

Part II of the bill creates a new local option sales tax that may be used by counties and cities for a broad range of public safety purposes. The tax may be imposed councilmanically through June 30, 2028, or by a vote of the people thereafter. There are several conditions for a local government to meet before utilizing either of these options.

First, a county or city must meet the same requirements as those needed to receive a CJTC Grant (see above). It is not required that they actually apply for or receive a grant. A jurisdiction must submit documentation to the CJTC demonstrating that they meet the requirements, and the bill provides a process for the CJTC to verify compliance and enforce a penalty if the city or county has implemented the tax without complying. The CJTC is required to proscribe the form and manner of these submittals, though King County was successful in adding language to the bill that allows a jurisdiction to impose the tax immediately if the CJTC has not adopted the submittal requirements before the effective date of the law.

Second, a city or county cannot utilize the new taxing authority if, in the previous 12 months, the voters have rejected or repealed the criminal justice sales and use tax under [RCW 82.14.340](#), or the public safety sales and use tax under [RCW 82.14.450](#). During legislative session, legislative sponsors of the bill shared the opinion that this would not prohibit a city located within a county where the voters had rejected or repealed a county-wide tax, though the language is vague on its face. This language effectively means that Snohomish, Spokane and Skamania Counties will not be able to use the councilmanic version of the tax until mid-November of 2026.

If a jurisdiction meets these requirements it is allowed to use the revenues in a broad manner as the definition of “criminal justice purposes” is circumstances where ancillary benefit to the civil justice and behavioral health system occurs, including (but not limited to):

- Domestic violence services;
- Staffing public defenders;
- Diversion programs;
- Reentry work for inmates;
- Programs that have a reasonable relationship to reducing the number of people interacting with the criminal justice system including reducing homelessness and improving behavioral health;
- Community placement for juvenile defenders; and

- Community outreach and assistance programs, including crisis response and recovery navigator programs.

The bill does not prohibit a city and county from both implementing the sales and use tax. This would “stack” the tax on each other and make it 0.2 percent within the city limits. Additionally, neither the city nor the county is required to share the tax revenue with each other.

Local jurisdictions who utilize the tax must provide annual reports to either the Washington State Association of Counties or the Association of Washington Cities. The associations are required to compile the information and submit reports to the appropriate committees of the legislature detailing how jurisdictions are using the revenue.

ISLAND COUNTY 2% HOTEL-MOTEL TAX TOURISM PROMOTION 2026 PROGRAM YEAR

CHAMBERS OF COMMERCE PROJECTS AND ACTIVITIES				
RANK	ORGANIZATION		REQUESTED AMOUNT	RECOMMENDED FUNDING AMOUNT
1	Camano Chamber of Commerce - Camano Island Visitor Kiosk		\$45,000.00	\$40,000.00
2	Camano Island Chamber of Commerce - Northwest Glass Quest		\$12,000.00	\$9,250.00
3	Clinton Chamber of Commerce - Visit Clinton		\$26,433.30	\$17,406.00
4	Coupeville Chamber of Commerce - Vistor Information Center		\$74,130.00	\$62,316.00
5	Freeland Chamber of Commerce - Operations		\$150,000.00	\$65,490.00
6	Langley Chamber of Commerce - Operations		\$68,000.00	\$51,785.00
7	Oak Harbor Chamber of Commerce		\$46,000.00	\$29,250.00
			TOTAL REQUESTS:	TOTAL RECOMMENDATION:
			\$421,563.30	\$275,497.00
			TOTAL AVAILABLE FUNDS:	
DIFFERENCE:			\$275,500.00	

MUSEUMS AND HISTORICAL SOCIETY PROJECTS AND ACTIVITIES				
RANK	ORGANIZATION		REQUESTED AMOUNT	RECOMMENDED FUNDING AMOUNT
1	Camano Island American Legion		\$48,349.92	\$25,000
2	Ebey's Reserve - Visitor Contact Station		\$40,000.00	\$35,000
3	Island County Historical Society - Operations		\$72,000.00	\$36,000
4	Pacific Northwest Naval Air Museum - Operations		\$60,000.00	\$29,000
5	Whidbey Island Maritime Heritage Foundation - Schooner Suva		\$60,000.00	\$20,000
				TOTAL RECOMMENDED:
	TOTAL REQUESTS:		TOTAL AVAILABLE FUNDS:	\$145,000.00
	\$280,349.92		\$145,000.00	
			DIFFERENCE:	
			\$0.00	

NON-CHAMBER RELATED COMMUNITY EVENTS				
RANK	ORGANIZATION		REQUESTED AMOUNT	RECOMMENDED FUNDING AMOUNT
1	Camano Arts Association - 2025 Camano Island Studio Tour		\$18,000.00	\$16,200.00
2	Camano Arts Association - Welcome To Art Island		\$22,560.00	\$20,304.00
3	Camano Community Events - Camano Ciderfest		\$6,200.00	\$5,580.00
4	Cascade Loop National Scenic Byway Assoc.		\$8,930.40	\$8,033.00
5	City of Oak Harbor - Whidbey Island Marathon		\$17,500.00	\$15,750.00
6	Coupeville Historic Waterfront Association - Musslefest		\$15,000.00	\$13,500.00
7	Deception Pass Foundation - American Roots Concert Series 2026		\$14,000.00	\$12,600.00
8	Island County Chauns Motorcycle Club - Make A Wish		\$25,000.00	\$0.00
9	Island County Fair Association		\$40,000.00	\$0.00
10	Island Shakespeare Festival		\$25,000.00	\$22,500.00
11	Oak Harbor Main Street - Marketing		\$35,000.00	\$0.00
12	Oak Harbor Music Festival		\$30,500.00	\$27,000.00
13	Pacific Northwest Art School		\$14,600.00	\$0.00
14	Pacific Rim Institute		\$2,925.00	\$0.00
15	RAGNAR - Ragnar Relay Northwest Passage		\$15,085.00	\$0.00
16	Sound Water Stewards - Sound Waters University		\$7,940.00	\$0.00
17	Stanwood Camano Arts Festival - Camano Island Mother's Day Festival		\$9,500.00	\$0.00
18	Whidbey Health Foundation		\$5,000.00	\$0.00
19	Whidbey Island Arts Council - Operations		\$32,000.00	\$28,000.00
20	Whidbey Island Center for the Arts - Powerful Arts Impact		\$43,000.00	\$38,700.00
21	Whidbey Island Grown Co-op - Eat Local Month		\$12,000.00	\$10,800.00
	TOTAL REQUESTS:		TOTAL FUNDS:	TOTAL RECOMMENDATION:
	\$399,740.40		\$217,500.00	\$218,967.00
			DIFFERENCE:	\$1,467.00

CAPITAL FACILITIES REQUESTS				
RANK	ORGANIZATION		REQUESTED AMOUNT	Recommended Funding Amount
1	Island County Public Works - Freeland Hall		\$87,000.00	\$85,700
2	Langley Main Street Association - Economic Vitality Placemaking Improvements		\$24,300.00	\$10,000
			TOTAL REQUESTS:	TOTAL RECOMMENDATION:
			\$111,300.00	\$95,700.00
			TOTAL AVAILABLE FUNDS:	
			\$87,000.00	
			DIFFERENCE:	
			-\$8,700.00	

ISLAND COUNTY 2% HOTEL-MOTEL TAX TOURISM PROMOTION 2026 PROGRAM YEAR

CHAMBERS OF COMMERCE PROJECTS AND ACTIVITIES					
RANK	ORGANIZATION		REQUESTED AMOUNT	POINTS	AVERAGE SCORE
1	Camano Chamber of Commerce - Camano Island Visitor Kiosk		\$45,000.00	533	133.25
2	Camano Island Chamber of Commerce - Northwest Glass Quest		\$12,000.00	579	144.75
3	Clinton Chamber of Commerce - Visit Clinton		\$26,433.30	367	91.75
4	Coupeville Chamber of Commerce - Vistor Information Center		\$74,130.00	482	120.5
5	Freeland Chamber of Commerce - Operations		\$150,000.00	316	79
6	Langley Chamber of Commerce - Operations		\$68,000.00	545	136.25
7	Oak Harbor Chamber of Commerce		\$46,000.00	544	136
			TOTAL REQUESTS:		
			\$421,563.30		
			TOTAL AVAILABLE FUNDS:		
			\$275,500.00		
			DIFFERENCE:		
			-\$146,063.30		

MUSEUMS AND HISTORICAL SOCIETY PROJECTS AND ACTIVITIES					
RANK	ORGANIZATION		REQUESTED AMOUNT	POINTS	AVERAGE SCORE
1	Camano Island American Legion		\$48,349.92	368	92
2	Ebey's Reserve - Visitor Contact Station		\$40,000.00	526	131.5
3	Island County Historical Society - Operations		\$72,000.00	534	133.5
4	Pacific Northwest Naval Air Museum - Operations		\$60,000.00	495	123.75
5	Whidbey Island Maritime Heritage Foundation - Schooner Suva		\$60,000.00	362	90.5

TOTAL REQUESTS:

\$280,349.92

TOTAL AVAILABLE
FUNDS:

\$145,000.00

DIFFERENCE:

-\$135,349.92

NON-CHAMBER RELATED COMMUNITY EVENTS					
RANK	ORGANIZATION		REQUESTED AMOUNT	POINTS	AVERAGE SCORE
1	Camano Arts Association - 2025 Camano Island Studio Tour		\$18,000.00	542	135.5
2	Camano Arts Association - Welcome To Art Island		\$22,560.00	521	130.25
3	Camano Community Events - Camano Ciderfest		\$6,200.00	533	133.25
4	Cascade Loop National Scenic Byway Assoc.		\$8,930.40	484	121
5	City of Oak Harbor - Whidbey Island Marathon		\$17,500.00	553	138.25
6	Coupeville Historic Waterfront Association - Musslefest		\$15,000.00	533	133.25
7	Deception Pass Foundation - American Roots Concert Series 2026		\$14,000.00	524	131
8	Island County Chauns Motorcycle club - Make A Wish		\$25,000.00	348	87
9	Island County Fair Association - Whidbey Island Fair		\$40,000.00	263	65.75
10	Island Shakespeare Festival		\$25,000.00	553	138.25
11	Oak Harbor Main Street - Marketing		\$35,000.00	341	85.25
12	Oak Harbor Music Festival		\$30,500.00	558	139.5
13	Pacific Northwest Art School		\$14,600.00	473	118.25
14	Pacific Rim Institute - Whidbey Island Cider Festival		\$2,925.00	350	87.5
15	RAGNAR - Ragnar Relay Northwest Passage		\$15,085.00	383	127.67
16	Sound Water Stewards - Sound Waters University		\$7,940.00	376	94
17	Stanwood Camano Arts Festival - Camano Island Mother's Day Festival		\$9,500.00	347	108
18	Whidbey Health Foundation		\$5,000.00	383	95.75
19	Whidbey Island Arts Council - Operations		\$32,000.00	509	127.25
20	Whidbey Island Ceter for the Arts - Powerful Arts Impact		\$43,000.00	542	135.5
	Whidbey Island Garden Tour		\$7,500.00	207	51.75
21	Whidbey Island Grown Co-op - Eat Local Month		\$12,000.00	547	136.75
TOTAL REQUESTS:			TOTAL FUNDS:	DIFFERENCE:	
\$407,240.40			\$217,500.00	-\$189,740.40	

<u>CAPITAL FACILITIES REQUESTS</u>					
RANK	ORGANIZATION		REQUESTED AMOUNT	POINTS	AVERAGE SCORE
1	Island County Public Works - Freeland Hall		\$87,000.00	425	106.25
2	Langley Main Street Association - Economic Vitality Placemaking Improvements		\$24,300.00	260	65

TOTAL REQUESTS:
\$111,300.00
TOTAL AVAILABLE FUNDS:
\$87,000.00
DIFFERENCE:
-\$24,300.00

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON**

**IN THE MATTER OF DECLARING LEGAL
HOLIDAYS FOR THE YEAR 2026**

Resolution C-53-25

WHEREAS, for 2026 only and per Resolution C-101-20, the Board of Island County Commissioners designates an additional holiday on **January 2, 2026**. This holiday is being provided to the employees of Island County as recognition of the diligence demonstrated and incredible service that all employees have provided to the Island County community during 2025; and

WHEREAS, Washington State holidays are outlined in the Revised Code of Washington (RCW) Section 1.16.050; and

WHEREAS, it is the policy of Island County to observe state holidays, **NOW, THEREFORE**,

BE IT HEREBY RESOLVED, by the Board of Island County Commissioners, that the following be observed as legal holidays for the year 2026:

January 1	Thursday	New Year's Day
January 2	Friday	Commissioner-designated Holiday
January 19	Monday	Martin Luther King Jr. Day
February 16	Monday	Presidents' Day
May 25	Monday	Memorial Day
June 19	Friday	Juneteenth Day
July 3	Friday	Independence Day
September 7	Monday	Labor Day
November 11	Wednesday	Veterans' Day
November 26	Thursday	Thanksgiving Day
November 27	Friday	Day after Thanksgiving (also recognized as Native American Heritage Day)
December 25	Friday	Christmas Day

ADOPTED this day of October 2025.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY WASHINGTON**

Melanie Bacon, Chair

ATTEST:

Janet St. Clair, Member

Jennifer Roll, Clerk of the Board

Jill Johnson, Member



ISLAND COUNTY PLANNING & COMMUNITY DEV.

WORK SESSION AGENDA

MEETING DATE: 9/17/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners

From: Jonathan Lange, Director

Amount of time requested for agenda discussion. 45 minutes

Agenda Item No.: 1

Subject: Public Benefit Rating System – Forestry Policies

Description: Long Range Planning, at the direction of the Board, included an update to the forestry policies as part of the PBRs program in our 2025 work plan. Staff brought a discussion on PBRs forestry policies to the Planning Commission back in April 2025. This workshop will be a chance for staff to brief the Board on the conversation at the Planning Commission and concerns raised from the public regarding the County's forestry practices more broadly.

Attachments: Memo, PBRs basis for points, PBRs PowerPoint presentation

Request: *(Check boxes that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular, or |
| <input checked="" type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



Island County Planning and Community Development

Jonathan Lange, AICP, CFM
Director

Physical Address: 1 NE 6th St, Coupeville, WA 98239 Mailing Address: 1 NE 7th St, Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov | <https://www.islandcountywa.gov/207/Planning-Community-Development>

MEMORANDUM

9/17/2025

TO: Board of Island County Commissioners

FROM: Long Range Planning

RE: Public Benefit Rating System Forestry Policies

Background

At the Board of Island County Commissioner's direction, Long Range Planning included the Public Benefit Rating System (PBRs) forestry policies as a part of our 2025 work plan.

The Planning Commission held a workshop on PBRs forestry policies on April 16, 2025. Staff from the Assessor's office presented on the Designated Forest (DF) program, and staff from Long Range Planning presented on the PBRs forestry policies. The Planning Commission discussed concerns about the existing forestry policies in the PBRs program.

The discussion at the Planning Commission resulted in the following items for the Board's consideration:

- Interest in supporting/incentivizing property owners who want to focus on forest stewardship (and not harvesting) to transfer from DF to PBRs.
- Interest in disallowing harvesting under PBRs.

Since the Planning Commission workshop, several more concerns have been raised by the Planning Commissioners and community members.

The related concerns we have heard from the public include:

- Rural Forest parcels as resource lands in the comprehensive plan
- Length of the development moratorium on conversion after cutting
- After the fact conversion of clearcut lands
- Economic study on forest practices in Island County

Staff would like to discuss these items with the Board and get input on further work that may be needed.

Attachments:

- PBRs Basis for Points
- PBRs PowerPoint presentation



Public Benefit Rating System Forestry Policies

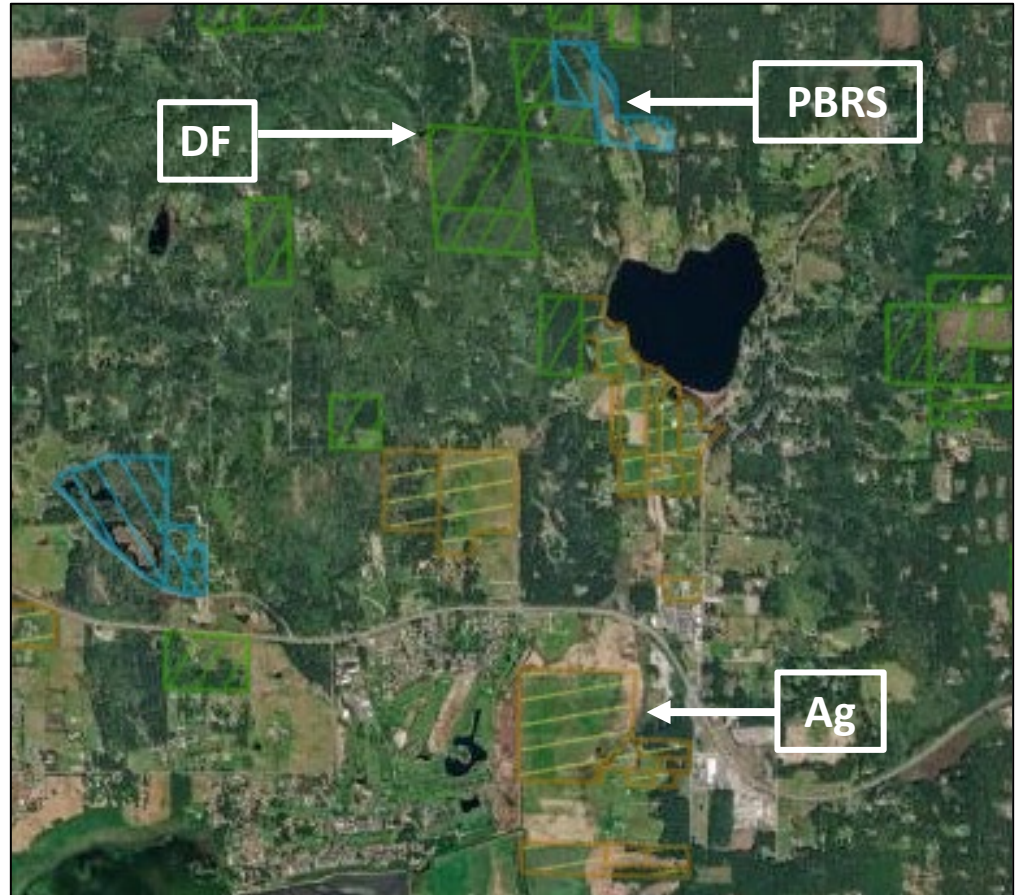
September 17, 2025

Open Space Taxation Act

- ❖ Enacted in 1970, allows counties to set up open space priorities and adopt an open space program (RCW 84.34 and Chapter 458-30 WAC).
- ❖ Act recognizes the State's interest to maintain, preserve, and conserve open space lands for food, forest crops, and enjoyment.
- ❖ Property owners can apply to have their property valued at its *current use* rather than its *highest and best use*.

Qualifying Lands

- ❖ **Generally lands entered into PBRs must be at least 5 acres***
- ❖ **Open Space Lands / PBRs** (Administered by Planning)
- ❖ **Farm & Agricultural Lands** (Administered by Assessor)
- ❖ **Designated Forest** (Administered by Assessor)



ICGeo Map of Current Use Parcels

*Community Gardens and Parks may be allowed at 1 acre

PBRS Points (examples)

- Forest Management Plan – 5
- Significant Fish and Wildlife Habitat Conservation Areas – 5
- Geologic Hazard Buffer Area – 3
- Flood Hazard Buffer Area – 3
- Voluntary Critical Area Restoration – 5
- Scenic Natural Resources, Viewpoint or View Corridor – 3
- Drainage Area – 5
- Rural Stewardship Plan – 5
- Unlimited or Limited Public Access – 1-5
- Urban Growth Area Open Space – 3
- Wetlands – 1-5
- Historic Easements or Landmark/Archeological Site – 5

PBRS Points (examples)

Public Benefit Rating Points	Current Use Value
• (0—4 points)	100% of assessed value
• (5—9 points)	80% of assessed value
• (10—14 points)	70% of assessed value
• (15—19 points)	60% of assessed value
• (20—24 points)	50% of assessed value
• (25—29 points)	40% of assessed value
• (30—34 points)	30% of assessed value
• (35—39 points)	20% of assessed value
• (40—52 points)	10% of assessed value

DF vs. PBRs

- ❖ DF has a value reduction of roughly 95% of the market value of the forested areas.
- ❖ PBRs has a value reduction between 10% and 90% of market value of the benefit area (depending on other categories the property qualifies for).
- ❖ Development is not allowed in DF and must be excluded from the exemption.
- ❖ Development could be allowed in PBRs but is usually excluded from the exemption.
- ❖ Excluded areas do not get the reduction on any programs.

PBRS: Integrated Forest Management Plan

3.40.250.B. Integrated Forest Management Plan *(Formerly Rural forest lands/woodlots)*

Forest Stewardship Program. Lands primarily devoted to improving forest health. A Forest Stewardship Plan shall be filed with the county legislative authority at the time the application is made for classification as Integrated Forest Management Plan pursuant to this chapter.

3.40.250.B.3. Eligibility

c. Forest Stewardship Program. Shall meet all the requirements of the Washington State Integrated Forest Management Plan and be approved by Washington State's Department of Natural Resources.

PBRS: Timber Management Plan

Timber Management Plan. Lands primarily devoted to growing and harvesting timber. Timber management includes land used for incidental uses that are compatible with the growing and harvesting of timber, but no more than ten percent of the land may be used for such incidental uses. A Timber Management Plan shall be filed with the county legislative authority at the time application is made for classification as Integrated Forest Management Plan pursuant to this chapter.

PBRS: Timber Management Plan

3.40.250.B.3. Eligibility

d. Timber Management Plan. Shall meet all the requirements of the Washington State Integrated Forest Management Plan.

(i) No more than five (5) acres of land shall be eligible for high priority open resource "Timber Management Plan". This includes applicants that have enrolled in PBRS and are receiving bonus points for "contiguous parcels under separate ownership" (ICC 3.40.280.D).

(ii) For forestlands primarily devoted to growing and harvesting of timber that are five (5) acres or larger see Island County's current use exemption "Designated Forest".

Options for Consideration

- ❖ Increase the points for Forest Stewardship to incentivize transfers from DF to PBRS.
- ❖ Waive application fees for PBRS for DF transfers.
- ❖ Remove the Timber Management Plan option from PBRS.

Other Related Topics for Conversation

- ❖ Rural Forest as resource lands
- ❖ Length of development moratorium on conversion after harvesting
- ❖ After the fact conversion of clearcut lands
- ❖ Economic study on forest practices in Island County



Island County Planning & Community Development

Basis for Assessment for Island County Public Benefit Rating System (PBRs)



ISLAND COUNTY



WASHINGTON

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Introduction

This document is intended to be used with the Public Benefit Rating System (PBRs) application as a **reference only**. Please refer to RCW 84.34 and Island County Code 3.40 for official rules and regulations.

The State Open Space Taxation Act (84.34 RCW) authorizes counties to establish a Public Benefit Rating System (PBRs) for the purpose of encouraging preservation of specified open space resources by providing a tax incentive for private land owners within their jurisdictions. Island County established its PBRs program in 1998, believing it is in the best interest of the County to “preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops...” as well as ...”to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the County and its citizens.”

Eligibility

In order to be considered for the PBRs program, a property must be at least five (5) acres in size, with the exception of community gardens and/or parks, and contain at least one (1) open space resource (listed below). Community gardens and/or parks one (1) acre or greater in size may be eligible. Please note that if a property includes a residence, a minimum of one (1) acre of the property, inclusive of the home-site, will not be eligible for PBRs enrollment.

Properties are rated based on a points scale from zero (0) to fifty-seven (57) points. PBRs applications are processed as Type IV decisions, meaning they must be presented to the Board of Island County Commissioners (BOCC) at a public hearing for approval. It is important to note that the BOCC is under no obligation to approve PBRs applications, even if a property clearly qualifies to be in the program.

Rating System Points

Priority Resources Points

To be eligible for open space classification under the County's Public Benefit Rating System, the property must contain one (1) or more of the open space resources listed below. These resources are defined in this chapter and ranked as high, medium or low priority open space resources.

- High priority open space resources receive five (5) points each
- Medium priority open space resources receive three (3) points each
- Low priority open space resources receive one (1) point each

Properties can receive a **maximum** of thirty (30) points from **no more than** six (6) open space priority resources.¹

Bonus System Points

In addition to the priority resources points, properties may be awarded bonus points. In order to receive any bonus system points, a property must qualify for at least one (1) priority resource point. Properties can receive a **maximum** of thirty-eight (38) bonus system points.²

¹ Island County Code 3.40.030

² Island County Code 3.40.030(D)

High Priority Open Space Resources

1. Resources and Rural Agricultural Lands (5 points)³

Definition

Land primarily devoted to the current production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, or Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and which has significance for agricultural production, or land that has been traditionally in or is still capable of production for the above and which could be returned to productive commercial agriculture.

Eligibility

Eligible sites are those that are currently not enrolled in existing current use assessment programs and meet any of the following criteria:

- a) Lands of at least five (5) acres which are on prime or unique soils as identified in the qualifying source information; or
- b) Lands of at least five (5) acres which meet the definition of resource and rural agricultural lands above; or
- c) Lands that have been traditionally in or is still capable of production of the above as demonstrated by sales receipts, income tax statements, or other materials which the county accepts as proof that farming once occurred on the property and that the property could be returned to productive commercial agriculture.

Qualifying Source Information

Island County Commercial Agriculture Land Study, Planning and Community Development Department, February 1998.

³ Island County Code 3.40.250(A)

2. Integrated Forest Management Plan (5 points)⁴

Definitions

Forest Stewardship Program. Lands primarily devoted to improving forest health. A Forest Stewardship Plan shall be filed with the county legislative authority at the time the application is made for classification as Integrated Forest Management Plan pursuant to this chapter.

Timber Management Plan. Lands primarily devoted to growing and harvesting timber. Timber management includes land used for incidental uses that are compatible with the growing or harvesting of timber, but no more than ten percent of the land may be used for such incidental uses. A timber management plan shall be filed with the county legislative authority at the time application is made for classification as Integrated Forest Management Plan pursuant to this chapter.

Eligibility

Eligible sites are those that are currently not enrolled in existing current use assessment programs and meet the definition for forestlands/woodlots, above.

Qualifying Source Information

Island County Commercial Forest Land Study, Crescent Springs Management, January, 1998.

3. Privately Owned Trails and Corridors (5 points)⁵

Definition

Privately owned trails and corridors that are publicly accessible and used for hiking, biking, walking, horseback riding, and jogging. The trails may vary in scale and surfacing and may also be used as a means of non-motorized transportation connecting one (1) destination point to another. Streets, roads, and highways with widened shoulders or bike lanes are not included in this category.

Eligibility

Eligible lands must be used as a public trail or corridor that remains in private ownership. Public access on the trail from a public road or public trail is required.

Qualifying Source Information

Island County Non-motorized Trail Plan.

⁴ Island County Code 3.40.250(B)

⁵ Island County Code 3.40.250(C)

4. "Natural" Shoreline Environment (5 points)⁶

Definition

A marine, lake, or river shoreline and its "associated wetlands" designated "natural" in the Shoreline Master Program for the county.

Eligibility

Eligible lands are those identified as natural shoreline environments and their associated wetlands in the adopted shoreline master plan governing the area in which the shoreline is located. Eligible land must be adjacent to the water. To qualify there must be no structures or buildings within 200 feet upland from the ordinary high water mark (OHWM); this area is within the shoreline jurisdiction, and is based on the Shoreline Master Program; and there must be no structures within 200 feet from the edge of an associated wetland boundary. If there is a bluff, any buildings must be at least 200 feet back from the edge of the bluff in a "natural" shoreline environment. Eligibility for this resource category cannot overlap with the "conservancy shoreline environment" category or other wetland categories of the public benefit rating system.

Qualifying Source Information

Island County Shoreline Master Program.

⁶ Island County Code 3.40.250(D)

5. Significant Fish and Wildlife Habitat Conservation Areas, Species and Habitats of Local Importance, Category A and B Wetlands, and Special Plant Sites (5 points)⁷

Definition

Significant fish and wildlife habitat conservation areas. Those areas identified as being of critical importance to the maintenance of fish and wildlife species including areas with which endangered, threatened, and sensitive species have a primary association; habitats and species of local importance; streams; commercial and recreational shellfish areas; kelp and eelgrass beds; herring and smelt spawning areas; state natural area preserves, and state natural resource conservation

Species and habitats of local importance. (i) Those areas containing vascular plant species as identified and listed in the Natural Heritage Program as being either endangered, threatened, or sensitive and areas identified in the Natural Heritage Program as high quality ecosystems. (ii) Those areas or species designated as species or habitats of local importance set forth in Chapter 17.02B.

Category A and B wetlands. Wetlands that are classified category "A" or "B" by Chapter 17.02B.

Special plant sites. (i) Those sites where preservation, restoration or enhancement of native plant communities is maintained subject to an approved management plan; or (ii) Those areas where Blue Flag Iris (*Iris missouriensis*) can be identified or where the property owner proposes a management plan to introduce and maintain a population of Blue Flag Iris.

Eligibility

Items a. through h. listed on the next page require protection through easements, or voluntary buffers in those cases where buffers are not established through Chapter 17.02B and, in certain cases, shall require preparation and submittal of a biological site assessment (BSA) or habitat management plan (HMP). The BSA or HMP shall provide a description of the fish and wildlife habitat conservation area, the location of the protected features, the location of buffers and a description of efforts to protect the fish and wildlife habitat conservation area, or a description of restoration efforts in those instances where the critical area has been damaged.

⁷ Island County Code 3.40.250(E)

High Priority Open Space Resources

Significant Fish and Wildlife Habitat Conservation Areas, Species and Habitats of Local Importance, Category A and B Wetlands, and Special Plant Sites, cont.

Eligibility, cont.

- a) Areas which have a primary association with federally- or state-listed endangered, threatened, or sensitive species of fish or wildlife, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. A habitat management plan shall be submitted which identifies the area to be protected and appropriate mitigation, management and/or protection strategies that will be employed.
- b) Habitats and species of local importance are to be based on the following criteria:
 - i. The species or habitat is native to the county;
 - ii. Locally declining populations that are in danger of extirpation;
 - iii. Sensitivity to habitat manipulation; and
 - iv. Commercial, game, other special value.
 - v. A habitat management plan shall be submitted which identifies the area to be protected and appropriate mitigation, management and/or protection strategies that will be employed.
- c) Streams, provided that the stream buffer is at least twice the size of that required under Chapter 17.02B. Buffer averaging shall not be utilized;
- d) Commercial and recreational shellfish areas, provided that the fish and wildlife habitat conservation area buffer is at least twice the size of that required under Chapter 17.02B. Buffer averaging shall not be utilized;
- e) Kelp and eelgrass beds; herring and smelt spawning areas, provided that the fish and wildlife habitat conservation area buffer is at least twice the size of that required under Chapter 17.02B. Buffer averaging shall not be utilized;
- f) State natural area preserves and natural resource conservation areas;
- g) Sites listed in the Natural Heritage Database as containing endangered, threatened, or sensitive vascular plant species or high quality ecosystems, or which are verified by an expert in the field as containing the same plants or communities and which are acceptable by the state agency for addition to the database. A habitat management plan shall be submitted which identifies the area to be protected and appropriate mitigation, management and/or protection strategies that will be employed; and
- h) Eligible sites are those wetlands classified category "A" or "B" by Chapter 17.02B.

High Priority Open Space Resources

Significant Fish and Wildlife Habitat Conservation Areas, Species and Habitats of Local Importance, Category A and B Wetlands, and Special Plant Sites, cont.

Qualifying Source Information

- a) Those areas containing vascular plant species as identified and listed in Department of Natural Resources (DNR) the Natural Heritage Program as being either an endangered, threatened, or sensitive and areas identified in the Natural Heritage Program as high quality ecosystems.
- b) Those features identified on the critical area maps maintained by Island County.

6. Historic Landmarks/Archaeological Sites (5points)⁸

Definition

Historic and archaeological resources: land which constitute or upon which is situated an historic landmark formally designated by the county or a local jurisdiction, including buildings, structures or sites of significance in the county's historic or prehistoric heritage, such as Native American settlements, trails, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites and landscapes, or traditional cultural properties and landscapes.

Eligibility

Eligible properties must be listed on the county or other local list or register of historic places or landmarks for which there is local regulatory protection. Eligible properties include contributing properties within designated historic districts. Improvements to the land are not eligible for other federal or state tax credits. Additionally, land that has been verified through an archaeological report prepared by a qualified archaeologist that contains archaeological resources. The county will review and make determinations on eligibility.

Qualifying Source Information

County or other local lists or registers of historic places or landmarks and the state inventory of archaeological sites (State Office of Archaeology and Historic Preservation) and the County Historical Society.

⁸ Island County Code 3.40.250(F)

7. Private Lands within Designated National Reserves (5 points)⁹

Definition

Officially designated areas under private ownership located within National Reserves that remain undeveloped and are maintained to protect the landscape of the reserve.

Eligibility

Eligible lands are privately owned parcels within the Ebey's Landing National Historical Reserve, five (5) acres or greater in size, that remain undeveloped and are maintained to protect the landscape of the reserve.

Qualifying Source Information

National Park Service, the Trust Board of the Ebey's Landing National Historical Reserve.

⁹Island County Code 3.40.280(G)

8. Active or Passive Recreation Area (5 points)¹⁰

Definition

Property which is currently devoted to providing active or passive non-motorized recreation use or which complements or substitutes for government facilities. The facility must be open to the public and, if charging a use fee, that fee shall be no higher than the fee charged by a like public facility and the facility must provide recreation or other services to youth, senior citizens, the handicapped, or similar groups.

Eligibility

An eligible site is that identified by an appropriate parks department as meeting the definition of an active or passive recreation area.

Eligible examples include:

- a) Sports fields on private property that are open to the public;
- b) Golf courses open to the public with fees comparable to local public golf courses and which adhere to best management practices (as determined by Island County Planning and Community Development). Annual monitoring reports are required;
- c) A community garden and/or park; and
- d) Other recreational uses determined to be consistent with the definition of active or passive recreation areas as determined by the Island County Parks Department.

Ineligible examples include:

- a) Properties with public or private trails: These are covered under the privately owned trails resource;
- b) Recreational vehicle park portions of sites and related improvements to the land, including parking;
- c) Golf courses which do not adhere to best management practices or charge a fee not comparable to public golf courses; and
- d) Indoor recreation centers, gambling establishments, arcades, fun centers, etc.

Qualifying Source Information

Determination by Island County Parks or by an appropriate parks department of incorporated cities or towns.

¹⁰ Island County Code 3.40.250(H)

Medium Priority Open Space Resources

1. “Conservancy” Shoreline Environment (3 points)¹¹

Definition

Marine and lake shoreline and associated wetlands designated as "conservancy environment" in an adopted Shoreline Master Plan. Conservancy shoreline areas are intended to preserve their existing character. The area must consist of native vegetation.

Eligibility

Eligible sites must be identified as "conservancy shoreline environment" in an adopted shoreline master plan. The property must not be in another shoreline category of the PBRs. The area to be considered eligible is a maximum of 200 feet upland from the ordinary high water mark, within the 100-year floodplain, or the edge of the associated wetland, whichever is greater. To qualify there must be no structures or buildings within 150 feet upland from the ordinary high water mark (OHWM); this area is within the shoreline jurisdiction, and is based on the shoreline master plan; and there must be no structures within 150 feet from the edge of an associated wetland. If there is a bluff, any buildings must be at least 150 feet back from the edge of the bluff in a "conservancy" shoreline environment. Eligibility under this resource category cannot overlap with the "natural shoreline environment" category or other wetland categories of the PBRs.

Qualifying Source Information

Island County Shoreline Master Program.

¹¹ Island County Code 3.40.260(A)

2. Flood Hazard Areas Buffers (3 points)¹²

Definition

Land buffering a floodplain within the county subject to a one (1) percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, lakes, coastal areas, and wetlands.

Eligibility

Those buffer areas located adjacent to or in the immediate vicinity of and which provide at least two (2) times the additional buffer width beyond that required by regulation for areas located within a 100-year floodplain as identified on the FEMA flood insurance program maps.

Qualifying Source Information

Flood damage prevention ordinance, Chapter 14.02A. One hundred-year floodplains as listed and mapped by the Federal Emergency Management Agency and the National Flood Insurance Program.

¹² Island County Code 3.40.260(B)

3. Geologic Hazard Area Buffers (3 points)¹³

Definition

Land buffering areas not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns due to their susceptibility to sliding or other slope failures, erosion, earthquake, or other geologic events.

Eligibility

Those areas of undisturbed vegetation located adjacent to or in the immediate vicinity of geologically hazardous areas and which provide at least two (2) times the additional buffer/setback width beyond that required by regulation for areas indicated in the Washington Department of Ecology's Coastal Zone Atlas; USDA Island County Soil Survey; or areas with slopes forty (40) percent or greater and with a vertical relief of ten (10) feet or more, except areas of consolidated rock.

Qualifying Source Information

Steep/unstable slopes overlay zone, Chapter 17.03. Areas indicated in the Washington Department of Ecology's Coastal Zone Atlas as being unstable, and areas determined by site-specific geologic reports as being unstable. Areas identified in the USDA Island County Soil Survey as having severe water erosion hazards.

¹³ Island County Code 3.40.260(C)

4. Scenic Natural Resources, Viewpoints, and View Corridors (3 points)¹⁴

Definition

Scenic natural resource. An area of ten (10) or more acres of natural features which is visually significant to the aesthetic character of the county or contains features which otherwise qualifies as a historic landmark or archaeological site; or

Viewpoint. Property that provides a view of an area which is visually significant to the aesthetic character of the county and which provides unlimited public access identified by a permanent sign readily visible from a road or other public right-of-way; or

View corridor. An area of adjoining parcels which individually may be less than one (1) acre but which, when combined, total at least one (1) acre and create a view corridor critical to maintaining a view of a scenic resource area or other visually significant area.

Eligibility

No lands that have been subject to commercial logging or mineral extraction within twenty-five (25) years of the date of the open space classification application are eligible under the public benefit rating system.

Scenic natural resource. Eligible sites must be significant to the identity of the local area and be visible to a significant number of the general public from public rights-of-way. Such lands must be of sufficient size to substantially preserve the scenic resource value and must be at least ten (10) acres in size.

Viewpoint. Eligible sites must provide a view of a scenic natural resource in the county or other visually significant areas and must provide for unlimited public access.

View corridor. Eligible sites must meet the definition of view corridor above.

Qualifying Source Information

None available.

¹⁴ Island County Code 3.40.260(D)

5. Urban Growth Area Open Space (3 points)¹⁵

Definition

Five (5) or more acres of land, open to the public, and located within the boundaries of an urban growth area designated by the county. For purposes of this definition, land shall be considered open to the public if it qualifies for receiving any points for public access under the public access section of this open space taxation program

Eligibility

Eligible lands are those meeting the definition above.

Qualifying Source Information

City, town or county comprehensive plan and the natural lands plan.

6. Public Lands Buffer (3 points)¹⁶

Definition

Native growth land lying adjacent to neighborhood parks, forests, wildlife preserves, natural area preserves, or sanctuaries. Eligibility for this exception does not extend to properties where plantings are required under local zoning codes, development mitigation requirements, or other local regulations.

Eligibility

Lands being buffered shall be in public ownership, or private lands shall be enrolled in the open space program.

Qualifying Source Information

Island County Comprehensive Plan.

¹⁵ Island County Code 3.40.260(E)

¹⁶ Island County Code 3.40.260(F)

7. Category C or D Wetlands (3 points)¹⁷

Definition

Wetlands classified category "C" or "D" by Chapter 17.02B.

Eligibility

Eligible lands are those wetlands designated the category "B" rating under the county wetland maps classified category "C" or "D" by Chapter 17.02B.

Qualifying Source Information

County wetland maps, and land use standards governing wetlands, deepwater habitats, tributary streams and their surrounding buffers, Chapter 17.02B, National Wetlands Inventory Mapping System, U.S. Fish and Wildlife Service, Shoreline Management Act, Chapter 90.58 RCW, and the County Shoreline Management Master Program Chapter 17.05A.

¹⁷ Island County Code 3.40.260(G)

Low Priority Open Space Resources

1. Artificial/Category E Wetlands (1 point)¹⁸

Definition

Wetlands classified as category "E" by Chapter 17.02B.

Eligibility

Eligible lands are those wetlands classified category "E" by Chapter 17.02B.

Qualifying Source Information

County wetland maps, Chapter 17.02B, and land use standards governing wetlands, deepwater habitats, tributary streams and their surrounding buffers.

¹⁸ Island County Code 3.40.270(A)

Bonus System

1. Public Priority (5 points)¹⁹

Definition

Land containing one (1) or more of the following community natural lands priorities of county residents:

- a) Critical aquifer recharge areas which materially protect watersheds for drinking water sources and supply;
- b) Significant undisturbed natural communities and ecosystems; or
- c) Natural shoreline systems, including lagoons, saltwater tidal flats, marshes and accretion beaches that serve a diversity of ecological functions.

Eligibility

Eligible sites are those that contain one (1) or more of the defined public priority open space resources.

Qualifying Source Information

Periodic surveys or opinion polls conducted by the county to assess the relative priorities of county residents for the conservation/protection of natural lands. DNR, Division of Geology and Earth Resources, surficial geology maps based on USGS quad maps.

¹⁹ Island County Code 3.40.280(A)

2. Voluntary Resource or Critical Area Restoration (5 points)²⁰

Definition

Restoration of any high, medium or low open space resource defined above. Emphasis shall be placed on restoration of anadromous fish-rearing habitat, wildlife and plant habitat areas, and upland, stream, and wetland habitats.

Eligibility

Eligible sites are those that qualify for any high, medium or low open space resource classification above without this category. Sites are eligible to receive five (5) bonus points for the resource being restored. The owner must have an implemented restoration plan developed in cooperation with, or approved by appropriate federal, state, county, or local agency.

Qualifying Source Information

No inventory available.

²⁰ Island County Code 3.40.280(B)

3. Surface Water Quality Buffer Areas (1 to 5 points)²¹

Definition

An undisturbed zone of native growth vegetation adjacent to a lake, pond, stream, wetland, or marine waters of a sufficient buffer width, but no less than fifty (50) feet, that will contribute to the protection of water quality in a surface water body. Bonus points are awarded for a streamside or wetland buffer width of at least one and a half (1½) that required by the applicable local critical areas ordinance or for a streamside or wetland buffer, of no less than fifty (50) feet, in agricultural lands otherwise exempted from buffering requirements. The buffer width is measured upland from the ordinary high water mark or the outer edge of a regulated wetland. The buffer does not include the body of water waterward of the ordinary high water mark or the wetland itself.

Eligibility

Sites qualifying under the "surface water quality buffer area" or shorelines classifications would receive additional points through the provision of additional buffer which is preserved from clearing and from livestock intrusion. All such lands in or adjacent to pasture land must be fenced to prevent intrusion by domesticated animals. Eligibility requires property use and access restriction beyond those specified in the critical areas ordinance or other surface water protection regulations. The bonus points are awarded as follows:

- a) One and a half (1½) times additional buffer width beyond that required by regulation—One (1) point.
- b) Two (2) times additional buffer width beyond that required by regulation—Three (3) points.
- c) Three (3) times additional buffer width beyond that required by regulation—Five (5) points.
- d) At least seventy-five (75) feet of buffer width in agricultural lands otherwise exempted from buffering requirements—Five (5) points.

Qualifying Source Information

Catalog of Washington Streams, Shoreline Master Programs, county or local sensitive areas ordinance streams and wetlands maps as basis for determination.

²¹ Island County Code 3.40.280(C)

4. Drainage Area (5 points)²²

Definition

An area with such severe flooding, drainage, and/or erosion/sedimentation conditions, including designation as a water quality sensitive area, which have resulted or will result from the cumulative impacts of development and urbanization. The objectives of this bonus system are as follows:

- a. To further protect natural areas;
- b. To minimize human-caused nonpoint source pollution;
- c. To retain natural hydrologic functions;
- d. To retain features that contribute to the function of local aquatic habitats; and/or
- e. To mitigate impacts to public recreation areas.

Eligibility

Eligible properties shall have a drainage plan approved under Chapter 11.03.

Qualifying Source Information

Available Sources include the Island County Stormwater Design Manual.

²² Island County Code 3.40.280(H)

5. Contiguous Parcels under Separate Ownership (3 points)²²

Definition

Contiguous parcels of land with the same open space resources are eligible for treatment as a single parcel if open space classification is sought under the same application. "Contiguous parcels" are defined as parcels abutting each other or abutting a publicly owned open space without any significant manmade barrier that materially restricts the free movement of wildlife or interferes with the visual continuity between the two (2) or more properties.

Eligibility

Treatment as contiguous parcels shall include the requirement to pay only a single application fee. The total area of all parcels combined must equal or exceed any required minimum (rather than each parcel being required to meet such minimums). This contiguous parcel bonus must be accepted by all the applicants within the configuration under identical terms and conditions of access, easements, and restrictions. Individual parcels may be withdrawn from open space classification consistent with all applicable rules and regulations without affecting the continued eligibility of all other parcels accepted under the same application, provided that the combined area of the parcels remaining in open space classification must equal or exceed any minimum size requirement established in the PBRS and that access to the remaining parcels is not affected. Contiguous parcels must meet the following conditions:

- a) The application must include two (2) or more parcels;
- b) Each parcel included in the application must contain qualifying open space resources as defined by the public benefit rating system;
- c) The owner(s) of parcels included in the application must agree to such terms and conditions for inclusion in the program that are consistent with the open space resource of the property.

Qualifying Source Information

Not applicable.

²² Island County Code 3.40.280(D)

6. Conservation/Historic Easement in Perpetuity (5 points)²³

Definition

An easement that restricts in perpetuity, further potential development, or other uses of a property, and which may include a requirement for native growth protection.

Eligibility

Eligible lands are those that qualify for any high, medium or low open space resource classification. The conservation/historic easement will be in a form, and with such conditions, as are acceptable to the county.

Qualifying Source Information

Available sources include the Conservation Easement Handbook.

7. Properties with an Approved Rural Stewardship Plan (5 points)²⁴

Definition

A detailed site plan prepared by or for an owner that establishes the location for authorized permitted uses, the location and classification of critical areas and critical area buffers and best management practices for the long term use of the property. A rural stewardship plan is a voluntary option under Chapter 17.02B available to owners of lots one (1) acre or larger in size.

Eligibility

A rural stewardship plan approved under Chapter 17.02B.

Qualifying Source Information

A county approved rural stewardship plan.

²³ Island County Code 3.40.280(E)

²⁴ Island County Code 3.40.280(G)

8. Properties near or adjacent to a public or current use classified land
(2 to 5 points)

Definition

Properties that are adjacent to a public or current use classified land. Public lands may include a publicly owned park, trail, forest, or land legally required to remain in a natural state. Current use classified lands are properties participating in a current use taxation program under Chapters 84.33 or 84.34 RCW. Public roads and/or easements may separate the public land, or land in private ownership classified under Chapters 84.33 or 84.34 RCW, from the adjacent land.

Eligibility

- a) Adjacent lands shall be in public ownership, or private lands shall be participating in a current use taxation program under Chapters 84.33 or 84.34 RCW
- b) Roads and/or easements may separate the public land, or land in private ownership classified under Chapters 84.33 or 84.34 RCW, from the adjacent land, if the entire land is at least as wide as the adjacent section of the road or easement.
- c) Landscaping or other nonnative vegetation shall not separate the public land or land enrolled under Chapters 84.33 or 84.34 RCW from the adjacent land. Island County may grant an exception to the native vegetation requirement for property along parkways with historic designation or within Ebey's Reserve, upon review and recommendation of the local jurisdiction in which the property is located. Eligibility for this exception does not extend to a property where plantings are required or existing plant communities are protected under local zoning codes, development mitigation requirements, or other local regulations.
- d) Properties near or adjacent to a public or current use classified land shall be designated in the bonus system and be allocated five (5) points if immediately adjacent, four (4) points if within 700 feet, and two (2) points if within 1,400 feet.

Qualifying Source Information

PC Findings of Fact dated November 14, 2022.

²² Island County Code 3.40.280(I)

9. Public Access (0 to 5 points)²⁵

Definition

Access to the county's open space lands by the general public should be encouraged for all lands unless it is determined that such access would damage or endanger the resource. Property owners who allow access to the property, beyond that which is otherwise required by the open space resource category, should be afforded consideration in the level of tax reduction they receive depending on the level of access allowed and the conditions under which access is permitted.

Eligibility

Properties shall be awarded additional points to the extent that such public access is available to the open space site, to a maximum of five (5) points. For open space resource categories which either contain public access requirements in the definition or eligibility criteria, no public access bonus points shall be awarded. The applicant shall specify the type of access that will be available in the application.

Signage. For properties allowing public access and receiving access points under *Unlimited Public Access* or *Limited Public Access*, listed below, the county shall furnish and maintain, at its own expense, signage according to county specifications which designates the property as part of the open space taxation program and states the conditions of access.

Accessibility. For properties allowing access and being considered for receiving access points under *Unlimited Public Access*, *Limited Public Access/Sensitive Area*, or *Privately Owned Tidelands Access*, listed below, no points will be allowed if the property is not reasonably accessible. Off-road parking may be required where necessary to provide safe vehicular or pedestrian access. The property owner may, at their own expense and without any deduction in the number of access points awarded, limit access to the property to a reasonable number of locations through the use of fences, berms or other access barriers. Such physical barriers must be approved by the appropriate agency in advance, so as not to defeat the purpose of a resource category - for instance restricting wildlife in a wildlife corridor or construction of a visually incompatible fence near an historic resource.

²⁵ Island County Code 3.40.280(F)

Public Access, cont.

Eligibility, cont.

Limitations on Access and Use. Reasonable limitations on access and use of properties may be imposed without a deduction in the number of access points a property receives. For example, prohibiting access before a reasonable time in the morning and after a reasonable time in the evening, prohibiting the use of any motorized or wheeled vehicles (except those required by disabled persons), prohibiting the use of the property for any kind of social gathering, prohibiting the consumption of any alcoholic beverages on the property, prohibiting the use of the property for picnics, etc. are all examples of reasonable limitations on the use of the property by the public which would likely not result in a reduction of points received by the property in the public access category. All such restrictions must be included in such documents or easements that establish the property as eligible for current use taxation.

Access points shall be awarded on the following scale:

Unlimited Public Access—Five (5) points. Year-round access to the general public is allowed without special arrangement with the property owner.

Limited Public Access/Sensitive Area—Five (5) points. Access may be reasonably limited due to the sensitive nature of the resource, with access provided only to appropriate user groups. The access allowed must generally be for an educational, scientific, or research purpose and available through special arrangements with the owner.

Privately Owned Tidelands Access—Five (5) points. Public access to tidelands and such portions of the upland property necessary to provide access to the water line. Eligibility for public access points requires that the property is able to provide public access to the tidelands from a public right-of-way. Entry points and uses may be posted so that it does not detract from the resource.

Limited Public Access—Three (3) points. (i) Access to the public is allowed, with or without special arrangements with the property owner, for any period of less than the full year. (ii) Access is available to any and all of the general public during any period of the year upon special arrangements with the owner or upon the payment of a use fee that may not exceed twice the cost for members of the organization utilizing the facility.

Public Access, cont.

Eligibility, cont.

No Public Access—Zero (0) points. (i) No public access is allowed. (ii) Members only access. Access is restricted at all times to members of the organization utilizing the facility.

Qualifying Source Information

Not applicable.

Super Bonus Category²⁶

Requirements

Properties with at least one (1) high priority open space resource and which allow unlimited public access or limited public access for a sensitive area (due to resource sensitivity) and which convey a conservation, historic, or trail easement in perpetuity, in a form and with such conditions as are acceptable to the County, shall be automatically eligible for current use value at ten (10) percent of market value.

²⁶ Island County Code 3.40.290



ISLAND COUNTY PUBLIC WORKS

WORK SESSION AGENDA

MEETING DATE: 9/17/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners

From: Fred Snoderly, Director

Amount of time requested for agenda discussion. 60 minutes

DIVISION: County Roads

Agenda Item No.: 1

Subject: Testing Protocol Requirements for Water & Sewer Franchises

Description: Discussion regarding testing protocol requirements for franchise agreements.

Attachment: Memorandum, PowerPoint

Request: *(Check boxes that apply)*

- | | |
|---|---|
| <input type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input checked="" type="checkbox"/> Other: <u>BOCC Feedback</u> |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Complete

DIVISION: County Roads

Agenda Item No.: 2

Subject: County-wide Speed Evaluation – First Draft of Proposed Final Speed Limits

Description: Comparison of current speed limits with the consultant/engineer's recommended speed limits, and a draft of the proposed final speed limits for Commissioners' approval.

Attachment: Memorandum

Request: *(Check boxes that apply)*

- | | |
|---|---|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input checked="" type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

(Continued on next page)

DIVISION: County Roads

Agenda Item No.: 3

Subject: **Damaged Impact Attenuator at intersection of Ault Field Rd and Oak Harbor Rd**

Description: Requesting Board approval to proceed with the purchase order for MRSC Project ID# IC-25-0016 to replace the Damaged Impact Attenuator/Guardrail System.

Attachment: **Memorandum, Purchase Order**

Request: *(Check boxes that apply)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Move to Consent | <input type="checkbox"/> Move to Regular |
| <input type="checkbox"/> None/Informational | <input type="checkbox"/> Schedule a Public Hearing |
| <input type="checkbox"/> Signature Request | <input type="checkbox"/> Other: _____ |

IT Review: Not Applicable

Budget Review: In process

P.A. Review: In process



Island County Public Works

Ed Sewester, P.E., County Engineer

Matthew Lander, P.E., Assistant County Engineer

1 NE 7th Street, Coupeville, WA 98239 | www.islandcountywa.gov

Ph: Whidbey 360-679-7331 | Camano 360-387-3443 | S Whidbey 360-321-5111

Email: Ed.Sewester@islandcountywa.gov | M.Lander@islandcountywa.gov

MEMORANDUM

September 17, 2025

TO: Board of County Commissioners – Island County

FROM: Ed Sewester - County Engineer

RE: Testing Protocol Requirements for Water & Sewer Franchises

The Public Works and Public Health Departments are presenting to the Board of Island County Commissioners, at its September 17, 2025 Work Session, a discussion regarding testing protocol requirements for future intention to include in franchise agreements.

Water and Sewer Testing Protocol Requirements. Island County Code requires franchises for systems exceeding 500ft in the County Right of Way (ROW). The new standard franchise template, as reviewed by PA, revises the previous version to include the following changes:

Franchises will be renewed every 10 years

Pressure testing (water) and dye testing (sewer) must be performed to enhance verification of a system's integrity.

Fire flow testing and inspection must be coordinated with local Fire Districts

** Systems that are found non-compliant will have a reduced renewal term of 2 years and be charged a double application fee.

Recommended Implementation Time:

2025 – notify all franchise holders of new requirements and timeline

2026 – franchise holders plan and budget for requirement

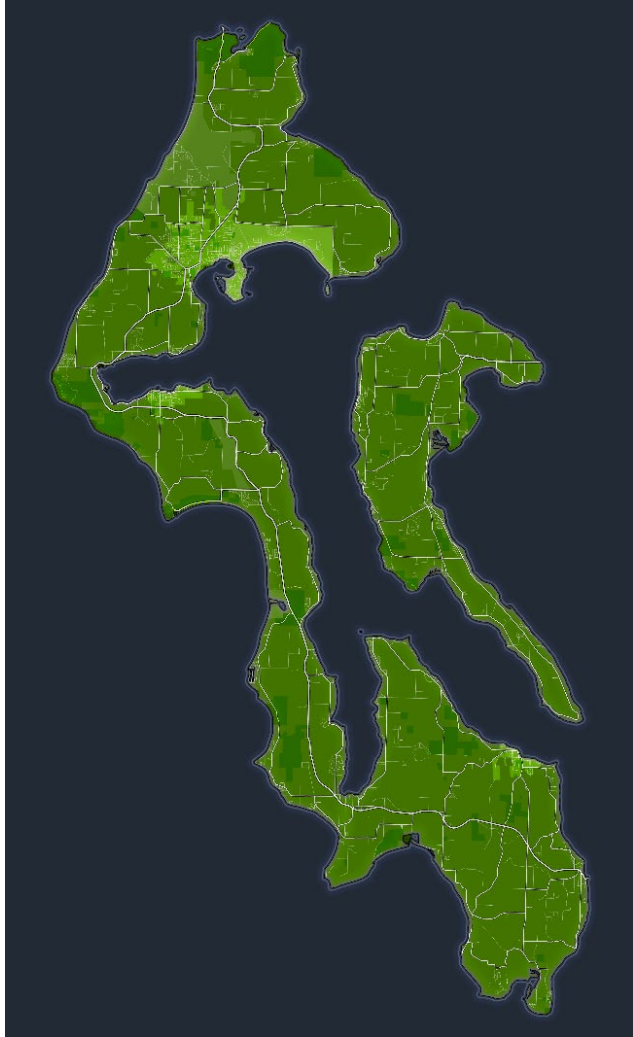
2027 – franchise holders contract / install necessary system enhancements

2028 – additional required testing protocol performed prior to franchise renewals

** Require “new” franchises received after August 2025 to certify system prior to issuing franchise

** All testing / certification performed by independent certified testing agent

Request continuance of processing applications currently in receipt. Terms to be limited to 10 years and testing protocol will not be required until renewal in 2035 or 2036.



PROPOSED TESTING PROTOCOL FOR WATER & SEWER FRANCHISES

September 17, 2025



TESTING PROTOCOL

Current Requirements: [267 of 277 total franchises = water & sewer]

- No interference with County road travel
- Obtain Permits, when required
- 24 hour / 7 days emergency response
- Maintain necessary insurances
- Comply with Federal & State law

Proposed Additional Testing Protocol Requirements

- Valves installed to allow for testing
- Pressure tests for integrity of water lines
- Dye Tests to identify potential leakage of sewer lines

Timeline:

2025 – notify all franchise holders of requirement and timeline

2026 – franchise holders plan and budget for requirement

2027 – franchise holders contract / install necessary system enhancements

2028 – additional required testing protocol performed prior to franchise renewals

** Require “new” franchises received after August 2025 to certify system prior to issuing franchise

** All testing / certification performed by independent certified testing agent



EDITS MADE TO THE FRANCHISE TEMPLATE

- Removed additional 10-year extension verbiage
- Added ****System Non-Compliant**** header option
- Added section 7) System Cyclic Certification Testing –
 - a) Water and septic systems shall be tested and copy of certifications provided to Public Works and Health Departments
 - b) Fire hydrant annual inspection certifications provide to local fire department and Public Works
 - c) Prior to issuance of renewal or transfer certifications must be up-to-date:
 - 1. Must meet the goal of 3 year less than 10% leakage
 - 2. 2-hour hydrostatic test 1 month prior to submittal
 - 3. Sewage system dye tested and certified
 - 4. 10-year renewal term for compliant systems, 2-year renewal term for septic systems that are discovered to leak
 - d) Renewal fee doubled for non-compliant systems

Franchises that are ready to go to Public Hearing: ~32

Franchises that still need application submittal for Renewal/Transfer: ~34

2026 franchise expirations, applications not yet sent: ~25



FRANCHISE

ISLAND COUNTY
WASHINGTON

Franchise **Renewal/Transfer** No. _____

****System Non-Compliant****

Plat Name _____

If for sewer transport line put in parcel numbers here

Sec. __, Twp. __N, Rge. __

In the Matter of the Application of

_____, a non-profit Washington Corporation, for a franchise to construct, operate and maintain a water distribution / sewer collection system (hereinafter referred to as FACILITY) in, along, under and/or across portions of the County roads known as _____ all being located within the _____ located in the Section ____, Township ____, North, Range ____, East/West, W.M., Island County, Washington, (hereinafter known as "FRANCHISE AREA").

The application of _____, its/his/her/their successors and assigns under and/or across the FRANCHISE AREA having come on regularly for hearing on the ____ day of _____, before the County Commissioners of Island County, Washington under the provisions of Chapter 36.55 RCW Franchises on Roads and Bridges as now in effect or as hereafter amended, and it appearing to the County Commissioners that notice of said hearing, as required by law, has been duly given and that it is for the public interest to grant the franchise herein granted; it is

ORDERED that a franchise be and the same hereby is given and granted to _____, their successors and assigns (hereinafter referred to as the "FRANCHISEE") to construct, operate and maintain the FACILITY, together with the necessary laterals and service connections in, along, under and/or across the FRANCHISE AREA for a period of time to expire on the ____ day of _____. And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions hereinafter enumerated, the franchise may be extended for an additional ten (10) years.

INDEX

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Section Eleven	Franchise Term
Section Twelve	Assignment
Section Thirteen	Subletting
Section Fourteen	Severability
Section Fifteen	Modification and Amendment
Section Sixteen	Miscellaneous

Section One – Definitions

- When used in this franchise, unless otherwise indicated:
 - "FRANCHISEE" means _____, a non-profit (for profit) Washington Corporation, its / his / her / their successors and assigns.
 - "COUNTY" means Island County, Washington
 - "FACILITIES" means all components of the water distribution / sewer collection system located within County road right-of-way.
 - "FRANCHISE AREA" means in, along, under and/or across portions of the County roads known as _____ all being located within the

_____, located in Section _____, Township _____ North, Range _____ East/West, W.M., Island County, Washington.

- e. FRANCHISE means the document in which this definition appears, that is executed between the COUNTY and the FRANCHISEE, containing the specific provisions of the authorization granted and the contractual and regulatory agreement created hereby.

Section Two – Facilities within Franchise Area

1. Under the provisions of Chapter 36.55 RCW Franchises on Roads and Bridges and the Island County Code, the COUNTY hereby grants to the FRANCHISEE subject to the terms and conditions set forth hereinafter, a FRANCHISE for a period of **ten (10) years/ two (2) years. (if non-compliant). And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions, the franchise may be extended for an additional ten (10) years, commencing upon the effective date of this Franchise.**
2. In constructing, operating, maintaining and repairing said Facilities, the FRANCHISEE shall conform to applicable ordinances and to policies or requirements made by the Island County Engineer, or any County department or officers authorized to supervise and regulate such work and utility for the protection and safety of the public.
3. Requirements as established by individual departments of Island County shall become part of this FRANCHISE.
4. The COUNTY does hereby grant to the FRANCHISEE the right, privilege, and authority to construct, maintain, repair and replace Facilities in, upon, over, under, along, **under**, and/or across FRANCHISE AREA.

Section Three – Non-Interference of Facilities

1. Said Facilities shall at all times be constructed and maintained so as not to interfere with the use of the County road for travel or maintenance.
2. Any and all damage or injury done or caused to said County road right-of-way or any portion thereof in the construction, operation, maintenance or repair of said FACILITY shall be immediately repaired and reconstructed under the supervision and to the satisfaction of the Island County Engineer; and in the event the FRANCHISEE shall fail, neglect or refuse to immediately repair and reconstruct said damage, or injury to said County road right-of-way, the same may be done by the COUNTY and the expense and cost thereof shall immediately be repaid by the FRANCHISEE to the COUNTY. In performing any such repairs, neither the COUNTY nor any of its employees, agents or

7. System Cyclic Certification Testing:

- a) New water systems shall be water tested at the systems maximum design operating pressure and certified by the designing engineer. New septic systems shall be dye tested by a licensed on-site sewage system installer, prior to cover and certified on forms provided by the Island County Health Officer. A copy of the certification shall be provided to the Island County Public Works Department and Island County Public Health Department.
- b) Water systems with fire hydrants shall be inspected and tested annually by the local Island County Fire District, or at the water system owner's choice a certified test consultant may perform the inspection and testing, which could be witnessed by the local Island County Fire District. Inspection, testing, and documentation must meet current Washington Surveying and Rating Bureau (WSRB) requirements and generally accepted industry standards, which includes at a minimum: flow test and pressure measurement, visual inspections, application of standard identification tags, and removal of obstructions and foliage. Although a local Fire District may perform or witness an inspection and/or test, ownership of fire hydrants remains with the water system owner. A copy of certifications shall be provided to the local Fire District annually, and to the Island County Public Works Department upon franchise renewal or transfer.
- c) Prior to issuance of a franchise renewal or transfer, cyclic testing certifications shall be up-to-date, and corresponding certifications submitted with the renewal or transfer application. In addition:
 - i. Water system must meet or be trending to meet the goal of a 3-year average of less than 10% leakage per year, as reported on the most current Water Use Efficiency on file with the Washington State Department of Health, Office of Drinking Water, and
 - ii. A water system must also pass a hydrostatic test performed within 1 month of submitting renewal or transfer application. System shall be tested at design pressure for 2 hours. Test shall be repeated until no leaks are detected.
 - iii. Sewage system must be dye tested by a Licensed On-site Sewage Systems Maintenance Service Provider or Installer and certified on forms provided by the Island County Health Officer.

iv. A 10-year franchise renewal or transfer will be issued for a septic system that passes the dye test. A 2-year franchise renewal or transfer will be issued for systems which discover leakage during the dye test. System is expected to work with Island County Public Health to repair septic system leaks.

d) Renewal fee will double in price for a system that is non-compliant with test parameters.

Section Six - Indemnification

1. The FRANCHISEE shall indemnify and save harmless and defend the COUNTY agencies of Island County and its appointed and elected officers and employees from and against any and all claims, liability, losses, costs (including attorney's fees), and/or causes of action, which may arise from any act or omission of the FRANCHISEE, its agents, subcontractors, servants or employees in the performance of services under this FRANCHISE. The FRANCHISEE further agrees to indemnify, save harmless and defend the COUNTY, its agents, servants, and employees from and against any claim, demand or cause of action, in connection with or incident to the work performed under this FRANCHISE, of whatsoever kind or nature arising out of any conduct or misconduct of the FRANCHISEE, its agents, subcontractors, servants or employees for which the COUNTY, its appointed officers, or elected officers, or employees are alleged to be liable. Provided further that if the claims or suits are caused by or result from the concurrent negligence of (a) the FRANCHISEE, its agents, subcontractors, servants or employees and (b) the COUNTY, its appointed or elected officers or employees, this indemnity provision, with respect to claims or suits based upon such negligence, shall be valid and enforceable only to the extent of the FRANCHISEE'S negligence or the negligence of the contractor's agents, subcontractors, servants or employees. This requirement of the FRANCHISEE to indemnify and defend the COUNTY, its appointed and elected officers and employees shall not apply when the damages are caused by or result from the sole negligence of the COUNTY, its appointed or elected officers or employees. In the event of litigation between the parties to enforce the rights under this paragraph, reasonable attorney's fees shall be allowed to the prevailing party.
2. The FRANCHISEE shall maintain liability insurance in the amount of one million (\$1,000,000) dollars by a company authorized to do business under the laws of the State of Washington. All insurance required by this FRANCHISE to be maintained by the FRANCHISEE shall specifically include the COUNTY as an additional insured and shall not be canceled or reduced below the amounts required by this FRANCHISE without sixty (60) days written prior notice to the COUNTY.
3. Neither the application by the FRANCHISEE for any permit or authorization pertaining to the use or occupancy by the FRANCHISEE of any County road or other County

losses to the grantee by reason of such termination and the grantee shall move its franchise at its own cost.

3. In the event the COUNTY vacates any portion of the FRANCHISE AREA during the term of this FRANCHISE, and the COUNTY does not grant an alternate route under No. 2, above, the COUNTY shall, in its vacation procedure, reserve a public utility easement for the FRANCHISEE'S Facilities, unless it is determined by the Board of County Commissioners not to do so for good and/or lawful cause.

Section Nine – Default and Revocation

Any breach of any of the conditions and requirements herein made, or failure on the part of the FRANCHISEE of this FRANCHISE to proceed with due diligence and in good faith after its acceptance, with construction work hereunder, shall subject this FRANCHISE to cancellation after a hearing before the County Commissioners, of which said hearing the FRANCHISEE shall be given at least ten (10) days written notice, if at that time the FRANCHISEE is a resident and doing business in the State of Washington. Said written notice shall be by certified mail, return receipt requested, if at the time the FRANCHISEE is a resident or a corporation and doing business in the State of Washington. Otherwise said notice shall be by publishing a notice of said hearing once a week for two consecutive weeks in a newspaper of general circulation in Island County, Washington, the last publication to be at least ten days before the date fixed for said hearing.

Section Ten – Non-exclusive Franchise

This FRANCHISE is non-exclusive and the COUNTY reserves the right to grant franchises to other persons or companies to use the County road rights-of-way or any part thereof covered by this FRANCHISE for the same purposes authorized by law.

Section Eleven – Franchise Term

This FRANCHISE is and shall remain in full force and effect for a period of ten (10) years/ two (2) years. (if non-compliant) And if agreed upon in writing by the FRANCHISEE and the COUNTY and subject to the terms and conditions, the franchise may be extended for an additional ten (10) years, after the effective date of the executed FRANCHISE; provided, however, the FRANCHISEE shall have no rights under this FRANCHISE nor shall the FRANCHISEE be bound by the terms and conditions of the FRANCHISE unless the FRANCHISEE shall, within twenty (20) days after the effective date of the FRANCHISE, file with the COUNTY its written acceptance of the FRANCHISE.



QUESTIONS



Island County Public Works

Ed Sewester, P.E., County Engineer

1 NE 7th Street, Coupeville, WA 98239

Ph: Whidbey 360-679-7331 | Camano 360-387-3443 | S Whidbey 360-321-5111

Email: Ed.Sewester@islandcountywa.gov | www.islandcountywa.gov

MEMORANDUM

September 17th, 2025

TO: Board of County Commissioners – Island County

FROM: Ed Sewester, P.E., County Engineer

RE: County-wide Speed Evaluation – First Draft of Proposed Final Speed Limits

During the June 18th 2025 Work Session, a summary of the public's comments of existing speed limit compared to engineer's recommended speed limit was presented for the road segments included in the Speed Study. The next phase of the process (ultimately leading to a Public Hearing) is to prepare the proposed final speed limits for Board review / approval.

The first draft of the proposed final speed limits is presented in Attachment A for each of the four districts. Roads are listed in alphabetical order.

Project Background:

- 2019: Island County was awarded federal safety funds to develop a tool to automate speed limit recommendations and complete a county-wide speed limit study (for roads classified as arterial or collectors).
- 2020: DKS Associates Inc is contracted to complete project.
- 2020 – 2021: Draft speed limit setting policy and procedure document are created and approved.
- 2021 – 2022: A speed limit evaluation tool is developed which incorporates the guidance in the speed limit setting policy and procedure.
Data collected county-wide and input into the tool to provide suggested posted speed limits.
- 2023: Results of evaluation tool's suggested speed limits briefed to Board, then community outreach sessions held at each of the four districts.
- 2025: Summary of community outreach sessions presented to Board and proposed final Board approved speed limits prepared.
- 2026: Public Hearing to establish Board approved speed limits (targeting January 2026).

Follow-on actions prior to Public Hearing

1. Edit 1st draft of proposed final speed limits, as necessary.
2. Advertise Public Hearing date.
3. Prepare necessary changes to Island County Code to accompany resulting Resolution.

Attachments:

- A: 1st Draft of Proposed Final Speed Limits
- B: Draft Speed Limit Policy Overview

Attachment A -- 1st Draft of Proposed Final Speed Limits

District:	Road Name	Segment	Existing Posted Speed	Engineer's Recommendation	Board Approved Speed Limit *Draft*
CA	Arrowhead Rd		35	30	30
CA	Camano Hill Rd		50	50	45
CA	Camano Ridge Rd		50	50	45
CA	Cross Island Rd	(Camano Ridge Rd - W Camano Dr)	50	45	45
CA	Cross Island Rd	(E Camano Dr - Camano Ridge Rd)	50	45	45
CA	Dallman Rd		35	35	35
CA	East Camano Dr	(Sunnyside Rd - Kalapook Dr)	50	50	50
CA	East Camano Dr	(Mountain View Dr - Broadmoor Rd)	50	50	40
CA	East Camano Dr	(Monticello Dr - Mountain View Dr)	40	45	40
CA	East Camano Dr	(Russell Rd - Patricia Ann Dr)	50	50	50
CA	East Camano Dr	(Patricia Ann Dr - Monticello Dr)	50	50	50
CA	East Camano Dr	(Cross Island Camano Hill Rd - Russell Rd)	50	50	50
CA	East Camano Dr	(Terry's Corner - Cross Island Camano Hill Rd)	50	45	45
CA	East Camano Dr / S Camano Dr		35	50	35
CA	Elger Bay Rd		50	50	50
CA	Good Rd / Utsalady Rd		50	40	40
CA	Juniper Beach Rd		45	45	45
CA	Monticello Dr		50	40	40
CA	Mountain View Rd	(Elger Bay Rd - E Camano Dr)	50	45	45
CA	North Camano Dr	(Arrowhead Rd - W Camano Dr)	35	35	35
CA	North Camano Dr	(Sunrise Blvd - Arrowhead Rd)	50	40	35
CA	North Camano Dr	(SR 532 - Sunrise Blvd)	35	35	35
CA	Rekdal Rd		35	35	35
CA	Russel Rd		50	45	45
CA	Shumway Rd		50	50	45
CA	Smith Rd / Juniper Beach Rd		35	35	35
CA	South Camano Dr	(Sunnyside Rd - Bayside Rd)	50	50	50
CA	South Camano Dr	(Mountain View Dr - Broadmoor Rd)	50	50	50
CA	Sunnyside Dr		25	25	25
CA	Sunrise Blvd	(Terry's Corner - Russell Rd)	50	45	45
CA	Sunset Dr	(W Camano Dr - Vista Dr)	35	35	35
CA	Sunset Dr	(Vista Dr - High Rd)	25	25	25
CA	Sunset Dr	(High Rd - W Camano Dr)	35	35	35
CA	Utsalady Rd		50	50	50
CA	W Camano Dr / Mountain View Rd		50	45	45
CA	West Camano Dr	(Camano Hill Rd - Monticello Dr)	35	45	35
CA	West Camano Dr	(Cross Island Rd - Cheryl Ann Dr)	50	50	45
CA	West Camano Dr	(Sunset Dr - Cross Island Rd)	50	40	45

District:	Road Name	Segment	Existing Posted Speed	Engineer's Recommendation	Board Approved Speed Limit *Draft*
CW	Bakken Rd		35	40	35
CW	Bakken Rd / Day Rd / Lagoon Point Rd		50	50	45
CW	Bush Point Rd		50	50	45
CW	Christenson Rd		35	35	35
CW	Classic Rd		50	40	40
CW	Engle Rd	(City limits to Fort Casey Rd)	50	45	45
CW	Fish Rd	(Woodard Rd - Mutiny Bay Rd)	35	35	35
CW	Fish Rd	(SR 525 - Woodard Rd)	35	35	35
CW	Honeymoon Bay Rd	(Classic Rd - Bellewood Ln)	35	35	35
CW	Honeymoon Bay Rd	(Bellewood Ln - SR 525)	35	35	35
CW	Houston Rd / North Bluff Rd		35	35	35
CW	Morris Rd / Harrington Rd		35	40	35
CW	Mutiny Bay Rd	(SR 525 - Bush Point Rd)	50	40	40
CW	Mutiny Bay Rd	(Bush Point Rd - Fish Rd)	35	30	30
CW	Parker Rd		40	40	40
CW	Race Rd		35	40	35
CW	Resort Rd		35	35	35
CW	Smugglers Cove Rd	(SR 525 - Lagoon Point Rd)	50	45	45
CW	Smugglers Cove Rd	(Lagoon Point Rd - Pray Ln)	40	45	40
CW	Smugglers Cove Rd	(Pray Ln - Bush Point Rd)	50	50	45
CW	Welcher Rd / Harrington Rd		35	35	35

District:	Road Name	Segment	Existing Posted Speed	Engineer's Recommendation	Board Approved Speed Limit *Draft*
NW	Arnold Rd	(Zylstra Rd - SR 20)	35	40	40 (D2); 35 (D3)
NW	Arnold Rd	(SR 20 - Monroe Landing Rd)	50	45	45
NW	Ault Field Rd	(SR 20 - Hawks Prairie Rd)	50	45	45
NW	Ault Field Rd	(Hawks Prairie Rd - Clover Valley Rd)	35	35	35
NW	Balda Rd		40	45	45 (D2); 40 (D3)
NW	Boon Rd		40	40	40
NW	Clover Valley Rd / Golf Course Rd		40	35	40
NW	Cornet Bay Rd	(SR20 - Baview Ln)	35	35	35
NW	Cornet Bay Rd	(Bayview Ln - Canyon Rd)	25	25	25
NW	Crescent Harbor Rd	(Hunt Rd - Taylor Rd)	40	40	40
NW	Crescent Harbor Rd	(Regatta Rd - Hunt Rd)	50	45	45
NW	Crescent Harbor Rd	(Taylor Rd - Reservation)	50	45	45
NW	Crosby Rd		40	40	40
NW	De Vries Rd / Green Rd		50	45	45
NW	Fakkema Rd		50	45	45
NW	Fort Nugent Rd	(West Beach Rd - Boon Rd)	50	50	45
NW	Fort Nugent Rd	(Boon Rd - City limits)	50	50	45
NW	Frostad Rd	(SR 20 - Dike Rd)	45	45	45
NW	Frostad Rd / Taylor Rd		50	40	40
NW	Goldie Rd		25	35	35 (D2); 25 (D3)
NW	Hastie Lake Rd	(West Beach Rd - curve to South)	50	45	45
NW	Hastie Lake Rd	(Curve to South - SR 20)	35	35	35
NW	Heller Rd		45	45	45
NW	Hunt Rd		50	45	40
NW	Jones Rd		50	45	45
NW	Libbey Rd		40	40	40
NW	Monkey Hill Rd	(Troxell Rd - N of W Henni)	50	45	45
NW	Monkey Hill Rd	(SR 20 - W Henni Rd)	35	35	35
NW	Monroe Landing Rd	(SR 20 - Arnold Rd)	45	50	45 (D2 & D3)
NW	Monroe Landing Rd	(Arnold Rd - Penn Cove Rd)	35	35	35
NW	Oak Harbor Rd		45	45	45
NW	Reservation Rd / Polnell Rd / Strawberry Point Rd		50	50	45
NW	Scenic Heights Rd		40	40	40
NW	Silver Lake Rd		50	50	45
NW	Swantown Rd		35	35	35
NW	Taylor Rd	(Sleeper Rd - Fakkema Rd)	50	45	45
NW	Taylor Rd	(Fakkema Rd - Crescent Harbor Rd)	45	45	45
NW	Troxell Rd	(SR 20 - Knootz Rd)	50	45	45
NW	Troxell Rd	(Knootz Rd - Jones Rd)	35	35	35
NW	Van Dam Rd		50	45	45
NW	West Beach Rd	(Crosby Rd - Fort Nugent Rd)	50	45	45
NW	West Beach Rd	(Fort Nugent - Hastie Lk Rd)	50	45	45
NW	West Beach Rd	(Hastie Lk Rd - Van Dam Rd)	50	45	45
NW	West Beach Rd	(Van Dam Rd - Libbey Rd)	50	45	45
NW	Zylstra Rd	(Fort Nugent Rd - Hastie Lk Rd)	50	50	45
NW	Zylstra Rd	(Hastie Lk Rd - SR 20)	50	50	45

District:	Road Name	Segment	Existing Posted Speed	Engineer's Recommendation	Board Approved Speed Limit *Draft*
SW	Bailey Rd		35	40	35
SW	Bayview Rd		35	35	35
SW	Bayview Rd / Brooks Hill Rd		40	30	30
SW	Bob Galbreath Rd	(Surface Rd - Gravel Way)	35	40	35
SW	Bob Galbreath Rd	(Gravel Way - SR 525)	35	35	35
SW	Coles Rd		50	50	45
SW	Deer Lake Rd	(Cultus Bay Rd - Holst Rd)	50	45	45
SW	Deer Lake Rd	(Holst Rd - Heggenes Rd)	50	45	45
SW	Deer Lake Rd	(Heggenes Rd - SR 525)	50	45	45
SW	Double Bluff Rd	(Lancaster Rd - end of road)	35	40	35
SW	Double Bluff Rd	(Newman Rd - Lancaster Rd)	35	40	35
SW	East Harbor Rd	(Main St - Twin Oaks Ln)	35	35	35
SW	East Harbor Rd	(Twin Oaks Ln - Brainers Rd)	50	50	45
SW	East Harbor Rd	(Brainers Rd - Ashley Loop)	50	50	45
SW	East Harbor Rd	(Ashley Loop - Harbor View Dr)	40	35	35
SW	French Rd	(Maxwelton Rd - Bailey Rd)	45	40	40
SW	French Rd	(Bailey Rd - Cultus Bay Rd)	50	50	45
SW	Holst Rd / Heggenes Rd		35	40	35
SW	Lancaster Rd		35	40	35
SW	Langley Rd / Cultus Bay Rd		50	50	45
SW	Lone Lake Rd		50	45	45
SW	Maxwelton Rd	(Mill Beach Rd - Swede Hill Rd)	25	25	25
SW	Maxwelton Rd	(Sills Rd - Mill Beach Rd)	35	40	35
SW	Maxwelton Rd	(Ewing Rd - Sills Rd)	35	40	35
SW	Maxwelton Rd	(Midvale Rd - Ewing Rd)	50	45	45
SW	Maxwelton Rd	(Craw Rd - Midvale Rd)	35	45	35
SW	Maxwelton Rd	(Craw Rd - Rivendell Rd)	35	35	35
SW	Maxwelton Rd	(Rivendell Rd - S of Langley Rd)	50	50	45
SW	Millman Rd / Useless Bay Rd		35	35	35
SW	Newman Rd		35	35	35
SW	Saratoga Rd	(E Harbor Rd - N Center St)	40	45	40
SW	Saratoga Rd	(N Center St - McKay Dr)	40	40	40
SW	Saratoga Rd	(McKay Dr - Tomkins Rd)	40	40	40
SW	Scatchet Head Rd / Swede Hill Rd		35	40	35
SW	Sills Rd		40	40	40
SW	Surface Rd		35	30	30
SW	Wilkenson Rd	(Witter Rd - Bob Galbreath Rd)	50	40	40
SW	Wilkenson Rd	(Sandy Point Rd - Witter Rd)	50	40	40
SW	Woodard Ave		35	35	35

Attachment B -- Draft Speed Limit Policy Overview

Policy and Procedure Objective: establish a process to evaluate and suggest appropriate posted speeds with a focus on minimizing changes within corridors. The policy / procedure identifies the speed limit setting groups by considering the roadway context and the roadway type. Factors that are evaluated in the tool differ by speed limit setting group, producing appropriate, consistent suggested speed limits.

Roadway Context = Categories for analyzing the roadway/segments surrounding land use parameters. These are unique to Island County.

ROADWAY CONTEXT	DENSITY	LAND USE / STRUCTURES	SETBACK FROM ROADWAY
RURAL	Zero (0) – One (1) address point per One (1) Acre	Agricultural, natural resource preservation, and outdoor recreation uses with some isolated residential and seasonal/ temporary commercial	Setbacks greater than 80 ft
DENSE RURAL RESIDENTIAL	Include RAIDS see ICC 17.03.290 Appendix A, or Two (2) or more address points	Residential with some isolated commercial	Varied setbacks
RURAL TOWN	May include all the above parameters within a designated area	Mixed use with a larger percentage of commercial	On-street parking and sidewalks with mostly small setbacks (less than 30 ft)

Speed Limit Setting Groups = A group created when combining roadway contexts and roadway functionality classes or types.

CONTEXT AND TYPE	RURAL	DENSE RURAL RESIDENTIAL	RURAL TOWN
HIGHWAY / MAJOR ARTERIAL	Undeveloped	Undeveloped	Developed
MINOR ARTERIAL	Undeveloped	Undeveloped	Developed
COLLECTOR	Undeveloped	Developed	Full Access
LOCAL	Undeveloped	Developed	Full Access

Roadways/segments evaluated in this study include but were not limited to the following characteristics:

- Function Class: Arterial or Collectors
- Posted Speeds greater than 25 mph
- Average Daily Traffic (ADT) = 1000 or greater
- Higher than average crash history for Island County

**Island County Public Works***Ed Sewester, P.E., County Engineer**Matthew Lander, P.E., Assistant County Engineer*1 NE 7th Street, Coupeville, WA 98239 | www.islandcountywa.gov

Ph: Whidbey 360-679-7331 | Camano 360-387-3443 | S Whidbey 360-321-5111

Email: Ed.Sewester@islandcountywa.gov | M.Lander@islandcountywa.gov**M E M O R A N D U M**

September 17, 2025

TO: Board of Island County Commissioners

FROM: Mohammed Al Saffar, Project Engineer

RE: Damaged Impact Attenuator at intersection of Ault Field Rd and Oak Harbor Rd

December 14, 2024, a vehicle collided with the Brakemaster 350 Impact Attenuator/Guardrail System at the intersection of Ault Field Road and Oak Harbor Road in Oak Harbor, WA, causing significant, irreparable damage. As a result, the attenuator and the current transition section both require full replacement with a new system, as the Brakemaster 350 and its transition section have been discontinued and are no longer approved by WSDOT.

At the beginning of 2025, research started to identify a new system that meets current specifications. The selection process followed the Attenuator Selection template from Chapter 1620 of WSDOT Design Manual. The evaluation criteria included Manual for Assessing Safety Hardware (MASH) compliance, permanent system, posted speed, approximate outside width, maximum shielded object width, and system length. After a thorough assessment of available options, the MATT System (Median Attenuating Trend Terminal) was determined to be the most suitable choice, with a WSDOT Transition Type 21 required to connect the MATT System to the existing concrete barrier.

Due to the new total system length of 86 feet (MATT and Transition Type 21) approximately 45 feet of the concrete barrier must be removed to accommodate the new system.

The approximate cost of the repair is \$128,141.38. Public Works is requesting board to move purchase order to consent for signature and approval.



Island County

PUBLIC WORKS

Department

1 NE 7th St
Coupeville, WA 98239
(360) 679-7331

PURCHASE ORDER

14653

Please reference number on invoice

Order date **9/11/2025**

Contact Phone # **360-678-7961**

Ordered by **Mohammed Al Saffar**

Approved By

Requested for

Approved

Melanie Bacon, Chair

Board of County Commissioners

Vendor Name **Coral Construction Company**

Contact Person **Kris Karpstein**

Address **PO Box 347**

City / State / Zip **Wilsonville, OR 97070**

Phone **503-427-2615**

Fax **503-682-0110**

Federal Tax ID #

This purchase order is for

☐ Goods

☐ General Services

☐ Professional Services

☒ Public Works Construction

Risk Manager Contract #

Risk Manager Signature

Vendors & Quotes Per ICC 2.30A.020 & 2.30A.050

1) **Coral Construction Company - \$117,777.00**

2) **M2 Industrial, Inc. - No response**

3) **Altus Traffic Management LLC dba AWP Safety - No response**

4) **Columbia River Contractors, Inc - No response**

5) **Petersen Brothers - No response**

Remarks / Attachments **MRSC Project ID# IC-25-0016**

Date Required *

Place of Delivery

* Please notify us immediately if you are unable to ship complete order to be received by date specified*

Quantity	Bars #	Job #	Item Number / Description	Unit Price	Amount
1	9031		DAMAGED IMPACT ATTENUATOR REPLACEMENT	\$ 117,777.00	\$ 117,777.00
			Intersection of Ault Field Rd and Oak Harbor Rd, Oak Harbor, WA		
			This job is Prevailing Wage		

I have read and agree to the terms of this Purchase Order (front, back, and any attachments).

Subtotal **\$ 117,777.00**

Freight

Tax **\$ 10,364.38**

TOTAL **\$ 128,141.38**

(VENDOR MUST RETURN SIGNED ORDER BEFORE GOODS ARE RENDERED)

Vendor Signature

Date

PURCHASE ORDER STANDARD TERMS AND CONDITIONS

The purchase order contract includes the following terms and conditions and includes, but is not limited to the invitation to bid, request for quotations, specifications, plans and published rules and regulations of Island County Ordinances and the laws of the State of Washington, which are hereby incorporated by reference.

- 1) **CHANGES:** No alteration in any of the terms, conditions, delivery, price, quality, quantities, or specifications of this order will be effective without written consent of the department purchasing the materials/services.
- 2) **DELIVERY:** For any exception to the delivery date as specified on this order, Vendor shall give prior notification and obtain written approval thereto from the department purchasing the materials/services. With respect to delivery under this order, time is of the essence and the order is subject to termination for failure to deliver as specified. The acceptance by the Purchaser of late performance with or without objection or reservation shall not waive the right to claim damage for such breach nor constitute a waiver of the requirements for the timely performance of any obligation remaining to be performed by Vendor.
- 3) **PAYMENTS, CASH DISCOUNT, LATE PAYMENT CHARGES:** Invoices will not be processed for payment nor will the period of computation for cash discount commence until receipt of a properly completed invoice or receipt of invoiced items, whichever is later. If an adjustment in payment is necessary due to damage or dispute, the cash discount period shall commence on the date final approval for payment is authorized.
- 4) **SHIPPING INSTRUCTIONS:** Unless otherwise specified, all goods are to be shipped prepaid, FOB Destination. Where shipping addresses indicate room numbers, it will be up to the Vendor to make delivery to that location at no additional charge. Where specific authorization is granted to ship goods, FOB shipping point, Vendor agrees to prepay all shipping charges, route as instructed or if instructions are not provided, route by cheapest common carrier, and to bill the Purchaser as a separate item on the invoice for said charges. Each invoice for shipping charges shall contain the original or a copy of the bill indicating that the payment for shipping has been made. It is also agreed that the Purchaser reserves the right to refuse COD shipments.
- 5) **REJECTIONS:** All goods, materials/services purchased herein are subject to approval by the Purchaser. Any rejection of goods, materials/services resulting because of nonconformity to the terms and specifications of this order, whether held by the Purchaser or returned, will be at Vendor's risk and expense.
- 6) **IDENTIFICATION:** All invoices, packing lists, packages, shipping notices, instruction manuals, and other written documents affecting this order shall contain the applicable purchase order number. Packing lists shall be enclosed in each and every box or package shipped pursuant to this order, indicating the contents therein.
- 7) **INFRINGEMENTS:** Vendor agrees to protect and save harmless the Purchaser against all claims, suits or proceedings for patent, trademark, copyright, or franchise infringement arising from the purchase, installation, or use of goods and materials ordered, and to assume all expenses and damages arising from such claims, suits or proceedings.
- 8) **WARRANTIES:** Vendor warrants that articles and services under this order conform to specifications herein and are fit for the purpose for which such goods or services are ordinarily employed, except that if a particular purpose is stated, the material and/or service must then be fit for that particular purpose.
- 9) **TAXES:** Unless otherwise indicated, the Purchaser agrees to pay all State of Washington sales or use tax. No charge by Vendor shall be made for federal excise taxes and the Purchaser agrees to furnish Vendor, upon acceptance of articles or services supplied under this order, with an exemption certificate.
- 10) **LIENS, CLAIMS AND ENCUMBRANCES:** Vendor warrants and represents that all the goods and materials and services ordered herein are free and clear of all liens, claims and encumbrances of any kind.
- 11) **RISK OF LOSS:** Regardless of FOB point, Vendor agrees to bear all risks of loss, injury or destruction of goods and materials ordered herein which occur prior to delivery. Such loss, injury or destruction shall not release Vendor from any obligation hereunder.
- 12) **HOLD HARMLESS:** Vendor shall protect, defend, and indemnify, and save the Purchaser harmless from and against any damage, cost, or liability for any injuries to persons or property arising from acts or omissions of Vendor, his employees, agents, or subcontractors, howsoever caused. When applicable, and upon request by Purchaser, Vendor will provide certificate(s) of insurance.
- 13) **PRICES:** If the price is not stated on this order, it is agreed that the goods shall be billed at the price last quoted or paid, or the prevailing market price, whichever is lower.
- 14) **TERMINATION:** In the event of breach by Vendor of any of the provisions of this contract, the Purchaser reserves the right to cancel and terminate this contract forthwith upon giving oral or written notice to Vendor. Vendor shall be liable for damages suffered by the Purchaser resulting from Vendor's breach of contract.
- 15) **NONDISCRIMINATION AND AFFIRMATIVE ACTION:** The Vendor agrees not to discriminate any client, employee or applicant for employment or services because of race, creed, color, national origin, sex, sexual orientation, marital status, age or the presence of any sensory, mental or physical handicap, honorably discharged veteran or military status or the use of a trained dog guide or service animal by a person with a disability, with regard to, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; selection for training; rendition of services. It is further understood that any Vendor who is in violation of the clause or an applicable Affirmative Action Program shall be barred forthwith from receiving awards of any purchase order from the County unless a satisfactory showing is made that discriminatory practices or noncompliance with applicable Affirmative Action Programs have terminated and that a recurrence of such acts is unlikely. Vendor must comply with the Americans with Disabilities Act of 1990.
- 16) **DEFAULT:** The Vendor covenants and agrees that in the event suit is instituted by the Purchaser for any default on the part of the Vendor, and the Vendor is adjudged by a court of competent jurisdiction to be in default, the Vendor shall pay to the Purchaser all costs, expenses expended or incurred by the Purchaser in connection therewith, and reasonable attorney's fees. The Vendor agrees that the Superior Court of the State of Washington shall have jurisdiction over any such suit, and that venue shall be laid in Island County.
- 17) **BRANDS:** When a special brand is named it shall be construed solely for the purpose of indicating the standard of quality, performance, or use described. Brands of equal quality, performance, and use shall be considered, provided Vendor specifies the brand and model and submits descriptive literature, when available. Any bid containing a brand which is not equal quality, performance or use specified must be represented as an alternate and not as an equal, and failure to do shall be sufficient reason to disregard the bid.
- 18) **ACCEPTANCE: THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS AND CONDITIONS STATED HEREIN. ALL ADDITIONAL OR DIFFERENT TERMS PROPOSED BY VENDOR ARE OBJECTED TO AND HEREBY REJECTED, UNLESS OTHERWISE PROVIDED IN WRITING BY THE DEPARTMENT THAT IS PURCHASING THE MATERIALS/SERVICES.**
- 19) **HANDLING:** No charges will be allowed for handling which includes, but is not limited to packing, wrapping, bags, containers, or reels, unless otherwise stated herein. (optional)

BOARD OF ISLAND COUNTY COMMISSIONERS
BUDGET WORKSHOP DISCUSSION
SEPTEMBER 17, 2025 @ 1:30 P.M.
Board of County Commissioners Hearing Room (Room 102B), 1 NE 6th Street, Coupeville, WA

SEPTEMBER 17, 2025, 1:30 P.M.

BUDGET WORKSHOP

Discussion of the 2026 Budget to include:

- Clean Water Utility Fund

Those interested in attending the meeting virtually please join our Zoom Webinar here:

Login: <https://zoom.us/j/98589156528?pwd=ds1haw2vO3AjRMwsuzQmctwFq0TcVW.1>

Passcode: 163571

Or by phone: (253) 215-8782 **Webinar ID:** 985 8915 6528 **Passcode:** 163571

[2026 Budget Workshop Schedule](#)

Jennifer Roll, Clerk of the Board of County Commissioners (360) 679-7385