

**ISLAND COUNTY COMMISSIONERS – MINUTES OF MEETING
REGULAR SESSION - FEBRUARY 5, 2001**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on February 5, 2001 beginning at 9:30 a.m. in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., with William F. Thorn, Chairman; Mike Shelton, Member; and Wm. L. McDowell, Member, present.

VOUCHERS AND PAYMENT OF BILLS

The following vouchers/warrants were approved for payment by unanimous motion of the Board:

Voucher (War.) # 92693 – 92944.....	\$ 402,507.29
Diking Improvement District No. 4.....	\$ 1,008.00

HEARING HELD: ORDINANCE #C-01-01 - DISESTABLISHMENT OF ISLAND COUNTY MENTAL HEALTH SERVICES AND SUBSTANCE ABUSE ADVISORY BOARD AND ESTABLISHMENT OF SEPARATE MENTAL HEALTH ADVISORY BOARD AND SUBSTANCE ABUSE ADVISORY BOARD

As scheduled and advertised, the Board opened a public hearing at 9:45 a.m. to consider proposed Ordinance #C-01-01. The ordinance would disestablish the currently existing Island County Mental Health and Substance Abuse Advisory Board and in its place establish two new separate advisory board: a seven member Mental Health Services Advisory Board and a nine member Substance Abuse Advisory Board.

Jackie Henderson, Island County Human Services Director, explained that the Board of County Commissioners would appoint the members of each new advisory board, and with regard to that matter, would bring the topic up for discussion with the Board during Wednesday’s staff session.

No one in the audience commented either for or against adoption of Ordinance #C-01-01.

The Board, by unanimous motion, adopted Ordinance #C-01-01.

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

DISESTABLISHMENT OF ISLAND)	
COUNTY MENTAL HEALTH)	
SERVICES AND SUBSTANCE)	ORDINANCE NO. C-01-01
ABUSE ADVISORY BOARD AND)	
ESTABLISHMENT OF SEPARATE)	
MENTAL HEALTH ADVISORY)	
BOARD AND SUBSTANCE ABUSE)	
<u>/ADVISORY BOARD</u>)	

WHEREAS, the combined Island County Mental Health Services and Substance Abuse Advisory Board (Advisory Board) was established by Resolution C-142-92 of this Board; and

WHEREAS, the Advisory Board has recommended that it be divided into two separate and distinct boards to better serve its advisory purposes, one board for mental health services and one board for substance abuse services; and

WHEREAS, to better coordinate the human services programs served by the Advisory Board, the current Advisory Board should be disestablished and two new boards should be established; NOW, THEREFORE,

IT IS HEREBY ORDAINED that the Island County Mental Health Services and Substance Abuse Advisory Board created by Resolution C-142-92 is disestablished, a new Mental Health Services Advisory Board is established

as provided in attached Exhibit "A" and a new Substance Abuse Services Advisory Board is established as provided in Attachment "B". This ordinance shall take effect March 1, 2001.

REVIEWED this 8th day of January, 2001, and set for public hearing on the 5th day of February, 2001 at 9:45 a.m. in the Commissioners' Hearing Room.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
William F. Thorn, Chairman
Mike Shelton, Member
Wm. L. McDowell, Member

Attest: Margaret Rosenkranz
BICC 01-016

Ordinance C-01-01 is adopted this 5th day of February, 2001 following public hearing.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
William F. Thorn, Chairman
Mike Shelton, Member
Wm. L. McDowell, Member

Attest: Margaret Rosenkranz
Clerk of the Board

APPROVED AS TO FORM:
David L. Jamieson, Jr.
Deputy Prosecuting Attorney and
Island County Code Reviser

[Exhibit "A" and Exhibit "B" on file with the Clerk of the Board]

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IRING REQUESTS & PERSONNEL ACTIONS

As presented and explained briefly by Dick Toft, Human Resources Director, the Board by unanimous motion, approved the following personnel actions:

Dept/PAA #	Description	Action	Eff. Date
<u>Health</u>			
PAA 0172/01	Pub. Health Nurse .75 fte #2406.17	Personnel Action	2/5/01
<u>Public Works</u>			
PAA #018/01	Watershed Proj. Mgr. 1 .75 fte #2266.01	New Position	2/5/01
PAA #021/01	Watershed Proj. Mgr. 1 .75 fte #2266.03	New Position	2/5/01
PAA #020/01	Watershed Proj. Mgr. 1 .33 fte #2266.02	New Position	2/5/01
PAA #019/01	Truck Driver 1 Bayview #2242.05	Replacement	2/5/01

USE AND OCCUPANCY AGREEMENTS FOR CAMANO AND SOUTH WHIDBEY FAMILY RESOURCE CENTERS BETWEEN ISLAND COUNTY AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON

As provided under cover memorandum dated January 22, 2001, by Lee McFarland, Assistant Director, GSA, the Board by unanimous motion, approved and signed Family Resource Center South Whidbey Use and Occupancy Agreement #RM-GSA-00-0106 and Family Resource Center Camano Use and Occupancy Agreement #RM-GSA-00-0107 between Island County and Catholic Community Services of Western Washington. Under the County's Contract Review process, both Agreements were reviewed by Risk Management and the Prosecuting Attorney's Office.

INTERGOVERNMENTAL AGREEMENT BETWEEN IS. CO. AND I-COM

By unanimous motion, the Board approved and signed Intergovernmental Agreement between Island County and Island County Emergency Services Communications Center (I-COM) #RM-BOC-99-0081 pertaining to State Grant Contract #EM10367, representing FY2001 Operations Grant in the amount of \$94,438 total state-reimbursable.

AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN ISLAND COUNTY AND T. B. ENTERPRISES

As submitted by the Island County Treasurer, Maxine Sauter, the Board by unanimous motion approved and signed, Agreement #RM-TREAS-00-25 for Professional Services between Island County and Bernice Bainbridge, d/b/a T. B. Enterprises, with contract amount not to exceed \$1500.00 for the year 2001, and with correction of the date stated within the contract from January 22, 2001 to February 5, 2001. Chairman Thorn understood the Treasurer acknowledges this is not additional staff, rather this is a contract for the purpose of reviewing and servicing the property tax system for Island County and training various deputies in the Treasurer's Office.

ACTIVATION CERTIFICATE, RESERVE ACCOUNT BETWEEN ISLAND COUNTY AND PITNEY BOWES

Submitted for consideration under cover memorandum dated January 23rd by Diana L. Vaughan, Assistant Director, Central Services Department, the Board reviewed and approved Pitney Works Reserve Account Agreement and Disclosure Statement, Agreement #RM-CENT-01-0010 between Island County Central Services and Pitney Works, and Reserve Action Certificate and Agreement and Disclosure Statement, Agreement #RM-TREAS-01-0011 between the Island County Treasurer and Pitney Works, for the new Paragon II Postage Machine. The reserve account has to be set up for deposits, the money held in this account until such time as it is transferred into the meter.

RESOLUTION #C-12-01 IN THE MATTER OF COMPLIANCE WITH GOVERNOR'S ENERGY SUPPLY ALERT ORDER NO. 01-02

The Governor issued a Proclamation declaring a state of energy supply alert under Chapters 43.06 and 43.21G RCW on January 26, 2001, finding that vital public services, particularly affordable electric power, are at risk; there exists a situation that threatens to disrupt or diminish the supply of energy to the extent that the public health, safety and welfare may be jeopardized; and that an energy supply alert exists within the State. Along with that proclamation and in compliance with the Governor's Energy Supply Alert Order No. 01-02 attached to the Proclamation directing local governments to reduce electricity and natural gas use by 10%. In compliance with that proclamation and order, the Board, by unanimous motion, adopted Resolution #C-12-01 In the Matter of Compliance with Governor's Energy Supply Alert Order No. 01-02.

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

**IN THE MATTER OF COMPLIANCE)
WITH GOVERNOR'S ENERGY SUPPLY) **RESOLUTION #C-12-01**
ALERT ORDER NO. 01-02)**

WHEREAS, the Governor of the State of Washington issued a Proclamation declaring a state of energy supply alert under Chapters 43.06 and 43.21G RCW on January 26, 2001, finding that vital public services, particularly affordable electric power, are at risk; there exists a situation that threatens to disrupt or diminish the supply of energy to the extent that the public health, safety and welfare may be jeopardized; and that an energy supply alert exists within the State; and

WHEREAS, the Governor's Energy Supply Alert Order No. 01-02 attached to this Proclamation, directs state and local governments to reduce electricity and natural gas use by 10%; and

WHEREAS, the Governor’s Order further directs counties to implement effective conservation measures both to conserve energy as well as save money; and assign a management team member with the responsibility of implementing the Order.

NOW THEREFORE BE IT HEREBY RESOLVED, in accordance with the Governor’s declaration of State of Energy Supply Alert and Order No. 01-02, the Board of Island County Commissioners directs:

- Full compliance with the Governor’s Order No. 01-02 by Island County Elected Officials, Department Heads and all County employees
- The appointment of a Management Team to consist of Paul Messner, Maintenance Director, and Cathy Caryl, Central Services Director, responsible for implementing the Order, and that Island County Elected Officials and Appointed Department Heads have a responsibility to support the management team in identifying and implementing electric energy savings.

BE IT FURTHER RESOLVED that this Resolution will remain in effect for the duration of the Governor’s Order and any extensions thereof, and when the Governor’s Order is canceled it will remain the responsibility of all County employees to conserve wherever possible both for preservation of resources and for reducing the costs of County operations, etc. Further, the Board calls on all Island County residents to participate and do whatever they can in conservation of energy, particularly electric energy, during this period.

ADOPTED by unanimous motion in open public session on February 5, 2001.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
William F. Thorn, Chairman
Mike Shelton, Member
Wm. L. McDowell, Member

ATTEST: Margaret Rosenkranz,
Clerk of the Board
BICC 01-092

**2% HOTEL-MOTEL LODGING TAX – TOURISM PROMOTION,
2001 PROGRAM YEAR CONTRACTS**

Per the Island County Public Facilities fund 2% Hotel-Motel Lodging Tax – Tourism Promotion 2001 Program Year Projects and Activities approved by the Board on December 11, 2000, the Board, by unanimous motion, approved and signed six agency contracts for approved projects: [remainder to follow at subsequent meetings]

Camano Island Chamber of Commerce, Visitor Information Center Staffing	\$ 5,600
Cascade Loop Association, “The Cascade loop Travel Guide” marketing program	600
Greater Oak Harbor Chamber of Commerce, Tourism Marketing program	11,500
Island District EDC, Off-season Tourism Marketing program	10,000
Langley South Whidbey Chamber of Commerce, Tourism Marketing and fulfillment program – visitor information center	11,000
Whidbey Arts Foundation, Oak Harbor Dixieland Jazz Festival	1,200

APPROVAL OF COUNTY-DESIGNATED MENTAL HEALTH PROFESSIONAL

Having received verification from Jackie Henderson, Island County Human Services Director, that Troy H. Husband and Sandra Whitcutt meet requirements of RCW 71.24 and WAC 275-57 and are eligible to be appointed to serve as County Designated Mental Health Professionals, the Board by unanimous motion appointed both those individuals as County Designated Mental Health Professionals, with designation to cease upon notification of termination by the County Commissioners or upon termination of employment with the Community Mental Health Agency.

HEARING HELD: FRANCHISE #165(1)R, SIERRA VISTA ASSN. - RENEWAL OF AN EXISTING

WATER DISTRIBUTION SYSTEM, CAMANO ISLAND

As advertised, the Board opened a public hearing beginning at 10:20 a.m. on Franchise Application #165(1)R by Sierra Vista Association, a renewal of an existing water distribution system located in County Roads known as East Camano Dr., Karen Way, Viewmont Place, Newell Road, Janet Avenue, Sierra Park Lane; NE ¼ Sec 10, Twp, 30N, Rge 3E, Camano Island.

A recommendation of approval was provided as outlined by Lew Legat, County Engineer, in his Memorandum to the Board dated December 21, 2000, after his review of the application. All departments requested to comment on the application have responded with no objections to the renewal.

Other than the Public Works Director and County Engineer, no one was present in the audience to comment either for or against the Franchise Application renewal.

By unanimous motion, the Board approved Franchise Application #165(1)R by Sierra Vista Association.

PUBLIC HEARING SCHEDULED: ORDINANCE #C-13 -01 (PLG-003-01) IN THE MATTER OF AMENDING THE LANGLEY JOINT PLANNING AREA AND URBAN GROWTH AREA BOUNDARIES

Phil Bakke, Planning and Community Development Director, along with Jeff Tate, Planning Manager, introduced proposed Ordinance #C-13-01 (PLG-003-01) in the matter of Amending the Langley Joint Planning Area and Urban Growth Area Boundaries, for purposes of scheduling a public hearing [GMA record #6286].

By unanimous motion, the Board scheduled a public hearing to consider Ordinance #C-13-01 (PLG-003-01) in the matter of Amending the Langley Joint Planning Area and Urban Growth Area Boundaries on February 26, 2001 at 2:45 p.m.

EXECUTIVE SESSION

The Board met in Executive Session, as allowed under R.C.W. 42.30.110 (1) (i), beginning at 11:00 a.m. in the office of the County Commissioners, 502 N. Main Street, Coupeville, to discuss with legal counsel pending litigation. The Chairman announced that the session would last approximately one half hour and he did not expect any announcement later during open public session.

PUBLIC MEETING - CONSIDER MANAGEMENT STRATEGIES TO PROTECT PLANT SPECIES IDENTIFIED BY THE BOARD OF COMMISSIONERS

The Board opened a Public Meeting at 1:30 p.m. as scheduled, having been continued from the Public Hearing held on January 22, 2001, to consider management strategies needed to protect those plant species identified by the Board of Commissioners. On January 22nd public testimony was taken and concluded. At this time, since changes were being brought forward today, Chairman Thorn announced that even though the Board stated that public testimony had been concluded after the hearing held on January 22, 2001, the Board would in fact take public testimony today after Staff presentation.

Attendance:

Staff: Phil Bakke; Jeff Tate
Public: Approximately 15 [Attendance Sheet GMA #6287]

Hand-outs Provided:

February 2, 2001 memorandum to the Board from Jeff Tate regarding History of Grasser's Hill and the Blue Flag Iris GMA record #6289

Proposed Ordinance [revised since 1-22-01 hearing] PLG-003-01
GMA doc. #6288

Staff Presentation

Jeff Tate recalled that at the January 22nd hearing a number of issues had been raised and the Board had continued the hearing to this public meeting, to allow an opportunity for further review and to answer various questions that had been raised. Grasser's Hill property owners with Blue Flag Iris on their property had expressed concerns over the County adopting an ordinance pertaining to the Blue Flag Iris in light of things they were already doing on their properties to protect the iris. These property owners were interested in receiving suggestions about management to ensure continuation of the Blue Flag Iris, but were concerned with the way the proposed ordinance read, particularly because that for any proposed activity this would require an added burden of submitting a Biological Site Assessment and/or Habitat Management Plan. Another issue was whether the Blue Flag Iris was native to Grasser's Hill.

Based on testimony at that hearing staff was asked to look into the history of the Blue Flag Iris on Grasser's Hill. Mr. Tate contacted some property owners who had a long-standing history of Grasser's Hill [either owning property on Grasser's Hill, having worked on the property or having relatives on Grasser's Hill] and his February 2nd Memo contains that information in detail. In summary:

Resident #1. Does not live on Grasser's Hill but worked the land for a number of years as a farm hand in the 1950's; was told by the farmer who leased the land that the Blue Flag Iris was brought to Grasser's Hill.

Resident #2. Family member of the people who settled Grasser's Hill but did not have much information to offer and could not recall whether the plant was native or not.

Resident #3. An 85 year old resident remembered as far back as 10 years old remembering the Iris (1925).

Resident #4. Stated the Iris was native to Grasser's Hill. Relayed details of his knowledge as well as from his ancestors, and stated that his mother used to go through the fields in the 1890's and pick the flower.

Staff on February 1st met with the Grasser's Hill property owners, Rob Harbour, Manager, Ebey's National and Don Meehan, Extension Agent, WSU, to come up with a voluntary management plan for Grasser's Hill, and discussions focused on what kind of options would work for the participants as well as the County, and the Blue Flag Iris. After hearing the property owners explain the steps they were already taking to protect the Blue Flag Iris and control invasive weeds, it was evident to staff that property owners were already taking some measures to protect the plant and overall, valued the plants and wanted to keep the plants there. There was no effort on the part of the property owners to eradicate the species by any of their actions. Some of the property owners have allowed people to gather seeds for propagation elsewhere, and had done some transplanting, as well as mowing to control the hedge rows that are a threat to the Blue Flag Iris. There is concern on the part of the property owners about additional County regulations because they already come under County regulations, Historic Reserve and the scenic easements placed on their property. As an alternative to another County regulation, consensus of the property owners [all but one or two were present at the meeting] was that restrictions, language, or some type of management plan be worked into the existing scenic easement with National Parks Service.

Mr. Tate pointed out that the proposed ordinance presented today had been revised since the last hearing and he referred to Exhibit A, Page A-1, 17.02.110.C. #8, which states:

Lands containing Blue Flag Iris located on Grasser's Hill shall comply with the considerations and requirements set forth in the scenic easement administered

by the National Park Service and the Ebey's Landing National Historic Reserve.

A time frame has been established as noted in the proposed ordinance on Page 2 of the cover ordinance the last paragraph, stating:

BE IT FURTHER ORDAINED, that by no later than April 30, 2001 the scenic easement shall be amended to include reference to, and compliance with, a Habitat Management Plan for the Blue Flag Iris and that the Habitat Management Plan shall be completed no later than August 31, 2001. If these dates are not met, the County shall revisit this issue to determine what regulatory measures are appropriate to ensure protection of the Blue Flag Iris.

PUBLIC INPUT

Rob Harbour, Manager, Ebey's Landing National Historical Reserve, agreed Mr. Tate had done a good job of summarizing and characterizing what the solution was proposed at the February 1st meeting, i.e. amending the existing scenic easement document to include language that would call for a management plan. He saw the second step as being the development of a management plan in concert with the property owners and the County, with on-going monitoring. He reviewed the concept with the Trust Board of Ebey's Landing and the local managers and natural resource management staff he works with and agreed it seemed doable. He did note that the Reserve would probably look to the County for some assistance, financial or otherwise to get the first step of the initial plan going but after that, thought they could take it on. He thought the proposed dates would also work.

As far as the iris being mentioned in the scenic easement, the purpose and intent section of the easement states that one of the purposes of the scenic easement when purchased in 1986 was to protect the wild iris. However, not much guidance is provided within the easement and he thought that as various drafts of the easements were developed that modifications had been made along the way that did not pick that language up about the iris.

As a land use planner he could not say anything in terms of numbers of iris per se' but his general observation was that due to widening hedge rows with the fields now basically snow berry and rose hip, quite a bit of iris had been lost, but also thought the iris could be there but in a dormant stage. He thought that some mowing was probably taking some iris out too.

His qualitative observation was there is some decline but could not say how much. The iris seems to grow in patches; some are dense and thick; some are thin. It is his impression that the iris is declining. He had not witnessed any successes in propagation and had not really talked to any of the property owners about propagation techniques. He did relay information from an effort by Dorothy Leckenby back in the mid Eighties, taking iris seeds from Grasser's Hill to replant in the Lake Hancock area.

Steve Erickson, speaking for himself and Whidbey Environmental Action Network, normally did not like to go with promises of future results but was willing to do so in this case because he saw a great benefit to having a unified management plan for that area as opposed individual management plans which could work at cross purposes for conservation. Mr. Erickson remembered from estimates Matt Nash made in 1999 as far as cost to survey every year the various sites [other species not just iris] the figure had been between \$2,000 and \$5,000 a year. He suggested that the County provide that much for two years in order to get the management plan done and off the ground. Once in place, the cost of actual monitoring would be much lower.

He saw two kinds of threats to the iris besides threats of people mismanaging it inadvertently, and stressed that most of the threats of the iris had generally been inadvertent, which was generally true as well with most rare plant species. The hedge row expansion is another threat – the build up of thatch on the ground also will change the eco system functioning. He pointed out that typically this kind of area was maintained by the native peoples by burning on a fairly regular basis. Mowing can mimic that to a certain extent but burning he thought ultimately would work better, in a controlled fashion, periodically; otherwise, the hedge rows will continue to expand as will the thatch layer. The iris is a flagship and umbrella and will have a lot of benefits for all those other species as long as the management plant explicitly recognizes it is not just single species management. His observation was that flowering in general was fairly sparse on Grasser's Hill which could be for various reasons such as climate, lack of clearing of the litter.

Mr. Erickson personally took objection with the tone of Findings of Fact #9, and thought it was factually

erroneous.

He contracted with National Parks Service to do a GIS layer, essentially all the records that are in his native plant data base for Whidbey Island as of January 1st, consisting of almost 4,000, but includes all plants, i.e. Douglas Fir to very rare species. Information in the data base also includes his estimate of the veracity of the plant report, the date, who reported it, and notes on location if available. It is not a field survey of Grasser's Hill although it encompasses his work and other people's field work. For the work for National Parks Service he divided Ebey's Landing National Historic Reserve into a series of broader regions so there will be a data base, and a GIS showing plant species reported from those broader regions; inside those regions, smaller sites with more detailed information as to what species have been reported, and for some of the rare species based mainly on his own information, he was able to look at the air photos and put a dot or a polygon corresponding to their location plus or minus 250'. He stated that the County basically had that information in terms of what we have previously submitted in 1998, 1999 and December, 2000. This is a work product under contract to the National Parks Service and he would not provide that to the County. Other

than that, he was pleased that for the iris this route had been reached and hopefully would result in protection and good management.

Chairman Thorn indicated he had no problem with removing the last sentence in Finding #9.

Rob Harbour clarified the work contracted for with Mr. Erickson to map already-recorded sightings of native plants, and did not involve going on to any public or private property and did not include a component a detailed survey of Grasser's Hill. Intent is to use it in their facility planning purposes, and to share it with Island County, DOT and any government regulatory agency. In light of that, he suggested that the last sentence in Finding #9 could be rewritten to indicate "provide Reserve-wide mapping of known sightings of native plants" or the whole sentence deleted.

Gary Fisher, Bridle Trail, North Whidbey, wondered since a management plan was in the works why was an ordinance even needed for just one species of plant to be protected.

Chairman Thorn replied that the Board was responding to the Growth Management Hearings Board in an affirmative way and demonstrating the County's commitment to it.

Chuck Walker, 2177 West Skycrest, Coupeville, Grasser's Hill, explained that while the property owners would rather have no governmental regulation, in the spirit of cooperation, proposed the following procedure, submitted by letter this date: [GMA record #6290]

Concerned Grasser's Hill property owners have long recognized their responsibilities as stewards of the unique flora found on Grasser's Hill and we have, as individuals, taken steps to protect the various species, including Blue Flag Iris, to the best of our abilities. Further, we have endeavored to learn more about the various flora and how best to treat them, to protect their habitat and encourage their continued propagation.

To this end, we have tried to implement voluntary procedures such as control of weeds in a manner not destructive to the plants. We have also tried to time the mowing of fields so as not to disrupt the life cycle of the Blue Flag Iris. In addition, some of us have collected seeds and successfully transplanted them in areas which are more protected. We have also shared seeds of the Blue Flag Iris with others who have an interest in the Iris and its continued propagation. In fact, one of the property owners on Grasser's Hill has a picture of the Iris on his web site and a thumbnail sketch of their purported history. This has lead to an expressed interest from a resident in Bellingham who subsequently successfully planted and grew them from seed and the Coupeville Garden Club which has expressed an interest in assisting us in the propagation of these plants. We welcome the opportunity to work with these and other interested persons and agencies to supplement our own efforts and expand the propagation of these beautiful plants.

To that end, some of us from the Grass, Grasser's Hill Community met with Mr. Jeff Tate and staff from the Island County Planning and Community Development; Mr. Rob Harbour, Reserve Manager, Ebey's Landing National Historic Reserve and Mr. Don Meehan, Director of Island County Washington State University Cooperative Extension, for approximately two hours on February 1, 2001 in a very productive meeting during which all parties had the opportunity to give input and explore the many facets inherent to the development of a plan which would protect and enhance the propagation of these unique flora. During this discussion it became obvious that whatever plan of action was adopted it would need to be coordinated with Rob Harbour, Reserve Manager, who is responsible for administering the covenants contained in the National Park Service's scenic easement as they pertain to properties on Grasser's Hill.

The iris are on private property located within that scenic easement. The scenic easement, in turn, provides for perpetual continuation of covenants relating to the properties on Grasser's Hill and are included in the deed of conveyance as a condition of purchase of said properties.

It became evident that the most logical solution to protect the iris is to amend the covenants of the National Park Service's Scenic Easement to include language which specifically incorporates Blue Flag Iris. Mr. Harbour has agreed to the development of such amended language and that it be incorporated in the scenic easement document. He will provide the Commissioners with written confirmation of his agreement. The current property owners have agreed to sign the amended scenic easement document once the language has been agreed upon.

Plans were also discussed for setting up a committee to develop a home [*habitat*] management program for the property owners. This committee would include Mr. Harbour, staff from Island County Planning and Community Development, a botanist, and interested property owners from Grasser's Hill.

In closing, we respectfully request that the County Commissioners table any other proposed action at this time and we request a target time of at least two months to allow us to proceed with this proposed action.

Mr. Walker thought that the April 30 date would fit in well and allow enough time. There are at least two lot owners not available; one an out of state owner and another on extended vacation. The species exists on both of those properties. He supported Mr. Harbour's position that the wild rose and the snow berry seem to be encroaching, and as talked about and pursued this as one of the alternatives in the meeting on February 1st, this would be where Mr. Harbor and NPS would come in, because property owners cannot do anything with that side without NPS approval.

Norm Paulsen, the property owner on Grasser's Hill with the web site showing pictures of the iris and the information about the iris, has been in

contact by e-mail with the property owners who are on extended vacation and they expressed dislike for kind of regulation. Those property owners mow the hill part of their property after the flower has bloomed and it has retreated and withered, and are very well aware of the flower, as is Mr. Paulsen, and they both have done as much as anyone could to protect the plant. He did not think regulations were needed. He has no choice but to support the easement as it is, but he has not yet seen what Rob Harbour will develop in regard to the iris.

His assessment on his property of the Blue Flag Iris is based on the bloom of the flower, which varies year to year, attributed to rainfall and other climate conditions he thought; some years it is very pronounced, others very little, and the flower does not last very long. From year to year it may be increasing and then decreasing. He does not count the number of plants, rather goes by the flower. The iris seem to grow in a bit of a hollow where perhaps more rain water, silt or top soil collects. He supported the burning, as the Indians previously did. His opinion was that any stifling regulation would be counter productive.

Rollo Spencer, Grasser's Hill property owner at the very end, stated that the iris was just moving into his property and is now on the edge. He keeps it mowed. As far as growing the Blue Flag Iris, he took two starts three years' ago from the clump in the back of the property and moved it to the flower bed in the front of his home, kept it weeded and watered and he now has two fairly good-sized patches and he does get flowers.

His neighbors are the out of state folks, and have a number of big patches. The hedge row is moving in and the iris flowers are getting smaller because they are being choked out by the hedge row.

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Larry Labuda, 748 North Sky Meadow Drive, the property located between the property owners who are on extended vacation and the Bolte's. He asked about what was driving the issue to come up with a regulation for the Blue Flag Iris. He pointed out there were several ways of regulating: self regulation; intermediate regulation; and full regulation. The intermediate regulation as he sees it would be to add on to other National Park Service rules and regulations, something property owners are already involved with and it would seem to be a natural extension of it.

Chairman Thorn explained that Island County Code provided the ability for an individual, an organization

or the County to bring forward a recommendation to the Board of Commissioners that a particular habitat or species is rare and in need of protection. Criteria are spelled out for determining whether the species is rare and whether it needs to be protected.

WEAN several years' ago approached the Board nominating several plant species, which have been in a matter of discussion, and to some extent disagreement, for the last several years. The matter was brought before the Growth Management Hearings Board who remanded it back to the Board of County Commissioners to reassess the recommendations WEAN made. The Chairman was of the opinion that the proposal presented today was the best of all worlds.

Steve Erickson mentioned

that the Growth Management Act referred to critical areas and provides two things counties need to do: designate critical areas and adopt development regulations to implement that designation to protect or conserve them. In this case, because the National Parks Service easement already is in place with the potential for unified management, the County would be taking a route which he thought was a good one, as well as having a "fall back" that should this not work the County will step in with some kind of regulation. Where Mr.

Spencer referred to taking two starts, and another gentleman stated he was going by the bloom of the flower and how well it was flowering as to how much was there, Mr. Erickson felt pointed out a good reason to have a unified management plan with competent botanists involved because that was not a good way to see how much is there. This is a colonial species; those patches very likely just one plant because it is growing from the rhizomes, and genetics come into question if in trying to expand it everybody takes starts from one or two clumps, it will result in a very genetically narrow base in all the plants that result over time. As far as the time line proposed, he recognized it would probably be pushing it to try to get

an easement completed and agreed to by everybody before the end of April, but realistically for a management plan to be produced this year he thought someone would have to be monitoring probably no later than June. In that respect, he asked that the Board consider providing some funding and talk with the Parks Service and or Nature Conservancy about beginning the process of developing that plan. Mr. Erickson did say he thought this was a good solution for this unique situation.

Norm

Paulsen inquired of Mr. Erickson the purpose of management of this flower, was it survivability of *Iris missouriensis*.

Steve Erickson answered from a personal standpoint, it came down to a number of different values, including: utilitarian; being part of a larger system; religious and spiritual arguments in various religious traditions that it is not morally right to lose them by our own actions. For a particular species, he saw it as symptomatic of a larger degradation going on wholesale. The prairies where they grew have mostly been converted to other uses by now; reduced to small populations where they are much more vulnerable to genetic effects from having small populations, disease outbreaks, and are more vulnerable to inadvertent stochastic events. The kind of stochastic events having to be dealt with now are things like bulldozers and mowers at the wrong time of year, mostly inadvertent, not always. He worried about the extinction of that whole suite of community.

Reintroduction is a viable technique but was not as trivial and as casual as often made out to be, but it may be possible.

Norm Paulsen made the point that on Grasser's Hill no one saw the flowers except the land owners, or people who come on the property without permission; people driving by on the highway and even people walking by don't see it because the iris is in the grass somewhere. He reminded too that it grows in other places and the Coupeville Garden Club was excited about the possibility of growing it and propagating it in other areas. Propagation seems to be the answer to the question of survival more than rules and regulations for Grasser's Hill.

Steve Erickson agreed there are some places that may be appropriate to introduce it. He did not believe there were

ever a lot of places west of the Cascades that the iris had historically been reported from. It has survived on Grasser's Hill for a good long time; it is part of a natural community there and in that sense has evolved or is in process of evolving traits that are unique to that area.

Chairman Thorn agreed with Mr. Paulsen in that propagation seemed a very appropriate management technique that should be brought in to the planning.

Steve Erickson agreed it was "part of the mix".

[Public Testimony closed]

STAFF RESPONSE

In support of the idea of propagation, Mr. Tate confirmed that the property owners who were present at the February 1st meeting said that they would be willing, provided they were given notice, to allow Au Sable to come on the properties and get some seed. Au Sable representatives said they would be interested in adding that to their list of species and try transplanting it on their site to see if it works.

As Chairman Thorn observed, the Au Sable property is located on another prairie remnant and he thought that would be an excellent program.

BOARD COMMENTS AND DELIBERATION/ACTION

Commissioner Shelton recognized that the Blue Flag Iris had been established as having met criteria under County Code as a locally rare species. It has also been established that it occurs only in Western Washington on Grasser's Hill which probably in and of itself unique. What he did not know that had been established was that there are any less Blue Flag Iris plants today than there were twenty years ago, and from the testimony today it seems it is probably not from anything the property owners have done, rather from the natural evolution of the environment on Grasser's Hill. As far as propagation of species, he submitted that if the gets onerous in its regulations, that if property owners decide to sell their property on Grasser's Hill and move elsewhere in the County, the last thing they would do would be to take Blue Flag Iris bulbs to transfer that problem to wherever else they move. That was to him the real down side of onerous regulations. He liked the suggestion of taking the intermediate regulation route and hoped it worked out for the Blue Flag Iris but equally important the property owners.

From the testimony, Commissioner McDowell heard that if there is a problem with the declining species of Blue Flag Iris, it is because of the hedge row encroaching on the plant. To him there seems to be a dynamics there thrown against each other, and from testimony he has heard, it is the Blue Flag Iris that is losing.

The idea of expanding the scenic easement in some manner he thought was a good one in that property owners have to agree to it and so hopefully will be able to, as a group, come together and decide what is best for their property while meeting the needs to some extent of the Blue Flag Iris.

Rob Harbour clarified to note that the scenic easement of NPS allows the property owner to cut the hedge row under a review process.

Chairman Thorn hoped this proved to be a model solution. All environmental and property rights issues aside, he expressed appreciation for the community's attitude in coming together on this and demonstrating what a community can and is willing to confront and deal with, and to preserve a value. The Board appreciates that as well as the property owner's approach thought this would result in a win-win situation.

He also expressed appreciation for Steve Erickson's endorsement of the County's approach, again hoping it would be a model for other approaches in the future because he thought everyone agreed that the fewer regulations there are to deal with the easier it is and the cheaper it is for the County to operate, along with being easier for property owners to exist and get by.

By unanimous motion, the Board scheduled a Special Session of the Board for March 1, 2001 beginning at 10:30 a.m. to conduct a public hearing on Ordinance #C-14-01 (PLG-002-01) in the matter of amending Chapters 3.40 and 17.02 ICC to respond to the order of the Western Washington Growth Management Hearings Board relating to certain provisions of the County's Critical Area Regulations.

There being no further business to come before the Board at this time, the meeting adjourned at 2:40 p.m. The Board will meet next in Special Session on February 7, 2001 beginning at 7:00 p.m., South Whidbey High School, Langley, regarding Glendale Road and Stream Restoration.

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

William F. Thorn, Chairman _____

Wm. L. McDowell, Member

Mike Shelton, Member

ATTEST: _____
Margaret Rosenkranz, Clerk of the Board