

**BOARD OF ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
SPECIAL SESSION - APRIL 13, 2004**

The Board of Island County Commissioners met in Special Session on Tuesday, April 13, 2004, on Camano Island, with William J. Byrd, Chairman, Mike Shelton, Member, and Wm. L. McDowell Member, attending. The meeting was called for the following purposes:

3:00 p.m. Camano Country Club (Clubhouse), 1243 S. Beach Drive
Public Hearing: Ordinance #C-16-04 In the Matter of Adopting an Interim
Official Control That Designates Division 2 of the Plat of Thunder Ridge as
a Critical Drainage Area

6:00 p.m. Elger Bay Elementary School, 1810 Elger Bay Road
Public Meeting - Review hunting and shooting concerns on Camano Island

3:00 P.M. - PUBLIC HEARING HELD – ORDINANCE #C-16-04/PLG-007-04 IN THE MATTER OF ADOPTING AN INTERIM OFFICIAL CONTROL THAT DESIGNATES DIVISION 2 OF THE PLAT OF THUNDER RIDGE AS A CRITICAL DRAINAGE AREA

Chairman Byrd opened a Public Hearing at 3:00 p.m. as scheduled, to consider Ordinance #C-16-04/PLG-007-04 in the matter of adopting an Interim Official Control that designates Division 2 of the Plat of Thunder Ridge as a Critical Drainage Area. Approximately 8 members of the public were present. County Staff attending were: Gwenn Maxfield, Assistant Public Works Director, and Phil Bakke, Planning & Community Development Director. Kelly Ruhoff from the Stanwood/Camano News was also present. An attendance sheet was circulated and placed on file with the Clerk of the Board.

Chairman Byrd requested an update from Public Works concerning the drainage issues in Division 2 of Thunder Ridge.

Ms. Maxfield reported that in February an interim official control that designated Division 2 of Thunder Ridge as a Critical Drainage Area was reinstated because two of the conditions to lift the Critical Drainage Area designation had not been met. One requirement was an agreement between TR Camano (Dave Platter and Bob Cole) and Crosswinds Landings (Steven Flynn) allowing (1) TR Camano to install a temporary drain line from Division 2 across Crosswind Landings development; 2) TR Camano to permanently connect a surface drainage system from Lot 24 to Crosswinds Landings' drainage system. The second requirement was to reverse the drainage from Lot 15 eastward toward Lot 24 and Crosswind Landings. Those two requirements have now been met, and the recommendation of the Public Works Department is that the critical drainage designation on Division 2 of Thunder Ridge be lifted.

David Platter stated he just received the required signature on the agreement the day before.

With no further comments, the public portion of the hearing was closed.

A motion to repeal the interim Official Control that designates Division 2 of the Plat of Thunder Ridge as a Critical Drainage Area was made, seconded and approved unanimously. *[Findings of Fact to be prepared and presented to the Board at a subsequent public meeting].*

6:00 P.M. - PUBLIC MEETING HELD TO DISCUSS HUNTING RULES AND REGULATIONS ON CAMANO

A Public Meeting was held at 6:00 p.m. at the Elger Bay Elementary School Gym, 1810 Elger Bay Road, Camano Island, for the purpose of reviewing hunting and shooting concerns on Camano Island, and discussion about current state and county regulations. An attendance sheet was circulated as well as a list of County staff attending *[on file with the Clerk of the Board]*. Approximately 40 citizens were present.

Island County Sheriff Mike Hawley led the discussion regarding shooting firearms on Camano Island, noting that his Office had received a number of complaints regarding hearing shots fired. Since the Department of Natural Resource (DNR) property is near the Elger Bay Elementary School, people have been concerned about hunting so close to school children.

Carol Triplett, President, and Co-Chair, Friends of Camano Island Parks, stated that Friends began in 1993 servicing county and state parks. In 1995 Friends participated in expanding the trail system on Camano Island. The group is concerned about the safety of the 30 - 40 people who participate in sponsored trail walks each month. She submitted a letter dated April 13, 2004, into the record on behalf of the Board of Friends of Camano Island Parks, regarding hunting on Camano Island, further detailing their concerns. *[on file with the Clerk of the Board]*

Marvin Setzer, Camano Island resident for 15 years and a hunter all his life, stated that he would not hunt on Camano Island because of being too crowded and unsafe, especially near the school grounds.

Joyce Christiansen, Island County Physical Activity Coalition, living on Camano Island since 1975, told the Board and staff she had

seen the growth on the Island, especially the last 10 years. The Coalition promote **Camano Neighborhood Walkers** and have been evaluating areas suitable for walking. Since vehicle speeds often exceed the 50 mph limit and some roads have very little shoulder and poor site distance, the Coalition believes the ideal place to walk would be trails on state and county lands. Hunting is a safety issue for walkers and she encouraged the Board to consider the safety of all residents since the hunting seasons seemed very long. A letter was submitted for the record by Ms. Christiansen regarding this subject under today's date [*on file with the Clerk of the Board*].

Commissioner Shelton clarified that it was not within the purview of the Island County Commissioners to stop hunting. While the County has some control over firearms, the State Fish and Wildlife Department regulates hunting. The Island County Public Works Department keeps a record of the number of deer killed on County roads, with the average about 125 a year.

Tina Shaw, Camano resident who lives next to the Carp Lake DNR area, heard that property was being transferred to the County, and wanted confirmation that it was a no hunting zone.

Commissioner Shelton confirmed that to his knowledge the transfer had been completed but was not sure whether hunting would be allowed or not. He recalled that in the past when the County purchased property using Conservation Futures Funds, if the property was historically used as a hunting area it remained that way after the purchase. That now seems to be contrary to Island County Code as clarified by David L. Jamieson, Jr., Chief Civil Deputy Prosecuting Attorney.

Senator Mary Margaret Haugen acknowledged areas not appropriate for shooting and felt those areas should be identified since Camano is so heavily populated. Her family has lived on the Island for over 100 years and no longer hunt on the Island because of the density of the population. She receives complaints every hunting season; duck hunting is just as much of a concern. Two areas appropriate for hunting would be Leque Island and English Boom. She conceded there is a lot of wildlife that needed to be controlled as well. She felt the Commissioners should be able to designate some no shooting zones and perhaps allow bow hunting only.

Don Miller, Camano resident, feeds the deer daily and would agree to bow hunting only. He has hunted his whole life, but did not hunt on the Island because of the density of the population.

Rich Phillips, Game Enforcement Officer, State Department of Fish and Wildlife, stated that hunting on Camano and Whidbey Islands was restricted to shotguns, bow and arrows, and muzzle loaded; slugs may also be used. Rifles have not been allowed since 1983. Hunting is used as a management tool. Approximately 40 deer a year are lost due to automobiles, and another 25 to 30 by dogs, and about the same by hunters. Deer habitat is being lost due to home-building. DNR does not want people shooting on this DNR property, and encourages people hiking on it. State laws dictates firearms cannot be discharged within a mile of schools and 150 yards of trails, which would eliminate shooting near the Elger Bay School. He noted, of course, the other issue is enforcement of the laws. The Department would like to see the Elger Bay School DNR land as no shooting zone. It was his understanding that the Carp Lake area had been a "no shooting zone" since 1983. The Department received only two hunting complaints last year; deer

hunting is used as a humane management tool, and he would not be in favor of an Island-wide shooting ban. The Department continues to work with duck hunters to not hunt the Rocky Point area. Duck hunting season runs from the second Saturday in October to the second Saturday in January. Duck hunters must have a duck stamp and follow the regulations. In the last 25 years on Camano there has never been a hunting accident reported.

Sheriff Hawley pointed out if deer hunters with firearms were not wearing the regulation fluorescent orange vest or jacket and hat, then call 911. Archery hunters were exempt from that regulation in most situations.

A citizen was concerned about the safety of residents because of the density and especially when drinking alcohol was included.

Ms. Triplett asked about limiting the hunting season.

Mr. Phillips stated that members of the public could call, or appear before, the Fish and Wildlife Commission to request a change in the hunting season.

Becky King, Camano resident, an educator for 30 years and lives one-half mile from Elger Bay School, hears firearms discharge often. She felt it was not the place to allow hunting because of the density. If it is too confusing to reduce the hunting season, she suggested that discharge of firearms be illegal to assure the safety of the citizens. Hunting on Camano is a totally different sport than hunting in South Dakota where the deer have a fighting chance. The deer here are too domesticated, since people feed them.

Responding to a citizen's question about how many people actually hunted on Camano Island, Mr. Phillips stated that there were 200 to 300 people who still hunt on private property during the various hunting seasons. There is much less hunting on Camano now than twenty-five years' ago.

Sheriff Hawley mentioned to the citizens if they heard shots after sunset to please call 911. He noted that with limited staff deputies, citizen input is needed. Responding to another question, the Sheriff commented that the consequence if someone was found hunting

too close to the school, would result in reckless endangerment, a gross misdemeanor, with up to one year in jail and a \$500 fine, or higher.

Sue Murphy, Pilchuck Valley Wildlife, preferred deer be shot humanely rather than being hit by cars, and expressed concern about safety of hikers. The majority of the calls she receives are about people shooting at waterfowl into people's property.

Sheriff Hawley asked by a show of hands how many would like to keep things the way

they are presently, and a quick count totaled about 4.

One member of the public made note that hunting license fees supported the cleanup of wildlife places and would be missed if hunting were not allowed.

Commissioner Shelton commented that fees support the State Fish and Game Department, and noted that there less enforcement officers than in the past. The presence of game wardens helps enforce the rules. Most hunters do follow the rules, but there are those 5% or so that give hunters a bad name.

Senator Haugen observed that on Camano Island, there are less than forty parcels of property larger than five acres, and was concerned about the safety of citizens whose homes are surrounded by wooded areas, and there is a problem with hunters who are not aware of the boundaries. She believed no shooting areas in the County should be designated by the County, possibly by designating the existing RAIDS [Rural Areas of More Intense Development] as "No Shooting" areas.

Commissioner Shelton pointed out that Island County had the responsibility to people who pay for a state hunting license to ensure they are not put in the position of breaking the law because of the difficulty of properly identifying no hunting areas.

Bill Thorn, Camano resident, made the observation that it would be easier to identify where hunting was allowed. A broader more comprehensive concern was identifying competing interests such as English Boom with low density, which was traditionally a shooting area; shooting near is not appropriate.

Sheriff Hawley continued with his informal poll and asked questions such as: Who would be favor of having no shooting zones on Camano? How many would be in favor of bow hunting only on Camano? (2) and How many would be in favor of a total no shooting ban on Camano? (1)

Senator Haugen would like to see a sign at the entrance to Camano that would state: "Hunt on private property with permission only". Hunting should not be allowed on public land where people hike.

Commissioner Shelton agreed there should be no hunting in developed areas. Property owners should post "No Hunting" signs on their wooded property. He was not in favor of eliminating hunting on Camano because he felt property owners should be allowed to hunt on their own property; citizens have a right to safely hunt on their own ten acres if they know the boundaries.

Mr. Phillips advised that every hunter born after January 1, 1972 must pass a hunter education class in order to obtain a hunting license; ages 14 and under must be accompanied by a licensed adult.

Ms. Shaw suggested in order to use resources wisely that perhaps one compromise would be to allow hunting only in designated areas and make enforcement easier and more cost effective.

Ms. Triplett, who has lived on Camano since 1975, was aware of the difficulty people have with changing rules, but urged not to be afraid to do so in order to increase public safety.

Jeff Wheeler, State Park Ranger, manages two state parks on the Island, recalled having received two shooting complaints last year; no one was around when he was on site to investigate. He has posted "No Hunting" signs around the state parks to help with enforcement. He offered the information that usually 25% of people do the right thing; 70% are a little lazy but follow the "No Hunting" signs; and about 5% do not obey the signs. Posting signs during hunting season assists with enforcement. He does not favor elimination of hunting on private property.

There being no further business to come before the Board at this time, the meeting adjourned at 7:30 p.m. The next regular meeting of the Board will be April 19, 2004 beginning at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

William J. Byrd, Chairman

Mike Shelton, Member

Wm. L. McDowell, Member

ATTEST: _____
Elaine Marlow,
Clerk of the Board