

Index of Records				
Project Name		Archaeological Resources Code Project		
Part 2 - PLANNING COMMISSION				
Exhibit #	Record Type	Date	Received From	Exhibit Description
2.0001	Public Participation	3/23/2021	Planning Commission	Planning Commission Agenda (Briefing)
2.0002	Public Participation	3/23/2021	The Herald	Affidavit of Agenda publication in The Herald (Briefing)
2.0003	Legislative Documents	3/23/2021	PDS Staff	Staff Report (Briefing)
2.0004	Public Participation	3/23/2021	PDS Staff	Presentation (Briefing)
2.0005	Public Participation	3/23/2021	Planning Commission	Planning Commission Written Meeting Minutes (Briefing)
2.0006	Public Participation	4/27/2021	Planning Commission	Planning Commission Agenda (Hearing)
2.0007	Public Participation	4/27/2021	The Herald	Affidavit of Agenda publication in The Herald (Hearing)
2.0008	Legislative Documents	4/27/2021	PDS Staff	Staff Report (Hearing)
2.0009	Public Participation	4/27/2021	PDS Staff	Presentation (Hearing)
2.0010	Correspondence	4/9/2021	Nicholas Vann	Department of Archeology and Historic Preservation comment letter
2.0011	Correspondence	4/15/2021	Kristen Larsen	Department of Commerce comment letter
2.0012	Public Participation	4/27/2021	Planning Commission	Planning Commission Written Meeting Minutes (Hearing)
2.0013	Public Participation	4/27/2021	Planning Commission	Planning Commission Meeting Recording (Hearing)
2.0014	Public Participation	5/25/2021	Planning Commission	Planning Commission Agenda (Deliberation)
2.0015	Public Participation	5/25/2021	PDS Staff	Staff Report (Deliberation)
2.0016	Public Participation	5/25/2021	Planning Commission	Planning Commission Written Meeting Minutes (Deliberation)
2.0017	Public Participation	5/25/2021	Planning Commission	Planning Commission Recording of Meeting (Deliberation)
2.0018	Public Participation	5/15/2021	The Herald	Affidavit of Agenda publication in The Herald (Deliberation)
2.0019	Public Participation	6/4/2021	Planning Commission	Planning Commission Recommendation Letter

****Contact the Clerk of the Council for copies of Part 2 Exhibits - 425-388-3494 or contact.council@snoco.org***



Snohomish County

**PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
(425) 388-3224

Clerk Email: Brandi.Spores@snoco.org

**REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission**

**March 23, 2021
5:30 PM**

Join the Zoom Meeting using the following link:

<https://zoom.us/j/95074184950?pwd=NkxBQmM1VHZNWEEQyVDRWMEJlBCZz09>

or call (253) 215-8782

Meeting ID: 950 7418 4950

Passcode: 230407

For access to supporting documents reviewed by the Planning Commission, visit our website at <https://www.snohomishcountywa.gov/164/Planning-Commission> and select "View all agendas and minutes".

A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

B. APPROVAL OF MINUTES

- [February 23, 2021](#): Regular Meeting

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

E. NEW BUSINESS

1. National Pollutant Discharge Elimination System: Hearing

Terri Strandberg, PDS Principal Planner, 425-262-2359, Terri.Strandberg@snoco.org

The Washington State Department of Ecology (Ecology) has issued an updated Phase I Permit under authority of the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES). Ecology updates the Phase I Permit every five years. The Phase I Permit addresses requirements for stormwater management and protection of water quality in receiving waters. The County is required to update the enforceable documents that make up its stormwater program for consistency with the new Phase I Permit. The enforceable documents proposed for updates include the drainage and land disturbing activity chapters of Snohomish County's development codes and the County's stormwater manual.



Snohomish County
PLANNING COMMISSION
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For further information, please review the following:

- [Staff Memo with Attachments dated March 5, 2021](#)
- [Briefing Staff Report dated February 8, 2021](#)
- [Briefing Presentation](#)

2. Historic & Archaeology Resources: Briefing

Amber Piona, PDS Planner, 425-262-2375, Amber.Piona@snoco.org

Gretchen Kaehler, DCNR County Archeologist, 425-388-343, Gretchen.Kaehler@snoco.org

Staff will brief the Planning Commission on proposed code amendments to Chapter 30.32D SCC to address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

For further information, please review the following:

- [Briefing Staff Report dated March 5, 2021](#)
- [Presentation](#)

3. Tree Canopy Report: Informational Briefing

Hilary McGowan, PDS Planner, 425-388-5377, Hilary.McGowan@snoco.org

PDS staff will provide an overview of tree canopy monitoring and regulations, recent canopy coverage mapping data, and present the findings of the 2021 Tree Canopy Monitoring Report.

For further information, please review the following:

- [Tree Canopy Report Link -
<https://www.snohomishcountywa.gov/DocumentCenter/View/80156>](#)
- [Presentation](#)

F. ADJOURN



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Brandi Spores, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or via email at Brandi.Spores@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Development Services, Reception Desk, 2nd Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD

Snohomish County Planning Commissioners:

Merle Ash, District 1

Mark James, District 1

Tom Norcott, District 2

Raymond Sheldon, Jr., District 2

Robert Larsen, District 3

Loren Simmonds, District 3

Vacant, District 4

Neil Pedersen, District 4

James Kamp, District 5

Leah Everett, District 5

Keri Moore, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Barb Mock, Commission Secretary

Brandi Spores, Commission Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Lia Toupin being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of 2570519 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 04/17/2021 and ending on 04/17/2021 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$300.30.

Lia Toupin

Subscribed and sworn before me on this

20 day of, April,
2021.

Aubrey Knapp

AUBREY KNAPP
Notary Public
State of Washington
My Commission Expires
July 30, 2022

Notary Public in and for the State of Washington.

REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission
April 27, 2021
5:30 PM
 Join the Zoom Meeting using the following link:
<https://zoom.us/j/95074184950?pwd=NkxRQmMlVHZlZlNWEQyVDRWMEJlR0RCZz09>
 or call (253) 215-3782
 Meeting ID: 934 1771 6705
 Passcode: 070116

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- Historic & Archaeology Resources: Hearing**
 Amber Piona, PDS Planner, 425-262-2375, Amber.Piona@snoco.org
 Gretchen Kaehler, DCNR County Archeologist, 425-388-343, Gretchen.Kaehler@snoco.org
 The proposed code amendments to chapter 30.32D SCC address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

E. NEW BUSINESS

- Countywide Planning Policies: Informational Briefing**
 Mitchell Brouse, PDS Senior Planner, 425-388-5127, Mitchell.Brouse@snoco.org
 PDS staff will brief the Planning Commission on the 2021 Update of the Countywide Planning Policies for Snohomish County.
- Snohomish County Housing Trends: Informational Briefing**
 Chris Collier, Alliance for Housing Affordability, 425-293-0601, ccollier@hasco.org
 Chris Collier from and Alliance for Housing Affordability will provide a presentation on recent housing trends and data concerning housing affordability and cost burden.

F. ADJOURN

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

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Snohomish County Planning Commissioners:

- | | |
|-----------------------------------------|----------------------------------|
| <i>Keri Moors, Executive Appointee</i> | <i>Vacant, District 3</i> |
| <i>Merle Ash, District 1</i> | <i>Vacant, District 4</i> |
| <i>Mark James, District 1</i> | <i>Neil Pedersen, District 4</i> |
| <i>Tom Norcott, District 2</i> | <i>James Kemp, District 5</i> |
| <i>Raymond Sheldon, Jr., District 2</i> | <i>Leah Everett, District 5</i> |
| <i>Robert Larsen, District 3</i> | |

Commission Staff (from Planning and Development Services (PDS) Department):

- | | |
|----------------------------------------------|----------------------------------------|
| <i>Michael McCrary, Commission Secretary</i> | <i>Brandi Spores, Commission Clerk</i> |
|----------------------------------------------|----------------------------------------|

LEGAL NOTICE



Snohomish County

Planning and Development Services

3000 Rockefeller Ave., M/S 604

Everett, WA 98201-4046

(425) 388-3311

www.snoco.org

MEMORANDUM

TO: Snohomish County Planning Commission

Dave Somers
County Executive

FROM: Amber Piona, Planner
Planning and Development Services

SUBJECT: Code Update for Archaeological Resources

DATE: March 5, 2021

INTRODUCTION

The purpose of this staff report is to outline and provide information regarding a non-project proposal to amend a portion of the Snohomish County Code (SCC) that addresses archaeological resources. PDS is providing this staff report and recommendation to the planning commission for a briefing on March 23, 2021, and a public hearing is requested to be scheduled for April 27, 2021.

BACKGROUND

In 2008 Washington State laws were updated as to how the treatment of inadvertent discoveries of human remains and the protection of graves on private and public lands are to be handled. As a result of these changes in state law, Chapter 30.32D of the Snohomish County Code (Historic and Archeological Resources requires updating.

The current code contains outdated terminology for the protection of archaeological resources. In addition, current code limits requirements for an archaeological survey to areas that contain recorded archaeological sites or are within a prescribed distance from a recorded archaeological site. Under the current code, the director is not able to require an archaeological survey for a project even when the Tribes, the county archaeologist, or the state archaeologists provide information that the site has a high probability to contain archaeological resources. The inadvertent discovery of archaeological resources during construction is costly to mitigate, results in project delays, and can irreparably damage archaeological resources. The ability to require an archaeological survey to be completed on a site with a high probability to contain archaeological resources would reduce the likelihood of inadvertent discovery.

Updates to existing code would bring Snohomish County in line with state laws for the inadvertent discovery of skeletal human remains and protection of graves on private and public lands, as well as update obsolete language and allow Snohomish County to require surveys for projects based on information provided by the Tribes, the county archaeologist, and state archaeologists. These updates would promote the protection of archaeological resources, protect constituents, and help foster good relationships with Tribal partners.

The following is summary of the proposed amendments to Chapter 30.32D SCC; the complete list of proposed amendments may be found in Attachment A:

Compliance with HB 2624

In 2008 the Washington state legislature passed HB 2624 which establishes that Native American grave sites are protected on both public and private lands and outlines the procedure for the treatment for the inadvertent discovery of skeletal human remains. The proposed code changes would strike references to human remains in SCC 30.32D.220 (Human remains or archaeological resources found on a site) and create a new section SCC 30.32D.225 (Inadvertent discovery of skeletal human remains) that reflects the procedure established by state law. Additionally, the changes replace references to old state law with the current references. Changes to SCC 30.32D.210 (Project or permit approval for property on state register as an archaeological resource) removes the 30-day limit for the Tribes to comment on mitigation measures for permits that would impact archaeological resources. New language has been added to SCC 30.32D.010 (Purpose and Applicability) to reflect that one of the purposes of the code is to comply with applicable federal and state law for the treatment of cultural resources.

Updated terminology and clarifying language

The current code includes outdated and confusing language. The proposed code replaces the term “archaeology site report” with “professional archaeological survey report,” a term that is more widely recognized by professional archaeologists and states that such work must be performed by a qualified archaeologist and that the resulting report must meet the state standards for cultural resource reporting. References to the Washington State Department of Archaeology and Historic Preservation’s geographic information system would be replaced with the current name the Washington Information System for Architectural and Archaeological Records Data (WISAARD).

Expanded Archaeological Surveys

Current code only allows for archaeological site reports to be required for projects on sites with known archaeological sites and on non-tribally owned fee-simple sites designated Reservation Commercial on the FLU map (this applies to a small number of sites located within the Tulalip Reservation). Projects that are subject to SEPA must consider their potential impacts to historic and archaeological resources, which may include a requiring an archaeological site report if it was determined that a project included a site that had a high probability of containing archaeological resources. Early identification of archaeological resources on a site allows for a potential project to be modified to avoid impacting archaeological resources. The code currently does not allow the director to require an archaeological survey report for a project on a site that information provided by the Tribes, county archaeologist or state archaeologist has determined to have a high probability of containing archaeological resources if the project is exempt from SEPA. Inadvertent discovery of archaeological resources during construction is costly, can cause significant delays to a project and can damage or destroy archaeological resources. The proposed changes to SCC 30.32D.200 (Archaeology Site Reports, which would be changed to Archaeological Survey Reports per the above language discussion) would give the director the flexibility to use the information provided by the Tribes, the county archaeologist, or the state archaeologists to require an archaeology survey report for those sites.

ANALYSIS

Compliance with State Law

The Growth Management Act (GMA) planning goals, contained in Revised Code of Washington (RCW) 36.70A.020, guide the development of local comprehensive plans and development regulations.

GMA Goal 13 - "Historic Preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance."

Analysis: The proposed changes will allow the PDS director to require archaeological surveys to be completed for potential projects in locations that the Tribes, or the state or county archaeologist has determined to have a high probability of containing archaeological resources. This will increase the identification of archaeological resources which will in turn prevent those resources from being inadvertently damaged or destroyed during construction.

Compliance with the Multi-County Planning Policies

The proposed amendments are consistent with and will help to implement the goals, objectives and policies contained within the Snohomish County Growth Management Act Comprehensive Plan.

MPP-DP-34: Preserve significant regional historic, visual and cultural resources including public views, landmarks, archaeological sites, historic and cultural landscapes and areas of special character.

Analysis: The proposed amendments are consistent with this policy. Requiring an archaeological survey to be completed on a site that either the Tribes, the county archaeologist, or state archaeologists have determined to have a high probability to contain archaeological resources would increase the likelihood that previously unrecorded archaeological resources are identified prior to construction. With the proposed changes, projects that would have potentially damaged or destroyed archaeological resources can be modified to preserve them.

Compliance with the Countywide Planning Policies

CPP-DP-34 The County and cities are encouraged to protect and preserve historical, cultural and archaeological resources in a manner consistent with state law and local policies and in collaboration with state agencies.

Analysis: The proposed amendments are consistent with this policy. The proposed amendments include changes to bring the code into compliance with state law with regards to the inadvertent discovery of skeletal human remains and the protection of graves on public and private property, ensuring that the county meets its archaeological resource management obligations under state law. Requiring an archaeological survey to be completed on a site that either the Tribes, the county archaeologist, or state archaeologists have determined to have a high probability to contain archaeological resources would increase the likelihood that previously unrecorded archaeological resources are identified prior to construction. With the proposed changes, projects that would have potentially damaged or destroyed archaeological resources can be modified to preserve and protect them.

Compliance with the Snohomish County Comprehensive Plan

The proposed amendments are consistent with and will help to implement the goals, objectives and policies contained within the Snohomish County Growth Management Act Comprehensive Plan

Objective LU 11.B Preserve, protect, and enhance archaeological, cultural, and historic resources.

GPP LU 11.B.2 The county shall meet its historic and archaeological resource management obligations under federal, state and local regulations in an efficient and effective manner.

GPP LU 11.B.4 The county shall promote preservation of identified archaeological and historic resources.

Analysis: The proposed amendments are consistent with the Snohomish County Comprehensive Plan. The proposed amendments include changes to bring the code into compliance with state law with regards to the inadvertent discovery of skeletal human remains and the protection of graves on public and private property, ensuring that the county meets its archaeological resource management obligations under state law.

Environmental Review

Staff is in the process of completing a State Environmental Policy Act Checklist and will issue a Determination of Nonsignificance on March 8, 2021. The fourteen-day public comment period will conclude on March 22st, prior to the Planning Commission briefing requested for March 23, 2021.

Notification of State Agencies

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards was transmitted to the Washington State Department of Commerce on March 1, 2021.

Staff Recommendation:

Staff recommends approval of the proposed code amendments and findings contained in this staff report.

Action Requested

The Planning Commission is requested to hold a public hearing, consider the proposed code amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the amendments with supporting findings of fact as proposed or modified, deny the proposal with findings, or amend the proposal with appropriate findings.

cc: Ken Klein, Executive Director
Barbara Mock, PDS Director
Mike McCrary, PDS Assistant Director
David Killingstad, PDS Manager
Michael Dobesh, PDS Manager
Yorik Stevens-Wajda, Legislative Analyst
Gretchen Kaehler, Archaeologist - Cultural Resource Coordinator

Attachments

- Attachment A – Proposed Changes to SCC 30.32D

Attachment A Proposed Changes 30.32D

Code Section	Proposed Change	Explanation of change
<p>30.32D.010 Purpose and Applicability</p>	<p>30.32.D.010 Purpose and applicability. (1) The purpose of this chapter is to identify, evaluate, and protect archaeological and historic resources within Snohomish County and to preserve and rehabilitate eligible historic properties for future generations, in order to: (a) Safeguard the heritage of the county as represented by those buildings, sites, structures, objects and districts which reflect significant elements of county history; (b) Foster civic pride in the beauty and accomplishments of the past, and a sense of identity with county history; (c) Assist, encourage and provide incentives to private owners for preservation, restoration, rehabilitation and use of outstanding historic buildings, sites, structures, objects, and districts; (d) Promote and facilitate the early identification and resolution of conflicts between preservation of archaeological and historic resources and land uses; ((and)) (e) Stabilize and improve the aesthetic and economic vitality and values of such sites improvements and objects; <u>and</u> <u>(f) Comply with applicable federal and state laws related to regulation of archaeological and cultural sites.</u></p>	<p>Language proposed to be added to clarify that one of the purposes of this section is to comply with all applicable federal and state law for archaeological and cultural sites.</p>
	<p>(2) In Washington State, archaeology sites and Native American grave sites are protected by both federal and state laws <u>on both public and private lands</u>. This chapter does not repeal, modify, or waive any provision of federal or state law currently enacted, or as enacted in the future, that regulates archaeological sites including, but not limited to: the Archaeological Resource Protection Act of 1979 (16 U.S.C. 470aa-mm); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); the National Historic Preservation Act (16 U.S.C. 470 et seq.); Chapter 27.44 RCW titled "Indian Graves and Records"; ((and)) Chapter 27.53 RCW titled "Archaeological Sites and Resources"; <u>Chapter 68.50 RCW titled "Human Remains"; and Chapter 68.60 RCW titled "Abandoned and Historic Cemeteries and Historic Graves."</u></p>	<p>HB 2624 (2008) establishes that Native American grave sites are protected on both public and private lands. Proposed change to reflect state regulation. Additionally, HB 2624 changed several sections of the Revised Code of Washington, and SCC 30.32D(2) now includes references to the RCW sections on Human Remains and Abandoned and Historic Cemeteries and Historic Graves.</p>

Attachment A Proposed Changes 30.32D

	<p>(3) This chapter applies to:</p> <p>(a) Properties eligible for and on the Snohomish (county) <u>County</u> Register of Historic Places established pursuant to SCC30.32D.020; and</p> <p>(b) Properties (listed)<u>recorded</u> on the Washington (State Archaeological Site Inventory) <u>Information System for Architectural and Archaeological Records Data (WISAARD).</u></p>	<p>Proposed change to include the current name of the Washington State Department of Archaeology Historic Preservation (DAHP)'s database and language changed to clarify that information is recorded, not listed in the database.</p>
<p>30.32D.200 (Archaeology Site)<u>Archaeological Survey Report</u></p>	<p>30.32D.200 (Archaeology site)<u>Archaeological Survey report.</u></p> <p>(1) Known archaeological sites are recorded on (the Washington State Department of Archaeology and Historic Preservation's Geographic Information System) <u>WISAARD and information from data sharing agreements between Snohomish County and DAHP.</u></p> <p>(2) An archaeological site may cover only a portion of a property, parcel, or lot and may (be located on)<u>extend onto</u> more than one property, parcel or lot.</p> <p>(3) Completion of(an archaeology site report) <u>a professional archaeological survey</u> (or relocation of the property to avoid the known archaeological site shall be required for):</p> <p>(a) (Any)<u>Shall be required</u> for any construction, earth movement, clearing or other (site) <u>land disturbance</u> of a known archaeological site;</p> <p>(b) (Any) <u>Shall be</u> required for any development application proposed on non-tribally owned, fee-simple properties designated Reservation Commercial on the Snohomish County Future Land Use Map(-);</p> <p>(c) <u>May be required</u> for any development application when information provided by Tribes or <u>County or State professional archaeologists determines that the project location has a high probability for containing archaeological resources.</u></p>	<p>Proposed change to include the current name of the Washington State Department of Archaeology Historic Preservation (DAHP)'s database and to reference the data sharing agreement that the county has with DAHP.</p> <p>Proposed change for clarity.</p> <p>Proposed change to introduce a third situation in which archaeological survey reports may be required, based on information provided by the Tribes, or the County or State professional archaeologists that the location has a high probability for containing archaeological resources.</p>

Attachment A Proposed Changes 30.32D

	<p>(4) ((An archaeology site report)) A professional archaeological survey required under subsection (3) of this section shall:</p> <p>(a) Be written by a professional archaeologist as defined in ((WAC 25.48.020))RCW 27.53.030(11);</p> <p>(b) Be submitted to the department by the property owner or project proponent;</p> <p>(c) Include the location((, condition,)) and extent of the archaeological resources located on site ((and any recommendations with respect to conditioning the activity to avoid or minimize impacts on the known archaeological site; and))</p> <p>(d) Include ((the results of consultation with)) any comments submitted by any affected Indian tribe-((on proposed actions to avoid or mitigate impacts of the proposed project.))<u>during the review process; and</u></p> <p>(e) Meet state and professional standards for cultural resources reporting; and</p> <p>(f) Include recommendations for avoidance or minimization of impacts on archaeological resources if present and recommendations for additional archaeological work and permitting to comply with applicable state and federal laws for the protection and preservation of archaeological resources.</p>	<p>Proposed change to update the reference to state law, consolidate the requirements for surveys in one section, and to ensure that archaeological survey reports for projects on known archaeological sites meet state and professional standards for cultural resource reporting.</p>
	<p>((5) An archaeological site report is required under subsection (3)(b) of this section shall:</p> <p>(a) Be written by a professional archaeologist as defined in WAC 25.48.020;</p> <p>(b) Be submitted to the department by the property owner or project proponent;</p> <p>(c) Include the location, condition, and extent of the archaeological resources located on site and any recommendations with respect to conditioning the activity to avoid or minimize impacts on the known archaeological site; and</p> <p>(d) Include the results of consultation with any affected Indian tribe on proposed actions to avoid or mitigate impacts of the proposed project.))</p>	<p>Proposed removal of this section to consolidate the requirements for surveys into subsection (4) above.</p>
	<p>((6))<u>(5)</u> The department shall provide a copy of the ((archaeology site)) <u>archaeological survey report</u> to any affected Indian tribes and ((Washington State Department of Archaeology and Historic Preservation, at the applicant's expense)) <u>DAHP</u>.</p>	<p>Proposed change to update language and to remove text that put the expense of providing copies of the archaeological survey report on the applicant. Submittal of reports is done electronically and does not incur an expense.</p>

Attachment A Proposed Changes 30.32D

<p>30.32D.210 Project or permit approval for property on state register as an archaeological resource</p>	<p>(1) The ((county approving authority)) <u>director</u> shall not issue a permit for any development activity or project approval requiring ((an archaeology site)) <u>a professional archaeological survey report pursuant to SCC 30.32D.200 without considering the ((archaeology site)) professional archaeological survey report and any comments on the report submitted by an affected Indian tribe and any additional archaeological work and permitting required under chapter 27.53 RCW has been completed.</u></p>	<p>Proposed change to comply with updated language for archaeological survey reports, and to include a reference to the requirements of state law. Language is modified to clarify that the director is the county approving authority</p>
	<p>((2)) If an applicant requests comments regarding mitigation from a potentially affected Indian tribe and the tribe fails to respond within 30 days of the request, the department may proceed with permit issuance based on the archaeology site report if the applicant provides documentation of the request for tribal comments to the department.))</p>	<p>Proposed removal to better align with state law and best tribal coordination practices.</p>
	<p>((3)) (2) Based on the information contained in the ((archaeology site-)) <u>professional archaeological survey report and any comments submitted by the affected Indian tribe(s) obtained during the ((consultation)) review process, the ((county approving authority)) director will condition the permit or project approval ((in a manner that will avoid or minimize impacts to the archaeological resource consistent with federal and state law)) <u>to comply with any permitting and additional archaeological work required under federal and state laws for the protection of archaeological resources.</u></u></p>	<p>Proposed change to update language and to include a reference to the requirements of state law. Language is modified to clarify that the director is the conditioning authority.</p>
<p>30.32D.220 ((Human remains or)) <u>Inadvertent discovery of archaeological resources-((found on a site)).</u></p>	<p>30.32.D.220 ((Human remains or)) <u>Inadvertent discovery of archaeological resources ((found on a site)).</u> (1) If, during the course of construction, earth movement, clearing or other ((site disturbance)) <u>land disturbing activity</u>, ((human remains)) or archaeological resources are encountered, all work shall cease immediately. Under these circumstances, the ((department)) <u>director</u> may issue a stop work order pursuant to chapter 30.85 SCC.</p>	<p>Proposed change to replace outdated language and to remove the discovery of human remains from this section to the new 30.32D.225 Inadvertent discovery of skeletal human remains below. Language is modified to clarify that the director has the discretionary ability to issue a stop work order.</p>

Attachment A Proposed Changes 30.32D

	<p>(2) The applicant shall immediately notify the director and promptly notify any affected Indian tribe and the state office of archaeology and historic preservation <u>Washington State Department of Archaeology and Historic Preservation (DAHP)</u>.</p>	<p>Proposed change to replace an outdated reference to DAHP.</p>
	<p>(3) After <u>Ground disturbance may not proceed until</u> consultation with any affected Indian tribe and the state office of archaeology and historic preservation <u>DAHP is completed</u>, the state shall determine whether the site contains archaeological resources that should be preserved. The department will designate the appropriate area within a preservation area. This designation shall not affect underlying zoning.</p>	<p>Proposed change to remove the designation of a preservation area and align the procedures for the inadvertent discovery of archaeological resources with state law.</p>
	<p>(4) <u>Ground disturbance may not proceed until the director and the applicant have reached an agreement in consultation with DAHP and any affected Indian tribe regarding a plan for mitigation or preservation of archaeological resources.</u> The preservation area designation shall remain on the appropriate area within a site until</p> <p>(a) The human remains or archaeological resources have been completely removed from the site; or</p> <p>(b) The department and the applicant have otherwise reached an agreement, in consultation with the state and any affected Indian tribe, that provides for the preservation of the human remains or archaeological resource.</p>	<p>Proposed change to remove the designation of a preservation area and align the procedures for the inadvertent discovery of archaeological resources with state law.</p> <p>Language was modified to clarify that the director or designee is a part of the mitigation negotiation.</p>

Attachment A Proposed Changes 30.32D

<p><u>30.32D.225</u> <u>Inadvertent</u> <u>discovery of human</u> <u>remains.</u></p>	<p><u>30.32D.225 Inadvertent discovery of human remains.</u></p> <p><u>(1) If, during the course of construction, earth movement, clearing, or other land disturbing activity, human remains are encountered, all work shall cease immediately in an area large enough to protect the find.</u></p> <p><u>(2) The finding of human skeletal remains shall be reported to the county medical examiner and local law enforcement by the applicant or property owner in the most expeditious manner possible.</u></p> <p><u>3) The remains shall not be touched, moved or further disturbed. The county medical examiner shall assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner determines the remains are non-forensic, they shall report that finding to DAHP.</u></p> <p><u>(4) The applicant or property owner shall also promptly notify DAHP and the director. Under these circumstances, the director may issue a stop work order pursuant to chapter 30.85 SCC.</u></p> <p><u>(5) Ground disturbance may not proceed without DAHP approval.</u></p>	<p>This section has been added to conform to state law for the inadvertent discovery of skeletal human remains. HB 2624 (2008) established the procedure for inadvertent discovery.</p> <p>In addition to the requirements of state law. SCC 32D.225(4) includes a requirement to notify the director and DAHP.</p>
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Historic and Archaeological Resources Code Update

Snohomish County Planning Commission

March 23, 2021

Department of Planning & Development Services
Department of Conservation and Natural Resources



1

Protecting Archaeological Resources Regulatory Framework

- GMA and State Laws on Archaeological Resources
- Multi-County Planning Policies
- Countywide Planning Policies
- General Policy Plan
- Shoreline Master Program
- Snohomish County Code



2

Chapter 30.32D Historic and Archaeological Resources

- Identify, evaluate, and protect archaeological and historic resources in Snohomish County
- Promote and facilitate the early identification and resolution of conflicts between preservation of archaeological and historic resources and land uses



Image courtesy of DAHP



3

3

Aligning with State Laws

Our current code does not acknowledge RCW 68.50 and 68.60, passed by the Washington State legislature in 2008.



Image courtesy of DAHP

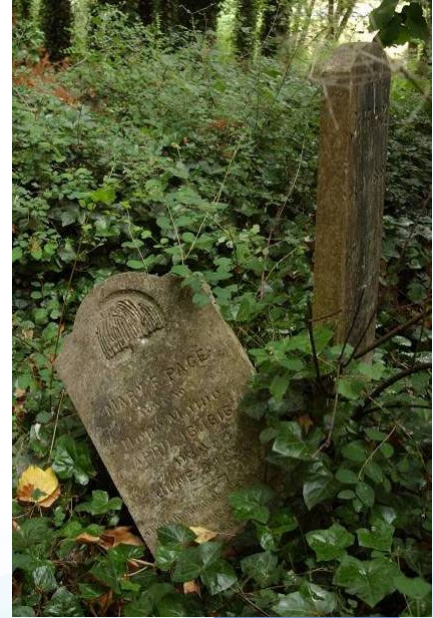


4

4

State Laws

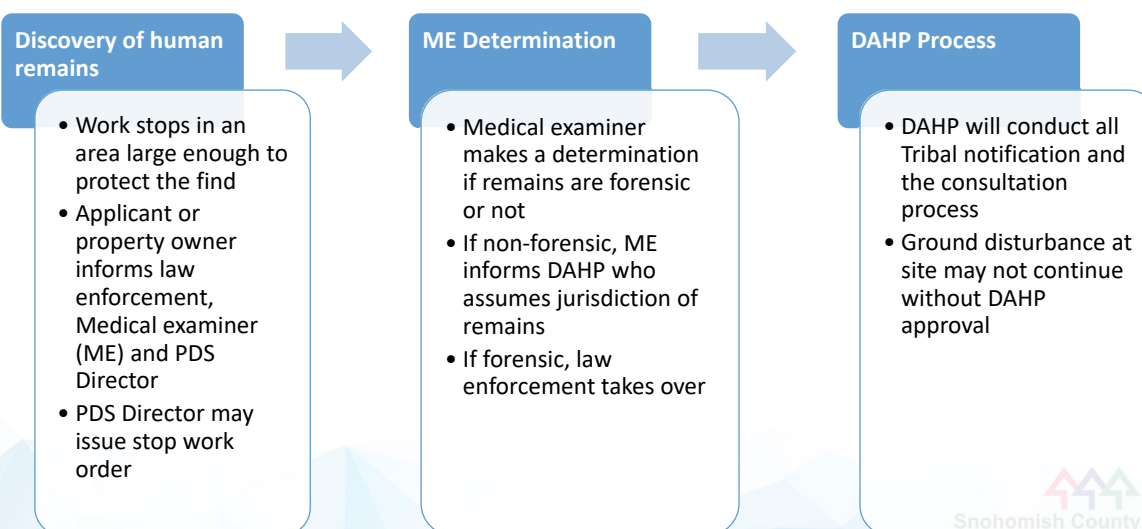
- Establish that human remains, abandoned cemeteries and grave sites are protected on public and private lands
- Outline the process for the inadvertent discovery of skeletal human remains



5

5

30.32D.225 Inadvertent discovery of human remains



6

6

Updating Terminology and Clarifying Language



Image courtesy of DAHP

- We are proposing to update our terminology to be clearer and better align with current language.
- For example, the update replaces “archaeology site report” with “archaeological survey report.”

Image Courtesy of DAHP
Snohomish County

7

Increasing Protection for Archaeological Resources

- The PDS Director cannot currently require an archaeological survey outside of a recorded archaeological area, even when the site has a high probability of containing resources.
- This significantly increases the likelihood of the **inadvertent discovery** of archaeological resources.



Snohomish County

8

8

Risks of Inadvertent Discovery

- Damages archaeological resources
- Expensive to mitigate
- Causes project delays
- May result in state violations, including fines and/or criminal and civil penalties



9

9

SCC30.32D.200 – Purpose and Applicability

(3) Completion of ~~((an archaeology site report))~~ a professional archaeological survey ((or relocation of the property to avoid the known archaeological site shall be required for)):

(a) Shall be required for any construction, earth movement, clearing or other site land disturbance of a known archaeological site;

(b) Shall be required for any development application proposed on non-tribally owned, fee-simple properties designated Reservation Commercial on the Snohomish County Future Land Use Map; and

(c) May be required for any development application when information provided by the Tribes or County and or State professional archaeologists indicates that the project location has a high probability for containing archaeological resources.

10

10

Benefits

- Gives the PDS Director the authority to require a survey when a project has a high probability of containing archaeological resources, and flexibility for when a survey is not the right tool
- Facilitates early identification of archaeological resources
- Allows projects near archaeological resources to be modified to avoid impacting those resources
- Promotes the protection of archaeological resources and compliance with state laws regarding their protection
- Protects constituents and fosters good relationships with Tribal partners



11

11

Comments or Questions?

Amber Piona
Planner
Planning & Development Services
amber.piona@snoco.org
(425) 262-2375

Gretchen Kaehler
County Archaeologist
Conservation and Natural Resources
gretchen.kaehler@co.Snohomish.org
(425) 388-3432



12

12



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Contact: Brandi.Spores@snoco.org; (425) 388-3224

REGULAR SESSION MARCH 23, 2021 MINUTES

A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:32 p.m. Of the nine (9) currently appointed commissioners, eight (8) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash

Robert Larsen

Neil Pederson

Leah Everett

Keri Moore

Raymond Sheldon

Mark James

Tom Norcott

James Kamp was absent from the meeting.

B. APPROVAL OF MEETING MINUTES

The minutes of [February 23, 2021](#), regular meeting was approved unanimously. Amend to add that Loren Simmonds resigned from the Planning Commission

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

David Killingstad reviewed anticipated topics for upcoming Planning Commission meetings and the status of past recommendations.

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. National Pollutant Discharge Elimination System: Hearing

Terri Strandberg, PDS Principal Planner, 425-262-2359, Terri.Strandberg@snoco.org

Terri Strandberg gave a few comments and clarifications to the Planning Commission on the National Pollutant Discharge Elimination System (NPDES) permit. The Washington State Department of Ecology (Ecology) has issued an updated Phase I Permit under authority of the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES). Ecology updates the Phase I Permit every five years. The Phase I Permit addresses requirements for stormwater management and protection of water quality in receiving waters. The County is required to update the enforceable documents that make up its stormwater program for consistency with the new Phase I Permit. The enforceable documents proposed for updates include the drainage and land disturbing activity chapters of Snohomish County's development codes and the County's stormwater manual.

The **Public Hearing opened at 5:45 p.m.** on the National Pollutant Discharge Elimination System amendments.

One (1) written comment was received by the Planning Commission from the public before the March 23, 2021 hearing. One member of the public commented at the public hearing.

The **Public Hearing was closed at 5:53 p.m.**

After the hearing the Commissioners had no comments and were asked to make a motion.

A **Motion** was made by Commissioner Everett and seconded by Commissioner Norcott recommending **approval** on the National Pollutant Discharge Elimination System amendments as contained in the February 8, 2021, briefing staff report.

An **Amendment** was made by Commissioner Everett and seconded by Commissioner Sheldon recommending **approval** to amend critical area development conditions to allow utility related activities, including maintenance and replacement of facilities.

VOTE (Amendment):

8 in favor (*Ash, Everett, James, Larsen, Moore, Norcott, Pederson and Sheldon*)

0 opposed

0 abstention

Motion PASSED

VOTE (Motion):

8 in favor (*Ash, Everett, James, Larsen, Moore, Norcott, Pederson and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Staff Memo with Attachments dated March 5, 2021](#)
- [Briefing Staff Report dated February 8, 2021](#)
- [Briefing Presentation](#)

2. Historic & Archaeology Resources: Briefing

Amber Piona, PDS Planner, 425-262-2375, Amber.Piona@snoco.org

Gretchen Kaehler, DCNR County Archeologist, 425-388-343, Gretchen.Kaehler@snoco.org

Amber Piona briefed the Planning Commission on proposed code amendments to Chapter 30.32D SCC to address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

After the presentation from Ms. Piona the commissioners asked several questions and requested a summary of changes for the next meeting.

For further information, please review the following:

- [Briefing Staff Report dated March 5, 2021](#)
- [Presentation](#)

E. NEW BUSINESS

1. Tree Canopy Report: Informational Briefing

Hilary McGowan, PDS Planner, 425-388-5377, Hilary.McGowan@snoco.org

Hilary McGowan provided an overview of tree canopy monitoring and regulations, recent canopy coverage mapping data, and present the findings of the 2021 Tree Canopy Monitoring Report.

For further information, please review the following:

- [Tree Canopy Report Link -
https://www.snohomishcountywa.gov/DocumentCenter/View/80156](#)
- [Presentation](#)

F. ADJOURN

Barb Mock said goodbye to the Planning Commission, after 44 years she will be retiring at the end of March. Director Mock also announced that Michael McCrary will be taking over as Director.

David Killingstad announced that PDS will be putting together a join meeting with the Tulalip Tribes in the next couple of months over Zoom.

This regular meeting was adjourned at 6:48 p.m.

[Planning Commission Main Website](#)



Snohomish County

**PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
(425) 388-3224

Clerk Email: Brandi.Spores@snoco.org

**REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission**

**April 27, 2021
5:30 PM**

Join the Zoom Meeting using the following link:

<https://zoom.us/j/95074184950?pwd=NkxBQmM1VHZNWEEQyVDRWVFJEalBCZz09>

or call (253) 215-8782

Meeting ID: 934 1771 6705

Passcode: 070116

For access to supporting documents reviewed by the Planning Commission, visit our website at <https://www.snohomishcountywa.gov/164/Planning-Commission> and select "View all agendas and minutes".

A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

B. APPROVAL OF MINUTES

- [March 23, 2021](#): Regular Meeting

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. Historic & Archaeology Resources: Hearing

Amber Piona, PDS Planner, 425-262-2375, Amber.Piona@snoco.org

Gretchen Kaehler, DCNR County Archeologist, 425-388-343, Gretchen.Kaehler@snoco.org

The proposed code amendments to chapter 30.32D SCC address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

For further information, please review the following:

- [Hearing Memo dated April 9, 2021](#)
- [Hearing Presentation](#)
- [Briefing Staff Report dated March 5, 2021](#)
- [Briefing Presentation](#)



Snohomish County

**PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES**

E. NEW BUSINESS

1. Countywide Planning Policies: Informational Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, Mitchell.Brouse@snoco.org

PDS staff will brief the Planning Commission on the 2021 Update of the Countywide Planning Policies for Snohomish County.

For further information, please review the following:

- [Presentation](#)
- Countywide Planning Policies Website - <https://snohomishcountywa.gov/5782/Countywide-Planning-Policies>

2. Snohomish County Housing Trends: Informational Briefing

Chris Collier, Alliance for Housing Affordability, 425-293-0601, ccollier@hasco.org

Chris Collier from and Alliance for Housing Affordability will provide a presentation on recent housing trends and data concerning housing affordability and cost burden.

For further information, please review the following:

- [Presentation](#)

F. ADJOURN

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Brandi Spores, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or via email at Brandi.Spores@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Development Services, Reception Desk, 2nd Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD

Snohomish County Planning Commissioners:

Keri Moore, Executive Appointee

Merle Ash, District 1

Mark James, District 1

Tom Norcott, District 2

Raymond Sheldon, Jr., District 2

Robert Larsen, District 3

Vacant, District 3

Vacant, District 4

Neil Pedersen, District 4

James Kamp, District 5

Leah Everett, District 5

Commission Staff (from Planning and Development Services (PDS) Department):

Michael McCrary, Commission Secretary

Brandi Spores, Commission Clerk

Everett Daily Herald

Affidavit of Publication

**State of Washington }
County of Snohomish } ss**

Lia Toupin being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the **Everett Daily Herald** a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in **Snohomish County**, Washington and is and always has been printed in whole or part in the **Everett Daily Herald** and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of **2570519** as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of **1** issue(s), such publication commencing on **04/17/2021** and ending on **04/17/2021** and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is **\$300.30.**

Lia Toupin

Subscribed and sworn before me on this

20 day of, April,
2021.

Aubrey Knapp

AUBREY KNAPP
Notary Public
State of Washington
My Commission Expires
July 30, 2022

Notary Public in and for the State of Washington.

Archeology Code Summary of Changes to SCC 30.32D

Section	Proposed Changes
30.32D.010	<ul style="list-style-type: none"> • Add language to clarify that the purpose of this section to comply with applicable state and federal laws related to regulation of archaeological and cultural sites • Update references to state laws
30.32D.200	<ul style="list-style-type: none"> • Replace Archaeology Site Report with Archaeological Survey Report • Add new situation when an archaeological survey may be required • Consolidate the requirements for archaeological survey reports into one subsection • Update archaeological survey report requirements to meet state and professional standards for cultural resources reporting
30.32D.210	<ul style="list-style-type: none"> • Clarify that the PDS director is the county approving authority • Remove 30-day limit for tribal comment on mitigation measures • Include references to requirements of state law • Update terminology and clarifies language
30.32D.220	<ul style="list-style-type: none"> • Remove language regarding inadvertent discovery of human remains from this section • Align procedures for the inadvertent discovery of archaeological resources with state law • Update terminology and clarifies language
30.32D.225	<ul style="list-style-type: none"> • Establish a new section to conform to state law regarding the inadvertent discovery of skeletal human remains.

Historic and Archaeological Resources Code Update

Snohomish County Planning Commission

April 27, 2021

Department of Planning & Development Services
Department of Conservation and Natural Resources



1

Protecting Archaeological Resources Regulatory Framework

- GMA and State Laws on Archaeological Resources
- Multi-County Planning Policies
- Countywide Planning Policies
- General Policy Plan
- Shoreline Master Program
- Snohomish County Code



2

Chapter 30.32D Historic and Archaeological Resources

- Identify, evaluate, and protect archaeological and historic resources in Snohomish County
- Promote and facilitate the early identification and resolution of conflicts between preservation of archaeological and historic resources and land uses



Image courtesy of DAHP



3

3

Proposed Changes to 30.32D

- Align with state laws
- Update terminology and clarify language
- Increase protection for archaeological resources



Image courtesy of DAHP



4


4

Section	Proposed Changes
30.32D.010	<ul style="list-style-type: none"> • Add language to clarify that the purpose of this section to comply with applicable state and federal laws related to regulation of archaeological and cultural sites • Update references to state laws
30.32D.200	<ul style="list-style-type: none"> • Replace Archaeology Site Report with Archaeological Survey Report • Add new situation when an archaeological survey may be required • Consolidate the requirements for archaeological survey reports into one subsection • Update archaeological survey report requirements to meet state and professional standards for cultural resources reporting
30.32D.210	<ul style="list-style-type: none"> • Clarify that the PDS director is the county approving authority • Remove 30-day limit for tribal comment on mitigation measures • Include references to requirements of state law • Update terminology and clarifies language
30.32D.220	<ul style="list-style-type: none"> • Remove language regarding inadvertent discovery of human remains from this section • Align procedures for the inadvertent discovery of archaeological resources with state law • Update terminology and clarifies language
30.32D.225	<ul style="list-style-type: none"> • Establish a new section to conform to state law regarding the inadvertent discovery of skeletal human remains.

5

Benefits

- Gives the PDS Director the authority to require a survey when a project has a high probability of containing archaeological resources, and flexibility for when a survey is not the right tool
- Facilitates early identification of archaeological resources
- Allows projects near archaeological resources to be modified to avoid impacting those resources
- Promotes the protection of archaeological resources and compliance with state laws regarding their protection
- Protects constituents and fosters good relationships with Tribal partners



Snohomish County

6

Comments or Questions?

Amber Piona
Planner
Planning & Development Services
amber.piona@snoco.org
(425) 262-2375

Gretchen Kaehler
County Archaeologist
Conservation and Natural Resources
gretchen.kaehler@co.snohomish.org
(425) 388-3432





Allyson Brooks Ph.D., Director
State Historic Preservation Officer

April 9, 2021

Ms. Amber Piona
Planner
Snohomish County
3000 Rockefeller Ave.
Everett, WA 98201

Sent Via Electronic Mail

Project Tracking Code: 2021-04-02087

Re: Snohomish County's 60-day Notice of Intent to Adopt Amendment – Proposed Code Update for Archaeological Resources

Dear Ms. Piona:

The Washington State Department of Commerce solicited our input on the proposed code update through their Growth Management Services team. We are writing to you directly to express our support for these changes. We appreciate the opportunity to comment on the proposed changes to Snohomish County's code for archaeological resources. We also recognize and appreciate the County's collaboration with Commerce's Growth Management Services to realize your community's commitment to meeting the goals of the Growth Management Act (GMA). The County's proactive approach to ensuring its code aligns with state law pertaining to historic and archaeological resources sets a new standard for other jurisdictions to follow.

We agree with the Department of Commerce Growth Management Service's assertions that:

- The creation of section SCC 30.32D.225 and changes to section SCC 30.22D.210 would aid the County in being consistent and compliant with state law, as well as ensure that the Tribes are able to adequately comment and provide mitigation measures for project which may impact archeological resources.
- The proposed amendments would update the code language to be consistent the Revised Code of Washington (RCW) and the current database used by the WA Department of Archeology and Historic Preservation (DAHP). The standardizing of language throughout the code will ensure clarity for staff, applicants, and commenting parties.
- The proposed amendments allow the County greater flexibility in protecting archeological resources and preventing inadvertent discoveries. This will provide applicants greater protection against delays to their projects that could be avoided with a survey.

Lastly, DAHP certainly appreciates the proposed code updates as they more consistently align with state laws pertaining to cultural resource protection. This alignment makes regulatory reviews more streamlined and ensures that stakeholder expectations can be better managed through more predictable outcomes.



Thank you again for the opportunity to review and comment. If any questions should arise, please don't hesitate to contact us.

Sincerely,



Nicholas Vann, AIA
Deputy State Historic Preservation Officer
(360) 628-2170
nicholas.vann@dahp.wa.gov



Stephanie Jolivette
Local Government Archaeologist
(360) 628-2755
stephanie.jolivette@dahp.wa.gov

cc: Gretchen Kaehler, Snohomish County
Kirsten Larsen, Commerce





STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

April 15, 2021

Ms. Amber Piona
Planner
Snohomish County
3000 Rockefeller Avenue
Everett, Washington 98201

Sent Via Electronic Mail

Re: Snohomish County's 60-day Notice of Intent to Adopt Amendment – Proposed Code Update for Archaeological Resources

Dear Ms. Piona:

Thank you for the opportunity to comment on the proposed changes to Snohomish County's code for archaeological resources. We appreciate your coordination with our agency as you work to achieve the community's vision consistent with the goals and requirements of the Growth Management Act (GMA). We commend the County for proactively reviewing and amending their code to ensure consistency with state law as it relates to historic and archeologic resources. Specifically the proposed amendments would:

- Aid the County in being consistent and compliant with state law, as well as ensure that the Tribes are able to adequately comment and provide mitigation measures for project which may impact archeological resources.
- Update the code language to be consistent the Revised Code of Washington and the current database used by the Washington Department of Archeology and Historic Preservation. The standardizing of language throughout the code will ensure clarity for staff, applicants, and commenting parties.
- Allow the County greater flexibility in protecting archeological resources and preventing inadvertent discoveries. This will provide applicants greater protection against delays to their projects that could be avoided with a survey.

Congratulations to the staff for the good work these amendments represent. If you have any questions or need technical assistance, please feel free to contact me at kirsten.larsen@commerce.wa.gov or (360) 280-0320.

Sincerely,

A handwritten signature in blue ink, appearing to read "KL", written over a light blue horizontal line.

Kirsten Larsen
Senior Planner
Growth Management Services

cc: David Andersen, AICP, Managing Director, Growth Management Services
Steve Roberge, Deputy Managing Director, Growth Management Services
Ben Serr, AICP, Eastern Region Manager, Growth Management Services
Nicholas Vann, AIA, Deputy State Historic Preservation Officer
Stephanie Jolivet, Local Government Archaeologist



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Contact: megan.moore@snoco.org

REGULAR SESSION APRIL 27, 2021 MINUTES

A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:35 p.m. Of the nine (9) currently appointed commissioners, seven (7) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash @ 5:40
Mark James
Tom Norcott

Robert Larsen
Keri Moore

Neil Pederson
Raymond Sheldon

James Kamp was absent from the meeting.

Leah Everett was absent from the meeting.

B. APPROVAL OF MEETING MINUTES

The minutes of [March 23, 2021](#), regular meeting was approved unanimously.

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Brandi Spores reviewed anticipated topics for upcoming Planning Commission meetings and the status of past recommendations.

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. Historic & Archaeology Resources: Hearing

Amber Piona, PDS Planner, 425-262-2375, Amber.Piona@snoco.org

Gretchen Kaehler, DCNR County Archeologist, 425-388-3432, Gretchen.Kaehler@snoco.org

Amber Piona provided a brief overview of the proposed code amendments to chapter 30.32D SCC address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

After the presentation from Amber Piona the commissioners held a discussion. Key discussion points included were archeological conservation and the parameters of consultation and study. The commissioners also discussed the thirty (30) day timeline for tribal comments being removed.

Commissioner Larsen opened the **Public Hearing opened at 5:49 p.m.** on the Historic & Archaeology Resources amendments.

One (1) member of the public commented at the public hearing.

The **Public Hearing was closed at 5:59 p.m.**

After the hearing commissioners asked to be given additional clarification on the removal of the thirty (30) day timeline for comment. Commissioner Norcott proposed the item be tabled until the May 25th agenda when the additional information can be provided.

The commission proposes postponing the deliberations to the next meeting.

VOTE

7 in favor (*Ash, James, Larsen, Moore, Norcott, Pederson and Sheldon*)

0 opposed

0 abstention

Deliberations for Historic and Archeological Resources will be postponed until the May 25th Planning Commission.

For further information, please review the following:

- [Hearing Memo dated April 9, 2021](#)
- [Hearing Presentation](#)
- [Briefing Staff Report dated March 5, 2021](#)
- [Briefing Presentation](#)

E. NEW BUSINESS

1. Countywide Planning Policies: Informational Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, Mitchell.Brouse@snoco.org

PDS staff briefed the Planning Commission on the 2021 Update of the Countywide Planning Policies for Snohomish County.

After the presentation from Mitchell Brouse the commissioners held a discussion. Key discussion points included were reference checking for bill 5254, the timeline for Countywide Planning Policies updates, membership on the Planning Advisory Committee, and the timeline for updates to VISION 2050.

For further information, please review the following:

- [Presentation](#)
- [Countywide Planning Policies Website](#)

2. Snohomish County Housing Trends: Informational Briefing

Chris Collier, Alliance for Housing Affordability, 425-293-0601, ccollier@hasco.org

Chris Collier from and Alliance for Housing Affordability shared a presentation on recent housing trends and data concerning housing affordability and cost burden.

For further information, please review the following:

- [Presentation](#)

F. ADJOURN

This regular meeting was adjourned at 7:31 p.m.

[Meeting Agenda](#)

[Meeting Audio](#)

[Planning Commission Main Website](#)

EXHIBIT 2.0013

Planning Commission Meeting 04/27/21

Contact Clerk of the Council for recording at 425-388-3494 or contact.council@snoco.org

(Clerk Note: saved in G:\ECAF\Council Approved\2021\21-0420 Archaeological\Part 2 Documents\2.0013 – Planning Commission 20210427)



Snohomish County

**PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: megan.moore@snoco.org

**REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission**

**May 25, 2021
5:30 PM**

Join the Zoom Meeting: <https://zoom.us/j/91774106168>
or call (253) 215-8782
Meeting ID: 917 7410 6168

For access to supporting documents reviewed by the Planning Commission, visit our website at <http://www.snohomishcountywa.gov> and enter "Planning Commission" in the search box.

A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

B. APPROVAL OF MINUTES

- [April 27, 2021](#): Regular Meeting

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. Historic & Archaeology Resources: Deliberation

Amber Piona, PDS Planner, 425-262-2375, amber.piona@snoco.org
Gretchen Kaehler, DCNR County Archeologist, 425-388-343, gretchen.kaeler@snoco.org

The proposed code amendments to chapter 30.32D SCC address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

For further information, please review the following:

- [Hearing Memo dated May 7, 2021](#)
- [Hearing Memo dated April 9, 2021](#)
- [Briefing Staff Report dated March 5, 2021](#)



E. NEW BUSINESS

1. County Council Referred Amendments to Mineral Lands Comprehensive Plan Policies and Code Provisions: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, mitchell.brouse@snoco.org

Staff will brief the Planning Commission on a County Council referred proposal to amend the portions of the Snohomish County Growth Management Act (GMA) Comprehensive Plan General Policy Plan (GPP) and Snohomish County Code (SCC) Title 30 related to the designation and exhaustion of mineral lands. The proposal was referred by Motion No. 21-124 and includes: (1) amendments to the GPP related to the transition of mine sites to post extractive uses; (2) amendments to the Mineral Resource Lands Map (Map 2); (3) amendments to SCC related to mineral lands and the exhaustion of mining operations; and (4) site specific rezones.

For further information, please review the following:

- [Briefing Staff Report dated May 7, 2021](#)

2. County-initiated Comprehensive Plan Amendments: Briefing

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org

The Planning Commission will be briefed on the annual consideration of county-initiated amendments to the GMA comprehensive plan according to the requirements of Chapter 30.73 SCC. Staff is requesting a public hearing be tentatively scheduled for June 22, 2021, for this year's package of proposed amendments that consist of:

GPP21-3 – Technical Corrections

The 2021 Technical Corrections consist of amendments to maps 1, 2, 4, and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to municipal annexations.

For further information, please review the following:

- [Briefing Staff Report dated May 7, 2021](#)

3. Docket XX: Briefing

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org
Terri Strandberg, PDS Principal Planner, 425-262-2359, terri.strandberg@snoco.org

The Planning Commission will be briefed on Final Docket XX which consists of four docket proposals to amend the Snohomish County Growth Management Act Comprehensive Plan (GMACP) and implementing zoning according to the requirements of Chapter 30.74 SCC:



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

1. Olympic View Water and Sewer District (CFP1) – Amend the Capital Facilities Plan of the GMACP to identify Olympic View as the sewer provider to the Point Wells site and approve a 2019 amendment to Olympic View's 2007 comprehensive sewer plan to include the Point Wells site.
2. Edward Tokarz (SW5) – Amend the Future Land Use (FLU) map of the General Policy Plan (GPP) to redesignate .72 acres in the Southwest Urban Growth Area (SWUGA) from Urban Medium Density Residential (UMDR) to Urban High Density Residential (UHDR) and rezone from R-8,400 to Multiple Residential (MR).
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 - a. (Option 1) Redesignate 19.96 acres in the SWUGA from Urban Low Density Residential (ULDR) to UHDR and rezone from R-7,200 to MR; or
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For further information, please review the following:

- [Olympic View Water and Sewer District Briefing Staff Report dated May 7, 2021](#)
- [Edward Tokarz Briefing Staff Report dated May 7, 2021](#)
- [Tom Winde et al. Briefing Staff Report dated May 7, 2021](#)
- [Marv Thomas Briefing Staff Report dated May 7, 2021](#)

F. ADJOURN



Snohomish County
PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

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WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Development Services, Reception Desk, 2nd Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD

Snohomish County Planning Commissioners:

Merle Ash, District 1	Vacant, District 4
Mark James, District 1	Neil Pedersen, District 4
Tom Norcott, District 2	James Kamp, District 5
Raymond Sheldon, Jr., District 2	Leah Everett, District 5
Robert Larsen, District 3	Keri Moore, Executive Appointee
Vacant, District 3	

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary	Megan Moore, Commission Clerk
------------------------------------	-------------------------------



Snohomish County

**Planning and Development
Services**

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

MEMORANDUM

TO: Snohomish County Planning Commission

FROM: Amber Piona, Planner
Planning and Development Services

Gretchen Kaehler, County Archaeologist
Department of Conservation and Natural Resources

DATE: May 7, 2021

SUBJECT: Response to questions regarding Archaeological and Historic Resources Code Project

Dave Somers
County Executive

During the public hearing for the Archaeological and Historic Resources code project on April 27, 2021, Planning Commissioners asked questions regarding the proposed removal of Snohomish County Code section 30.32D.210(2). The proposed changes to 30.32D.210 are provided below:

~~(1) The county approving authority director shall not issue a permit for any development activity or project approval requiring an archaeology site a professional archaeological survey report pursuant to SCC 30.32D.200 without considering the archaeology site professional archaeological survey report and any comments on the report submitted by an affected Indian tribe and any additional archaeological work and permitting required under chapter 27.53 RCW has been completed.~~

~~(2) If an applicant requests comments regarding mitigation from a potentially affected Indian tribe and the tribe fails to respond within 30 days of the request, the department may proceed with permit issuance based on the archaeology site report if the applicant provides documentation of the request for tribal comments to the department.~~

~~(3) (2) Based on the information contained in the archaeology site- professional archaeological survey report and any comments submitted by the affected Indian tribe(s) obtained during the consultation review process, the county approving authority director will condition the permit or project approval in a manner that will avoid or minimize impacts to the archaeological resource consistent with federal and state law to comply with any permitting and additional archaeological work required under federal and state laws for the protection of archaeological resources.~~

At the hearing several commissioners raised concerns regarding removal of the 30-day comment period in subsection (2), for Tribes to respond to potential mitigation measures for the disturbance or alteration to archaeological sites. However, at the point where a project cannot avoid disturbing or altering an archaeological site, a permit from the Washington State Department of Archaeology and Historic Preservation (DAHP) is required under [RCW 27.53](#) . DAHP has jurisdiction over

archaeological sites. The County is a partner in protecting archaeological sites and cultural resources but does not have the authority under state law to approve mitigation measures for disturbance or alteration to archaeological sites. A 30-day mandatory comment period for Tribes and other interested parties is a required part of the DAHP permit ([WAC 25-48-060](#)), which is issued for the disturbance or alteration of an archaeological site. The proposed changes to 30.32D.210 are intended to provide clarification to the public as well as to align with state laws for the protection of archaeological resources.



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Contact: megan.moore@snoco.org; (425) 262-2891

REGULAR SESSION MAY 25, 2021 MINUTES

A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:31 p.m. Of the nine (9) currently appointed commissioners, eight (8) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash	James Kamp	Tom Norcott
Leah Everett @ 5:33 pm	Robert Larsen	Neil Pedersen
Mark James		Raymond Sheldon @ 5:34 pm

Keri Moore was absent from this meeting.

Mike McCrary Planning and Development Services (PDS), Director, served as Planning Commission Secretary for this meeting.

B. APPROVAL OF MEETING MINUTES

The minutes of [April 27, 2021](#) regular meeting were approved unanimously.

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Mike McCrary reviewed anticipated topics for upcoming Planning Commission meetings and the status of past recommendations.

- [Status of Past Recommendations](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. Historic & Archeology Resources: Deliberation

Amber Piona, PDS Planner, 425-262-2375, amber.piona@snoco.org

Gretchen Kaehler, DCNR County Archeologist, 425-388-343, gretchen.kaeler@snoco.org

Amber briefed the commission on the Staff Recommended Amendment Sheet. The proposed code amendments to chapter 30.32D SCC address archaeological resources. The purpose of the proposed amendments is to revise land use regulations associated with archaeological resources to reflect current law, clarify terminology, and increase the protection of archaeological resources in unincorporated Snohomish County.

After a summary of the proposed amendments Chair Larsen asked for questions from the commissioner. There were no comments or questions from commissioners.

A **Motion** was made by Commissioner Pedersen and seconded by Commissioner Norcott recommending **approval** on the proposed code amendments to chapter 30.32D.

VOTE (Motion):

8 in favor (*Ash, Everett, James, Kamp, Larsen, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Hearing Memo dated May 7, 2021](#)
- [Hearing Memo dated April 9, 2021](#)
- [Briefing Staff Report dated March 5, 2021](#)
- [Staff Recommended Amendment Sheet](#)

E. NEW BUSINESS

1. County Council Referred Amendments to Mineral Lands Comprehensive Plan Policies and Code Provisions: Briefing

Mitchell Brouse, PDS Senior Planner, 425-388-5127, mitchell.brouse@snoco.org

Staff briefed the Planning Commission on a County Council referred proposal to amend the portions of the Snohomish County Growth Management Act (GMA) Comprehensive Plan General Policy Plan (GPP) and Snohomish County Code (SCC) Title 30 related to the designation and exhaustion of mineral lands. The proposal was referred by Motion No. 21-124 and includes: (1) amendments to the GPP related to the transition of mine sites to post extractive uses; (2) amendments to the Mineral Resource Lands Map (Map 2); (3) amendments to SCC related to mineral lands and the exhaustion of mining operations; and (4) site specific rezones.

After the briefing Chair Larsen asked for questions from the commissioners. Key discussion points included definitions of mineral exhaustion, category of extractions, organizations responsible for code enforcement regarding mineral land use, permitting types, and public notices for the hearing next month.

For further information, please review the following:

- [Briefing Staff Report dated May 7, 2021](#)

2. County-initiated Comprehensive Plan Amendments: Briefing

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org

The Planning Commission was briefed by staff on the annual consideration of county-initiated amendments to the GMA comprehensive plan according to the requirements of Chapter 30.73 SCC. Staff is requesting a public hearing be tentatively scheduled for June 22, 2021, for this year's package of proposed amendments that consist of:

GPP21-3 – Technical Corrections

The 2021 Technical Corrections consist of amendments to maps 1, 2, 4, and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to municipal annexations.

Directly following this briefing, the commissioners were briefed on the next item, Docket XX.

For further information, please review the following:

- [Briefing Staff Report dated May 7, 2021](#)

3. Docket XX: Briefing

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org

Terri Strandberg, PDS Principal Planner, 425-262-2359, terri.strandberg@snoco.org

The Planning Commission was briefed on Final Docket XX which consists of four docket proposals to amend the Snohomish County Growth Management Act Comprehensive Plan (GMACP) and implementing zoning according to the requirements of Chapter 30.74 SCC:

1. Olympic View Water and Sewer District (CFP1) – Amend the Capital Facilities Plan of the GMACP to identify Olympic View as the sewer provider to the Point Wells site and approve a 2019 amendment to Olympic View's 2007 comprehensive sewer plan to include the Point Wells site.
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- [Marv Thomas Briefing Staff Report dated May 7, 2021](#)

Discussion/question: map clarification, clarification of recommendations of options for Tom Winde et al. site, site location specifics, sewer discharge volume and treatment plants, policy for transportation stops and distance, impacts of transportation stops, jurisdictions and ownership, and clarification of timing for testimony and public comments at hearing date.

Further discussion was held on the length of time for public comment during hearings. Chair Larsen asked that timing for public comment be discussed at the top of the agenda at the next Planning Commission.

F. ADJOURN

[Meeting agenda](#)

[Meeting recording](#)

[Planning Commission Main Website](#)

Meeting adjourned at 7:18 pm

EXHIBIT 2.0017

Planning Commission Meeting 05/25/21

Contact Clerk of the Council for recording at 425-388-3494 or contact.council@snoco.org

(Clerk Note: saved in G:\ECAF\Council Approved\2021\21-0420 Archaeological\Part 2 Documents\2.0017 – Planning Commission 20210525)

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Lia Toupin being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of 2576998 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 05/15/2021 and ending on 05/15/2021 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$313.95.

Lia Toupin

Subscribed and sworn before me on this

27th day of, *May*

2021
Linda Phillips

Notary Public in and for the State of Washington.



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A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

B. APPROVAL OF MINUTES

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

D. UNFINISHED BUSINESS

1. **Historic & Archeology Resources: Deliberation.**

Amber Piona, PDS Planner, 425-262-2375, amber.piona@snoco.org
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Terri Strandberg, PDS Principal Planner, 425-262-2359, terri.strandberg@snoco.org

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F. ADJOURN

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Snohomish County Planning Commissioners:

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Raymond Sheldon, Jr., District 2	Leah Everett, District 5
Robert Larsen, District 3	Keri Moore, Executive Appointee
Vacant, District 3	

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary	Megan Moore, Commission Clerk
------------------------------------	-------------------------------



Snohomish County

SNOHOMISH COUNTY PLANNING COMMISSION

May 27, 2021

Snohomish County Council
County Administration Building
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendations on proposed code amendments to Historic and Archaeological Resources provisions in Snohomish County Code 30.32D.

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend Snohomish County Code (SCC) 30.32D. related to historic and archaeological resources. The Planning Commission had a briefing on this topic on March 23, 2021, conducted a public hearing on April 27, 2021, and deliberated on May 25, 2021.

The proposed amendments: align the code with state laws pertaining to archaeological resources, historic graves and the inadvertent discovery of skeletal human remains; update terminology and clarify language; and allow the County to require archaeological survey reports for projects when information provided by the Tribes, the county archaeologist or the state archaeologists determines that the project location has a high probability for containing archaeological resources. These amendments would support Snohomish County in identifying and encouraging the preservation of archaeological resources.

There were two (2) written comments in favor of the proposed amendments received by the Planning Commission from the public prior to the April 27, 2021 hearing, and one (1) member of the public commented at the public hearing in support of the proposed amendments.

PLANNING COMMISSION RECOMMENDATION

At the May 25, 2021 Planning Commission meeting, Commissioner Pederson made a motion, seconded by Commissioner Norcott, recommending APPROVAL of the proposed archaeological resources code amendments contained in the staff report with supported findings and conclusions.

Vote:

8 in favor (*Ash, Everett, James, Kamp, Larsen, Norcott, Pederson, Sheldon*)

0 opposed

0 abstentions

Motion passed

This recommendation was made following the close of the public hearing and after due consideration of information presented and is based on the findings and conclusions presented in the March 5, 2021, staff report, with which the Commission concurred.

Archeology Code Project

Planning Commission Recommendation Letter
Index # - File Name: 2.0019 PC Recommendation__signed_20210604.pdf
Code Amendments to Chapters 30.32D SCC

May 26, 2021

Respectfully submitted,

Robert Larson

Robert Larson (Jun 4, 2021 13:22 PDT)

SNOHOMISH COUNTY PLANNING COMMISSION

Robert Larsen, Chairman

cc: Dave Somers, Snohomish County Executive

Mike McCrary, Director, Planning and Development Services






Planning Commission Recommendation Letter

Final Audit Report

2021-06-04

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