

MASON COUNTY
PLANNING ADVISORY COMMISSION

Minutes
June 5, 2006

(Note audio tape (#2) dated June 5, 2006
counter (#) for exact details of discussion)

(This document is not intended to be a verbatim transcript)

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1. CALL TO ORDER

The meeting was called to order by Vice-Chair Steve Clayton at 6:00 p.m.

2. ROLL CALL

Members Present: Tim Wing, Diane Edgin, Terri Jeffreys, Wendy Ervin, and Steve Clayton. Bill Dewey and Jay Hupp were excused.

Staff Present: Bob Fink, Steve Goins, Allan Borden, and Susie Ellingson.

3. APPROVAL OF MINUTES

The minutes from the May 8, 2006 meeting were approved as presented with the following comments:

Steve Clayton requested a review of the tape regarding the recycled motor oil and the disposing of anti-freeze from the presentation by Tom Moore of the Utilities and Waste Management Department. Staff has reviewed the tape and will make the following addition to the minutes:

On page 10 under item (#2990) it should read:

'We used to have to pay about three cents a gallon to get rid of it but now the hauler gets the motor oil at no charge on the basis that they take away the anti-freeze product. The anti-freeze product is filtered and recycled by Emerald Services'.

4. NEW BUSINESS

(#0115) Bob Fink began the meeting by stating that we are dealing with three critical areas tonight. The Landslide Hazard, which includes Seismic Hazard and Erosion Hazard areas, and also the Wetlands, and the Fish and Wildlife areas. We have consultants here tonight to talk about the critical areas, and they have been reviewing our regulations and reviewing the recent science that has come out, as well as other county's ordinances. We have identified a number of issues that we might update this year that are under consideration. The two consultants we have here are Steve Helvey and Lisa Berntsen of Geo Engineers. Steve will talk about the Landslide Hazard Areas first.

Planning Advisory Commission Minutes, June 5, 2006

(#0150) Steve Helvey stated that they have completed scope items 1 through 4 of their scope of services. That generally consists of reviewing the existing ordinance, doing research to see what science has become available within Mason County since the last ordinance update, the review of about twenty-five geo technical and geological assessment reports for sites that have been submitted to Mason County just in the last year. We are in the process of developing suggestions to the ordinance based on our scientific research and also what our experience has been with other municipalities in the area. We have reviewed the landslide hazards, seismic hazards, and erosion hazards, and are, for the most part, as written now, appear to meet BAS (Best Available Science) with a few exceptions. We submitted a draft document to Bob with comments which we feel need to be tweaked to meet BAS. There are about four or five new geologic maps that have been published for areas within Mason County since the last update and those maps need to be referenced in the ordinance. There is also a seismic liquefaction map for the entire county which also needs to be referenced within the seismic hazard section in the ordinance. Those are referenced in the documents that we've already sent out and will be available as drafts.

(#0250) Terri Jeffreys inquired about referencing the maps in the ordinance.

(#0260) Steve Helvey stated that there are specific locations within the ordinance that a consultant or a proponent would be looking to find. That's the purpose of the update when new scientific data becomes available, it should be incorporated into the ordinance. Steve continued on by stating that they're suggesting the language be revised regarding the geotechnical reports and the geological assessments. Right now that language is intertwined too closely. Those reports in other municipalities are very separate documents. So we're advising some language update there.

(#0315) Tim Wing inquired if the requirements in this document are generally consistent with requirements in Thurston or Kitsap County.

(#0325) Steve Helvey responded that they're very similar. Some of the other counties like King or Pierce are much more in depth than Mason County. There's more risk of landslides in those areas than it is out here.

(#0335) Terri Jeffreys inquired about the two types of reports.

(#0350) Steve Helvey responded that where it describes what goes into a geotechnical report, the language mixes the two reports up and there's really no distinct line or boundary between the two report types. In other counties they make sure they're very separate. A geotechnical report really is designed for development that's going to possibly be in a landslide hazard area. The geotechnical consultant will provide recommendations to mitigate that hazard through construction and design. A geological assessment report is really designed to indicate that the site is not within a landslide hazard area or it's buffers or setbacks. That's the only area in the ordinance that we see you will need major changes.

(#0385) Tim Wing inquired that if an individual comes in and there's a potential landslide area, how do we decide there's that potential.

(#0400) Bob Fink responded that we do have some maps that are useful in identifying areas, but principally we rely on site visits by planners who are looking for signs of instability of the slope, or simply steep slopes. If those are identified, the applicant is told to get professional advice to evaluate it. That might be a letter from the geologist or engineer, or it could be an assessment or a report. A couple of years ago the state started licensing geologists so the people who do these forms all have to be licensed either as geologists or engineers.

(#0460) Tim Wing inquired if the county ever tries to overrule what those professional people evaluated.

(#0475) Bob Fink replied that the county reviews the reports that are submitted. We send them to the Public Works engineers to review the report to make sure it is adequate and meets the standards we have for the reports.

(#0500) Tim Wing inquired if the neighbors don't want the development to go there is there any politics involved in the process.

(#0525) Bob Fink responded not to his knowledge. Our purpose is to review it and make sure it is consistent with BAS and try to deal with some of the other issues we've had in trying to apply this. One of those issues is reports that are

Planning Advisory Commission Minutes, June 5, 2006

not complete. So the consultant is suggesting that we clarify the language so that people aren't submitting incomplete reports. We want to make sure the process and language is clear. We're also trying to make the process less expensive and easier for applicants. We're building our data base of where these reports have been done so that people will know there was a report done in the vicinity and then check the report. They can't rely on it unless they get the authorization from the author of the report. We also want to see if we can develop links and other information sources to the consultants so when they do prepare these reports they can quickly find the information they need.

(#0640) Diane Edgin stated that a number of years ago the Harstine Island Community Club financed a report and it was done by students from Evergreen. It describes the island in total, with some geological maps and hazards shown. Would that be considered a source for somebody.

(#0660) Bob Fink stated that most of the sources we use would be published or peer reviewed. Or prepared and stamped by a professional.

(#0700) Terri Jeffreys inquired if the Coastal Zone Atlas was going to be replaced by the new maps.

(#0725) Steve Helvey stated that it won't be replaced completed. The Coastal Zone Atlas shows every shoreline in Mason County. The new geological maps don't cover all the shoreline in Mason County at this time. However, the new maps would be considered to be the BAS because they are the most recent.

(#0735) Terri Jeffreys inquired if we could point to the data base of the previous geotech reports and assessments.

(#0745) Steve Helvey explained that the BAS is the most specific science you can find. If you have a site right next to a site that has a report already completed, that's a much more intensive study than the study that goes into putting these overall geological maps together.

(#0762) Terri Jeffreys inquired if that could be codified.

(#0770) Steve Helvey stated that the report would have to become public information and I'm not sure how that works within the county. If there's a link to a website that would have these reports that should probably be in the code someplace, but I think that's a ways down the road. First you would have to develop a GIS data base to put these reports in and then map them. The City of Seattle has a website where they have not just the reports located, but all the subsurface exploration that went into those reports mapped.

(#0800) The PAC thanked Steve for his presentation.

(#0850) Lisa Bernsten started her presentation by stating that their firm had previously helped Mason County write the Wetlands Ordinance, and the Fish and Wildlife Ordinance. Lisa started out by talking about the changes in the wetlands. The Department of Ecology has done an incredible amount of BAS review on wetlands and wetland functions. In the earlier version, we had BAS that we had generated by gathering similar bits of information from across the nation, and now DOE has done the work for us. Since your previous version of the ordinance, DOE has changed the categorization and rating system. They still use the I, II, III and IV rating system, with Category I being the most valuable. They have changed the way that they have identified the different categories. They have it in a numerical ranking and they bring in habitat value in a much higher way than they did before. So one of the suggestions we're making to Bob and Mason County is to adopt the new DOE rating system. One of the things we've been noticing across the different counties and cities is that Category II wetlands under the old rating system are now Category III wetlands. Category III wetlands are now Category IV wetlands. That flows easily into wetland buffers. DOE has been requesting cities and counties to increase wetland buffers significantly. Kitsap County adopted a new ordinance with much larger buffers. Jefferson County is going through an amendment similar to Mason County and they're recommending much larger buffers as well. We're working with Bob and staff to figure out what those numbers might be.

The earlier Mason county ordinance had some pretty standard buffer adjustment discussions and languages where it talks about buffer averaging or buffer reduction. That's pretty standard language but we're suggesting adding some additional options like restoration so instead of just creating a wetland out of an upland site, restoring an old wetland. You get better functions and values quicker. We're also talking about within that scenario rather than just having a 1:1 or 2:1 creation or enhancement ration, having a matrix table of describing different credits for different types of

Planning Advisory Commission Minutes, June 5, 2006

mitigation.

(#1225) Terri Jeffreys noted that means the footprint could be bigger if you build up enough credits.

(#1130) Lisa Bernsten stated that was correct. DOE has been trying to take the approach that not one size fits all and providing different types of buffers for different types of wetlands.

(#1150) Terri Jeffreys inquired about the matrix and if other jurisdictions were using it.

(#1160) Lisa Berntsen stated that both Kitsap and Jefferson County are using the DOE matrix and they are on line if you want to review those.

(#1185) Tim Wing inquired if a property owner wanted to develop something and there was a wetland on it, would that kind of thing could be done by a biologist to create a plan that would pass muster.

(#1200) Lisa Berntsen responded that it's very similar to what Steve described for the licensed biologist. You'd have a fisheries biologist or a wetlands biologist doing a similar type of report. Your existing code has language in it on what a wetland delineation report should consist of and what a wetland mitigation report should consist of and the guidance is outlined there.

Bob wanted me to talk about mitigation banking. When the ordinance was worked on a number of years ago, mitigation banking was a dream for people. Now the COE, DOE and Washington State have all jumped on the mitigation banking bandwagon. That means if you have a piece of property that you don't have available land onsite, or you don't own land offsite, or choose not to purchase land offsite to create or enhance a wetland, there can be systems that are set up either by private groups or cities or counties to provide that land that's available for somebody else to either provide money to that city or county to create a wetland there, or they can actually go in there and do the creation themselves. The City of Chehalis has about 70 acres available for mitigation banking. We've used that to mitigate filling in for a hospital site where we actually went in and did the design and construction observation for the creation of a wetland. Kitsap County has some land available that they are allowing Public Works projects and private projects to do a similar type of creation enhancement project. A report would have to be provided to the county and the county would have to buy off on it, and then the proponent would create that. There's other private organizations that are buying up pieces of property and they're calling them wetland set asides. That avoids some of the legal hoops.

(#1300) Wendy Ervin inquired if they are county by county or regional.

(#1320) Lisa Berntsen responded that they're county by county and actually more watershed by watershed.

(#1350) Tim Wing inquired what check there is to make sure that this doesn't become some sort of an extortion program, like saying they're going to hold up your permit unless you donate to this park over here. There has to be some clear definition of what they're going to be doing, and that money they pay really needs to go into creating or saving a wetland. Tim inquired if that's all spelled out in the language.

(#1375) Lisa Berntsen responded by saying that they're not very well spelled out. Most of the counties that are beginning to explore this only have about a paragraph in their code about it.

(#1385) Tim Wing added that he will be interested in making sure that if somebody pays some money so they can fill in a wetland, that that money better be going towards creating or improving a wetland somewhere else in the same watershed. There needs to be language to make sure the money won't be used for something else.

(#1400) Allan Borden added that it sounds somewhat similar to transfer of development rights and that there's a program set up for that.

(#1450) Steve Clayton inquired if this was a concept that we're doing this time around.

(#1475) Lisa Berntsen responded that she has been working with Bob on exploring parts of the ordinance that could use an update and we haven't worked with Bob very much on the code. What we've done with code is provided him with examples from different cities and counties to take a look at. Steve and I have been asked to help Bob and the

Planning Advisory Commission Minutes, June 5, 2006

staff through this process. Before we had to help specifically write the code and provide the BAS and provide that documentation. In this case, we're acting more as an arm of your staff rather than a consultant.

(#1500) Bob Fink added that if you think of the banking as offsite mitigation, we don't have very explicit provisions for that. It would be good to be able to provide that opportunity. There are times when you can't do mitigation onsite and that can create an issue. It's being recognized pretty broadly that you need this capability. The questions are how do you set up the system, how do you make sure the money goes where it's supposed to go, and how do you make sure the mitigation that's to be done actually gets completed.

(#1600) Terri Jeffreys added that the F&W representative that was here talked about mapping areas of the county that had high functions and values and this seems like this would be a great way to tie into further augmenting those areas for protecting them.

(#1650) Lisa Berntsen stated that she and Bob have been talking about taking a more holistic landscape approach. That means to take a look at your landscape to see what was historically there and create what's missing in the environment.

The next item we'll talk about is Isolated Wetland Exemptions. In your ordinance you have Category II and Category III Wetlands of less than 2,500 sf, and Category IV Wetlands of less than 10,000 sf as exempt. Since your ordinance was updated a few years ago, there has been a lot of science documenting the fact that isolated wetlands actually do have functions and values. The recommendation from the DOE has been to not have exempt wetlands. Other cities and counties across Puget Sound have not gone that far; they've all had a size exemption for smaller wetlands. However, they have reduced the size. It's something like 2,500 and 7,500 sf. They're shrinking down that exemption. That's going to be a decision that the county will have to make.

(#1800) Tim Wing inquired about a regulated wetland and what that means.

(#1825) Lisa Berntsen responded that a wetland is regulated meaning that if you were to fill it, then the county and the federal government would ask you to provide mitigation for that wetland. If a wetland is not regulated, if you were to fill it, you would not have to provide mitigation from a county level.

(#1850) Tim Wing reaffirmed that if it's not regulated, then you could go ahead and fill it in.

(#1865) Bob Fink responded by saying that stormwater could then be an issue. If you fill in the wetland, then you're probably displacing water or maybe part of the drainage system. These smaller wetlands have functions and values just as larger ones do. So simply to ignore the fact that they exist as wetlands and not require any mitigation if you're going to develop on top of them, is something they're concerned about.

(#2000) Lisa Berntsen continued on talking about danger trees, which also applies to the Fish and Wildlife part of the ordinance. What county staff has noted throughout the years has to do with 1) in the HPA's they talk about leaving trees, snags and sometimes that is a danger tree to the residence. So there's been some suggestions and thoughts about only being able to go in and take care of those danger trees on a cyclical basis. Also, having tougher standards with regards to replanting rather than taking out a danger tree and replanting with a seedling, but replanting with a much larger tree so that structure or canopy can be replaced in a quicker period of time. We were also talking about if you had to cut down a danger tree, don't just take it away. Leave it in the buffer as habitat. Those are great improvements towards making the whole buffer system better.

(#2100) Terri Jeffreys inquired about the enforcement ability.

(#2150) Bob Fink stated that we have provisions now and they don't require pre-approval by the county, and that is an enforcement issue. Sometimes people interpret the code to allow them to take out a large number of trees at the same time. We feel it's not a major problem at this time; that people aren't overly abusing the provisions. The function of the buffers is to contribute habitat, woody debris, and that's why the buffers are supposed to be left. We think that we could also not provide incentives for people to press the limits of the hazard tree provision by having them leave the tree in the buffer. So we're looking at how we can do this in a way that makes enforcement easier and keeps people from getting into issues with enforcement and protects the habitat values.

(#2400) Lisa Berntsen asked if there were any more questions regarding the wetlands section.

Planning Advisory Commission Minutes, June 5, 2006

(#2440) Bob Fink stated that we only have these consultants with us until the end of the month. We don't have draft language yet that we're ready to release. We'll have drafts for review probably in about a week or so. We'll give those to you and be able to give you a week to look at it and then come back to us with questions and we'd still have our consultants on board to respond to you. We do have time before we actually need to adopt these. These are complicated issues so we want to give people as much time as we can to think about them.

(#2550) Lisa Berntsen moves onto her presentation on the Fish and Wildlife Ordinance. DNR has reorganized how they identify stream. They don't use the 1, 2, 3, 4, 5 system that's in your current ordinance. They have Fish and Non-Fish Streams. There are four different categories there. There is Type 'S', which is for marine shoreline. Type 'F', which is your current Type 2 and 3 streams. They have a Type 'Np', which is non-fish bearing perennial, which is equal to your Type 4 stream. There's Type 'Nf', which is a non-fish bearing stream that is seasonal and that is equal to your Type 5 stream. We're suggesting just a simple cut and replace for that portion. We took a look at your stream buffers and what we found is that they're fine the way they are. We talked about enhancements with the buffers, using the open space tax assessment portions of your ordinance, using the conservation futures part of your ordinance. Focusing on the parts of your ordinance that currently exists and that can be tweaked to provide better function and value for your anadromous fish. Bob also talked about the county having a noxious weed program. That's another good thing you can talk about that will protect the salmonid habitat.

We've also been talking about providing some additional language in the ordinance with regards to alternative shoreline protection. Right now the ordinance doesn't have a whole lot about protecting the shoreline with using natural features first, like wood or logs. There are other mechanisms like a soft bank instead of a hard armoring. That will still protect the upland structure without negatively impacting the shoreline transport.

Bob and I have also been talking about adding some recommendations for single family dock and float design and construction that would help provide light to the eel grass beds. The herring spawn on the eel grass beds and the herring is food for the salmon. We're finding that if you have a dock, it shades the substrate, and eel grass needs quite a bit of light to grow.

(#2800) Tim Wing inquired what kind of features would one install to get light to the eel grass.

(#2850) Lisa Berntsen stated that one mechanism has to do with orientation by putting your dock north and south so there's more light. Also, elevating things as far off the beach as possible so there's more light. Don't allow grounding of the dock on the beach. There is also talk about having grating rather than having a solid surface.

(#2900) Tim Wing stated that he is skeptical about the dock requirements with the windows in them. Hood Canal had huge rafts of driftwood logs that got no light down below them and somehow the ecology worked for hundreds of years without having grates.

(#3000) Lisa Berntsen stated that she can provide to Bob the source document where these recommendations came from and they can be reviewed.

(#3060) Tim Wing continued on by saying that he grew up on Hood Canal and lived on a beach there for fifty years and he helped build a bulkhead and put a groin in and has seen the scouring that happens with a bulkhead. He has also seen the results of the groin and it's impact on some of the neighbor's beaches. That particular beach has 150 feet of great smelt, sandy beach that didn't even have one in it's natural state; the groin provided that. My point is that there is pros and cons on a lot of these issues and I've never believed that F&W always knows what they're talking about as much as some of the people who spent their lives on those beaches watching what really happens.

(#3150) Lisa Berntsen explained that cycles change. It wasn't that many years ago that people said to take out all the woody debris from the streams and allow that water to get downstream faster. We all learn as we make regulations.

Now we'll talk about the HMP process. Bob also provided to us fifteen examples of HMP's that were developed as the result of the variance. We went through those HMP's and compared them to the ordinance. First, we took a look at the ordinance language as it exists, and took a look at the HMP's to see if these plans were even prepared as per the code. Every single one of them was missing a component. That meant that maybe the ordinance wasn't written as clearly as it could be so that the consultant that was writing that was understanding all the pieces that needed to be

Planning Advisory Commission Minutes, June 5, 2006

in there. We will review that language. The code enforcement people also have difficulty enforcing something if it's not a complete package to start with. Bob also asked us in those fifteen HMP's if there were some similarities in them such that they could be changed into conditions of approval rather than having the consultant put this out over and over again.

(#3400) Bob Fink added that we're trying to see if there's standardized language we can use rather than have the consultant prepare the same language over and over again. That would make it easier to monitor.

(#3450) Wendy Ervin inquired if there was a variety of things missing from the reports.

(#3475) Lisa Berntsen responded that the most standard things that were missing is that a lot of them talked about replanting with vegetation, but most of them did not have a planting plan, or a planting schedule. Some of them were missing a monitoring report requirement, so if you're looking at a report like that and if code enforcement was going out there to look at what was planted, a lot of them didn't say how many plants were going to be planted or where. So that makes it hard on the code enforcement people.

(#3550) Bob Fink added that we often go out and finalize the building permit because we don't want to hold up their final on their building because of planting when they want to plant in the fall. So then we've lost our leverage if we don't hold the bond that we can execute then we don't have any more leverage over what they do except an enforcement process, which is probably the most difficult way to try to get compliance.

(#3650) Lisa Berntsen also talked about the language restructuring for shoreline protection; the process of deciding whether that bulkhead needed to be a hard structure or it could function as a soft bank protection. We've been looking at different examples from other counties what their language says.

(#3700) Tim Wing inquired about the meaning of 'soft bank'.

(#3725) Lisa Berntsen explained that soft bank protection typically has some logs that are bolted into the earth so that they form the hard structure of the bulkhead, then there's some vegetation planted in and around. Sometimes there are boulders put into place to try to mimic the environment.

(#3800) Terri Jeffreys stated that it almost sounds aesthetic; there's a lot of difference between aesthetic and functions and values.

(#3810) Lisa Berntsen responded that it doesn't. If you have a wave that's hitting against a flat structure, it's no being attenuated at all. If you have a log there, it's going to curl up and lose some of it's strength and velocity. So it's more than aesthetic.

(#3835) Tim Wing stated that these are really difficult to do along Hood Canal because there's no space. Soft bulkheads are vastly more attractive and they have great potential to be good looking and effective, but a concrete bulkhead takes up six inches and a soft bank might be ten feet wide or more.

(#0120) Lisa Berntsen stated that she also recommends tightening up the language regarding outright permitted shoreline activities. Bob and the staff have provided some language that talks about some things that are permitted activities that they would like to roll in to the MEP (Mason Environmental Permit) process, rather than just being granted.

(#0145) Tim Wing asked for some examples of those activities.

(#0165) Bob Fink responded that one example would be a stair tower. If you have a very steep bluff, you would actually need to build a structure to support the stairs and the shorelines code would allow you to build that tower out from the ordinary high water up to ten feet. There's nothing currently in the RO that allows you to build that with a permit. It requires a building permit. We need to address it explicitly to make sure it's clearly permissible. Right now it's not clear at all that it's even permissible.

(#0175) Tim Wing inquired if people do get permits to build those.

(#0185) Bob Fink responded that they have gotten them and the attitude has been that the shoreline regs permit it, but

Planning Advisory Commission Minutes, June 5, 2006

it wasn't clear in the RO how it should be regulated.

(#0200) Tim Wing reiterated that what he's hearing is that you will first be asking people to get a permit to do that and secondly, providing rules that will allow them to do those structures.

(#0210) Bob Fink responded that was correct.

(#0220) Tim Wing stated that if they came down and asked about a permit they were offered an opportunity to pay for one, but if they didn't come down and ask for a permit, they could just build one.

(#0225) Bob Fink responded by saying that you always had to get a shoreline permit to build a structure like that. There are other activities that don't necessarily require a shoreline permit, but that aren't specifically addressed in our ordinance. Last year we added boat ramps and docks because they weren't specifically addressed in the RO. We needed to make it clear those things were permissible.

(#0230) Tim Wing inquired if you put that into an ordinance is it going to make it easier for someone to get a permit if it is permissible. There are people on Hood Canal that have been trying to get a permit to build a dock for several years and have spent a lot of money trying to get those permits. And because some of the neighbors don't want them to have a dock, they aren't getting a permit.

(#240) Bob Fink explained that there are some places where people aren't getting permits, particularly on the North Shore, because there aren't any dock there now. It wouldn't make it any easier for them to get a permit for a dock. Those permits have been denied under the SMP.

(#0350) Wendy Ervin commented that Mr. Richert made a point that on his land he grows deer, and elk and his concern was that he provides habitat for them and he would like some consideration that he's already supporting protecting the habitat.

(#0395) Bob Fink stated that he had looked into wetland mitigation diking and that would be an opportunity for people who have degraded wetlands or the opportunity to expand their wetlands could use that to their advantage.

(#0425) Terri Jeffreys inquired that she heard we were creating a benefit rating system for open space.

(#0440) Bob Fink responded that it is on our work program to do a benefit rating system so that there's an actual rating system and a way of evaluating land and the contributions they're making to the public benefit and environment. Based on that public benefit, they get tax breaks on their property taxes.

(#0450) Terri Jeffreys inquired if you then convert, would there be a tie-in on what your penalty and / or taxes due at the point of conversion.

(#0455) Bob Fink responded that if you take it out of the open space classification, there probably would be tax penalties. The penalties are related to what their relief was.

(#0475) Wendy Ervin stated that she saw a map where it indicated that the Skok Reservation did not go into the river; it was along the side of the river. She inquired as to where the line is in regards to the river.

(#0480) Bob Fink responded that the maps he has seen indicate that there are places where the river has moved since the Reservation was established and that the Reservation doesn't follow the river as it moves. We have jurisdiction in the Reservation, but it's a limited jurisdiction. It doesn't apply to tribal activities, and it doesn't apply to activities of people who are members of the Tribe. People who lease land who aren't tribal members, are within the county jurisdiction as far as land use goes.

(#0550) The PAC thanked Lisa for her presentation.

(#0575) Bob Fink stated that as quickly as we can we're going to prepare some draft language for consideration to address some of these issues we've come up with. We hope to get some comments back from you by the 20th or so of this month. Then we'll have another five months to play with it. A lot of our regulations we're not looking at major changes because they were adopted fairly recently and they were adopted as BAS. The wetlands is probably the one

Planning Advisory Commission Minutes, June 5, 2006

we're looking at for the most changes. The next meeting is June 19th and one of the items that we have been thinking about putting on there is the public hearing on the Skokomish Valley. However, at this point we haven't made that definitive. You may remember that there were questions that came up during the previous workshop that you had, and we don't have all those answers yet. I'm reluctant to move to a public hearing until I have all the information for you. We'll make that final decision tomorrow.

(#0600) Steve Goins stated that on the 19th we will also be discussing the sewer plans for Belfair and the North Shore, as well as Hoodspport. If we don't have the Skokomish Valley public hearing, we have other issues to bring before you. We need to update the interim zoning in Allyn and to make changes to the zoning map.

(#0650) Terri Jeffreys inquired about the sewers in Hoodspport. She stated that she is hearing that there's a problem with running sewer line down the North Shore Road allowing hookup all the way down to Belfair State Park because it's a rural area and you don't want urban services there. She inquired what that means for sewers for Hoodspport, where that's also considered a rural area even though it's a RAC.

(#0675) Bob Fink stated that there are concerns and this is an issue that has gone through court. The Cooper Point Association challenged Thurston County's action. Thurston County failed to show that the extension of sewer outside the UGA was necessary for environmental protection or health protection. That's what you have to do in order to extend it. You have to show that you don't really have alternatives to using sewer. There's a study that's been underway for some time in the Hoodspport area where they've looked at alternatives to see what is the best alternative to dealing with existing and expected health issues that may be there. Even though it's rural area, there's growth that's already committed by the existing land use patterns and zoning. There's the Tribe as well that has some interest in providing safe sanitation. The study isn't done yet but that will provide documentation on whether that is the alternative of choice and adequate within itself. The critical point is showing the sufficiency of need to meet the test of the GMA. For Hoodspport there's also the possibility of designating it an urban area. It was one of the areas considered for urban areas when the Comp Plan was done in the mid 90's. The sewer would be one factor in making that decision. They're also examining small package plants and community drainfields, including using advanced individual systems. They're examining the whole range of options.

Hoodspport is still at a study stage. In Belfair, in the area outside Belfair, they're considering extending the sewer. There's no question you could put the sewer in the urban area of Belfair, but the questions is what do you have to do if you want to extend that sewer line to serve the North Shore from the Belfair State Park back to Belfair. That's being studied as well by the consultants. It's an unresolved question at this point whether there's sufficient documentation and confidence to be able to proceed with the sewer in the rural area on the North Shore, and if you proceed with it, under what conditions. My understanding is that it's still a matter of concern and discussion as to that's possible to do there.

(#0875) Steve Clayton inquired if it was under consideration to expand the UGA, or have a stand alone UGA, similar to what Port Orchard has with McCormick Woods, to identify Lynch Cove, Beards Cove, as part of the Belfair UGA.

(#0900) Bob Fink responded that he doesn't believe anyone has proposed that. The original urban area in Belfair was much larger and there were issues with that. The county had to reduce it. It's going to be very difficult for us to leap across to the Union River Valley.

(#0930) Steve Clayton stated that it was discussed briefly in the Belfair planning stage that it got thrown back because we included the Union River Valley, which is mostly undevelopable on a critical area, and it didn't include the high density portions of Lynch Cove and Beards Cove. We have precedence set by our adjacent county. Kitsap County, where the UGA in Port Orchard stands separate with the buffer zone in between from McCormick Woods, which is part of their UGA without services. Beards and Lynch Cove don't really have services as far as gas stations, etc., but we do have high density residential there.

(#0950) Bob Fink responded that there is non-rural density along the shoreline. That's where a lot of the worse septic issues are, not so much on the high, although individual lots have issues. There has been analysis of that and where the highest risk areas are, and where the lower risk areas are. That's what they're looking at, but I don't know that there's an answer yet.

(#0975) Steve Goins added that the real issue is coming up with an agreement that DOE and CTED and other

Planning Advisory Commission Minutes, June 5, 2006

agencies can live with. There's no denying there's an environmental concern on the North Shore. The obstacle we're trying to overcome is can we provide that without encouraging growth. If we can strike that balance, I think that's where we'll land.

Meeting adjourned.