

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes
July 9, 2007

(Note audio tape (#2) dated July 9, 2007
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 Chair Bill Dewey at 6:00 p.m.

2. ROLL CALL

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

Staff Present: Charlie Butros, Barbara Robinson, Barbara Adkins, and Susie Ellingson.

3. APPROVAL OF MINUTES

The minutes from the April 16, 2007 meeting were approved as presented.

4. NEW BUSINESS

(#0050) Barbara Robinson mentioned this is Terri Jeffreys last meeting as a member of the Planning Advisory Commission. She thanked Terri on behalf of the county for the four years she served on the PAC.

(#0100) Barbara Adkins, Planning Division of the Department of Community Development, opened the hearing on the Capital Facilities Element of the Mason County Comprehensive Plan. The Western Washington Growth Management Hearings Board found the Capital Facilities Element did not show how the county would finance public sewer in Belfair within project funding capacities or identify sources of public money. It also did not contain a forecast of future needs for stormwater management facilities, a six-year finance plan, or identified public money sources for the Allyn and Belfair UGA's. The order gave Mason County until February 6, 2007 to come into compliance. We made every effort to do that but were unable to do that and asked for an extension until August 6, 2007, and that is the deadline we are working under now.

Planning Advisory Commission Minutes, July 9, 2007

The Department of Public Works and the Department of Utilities and Waste Management have individually contracted with private consultants to prepare plans to bring this element into compliance. The Belfair/Lower Hood Canal Water Reclamation Plan has been drafted and went to the BOCC originally with the LAMIRD intact and that has been removed and is going forward to the BOCC. The Department of Public Works drafted stormwater management plans for both Allyn and Belfair. All these plans need to be incorporated into the Capital Facilities Plan so they are all mentioned in the staff report, although tonight we are only talking about the stormwater plans. The staff report tells where all three of these plans have been referenced in the Capital Facilities Element and they are incorporated by reference. Those are the changes we're making to bring that Element into compliance.

(#0180) Terri Jeffreys inquired about the finance plan changes.

(#0200) Barbara Adkins noted there were numbers changed for the Belfair Sewer Plan.

(#0225) Terri Jeffreys talked about the finance plans.

(#0245) Barbara Robinson explained that each document will be adopted by reference and each document has its own finance plan.

(#0270) Bill Dewey inquired if we could wait on a recommendation for this element until after the stormwater plans have been heard.

(#0285) Barbara Adkins responded that you could wait and let Public Works talk about the stormwater plans.

(#0300) Bill Dewey inquired if there was any public comment on the Capital Facilities Element. There was none, but testimony was left open.

(#0350) Charlie Butros, Public Works Director, gave a brief introductory statement and then introduced Joe Simmler, who is the consultant helping us with the stormwater plans for both Belfair and Allyn. At the workshop on June 20th, we received quite a few comments from that workshop and subsequent to that workshop. From that series of comments we had, we had also, in parallel, invited public comment. We had requested for public comment to be submitted by June 29th so we could incorporate the comments received at the workshop with those from the public and we tried to do that. Joe Simmler and his team were very effective at getting us an updated plan to address the majority of those we received. That is what we reissued early last week. With that we are still hoping to be able to take action on these tonight and proceed with the process. To make the August 6th date, we have a workshop scheduled on the 23rd with the BOCC and the hearing in front of the BOCC will be on the 24th. We appreciate the support the consultant has given us to incorporate the comments.

(#0450) Bill Dewey inquired about the comment letters submitted and if there was a summary produced of the comments received.

(#0475) Charlie Butros responded that at the end of the document issued to the PAC last week there is a summary that identifies comments that were received at the workshop and how those have been addressed. Additionally, my understanding is that you had requested copies of some of the comments that we received from DOE and from the Puget Sound Partnership. We received those early last week and obviously those have not been included in the current draft but we are continuing to work with DOE and the Puget Sound Partnership and discuss their comments and address those comments. This is an accelerated process and we are trying to comply with a deadline requirement that is imposed on us by the Hearings Board.

(#0500) Bill Dewey stated he hasn't seen DOE's comments but he did get a copy of the comments from Puget Sound Partnership and they were pretty extensive and if those have not been addressed he stated he would be uncomfortable personally adopting the stormwater plans tonight knowing there are some substantive issues that came from a credible source of comment. He inquired of Charlie what he would suggest procedurally a way to go about making sure those comments are addressed.

(#0535) Joe Simmler, consultant, stated it's not as black and white as you might think. When we got

Planning Advisory Commission Minutes, July 9, 2007

comments in from the public we also got some preliminary comments from both the Partnership and DOE. There was a lot of continuity and consistency with the comments. It wasn't that DOE's comments were unique; they said they wanted to see more regulatory compliance based on the Puget Sound Water Quality Management Plan and if you are following that guidance. We were able to address a lot of those. There's one, however, that is worth talking about. In the letter from DOE, they are requesting that all the runoff from Allyn and Belfair be pre-treated prior to discharge to saltwater. That goes beyond the Puget Sound Water Quality Management Plan and beyond the 05 Manual. It means they're suggesting that the capital program be used to retrofit existing development in both Allyn and Belfair so that all stormwater is treated.

(#0585) Charlie Butros explained that goes beyond what we think is reasonable and beyond our ability to implement a program right off the bat. There are requirements to retrofit existing runoffs so it's pre-treated before it's discharged, but that's substantial in cost and that's some of the discussion that we expect to have with them.

(#0620) Susie Ellingson, Clerk, hands out comment letter submitted by Dennis Pickard, member of the PAC, who was unable to attend the meeting.

(#0630) Joe Simmler stated at the June 20th workshop there was a lot of good feedback. There are a lot of folks here tonight that made comments and we made every attempt to include new information, to add new descriptions of problem areas, to add new information about consistency and continuity with local land use planning and development goals and objectives and we really appreciate that. There is an Executive Summary in the back of the document. We got about 47 comments at the meeting and we listed them and gave our response so you can get an idea of some of the issues that came up. We also put in a section by section summary to help guide people in terms of reading and comparing the revised draft with the original draft. In addition to the information about local flooding problems, we did take a fresh approach to the capital projects, particularly for the Allyn area. There were a lot of comments on how regional detention for water quality treatment was impractical. It consumed too much valuable land and it was too expensive, and that was a cost that would be incurred as development would come on board and new parcels would be developed on a parcel by parcel basis. We changed that and put in Allyn strictly a collection conveyance system which the county would put in place and help support development as it occurs. The cost for that was substantially less. Originally we had regional detention in there for about 15 million dollars and with these back bone systems, the price was about 2.5 million dollars. That would be spread out over time depending on how development would occur. All detention for water quality treatment would happen onsite and according to the '05 DOE Manual we were suggesting a direct discharge after pre-treatment onsite to conveyance to the saltwater.

In Belfair, the proposed capital program remains the same. The major change to both plans was the addition of the programmatic elements, which had to do with addressing both existing and future regulatory requirements. We patterned that after the Puget Sound Water Quality Management Plan. There are 13 elements in there for compliance with municipal stormwater programs. They overlap significantly with what's required for an NPDES II permit. Three elements that stand out are monitoring watershed planning and funding as well as public involvement and education and inspection enforcement.

(#0750) Bill Dewey inquired if this was for both plans.

(#0765) Joe Simmler explained they are a mirror image of each other and because of the due date for the GMHB, we did not do the countywide stormwater program initially as the primary umbrella. The next assignments are to do the stormwater plans for Hoodspout and then the countywide program. These stormwater plans are for rapidly urbanizing areas and they will be very consistent with each other and they are intended to be incorporated underneath a broader countywide stormwater approach. We beefed up the culvert analysis and a lot of what was in the appendix is now in the text. We also beefed up the funding element and we appreciate the input we got from the county on that. There is no one funding source but a mixture of funding sources to come up with the annual level of funding that's needed for both capital and program elements. It also explains which funding sources can support the capital elements and which funding sources can support the programmatic elements. We have put in a \$100,000 per year capital set aside with the thought being that once you needed to build capital projects after year six, which is when the culverts seem to be adequate for, then it would be there for the future.

Planning Advisory Commission Minutes, July 9, 2007

(#0850) Terri Jeffreys inquired how stormwater will be treated before it's discharged in regards to new development.

(#0860) Joe Simmler explained it would be to adopt the '05 DOE Manual and to treat it according to the BMP's proposed in that manual. We're also proposing to support and reinforce Low Impact Development (LID). We're hoping that with these tools a new developer will come in and be able to preserve as much of the original vegetation on the site as possible, to be able to keep the footprint of the sidewalk, the driveways, the roads to a minimum. To be able to continue to detain and infiltrate onsite to the extent they can. To the extent they can't they would provide LID types of treatment facilities to treat it prior to discharge to a conveyance system in Allyn. In Belfair, new development has to detain and treat onsite because they're discharging to fresh water stream systems.

(#0920) Terri Jeffreys continued on by saying the plan says that if you have 2000 sf of impervious surface then you would need to be submitting a stormwater management plan with your building permit application, and that would trigger whatever is required in the manual.

(#0940) Joe Simmler stated that was correct. There's also the proposal that the county is working on now to have a countywide LID ordinance that would go along with the adoption of the '05 manual. Each builder will probably go in and do their own stormwater plans; this will just be a guide. The tables in the plan show what's required for different land uses in terms of the wet pond, the detention volume, possibilities for infiltration, as well as the square feet that are required for the stormwater facility.

(#1000) Bill Dewey stated the area adjacent to North Bay is R-2 and BP and that is some of the most valuable and productive shellfish beds in North Bay. He has concerns about that area that is mostly vegetative and turning it into 100% and 90% impervious surface. That area adjacent in North Bay is also one of the most significant populations of native oysters in the state. He has concerns about the whole concept of over the next six years of not putting any additional infrastructure or capital facilities to do any treatment and just use the existing culverts because they can handle the flow. Also, there are some very valuable oyster production areas by Sherwood Creek that hasn't been used for many years. If that water quality was turned around out there it could be opened for harvest.

(#1200) Joe Simmler acknowledged that DOE has made some of those comments.

(#1250) Diane Edgin stated that not addressing it properly now does not make it cheaper. It actually makes it more expensive for everyone in the long run.

(#1300) Bill Dewey noted from their standpoint with the approach that is being used even for future growth and having the county do the conveyance system and then put new development treatment on the responsibility of the developer never really deals with any of our existing problems that are there.

(#1345) Joe Simmler responded the thought was to do some additional monitoring particularly at some of the outfalls to get an idea of what the loadings are and then work up the system if there were problems and then retrofit as needed in the future.

(#1375) Bill Dewey stated he thought the monitoring was related to flow and not related to water quality.

(#1395) Joe Simmler stated the emphasis was definitely on flow.

(#1400) Bill Dewey stated he would highly recommend that, as soon as possible, monitoring programs get established so on all eleven of those culverts we have not only current status and also baseline that we're going down this approach and not treating just the increase in flows to see if there is degradation or not.

(#1410) Joe Simmler responded that is what they intend to do. We knew there wasn't that much data correlating directly stormwater with the local receiving waters that would be very helpful in the future for making decisions and especially if you want to retrofit.

(#1415) Terri Jeffreys inquired about when the monitoring will be started.

Planning Advisory Commission Minutes, July 9, 2007

(#1420) Joe Simmler replied in the first year. There's about \$100,000 a year for monitoring.

(#1425) Bill Dewey stated he thought that was for quantity and not quality.

(#1430) Joe Simmler explained that could be for any parameters that are needed. That would need to be defined in the future.

(#1435) Charlie Butros explained the program would be established to define that. That's the intent.

(#1440) Joe Simmler stated we did design the proposed monitoring program because we felt that needed a lot more local input to do that. We wanted to make sure it was on the agenda and that there was enough adequate funding so that it could happen and be designed as needed.

(#1440) Bill Dewey noted CIP#2 and CIP#4 at the north portion of the town go into the most productive shellfish growing areas in the bay and the fact that, according to Table 4-1, the two areas adjacent are slated for 90% and 100% impervious surface and that is fully unacceptable, considering what we have from historic activity in the bay.

(#1475) Joe Simmler stated that it is certainly appropriate that if the PAC and the county wanted to set local standards that are more restrictive than the DOE Manual that would be acceptable.

(#1485) Bill Dewey inquired how you do onsite treatment with 100% impervious surface.

(#1495) Joe Simmler explained you would have to donate some of your land so that you can treat it onsite. That would come under the adoption of the '05 Manual and then the upgrading of the development review process in that area so that all new development does have water quality treatment.

(#1520) Bill Dewey stated with his shellfish hat on and for his company we definitely have some serious concerns. The bay has had a long history of shellfish production and there was a long period of time when it was closed down because of failing septic systems. That was a long period of time before the sewer went in and the area was upgraded and back into shellfish production. The irony of it is that when you sewer an area you risk increased development along with the stormwater impacts. Mason County has chosen, for various reasons, to have their three UGA's adjacent to the most productive and valuable shellfish areas in the county. To do that and maintain those areas in approved classifications so we can harvest the shellfish is going to take some extreme measures as far as stormwater control in all of the UGA's. It may be that the standard '05 Manual is not going to be adequate. There has to be LID ordinances and extreme measures if you actually think you're going to be able to have those. The University of Washington study well documents that.

(#1600) Joe Simmler responded that's why we proposed not only the '05 Manual but also the LID to work in concert with that.

(#1620) Diane Edgin noted if we develop our own standards that are stronger by the state, it could be challenged by different individuals.

(#1625) Joe Simmler acknowledged there are a lot of issues associated with that.

(#1650) Bill Dewey opened up the hearing for testimony.

(#1655) Rick Anderson, President of Anderson and Sons at Lakeland Village. He explained there is another stormwater plan that was developed with OTAK. When they first came out to start building the plan for Allyn, along with Steve Goins, formerly with Mason County, we decided they would mainly study the downtown area of Allyn and that we would make a plan that shows the existing stormwater facilities at Lakeland Village and also what the future stormwater facilities of Lakeland Village would be with our future long range plans. I was surprised that document wasn't submitted hand in hand with their plan, but you say you reference it. We submitted it to the county about five or six months ago. This is a large area and it encompasses more than the other basin.

(#1725) Pat McCullough, consultant from ESA Inc., for Lakeland Village. Lakeland Village, from the very

Planning Advisory Commission Minutes, July 9, 2007

beginning, has focused on water quality long before the '05 Manual, even before the '96 Manual. The plan that has been developed for Lakeland Village has a very strong emphasis on water quality. We have to protect Anderson Lake and Lake Devereaux. We don't have any problems there and we don't have to worry about retrofitting. We need standards now. We seek standards of the '05 Manual. *Pat hands out copies of the Lakeland Village Stormwater Management Plan to PAC.* I have also included a copy of the Belfair plan for the Union River and is a three year process that is being referenced by the county in the Belfair plan.

(#1800) Bill Dewey inquired about the drainage from Anderson Lake.

(#1810) Pat McCullough responded it drains from Anderson Lake into Anderson Creek and then into Sherwood Creek.

(#1820) Bill Dewey inquired about the water quality there.

(#1830) Pat McCullough explained that there has been water quality treatment there for the last ten years. In the preparation of the impact statement for Division 12 all records from the past were collected and the lake association has been collecting samples in Anderson Lake since then.

(#1865) Rick Anderson explained that they test the outflow before it gets to Lake Devereaux and the lake association tests the lake. It's tested for nutrients, fecal chloroform, and heavy metals. It's a pretty sophisticated testing technique. We're also working with the Girl Scouts at Lake Devereaux and we're physically testing Lake Devereaux and we're funding it 50/50. We have a plan set up so we're making sure Lakeland Village isn't affecting Lake Devereaux.

(#1940) Jay Hupp inquired if the treatment actually filters out nitrates.

(#1945) Pat McCullough responded there is a really good nitrate removal through the wetland pond system down through the golf course. We noticed a 50% reduction in nitrogen in the system from one end to the other. Before we were quite concerned about septic systems and their contribution to the lakes. Fortunately, soil systems are quite good at removing the phosphorous. Now with the sewer system that all goes up and grows trees.

(#2000) Richard Knight testified he was one that gave a lot of active input at the hearing. He stated he didn't know what was legally required and he's not sure these regulations will apply to existing platted lots no matter when they were platted, which is most of Allyn. He stated he lives on Wade Street and he didn't have a pond or wetland on his property until Lakeland was platted. On Lakeland Drive when it rains enough water goes into the electrical boxes upstream that it builds up under the underground conduit and shoots out the top of the electric poles down towards the bottom of Lakeland Drive. He noted there is an opportunity to capture some of that runoff half way down the hill and there's a natural surface runoff collection area there. The RV park was required to establish a collection pond in the RV park and that's not mentioned in the report. It may have been filled in or has an RV parked on it. There a lot of street right-of-ways in Allyn that some people say are vacated by law and some people don't agree with that and I'm one of them. They're 60 feet wide and it occurred to me that some of those right-of-ways could be recaptured and put in 30 foot streets with big storm retention capabilities along side of them and capture a lot of that water that we're worried about running into the bay. I'm happy to see those big holding ponds down on the waterfront don't appear. That was out of the question. If we can capture that water up above we can solve a lot of our problems, including the shellfish problem. Even though maybe it doesn't apply to the existing platted lots we do have a problem and I think we can find a solution if we continue to work at it and not give DOE a club to beat us to death with.

(#2200) Jeanette Moore spoke next. She is Chair of the ACA planning committee. She agreed with the Chair of the PAC and his concern regarding the shellfish. Buzz and I co-chaired the citizenry committee for wastewater management and one of our motivations was to clear the bay up. One of our motivations on working on the Allyn plan is we knew immediately as soon as that was accomplished that it was opened up for intense development and consequently it would need some planning. The ACA begged this commission to help us and support us in expanding the boundaries of the Allyn UGA to the west where the land is flat and dry and would not drain into the water. So far there has been no movement on that. We also begged to make sure we didn't get too high a density development not more than three weeks ago before this

Planning Advisory Commission Minutes, July 9, 2007

commission. In fact, the argument was made that we should have detached guest houses in R-2 zoning, which would double the density and therefore increase the impervious surfaces. Happily we were successful in convincing Cmmr. Sheldon that was an undue burden on that land. What would be a really good idea is to come up with some policies that we all agree on and then figure out how to do it. We've been at this for ten years; we don't propose these things out of thin air, or off the top of our head. We have worked with five professional planner who have different objectives and we try to work as to what is the best course but come to what we think is the best solution given all the agendas. This stormwater control project that we've got now is the key. We live on the water over in Victor and we value those shellfish. It's what makes Allyn 'Allyn' is to have all these resources and we don't want them destroyed. We did ask that OTAK include a testing for pollutants and the county needs to be a part of that as well. Looking on to the future, she hopes OTAK would provide all of the modeling and the calculations and a copy of the software to Mason County so as these things change someone can run these calculations. It says the scope includes an estimate of future conditions based on zoning set forth in the county's 2005 Comp Plan. *Discussion regarding storm drainage from Lakeland Village.* Jeanette stated she counts approximately 120 houses that drain into the east basin and that's enough to flood Richard's yard. The problem with this right now is that everybody is panicking trying to get this to the GMHB. We do need more time. I don't think it addresses water quality. But I don't think the PAC looked at water quality earlier either. We're hanging out there right now. Having highly engineered public infrastructure that requires a lot of expensive maintenance is not the way Allyn wants to go. It's not as effective as doing the onsite work. She stated she would like to see a model zoning code so we could start to see where we're going at this point in time as part of the building permit system. That would pick up the platted lots and it's going to run up the cost of the lots but do you want oysters or do you want really low cost housing. The place for the lower cost housing is west of Allyn where you've got flat, dry and usable land that's not environmental as sensitive. That's where Allyn needs to go. We need commercial manufacturing and commercial where we can have larger stores. Allyn has about 2,200 people now. I believe it's the responsibility of the BOCC to see to it that this meets Mason County needs and they get the expertise to help review it. I don't think Charlie has a doctorate in stormwater engineering and it needs to be reviewed for the community's needs.

(#2770) Jeff Carey, President of the ACA, spoke next. I will address the eastern basin. That's the area with the most inconsistency. The plan is a lot better than it was twenty days ago. I'm still concerned about the sub-basins identified and that they are not accurate. You get one error and a problem and then all the other calculations become offset if that error truly exists and I believe it does. Although we reduced the capital facilities improvements, there isn't any improvement capital facilities wise for ten years. In this area there's only 1600 feet of piping or conveyance systems but if you figure that out, that's \$630.00 a foot. There isn't a road in this county that was built for that much starting from scratch. You don't have a single road in this county that costs \$630.00 a foot. We are getting houses on the lower side of Wade Street. When you saturate the ground on the east side of the UGA you basically have impervious surface all the way across. This ground gets saturated pretty easily with only that much distance to move. We act like it's going to disappear and if you can treat it through the ground, that's fine. The problem is it comes back up. Every right-of-way we've got in this plat brings the water right back to the surface. On the one hand you might treat it onsite on Blackwell Street but by the time you're down to Sullivan you're having to retreat it again because of the open ditches. You don't have the soils in there and you can just see it work its way down that hill. There almost needs to be two approaches to the stormwater. The stuff that's contaminated from the roads and the stuff that gets clean along the way. In the summary of the comments, there wasn't any reference to the letter I submitted to the county. It seems like there is a significant amount of water that we can get out of the treatment phase without hurting the oyster beds and yet not drive up the cost of treatment. Jeff noted \$25,000 allocated to meetings with the public. He inquired if there's going to be that much power brought to the issue. We've had the experience with the sewer; good, bad, or indifferent, and it hasn't been all good. I see similar things starting out in similar ways with these costs. With the sewer, they lived off the connection fees until they ran out of those and had to address it. I'm seeing us going that direction with this. It's a number of years out but eventually the salary requirements in here almost equal to what the sewer it. I see us pricing out that whole community higher and higher and we don't need to do that.

(#3300) Bill Dewey inquired of Jeff Carey if he was comfortable with this plan advancing forward.

(#3350) Jeff Carey indicated he was not comfortable with the plan. He added, though, that if the county adopted this and laid out what things were going to occur after this that might be something to consider and

Planning Advisory Commission Minutes, July 9, 2007

move forward with that.

(#3375) Terri Jeffreys inquired of Jeff Carey if he is saying the way the sub-basins are modeled and the way they're draining is incorrect.

(#3425) Jeff Carey stated they're not the correct boundaries so the areas of calculations and drainage and volumes are not correct. For example, there's 53 acres to Wade Basin. Jeff indicated he thought there were more like 80 acres. That would put all the calculations and volumes off. We mapped it, not as an engineer, but as an observation of how the water keeps draining at all the different points. So I have a good idea of where that basin empties.

(#3480) Jeanette Moore stated we need a timeline and a work program.

(#3485) Jeff Carey stated that is fine, but put it down in writing. We do want to work with the Andersons at Lakeland and we do want to work with Taylor and the other shellfish businesses. This just looks like it's prone to cause trouble right out of the gate.

(#3500) Bonnie Knight testified next. I agree with a solid work plan and you have a vested interest in coming up with some agreed upon goals. There are some pretty serious technical issues that really need to be addressed. You've heard about our front yard and on the north side of Wade Street in the last three years there have been two houses built directly across from us as well as a duplex. Richard mentioned they have no stormwater control there. That's a serious concern because there needs to be some enforcement and some very clear enforcement by the county during the permit process. Bonnie explained about the stormwater coming down Wade Street and what a problem it is. There were not adequate culverts put in at the time the houses were built. Let's take care of the existing problems we have first.

(#3700) Bill Dewey noted he did see the inventory listed in there of existing problems that had been crossed out.

(#3750) Charlie Butros explained part of the approach is continuing to gather more information and put together a more detailed plan. We will continue to identify and monitor the existing runoff but it's not something that can happen overnight. We still have a lot of planning to do. Our intent is to adopt the current programs, continue to do the monitoring, identify some of the problems that are being identified and work with the communities to establish the specific tasks that have priority that can be started. That's not to say even though this plan does not identify any capital improvements during the first six years, there are some capital improvements that could occur prior to year six if the problems are identified and prioritized appropriately, and the funds become available either through existing resources or through grants. That could accelerate many of the needed improvements. That's really the intent of the approach as we define it. Today we're really starting at a point where many of the concerns and issues that are on our radar are identified. Some of them are being brought up through comment but there's additional work that needs to be done to put the program and the implementation together. You heard several speak of needing extra expertise in stormwater and we certainly need staff that has that expertise.

(#0150) Bill Dewey noted that what was said sounds better than what seems to be reflected in the current plan.

(#0165) Charlie Butros continued on by stating we can't afford the time to do all that work as part of this plan. The intent all along has been that we need a plan to start the work to make a decision on how we will proceed and how we will deal with the costs to allow us to proceed. From that part forward we will start with the implementation process and it's the implementation process that is the key to making these plans work. Can we project and forecast everything that needs to be done today? No, we cannot do that. What this intended to be is a start. We will modify this as we gather additional information as we proceed with the implementation process. Much of the information you've heard here in the way of comment is very valuable. We're going to continue that process. We hope that will continue to refine the plan as we have initiated it, but our intent is that this plan needs to be a living plan that needs to be updated and used as a basis for course correction as we go through the implementation process.

Planning Advisory Commission Minutes, July 9, 2007

(#0275) Richard Knight inquired how he could get copies of all the comment letters that have been received, specifically from DOE.

(#0285) Charlie Butros stated he would get copies out to him. Charlie explained that Joe addressed some of the comments and generally the DOE comments related to how the plan addresses certain requirements and elements of the 2005 Manual. What hasn't been included, because we're continuing to discuss that with DOE, is the comment related to taking steps that will exceed the 2005 Manual requirements. We do have concerns with those because they are very expensive and we are concerned that, even though their comment is they feel it's an appropriate step to take, at this point we haven't seen the basis or justification for it and don't want to jump to that solution prematurely and commit substantial expenditure of funding so we're continuing to work with DOE and the Puget Sound Partnership to make sure that the steps we take are taken in a way that's prudent, that we have validated the need for them, and that we are taking the actions that are agreed upon up front.

(#0320) Bill Dewey closed the public testimony portion of the hearing.

(#0355) Wendy Ervin inquired about the phasing in and studying the program further and these imply time and how does that affect the compliance issue.

(#0375) Charlie Butros explained that what needs to be submitted to the GMHB is an updated capital improvement plan that includes elements for stormwater for Allyn, Belfair and the sewer for Belfair. That was what was requested when they reviewed our Comp Plan last year. These elements are intended to provide that information for submittal on August 6th. As we have indicated, the intent of the document is that it not be a document that is memorialized but that it be a constantly growing document as we continue to gather information.

(#0400) Barbara Robinson added that every year we need to look at our capital facilities plan so that's an annual review.

(#0415) Pat McCullough inquired if we stand to lose the sewer money if we don't get this taken care of by August 6th.

(#0420) Barbara Robinson responded that's part of it but the big part is that we're on a compliance order and we have to comply with that by August 6th. The motivation is to get the sewer in to help alleviate some of the problems in Belfair but we've got other issues in meeting the requirements of the compliance with stormwater. It doesn't matter if you're phasing projects as long as you have a document that gives you the flexibility and tools to do that phasing.

(#0500) There was a discussion by PAC to continue on to the Belfair plan and then discuss both plans after that.

(#0600) Bill Dewey opened up the public hearing for consideration of the stormwater management plan for Belfair UGA.

(#0640) Terri Jeffreys inquired about the fish passage projects and what they had to do with stormwater.

(#0655) Joe Simmler explained a lot of time the habitat for water quality and stormwater all go together. In one case there is a culvert capacity issue that's inter-related with habitat enhancement and it's an opportunity for habitat enhancement. In another case, you have a whole drainage system going underneath the middle of a parking lot, which is not a good situation regardless if you have fish there or not. It's a multiple use project.

(#0675) Bill Dewey noted one of the comments that came up at the public meeting was the concern Mr. VanBuskirk raised over the fact that much of the Belfair UGA is on a Critical Aquifer Recharge Area. That seemed to be something you were unaware of at the time, and has that been addressed in this revision.

(#0685) Joe Simmler responded that they talked to the county and have put in a map that shows the extent and location of the CARA and it's right underneath a lot of the other existing sensitive areas.

Planning Advisory Commission Minutes, July 9, 2007

(#0700) Bill Dewey inquired in light of that have the recommendations been changed in any way to try to address that.

(#0710) Joe Simmler responded there's a recommendation to maintain that area and to enhance LID, and to provide adequate onsite detention and treatment are still the same. We need to preserve and protect those areas based on your sensitive areas ordinance.

(#0715) Diane Edgin noted that Ken VanBuskirk had mentioned there needed to be some stream identification corrections made and also some culverts on SR3 that weren't identified earlier.

(#0725) Charlie Butros explained on the stream corrections we went back and took a look at that and found that the map information that OTAK had used was from maps that we had provided and those are DNR maps. Those issues are inherent in the base documents that we get from DNR and need to be addressed and corrected. I asked OTAK to note there are some anomalies on some of the creeks as far as where they flow and they are noted on the maps that these were DNR source maps and we were using those recognizing that we needed to make those corrections.

(#0765) Jay Hupp noted his concern regarding making those changes citing the Skokomish Valley where changes to ordinances had been adopted and the inaccuracy of the mapping caused individual property owners great difficulty.

(#0800) Charlie Butros stated he hadn't considered the aspect of the impact on property owners as much as the impact related to flow calculations and analysis. At this point the focus of the attention to these plans is let's do the modeling, gather the information on the modeling, and try to make that as accurate as possible. With streams not being appropriately located and basin flow changes, that gives me a lot of concern. From the analysis that Joe did, the indication is that with the locations of streams not being reflected accurately did not have a significant affect on the outcome of the analysis. What we did for cost concern reasons is identified those inaccuracies and deferred the action to correct them until a point in the future when the program is at the point where we can do that cost effectively.

(#0850) Bill Dewey open the hearing up for public comment.

(#0875) Pat McCullough stated he worked three years on the study in Belfair, storm drainage for the Hood Canal Salmon Enhancement Group, as part of the Lower Union River. Part of that study involved a GPS of all the streams so we do have accurate mapping. The DNR mapping had some gross errors so it had to be on the ground GPS'd. There are two salmon streams, Viola Creek and Irene Creek, that are salmon bearing streams. The HCSEG has been monitoring salmon and Ken VanBuskirk has walked those creeks and is aware there is salmon there. They're not on the DNR mapping as salmon bearing streams. That has a profound effect on the amount of available land in north Belfair. One of them has a major pond in it with a dam that needs to be discussed because if that dam is removed, the salmon could move up to tributaries quite a bit further up Irene Creek. When you have to have those 150 and 100 foot buffers, it really takes a lot of the buildable land out of north Belfair. That has not been factored into the Comprehensive Planning process for Belfair. We came up with a plan for Belfair and a cost estimate and we've been pitching it to the state highway department for the last three years for the solution for most of the stormwater issues in Belfair. We did an inventory of all businesses and came up with about 5 million dollars to retrofit the businesses in Belfair to come up to 2005 standards. By using the Johnson Farm at the bottom of the hill and constructing about 4 to 5 acres of wetland treatment there which would be integrated into the future salmon center we can pick up about 90% of the developed area of Belfair. The major philosophy of this plan is to remove all untreated stormwater from the existing streams. Start out with Viola Creek in the north, then to Irene Creek, then Belfair Creek, then Mindy Creek. Joe has included facilities for Mindy Creek and Belfair Creek in their planning. We have come up with a plan for downtown Belfair that involves about 3.5 million dollars of infrastructure. The separation of funding would be about 2 million dollars from the state, which would save them over 1 million dollars to solve their stormwater issues on SR3. Then there is about 1.5 million dollars from grants to construct about 3.5 to 4 million dollars worth of stormwater facilities. We have been working with the county on this and because they've been working on their own plan, we haven't gone too far with this. However, the state loves the idea because it saves them a lot of money. What we're trying to do is get the county on board to help us get the 2 million dollars that we need for the local funding. That work we've done,

Planning Advisory Commission Minutes, July 9, 2007

which is substantial, needs to be closely integrated into the Belfair plan and will provide a lot of the detail that is needed.

(#1250) Ken VanBuskirk of Belfair testified next. Ken stated he respectfully disagrees with Mr. McCullough on a couple of things. The Johnson Farm and the Salmon Center issue may not work given the BOCC's decision last week regarding appropriate uses on agricultural land. I worked with the Salmon Enhancement Group and I personally walked and GPS'd a number of those streams north of Belfair. I talked to the consultant last week and a number of the culverts along SR3 flow down into a basin and not into Belfair Creek. Ken stated he is confused about the rush to approve this. I received an email from Congressman Dicks that he sent to his constituents that said in the federal budget there is 2 million dollars for the City of Belfair for the sewer project whether you folks approve this tonight or not. I don't think we should rush to approve anything. I haven't had the time to look at all the changes in the revised draft just like many of you. I understand there was a lot of cross-outs. The consultant did call me and talk to me for quite a while and I did submit those maps that Mr. McCullough referred to to the consultant and the county. I think those should be able to be incorporated into the plan. Public involvement is critical to the success of these projects and in my mind the process needs to slow down. The public should have access to the Action Team and DOE letters. You can't make good decisions if you don't have all the information. Such important things like the CARA were overlooked the first time. That's unacceptable and I'm glad it's in this new draft. That's why it's important the public be given the appropriate time to make sure they look at all the information. There are a lot of folks that have looked at the Allyn plan in great detail; I don't think a lot of folks have looked at the Belfair plan that closely. I continue to feel the single most important thing the county can do is inventory, map and monitor what we have already in the UGA. For example, Irene Creek has much more volume and existing habitat and salmon. I feel the potential for success is much greater if Irene Creek is restored, yet two of the CIP's are restoring Belfair and Mindy Creek. Who is setting the priorities?

(#1400) Wendy Ervin noted Ken's comment about the plan and it might not work for filtering water in the Johnson Farm because of a decision the BOCC made.

(#1435) Ken VanBuskirk explained that last week the BOCC made a ruling about Environmental Learning Centers on agricultural land or if they're in the UGA's. A big part of what they wanted to do with the Johnson Farm and the Pacific Northwest Salmon Center was an environmental learning center. The decision that was made will have an impact on this proposed plan.

(#1450) Wendy Ervin inquired if that would still be a working farm if the infiltration system was installed.

(#1465) Ken VanBuskirk explained they're haying it right now. They're talking about building stormwater ponds if this were to go through and that would take agricultural land out of production.

(#1500) Pat McCullough said he read the Findings from the hearing last week and they're allowing educational facilities on the Johnson Farm. That decision was made last week. The Johnson Farm is about 90 acres. The wetland treatment facilities and ponds that we're talking about are somewhere between 3.5 and 5 acres. Then 45 acres of it is going to be restored to salt marsh. In order to do that there has to be some breaching of the dike on which the trail for the Theler Center goes over. So there's some major community issues involved with all of that. Our most valuable resource at the lower end of Hood Canal is salt marsh. It's a major feeding area for all the salmon coming out of the Union River.

(#1575) Barbara Robinson responded to both of their comments. The BOCC did not make any decision on the Johnson Farm. There were some revisions made to the text of the DR's, specifically the RO and ag lands allowing education learning centers within agricultural resource lands under certain guidelines. Any proposal by the Salmon Enhancement Group would be at a later date under different regulations. So the changes made by the BOCC was not specifically relative to the Salmon Enhancement Group. You need to understand that there's a separation there. The changes that were made in the text of the ordinance last week were countywide. While they talk about a specific project, that's not what was before the BOCC last week. It's not relevant to what you're discussing tonight.

(#1640) Bill Dewey closed the public comment portion of the hearing.

(#1655) Charlie Butros stated you're heard a lot of comments and many of those comments were addressed

Planning Advisory Commission Minutes, July 9, 2007

as part of the information exchange we had during discussion that clarified the intent on how we are proceeding with the stormwater program. You heard we are part way through the larger effort to put together the countywide stormwater program and these two stormwater plans are a part of that effort. We still need to develop the Hoodsport stormwater plan and the countywide program. Both of those we will bring before you for your review and comment. My recommendations to you because of the issues we described earlier, is to consider those as part of the decisions you're making. As I indicated before, our intent is to continue the interactions we have started with the public to continue to gather information, to continue to modify the plans and approaches that we have submitted for your consideration and recommendations, and I encourage you to allow us to continue and encourage you to recommend whatever additional actions you feel are appropriate. Our feeling, at the point, is we will need to engage the community on a more structured basis by putting together an advisory group on stormwater for either Allyn or Belfair, or both as a combination. We will need to continue to gather the information and expand the plans and prioritized the actions we have identified initially, but that is a continuing process and we will continue that over time. My recommendations are to allow us to proceed on the schedule we proposed and take the actions and make the recommendations that you see fit to the BOCC.

(#1750) Wendy Ervin inquired if we approve this tonight does that put into the plan enough of a structure so that the property on Wade Street, etc., will be eliminated.

(#1770) Charlie Butros explained this plan doesn't deal with some of those specific detailed issues. The Knights brought those up and others brought up other issues that will be addressed as part of an ongoing program once we get our stormwater plan in place and start to implement the steps that are needed for continued monitoring and problem correction. This plan may not reflect some of those specific issues and we recognize that.

(#1800) Joe Simmler added we've suggested in here and we've allocated budget to not only work with DOT in the culvert maintenance program but also the county crews are going to be routinely and actively maintaining and doing small drainage investigations to make sure those facilities continue to work. We have heard a lot about Wade Street and that is one of the key areas that just a small amount of debris will cause a major flooding so it needs to be very well maintained to keep the flooding to a minimum. We've also talked with the county about a future road project that will help address some of the drainage coming down Wade Street as part of the longer term solution. These annual investigations are a critical part of gathering more information and resolving some of these small maintenance level projects. Once you get your stormwater plan up and running, you will put together a detailed annual work program and you'll define what's going to happen in capital and maintenance, and where you're going to direct your staff in the next year.

(#1875) Diane Edgin noted Joe mentioned a set side of \$100,000 a year for capital facilities. She inquired if there was anything in place to keep that money for that purpose.

(#1910) Charlie Butros explained the stormwater fund will be established as part of the program initiation.

(#1920) Diane Edgin inquired if the BOCC can use the funds in the case of an emergency.

(#1925) Charlie Butros indicated he was not sure.

(#1930) Diane Edgin further explained this county has been there several years back with trying to build a million dollar fund for emergencies and it got spent.

(#1935) Charlie Butros explained there can be some controls put in place that could reduce the probability of that occurring.

(#1940) Joe Simmler responded by saying some jurisdictions create a separate capital fund where they've taken that allocation out of their stormwater funds specifically so those things don't happen and they specifically put it into a capital fund where everyone can see it and allocate what goes in and what goes out. So it's very carefully managed.

(#1950) Bill Dewey stated one of the criticisms that has been brought up throughout this process is the lack of opportunity for public input. Regarding the county wide program, Bill inquired if there is a process in place to

Planning Advisory Commission Minutes, July 9, 2007

get citizen input.

(#1965) Charlie Butros explained there are some hearings planned that we will have for the stormwater program once we develop the program. Our efforts were redirected when we had the timing issues on Allyn and Belfair and the OTAK resources were assigned to complete these plans even though we wanted to get the program in place first. We will be getting the program together and we're hopeful that in the next three or four months we will have a draft program in place to where we can initiate the comment process. We will have more time and our agreement with DOE has us putting that together by the end of the year of the first of next year. We have the opportunity with DOE to extend that depending on how effective we are in putting the information together.

(#2020) Bill Dewey stated he would like to advocate for something less formal than the public hearing process with a work group that's interacting less formally as you're developing the draft instead of waiting for a finished product and formally going to public hearing. There's a lot of expertise within the county and certainly good expertise in DOE and the Action Team.

(#2045) Charlie Butros responded that was a good idea. The suggestion to start those work group discussion early on as part of the development of the product.

(#2060) Bill Dewey inquired if there was any additional public comment on the Capital Facilities Element. Bill Dewey received no interest from the public to comment on this item so the public comment portion was closed. Bill stated this is a challenging issue and there have been a lot of comments and concerns with the plans as they exist. We're going to be recommending adopting plans and there needs to be a sincere commitment that these are changing plans but we need something to go forward to the GMHB to try to keep the county in compliance.

(#2200) Jay Hupp stated this body is being put in a position where it has to make a recommendation on a very critical subject without adequate public participation. We've been in that position over and over again and in this case we've been put in that position in spades. If the county feels that they've got to move forward at this pace that has been set forth here in order to keep from some sort of disaster happening with the GMHB, that's a decision that needs to be made by the BOCC. I think this body is established in Washington State Law to do very detailed in depth examination of planning at the county level and to take input from the community as representatives of the community and forward that to the BOCC. I don't think this body has had the time to do that in depth deliberation that even the state law calls for. If this has to move in order to keep a hammer from falling on the county then so be it and it's up to the BOCC to move it. I don't think it's up to us to move it simply because there's some sort of pressure out there. My recommendation would be to have heard what we heard and dealt with as we've dealt with it and explain to the BOCC that we are not comfortable in making a recommendation one way or the other and forward it without a recommendation.

(#2350) Terri Jeffreys noted the staff report said the Allyn plan has been done since January or February. She inquired why did we not ever know that. We've had plenty time at meetings where we could have discussed this through a public workshop and that upsets her tremendously. I understand the Belfair plan was later in coming so I can understand that. To think that we could make an informed recommendation to the BOCC without a really detailed public workshop is ridiculous. That plan recommends that there be onsite infiltration of stormwater in an area that everybody already says is way too crowded and there's not been an analysis done to see if we can accommodate the projected growth based on whatever is going to come down the pike. There were regional detention ponds there two weeks ago and now they're not there. What is going to be our water quality plan?

(#2450) Diane Edgin stated we have seen little bits and pieces of this over the last year and a half and heard from the planners and the folks from Allyn and I appreciate all the time they have put into it but it is not getting to us in a timely manner. These issues that Terri and Bill spoke to and the people from Allyn have spoke to, if they're not specifically addressed in here and prioritized as we go forward, I'm afraid it's going to get lost in the shuffle. Allyn has a sewer system but it's got to be adequate or we're going to be right back where we were before.

Planning Advisory Commission Minutes, July 9, 2007

(#2535) Wendy Ervin stated it's curious or remarkable that the plans that have been presented have such apparent flaws as rivers that don't exist or exist but are not recognized and wetlands that aren't wetlands, these seem to be base things in a water plan so I'm not particularly comfortable having a plan that includes those kinds of gross flaws and I'm not comfortable in passing it.

(#2600) Jay Hupp made a motion that the PAC pass both of the proposed Allyn and Belfair stormwater plans and the revision to the facilities plan on to the BOCC without comment.

(#2650) Diane Edgin seconded the motion.

(#2675) Wendy Ervin stated we should split it and have the revision to the capital facilities plan motion separate from the stormwater plans.

(#2700) Jay Hupp stated so what you're saying is go ahead and change the capital facilities plan to incorporate something we're not comfortable with.

(#2720) Wendy Ervin stated revise that language to say that these things exist and we now have something for Allyn and Belfair. They are plans that need a lot of refining but in order to be in compliance we have to have these plans in our Comp Plan. If we send it up and say there's no plan then we're just remaining out of compliance.

(#2750) Jay Hupp responded by saying we're sending a recommendation to the BOCC and they make the decision. We don't do anything here except make recommendations.

(#2775) Bill Dewey stated he doesn't disagree with Jay's recommendation, but I would be for putting some more explanation based on the testimony we've heard tonight. Along those lines, just clarifying the public and the PAC have not had adequate time nor do they have the technological expertise to review these plans and as such we pass it on to the BOCC without a recommendation.

(#2800) Jay Hupp stated he was comfortable with changing the motion to reflect that.

(#2805) Bill Dewey added to also make some recommendations such as 'the county should provide additional opportunity for public review and comment, formation of a community advisory committee to serve Belfair and Allyn, as well as for the countywide plan, also that the county should ensure that the technical portions of these Belfair and Allyn plans be reviewed by people with appropriate expertise'.

(#2840) Jay Hupp stated that substantially changes the nature of the motion.

(#2875) Bill Dewey explained that he just wanted to make note of the need for additional public involvement and getting additional expertise to review the documents.

(#2890) Jay Hupp restated Bill's comments by saying we should forward the plans without a recommendation one way or another with an explanation of why there was no recommendation.

(#2900) Bill Dewey stated that was correct.

(#2910) Jay Hupp stated we could modify it that way.

(#2915) Bill Dewey inquired about any additional recommendations as far as more public involvement.

(#2920) Jay Hupp stated that's inherent in explaining the reason why we're forwarding it without a recommendation one way or another, and in fact, there hasn't been adequate opportunity for review and that's a conclusion that would be apparent when the PAC wasn't comfortable with a recommendation.

(#2930) Discussion regarding how to state the motion.

(#2975) Bill Dewey stated a motion that the PAC and the public have not been given adequate time nor do they have the technical expertise to review the stormwater plans and as such we pass them on to the BOCC

Planning Advisory Commission Minutes, July 9, 2007

without a recommendation. The county should provide additional opportunity for comment, there should be a formation of community advisory committees for Allyn and Belfair, as well as one for the countywide plan, and should ensure technical portions be reviewed by people with proper technical expertise.

(#3000) Jay Hupp stated he was comfortable with modifying the motion to accommodate what Bill was trying to say, but he thought it was too wordy.

(#3010) Bill Dewey noted other good comments tonight involved was the need for enforcement of existing stormwater regulations which doesn't seem to be happening. That might want to also be part of our recommendation. There's also a need for inventorying stormwater problems.

(#3050) Terri Jeffreys stated that this is acknowledged by the county that this is not a complete plan, perhaps there needs to be a detailed work plan to complete it.

(#3100) Bill Dewey stated an aspect that hasn't been captured yet is if we're not going to make a recommendation, the idea that stormwater plans are living documents, we need a work plan and a time frame but maybe it's not an appropriate recommendation to 'not make a recommendation'.

(#3200) Jay Hupp stated the motion gets into a long detailed explanation of why we're doing what we're doing and that should not be part of the motion. If you want to send it on as some other form of communication, that's fine.

(#3240) Bill Dewey restated the motion saying that the public and PAC have not been given adequate time to review these stormwater plans and as such we will pass them onto the BOCC without a recommendation. That should be the motion.

(#3265) PAC agreed with that motion.

(#3275) The BOCC should ensure that the county gets the technical expertise to adequately review the technical aspects of these plans and that there is adequate time to review them.

(#3300) Bill Dewey called for the vote. The motion passed.

Meeting adjourned.