



1 **1. 6:30 P.M. CALL TO ORDER**

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3 Chair Lane called the October 12, 2011 special meeting of the Thurston County Planning
4 Commission to order at 6:30 p.m. Commissioners provided self-introductions.

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6 **Attendance:** Chair Chris Lane, Commissioners, Kathleen O'Connor, Ed Fleisher, Chris
7 Earle, Scott Nelson, Jennifer Davis, Bill Jackson & Liz Kohlenberg

8
9 **Absent:** Christine Spaulding

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11 **Staff:** Jeremy Davis, Andrew Deffobis & Scott Clark

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13 **2. 6:31 P.M. APPROVAL OF AGENDA**

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15 **MOTION: Commissioner Nelson moved to approve the agenda. Commissioner**
16 **Earle seconded. Motion carried.**

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18 It was noted that the meeting room was changed from building 2, room 129 to building 1,
19 room 152.

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21 **3. 6:31 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which**
22 **public hearings have been held.)**

- 23
24 1. *Krag Unsoeld – 2211 Walnut Road NW Olympia, WA 98502- Thanked the*
25 *Planning Commission for their service.*
26 2. *Zena Hartung – 3240 Centerwood Court Olympia, WA 98501 – Thanked the*
27 *Planning Commission for their service.*
28 3. *Jim Zahn – 3323 Yelm Highway SE – Spoke in regards to critical areas on his*
29 *personal property.*

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31 The official audio is available on line at:

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33 [http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.h](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)
34 [tml](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)

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36 **4. 6:40 P.M. WORKSESSION: CAO – Special Reports, Science Report Draft,**
37 **Distribution of New Material, Fish and Wildlife Critical Areas Discussion as Time**
38 **Allows**

39 *Staff: Scott Clark, Cynthia Wilson, Jeremy Davis & Andrew Deffobis*

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41 Mr. Deffobis briefed the commission on the materials that were handed out to the
42 Planning Commission this evening. On Monday this week staff had e-mailed the
43 Planning Commission the Fish and Wildlife Habitat Conservation Area Chapter and the
44 Special Reports Chapter. A staff memorandum was handed out this evening and hard

1 copies of said chapters. The version of the chapters that was given to the Planning
2 Commission this evening was a little different because staff added section 24.25.010
3 Applicability. A table of content was included as well for the Wetland BAS summary
4 that was handed out last week. Mr. Davis also worked on a BAS summary on the Mine
5 Hazards Chapter Coal Mine Hazards. A letter was also sent from the National Marine
6 Services to FEMA and handed to the Planning Commission as a handout to clarify the
7 biological opinion, it gave some background on the document and guidance on some
8 common concerns including how jurisdictions can meet the requirements of the
9 biological opinion. The last chapter that is still due to come before the Planning
10 Commission is the second draft of the Critical Aquifer Recharge Area Chapter which
11 staff is still working on with Environmental Health.

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13 Staff first asked the Planning Commission if the format and level of depth for the
14 Wetlands Best Available Science was going to work for them. This is the model that will
15 be used for all following reports. Most comments were a yes about the depth however
16 some struggled with the sorting and asked about using dates or primary author or year
17 instead. Commissioner O'Connor made a few comments starting at page two and would
18 like streaming underlined. Next, on page four change Orca to Orca's. Other comments
19 were that the EIS was very clear and fast to read. A suggestion was made to add
20 something that talks about the regulatory requirements in BAS and everything. One of
21 the requirements for something to be considered BAS is that it be used in the appropriate
22 context. Examples were then given. Further discussion ensued.

23
24 Commissioner Davis asked why staff had picked and chosen particular sentences and
25 added footnotes that sent people to the BAS for further clarification when almost the
26 entire document could have a footnote. The reason being is why each part doesn't
27 reference the BAS how was the decision made. Staff in return stated that this particular
28 section was from prior staff denoting back to the BAS. If you look at the 2005 draft
29 compared to the draft now staff has continued to reference to the BAS but the footnotes
30 has not continued because more science has been updated. The new draft will not contain
31 the footnotes but the 2005 draft will continue to be Appendix A to the new draft to show
32 the BAS reference. 24.25-3 doesn't have any fish species listed and by and large will not
33 be stocked however staff needs to make sure this particular area is covered. The planning
34 commission thinks fish bearing streams should be included to this section. Rather than
35 using the WAC language staff will retool this section so that it actually details
36 specifically the WACs conservation in no particular order. Tables were then discussed
37 including low and high impact items within riparian areas. WDFW will be reviewing the
38 list within the draft that lists status of endangered species. Currently the list only shows
39 species that are listed. Verbiage will be added to the list that says the list is in addition to
40 any federal or state listed species. This statement will be listed on each table. 24.25-10
41 has a reference; federally listed species and habitats 24.25.065, the animal and plant
42 species listed under the federal endangered species act 64CFR14307 as endangered or
43 threatened are candidates for the listing and their habitats for primary association (consult
44 the USFWD and National Marine Fisheries Service for the current listing). Proposed
45 species was discussed to be added into the reference.

1 Again Mr. Clark stated that the Planning Commission may send any comments/questions
2 to staff and they will research the issue and bring back information to the next meeting.
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4 Within the Special Reports section Commissioner Davis pointed out that we are keeping
5 an existing standard of a proposal for an activity within 600 feet of an important habitat
6 under 24.35.260C. This section will be changed under current planning review and staff
7 is still working on the wording for the change. Still within this section under 26.35.270C;
8 project activities will not impact the values or functions of an important habitat area or
9 associated buffer the question was brought up that this does actually require a report to
10 determine if functions or values are being impacted? The intent is that all of the
11 construction activities if a critical area is on the property but does not encumber the entire
12 property that those activities take place outside of it, away from the critical area. A
13 simpler way of saying this would be; the project will have less than 5,000 square feet of
14 impervious service, no activities what so ever will be conducted within an important
15 habitat area or associated buffer and then keep the last letter (section) of judgment
16 authority. Staff will be working on the rewording of this section including a way of
17 waiving the report if the size of the property and the construction proposed does not
18 impact the critical area. The permitting authority can and may also make the ultimate
19 decision and will have the right to do so. This section will be reviewed to make sure it is
20 in accordance with the Drainage Manual Flow Chart. A diagram chart was requested by
21 the Planning Commission on what type of project may be subject to a waiver especially
22 since the 600 feet adjacent buffer is mentioned throughout the section.
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24 **5. 7:52 P.M. Set Public Hearing for Critical Areas Ordinance**

25 *Staff: Scott Clark, Cynthia Wilson, Jeremy Davis & Andrew Deffobis*
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27 Mr. Clark discussed the response from the doodle pool about attendance for the
28 upcoming public hearing for CAO. The November dates did not work for many of the
29 Planning Commissioner's. The next available dates discussed were December 3rd and
30 December 10th. The majority of Planning Commissioner's could make the December 10th
31 proposed date. The following Planning Commission meetings after the December 10th
32 hearing for the CAO schedule were then discussed to determine a schedule to review
33 public comments. Staff thinks that the final draft will be out by November 18, 2011.
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35 **MOTION: Commissioner Earle moved to set the Critical Areas Ordinance public**
36 **hearing on December 10, 2011. Commissioner O'Connor seconded. Motion carried.**
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38 **6. 8:02 P.M. STAFF UPDATES**
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40 Mr. Clark provided the following staff updates:
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- 42 • The location of the public hearing for CAO will be announced at the next
43 meeting.
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7. 8:03 P.M. CALENDAR

October 19, 2011 – All Commissioners will be in attendance.

8. 8:03 PM ADJOURN

With there being no further business, Chair Lane adjourned the meeting at 8:03 p.m.

Chris Lane, Chair

Prepared by Carrie Toebbe, Recording Secretary