THURSTON COUNTY PLANNING COMMISSION

Minutes
August 25, 2005

1. **Call to Order**

Chair Kohlenberg called the August 25, 2005 meeting of the Thurston County Planning Commission to order at 6:00 p.m. at the Thurston County Fairgrounds Expo Center. Everyone present provided self-introductions.

a. **Attendance**

Members Present: Chair Liz Kohlenberg, Commissioners Tom Cole, Chris Lane, Liz Lyman, Bob Musser, Craig Ottavelli, Joyce Roper, and Rhenda Strub.

Absent: George Darkenwald.

Staff Present: John Sonnen, Nancy Pritchett, Michael Welter, Cami Petersen, Don Krupp, and Recording Secretary Cheri Lindgren, Puget Sound Meeting Services.

2. **Continuation of Public Hearing – Proposed Amendments to the Critical Areas regulations, Chapter 17.15 of the Thurston County Code and related amendments to Titles 20, 21, and 23 of the Thurston County Code**

Chair Kohlenberg reported Planning Commission members are volunteers and represent a cross-section of the entire County. The Commission is charged to advise and bring a citizen perspective to the County Commissioners on land use planning issues. The meeting is a continuation of the previous night’s public hearing, which will be continued to a date not yet determined in September. Notice of the hearing was provided in both north and south County papers, advertised on the County’s website 30 days in advance, and copies of the draft were available online and at the County’s assistance counter. All Planning Commission meetings over the past two years were publicly announced. The County hosted two open houses, which were advertised in local newspapers. The north and south County open houses were an opportunity for citizens to ask questions. The proposed amendments are a draft and the Planning
Commission is soliciting public input. At the conclusion of the hearing process, the Planning Commission will further deliberate the draft at public meetings. The meetings are open and the public is welcome to observe. A revised draft document will be prepared and forwarded to the County Commissioners for their consideration. The County Commissioners will hold a public hearing providing citizens another opportunity to weigh in on the proposed amendments.

Chair Kohlenberg explained the public hearing procedures and protocol. Written comments are welcome and carry the same weight as oral testimony. Written comments will be accepted up to the close of the hearing in September.

David Nygard, 10315 James Road, Rochester, said he’d like to address a specific point. The second paragraph of Section 17.15.530C (1) (a), potential impacts, states, “the approval authority may require the application rates of manure and fertilizer to be lower rates than the standard agronomic rates.” This demonstrates a clear lack of knowledge and concept of agronomic rates. There is one certified crop adviser that lives in Thurston County and he is that crop advisor. There is no such thing as a standard agronomic rate. Agronomic rate is based on the crop, field, soils, climate, and yield potential and watering characteristics. Agronomy is a science, and he said he is a scientist. The Planning Commission did not use best available science (BAS). It’s obvious the Commission does not understand the concept. He commented that if only that one provision is in error how many other provisions within the proposed draft contain errors. He said he wouldn’t know as he does not have expertise in the other fields. He suggested that conducting a literature search to prove science can be accomplished for almost anything. He said he can locate university science that’s less than 10 years that’s replicated, approved, and published that shows controlled livestock grazing in the riparian zone has a positive effect on fish and on trout species over and above no grazing. That’s science. He said he would render a guess that science wasn’t reviewed. Mr. Nygard referred to Section 17.15.870 E 1 a, lawful maintenance of established drainage ditches. The provision states that if a ditch has not been actively used and maintained for the last five consecutive years, it shall be considered abandoned. A ditch will be used as long as water keeps running downhill. However, they are not maintained every five years. As long as water runs downhill, and as long as the field remains dry, the practice is to leave the drainage ditch alone.

John Sonnen reviewed the regulations. Critical areas include aquifer recharge, frequently flooded and geologic hazard areas, wetlands, and important habitat. State law requires the County to update its comprehensive plan and development regulations every seven years to be consistent with current law. In 1995, the state legislature adopted amendments to the Growth Management Act (GMA). One of them called for the use of BAS in developing regulations to protect critical areas and their related functions. Special consideration is required for the protection of anadromous fish. The BAS requirement sets critical area regulations apart from all other regulations. The intent is to create regulations science says is likely to be effective in protecting critical areas and people. If the County comes up with an approach that is not clearly reflected in the science, it has to demonstrate on the record how that particular approach is equally effective. Several counties have attempted to adopt critical areas regulations not supported by science. When challenged, the regulations have been struck down in court. Staff and the Planning Commission need the public’s advice, perspective, and expertise to
Mr. Sonnen said many citizens testified at the previous hearing about existing uses. Citizens with property within a critical area buffer can continue using the land as previously used. However, the regulations extend authority to the County to work with the landowner to avoid or mitigate the impact of land use on critical areas. Mr. Sonnen cited an example. In most typical situations, routine activities are not affected. The County will have the ability to correct any problem. If a house is located within a critical area buffer, under the current regulations the owner may expand vertically. Under the draft the Planning Commission is suggesting, there is a provision for allowing expansion of the ground floor of the structure by 500 square feet as long as it is not closer to the critical area. If the lot is less than 5,000 square feet in buildable area outside of the buffer, the development may encroach into the critical area/buffer to the extent needed to provide a building site totaling 5,000 square feet. The County may authorize use of additional buffer area to the minimum extent necessary to accommodate on-site utilities if there is no alternative location available outside of the critical area or buffer. Existing agricultural uses within critical areas and buffers will be allowed to continue using best management practices (BMPs).

There are several areas in the County where the groundwater has been contaminated by nitrates. Conversion of an existing agricultural use to an intensive agricultural use will be considered a new use subject to all applicable requirements, including buffers. Staff has received e-mails from citizens concerned about regulations pertaining to gas powered backup generators. Existing regulations prohibit unattended gas powered backup generators on sites where there is no residence or business. New regulations will allow the generators but will also require a secondary containment method in the event of a leak.

Mr. Sonnen defined critical aquifer recharge areas. Most citizens in Thurston County rely on drinking water from groundwater aquifers. Toxic substances have contaminated aquifers in the past. He reviewed the three critical aquifer categories.

Another category is frequently flooded areas. It includes river flooding, flooding from high groundwater, channel migration hazards, and storm surges like those that have occurred along the Nisqually Delta. The intent is to identify where the hazard exists in order to keep structures and people safe.

Geologic hazard areas include landslide and marine bluff hazards, seismic and volcanic hazard areas. It is good for citizens to know where the potential risks are located when making land use decisions.

Wetlands and its associated buffers cleanse water by filtering sediment and absorbing or breaking down excess nutrients and toxic substances. Wetlands also store and convey floodwater and provide fish and wildlife habitat. One of the most notable amendments is a new rating system and how wetlands are classified. It looks at the rarity of the wetland, the feasibility of replacing it, and the level of functions. The buffers are sized based on what’s necessary to protect water quality and habitat. Currently, the County requires standard buffers of 100 to 300
feet. Mr. Sonnen explained how the new rating system will be applied. In no case, will the buffer width be more than 300 feet. The range of the buffer width has not increased. One big change concerns small wetlands. Scientific literature reveals small wetlands may perform several important functions. Currently, wetlands under 11,000 square feet in urban growth areas and 22,000 square feet in rural areas are exempt from Critical Areas Regulations. The draft amendment exempts wetlands of 1,000 square feet or less in size.

Proposed amendments to important habitat and species pertain to the width of riparian buffers. Currently, stream buffers range from 25 feet in width for small, intermittent seasonal streams to 100 feet along major streams such as the Nisqually or Chehalis. Riparian areas and buffers along wetlands perform several functions. A key one is cleansing stormwater prior to it entering the stream. It takes about 100 feet of vegetation and gentle terrain to filter out sediments and pollutants. It takes about 200 feet to provide the same level of function on steeper slopes. The areas help support the aquatic system. The tree canopy provides shade to keep the water temperatures cool enough to sustain fish. Literature suggests that logs falling into streams create pools and provide shelter for juvenile salmon that barren sections of the streams are unable to do. The literature also reveals that 85% of the upland species rely upon the riparian corridors.

Science indicates that sustaining a broad cross-section of wildlife requires between 200 to 328 feet of buffer area. The Planning Commission recommends a 250 foot buffer along main streams. Under state law, several marine habitats are now considered critical areas where previously they were not considered critical areas. The areas include shellfish and kelp beds and fish spawning areas. The proposed regulations restrict uses directly affecting the areas. To protect water quality, a 100-foot buffer is proposed along marine shorelines. An alternative suggests buffering the buffer area with another 100-foot management area. Uses in the management area will be regulated to minimize impacts on water quality and marine habitats. The same approach extends the buffer to 200 feet on steep slopes. The recommendation is for a 100-foot buffer along lakes and ponds to protect water quality.

Thomas Crowson, 6049 Buckthorn Court NW, Olympia, said a few years ago he bought horses, a horse trailer, and applied to the County to build a barn, install fencing, and develop a pasture. He said he and his family moved to the County because they didn’t like the onerous regulations of the city. There hasn’t been sufficient time to review a document of such size and importance. If the Planning Commission truly wants input from the public, he asked that the County Commissioners delay any decision for a minimum of six months. He asked about the meaning of section 17.15.100 H, general purposes, that refers to BAS with special consideration for the protection of anadromous fish. He asked whether it means protection of a fish trumps his rights as a citizen, as a taxpayer, as a registered voter, and as a property owner. Because it appears it does and he is also a part of that system. He commented on the “evergreen factor” and how that comes into play. When there are no problems, environmentalists are out of a job. He suggested problems are created and arbitrary buffers and boundaries are enacted. He asked how sure the County is that the BAS is accurate and unbiased unless citizens hire their own scientists. He said he would like to call for a list of the scientists. He said he didn’t notice anything in the ordinance but he would like a list of the scientists with disclosures of their political affiliations and groups that they belong to. He indicated he has been active in politics at the County, state,
and federal level for the last few years because like the character in the movie *Network*, he’s become mad as * and isn’t going to take it anymore. All politics are local and it’s about power and control.

**Lloyd Berg, 5302 –B- Boston Harbor Road NE,** said he picked up some of the literature. The draft evidently represents the changes that are being made and another one says existing uses. He said he assumes there are a number of changes. Without time to review the entire document, there are some concerns about the buffers. Some of the streams have no problems as far as changes for buffers. However, references to 100 to 200 feet means cutting off a pretty good portion of a property owner’s small acreage. He said he noticed a map that lists the particular stream he is concerned with. It’s a seasonal stream and it’s listed as a fish-bearing stream. That is erroneous. He suggested more closely reviewing some of the data to more accurately identify the geography of an area. The current classification is in numbers and the classification proposal is difficult to understand. There are many regulations concerning agriculture and permits. Applications and permits require many different hoops to receive an approval. Cost is one of the factors as well as a lot of paperwork. For critical areas, he said he understands properties are flooded and landslides have occurred where people need immediate assistance. However, he said he does not believe the regulations that apply to them should also apply generally to the whole County so everyone is infringed by regulations that do not apply to their specific situation.

**Doug Myers, 15715 Mosman, Yelm,** said because of his unique position of living outside of Yelm, he is within one of the highest growth areas in the County. He said he has witnessed tremendous growth, which while appropriate because of the urban growth boundary, was conducted poorly under existing regulations, especially considering how the prairies and woodlands have been treated with a lack of a buffer to protect the area from adjacent development. He said he has seen open spaces like beautiful Camas prairies tended by the Nisqually people for centuries turn into 150-lot subdivisions within a matter of months. He said he supports the Critical Areas Ordinance (CAO) and efforts to include BAS because many of the County’s critical areas have been skipped over or paved without much consideration. In particular he said he supports the provisions identifying and protecting critical areas as mandated by the GMA. County staff has done a good job of identifying that. It was not an easy thing to do and a lot of geology and biology work went into identifying critical areas. Mr. Myers said he supports buffers to adequately protect critical areas from further degradation. He urged the Commission to consider making the ordinance a little more understandable and user friendly. In particular, the tables of uses are very difficult to read. He said he appreciates the difficult job the Planning Commission has to balance reasonable use of private property with the protection of public resources. The ordinance, if properly applied and enforced, will do so.

**Jan Holbrook, 7233 Kellogg Road,** stated she doesn’t have facts or figures, but has emotions about the subject. She asked how it affects a small family with a little bit of property. Her family’s dream for the past 55 years has been to have their two-acre lots to build their cabins, have a family garden center, and enable grandchildren to grow up in woods like she did. The proposal will totally prevent that from happening. It seems like such a reasonable dream to have. She said it’s difficult to understand how the system can prevent those kinds of dreams of a normal family while at the same time developers are allowed to clear-cut acre after acre after
acre and pulverize the land, while she loves the land and wants to take care of it, but can’t with the proposed changes. She said she appreciates all the work the Planning Commission has done but government should support the will of the people, which appears has not happened. She asked the Planning Commission to reconsider the proposal.

George Mierzuch, 8009 Mima Vista Road SE, Littlerock, said he is sorry the Commission is taking the brunt of the abuse from the citizens. The Board of County Commissioners should be listening to the public. Several years ago, the public voted that they had the rights to an issue before it became law. This is not happening as one can see with the Governor and the gas tax. There are 70 houses in a 400-acre lot across the street from his residence. Seven years ago, he attended a similar-type meeting and went to three other meetings later that dealt with one house per five acres. It didn’t matter that the public said no to the committee. He said, “Someone up there in Olympia got their palms greased.” There’s now 70 houses across from his property now and that the City has come to his property. The proposal is something that is unbelievable. He referred to the protection of groundwater and advised that his property sits on one of the largest vaults of water in Thurston County and there are 70 houses across the street with 70 septic systems. He commented on what happens to the groundwater when 70 houses are built with septic systems. He thanked Mr. Sonnen for explaining things.

Mr. Mierzuch said he is also concerned about the backup generator issue. He has a neighbor that comes up from California and brings his RV and pulls up to a piece of property he owns and runs his generator for his power. He said Mr. Sonnen explained the issue about generators better. He said he has had problems with the “committee” with respect to shooting in his neighborhood. His neighbor wants to shoot across the right-of-way (ROW) of the land and the committee didn’t want to do anything about it but turned it over to the Thurston County Sheriff’s Department. However, the Thurston County Sheriff’s Department returned it to the “committee” and nothing is being done. There is a law banning shooting within 500 feet of a residence and neither “your committee” nor the police department is taking care of it.

Sam Garst, P.O. Box 3350, Lacey, stated he is building a house in the Alpine Hills area, which is likely not going to be affected by the ordinance. However, it is near a bank and he will be doing a number of things to preserve and improve the groundwater such as preventing water runoff. Mr. Garst thanked everyone for working hard on the ordinance and planning for the future. It’s important to visualize where the county is going to be 20 years from now. Last night there were a lot of people saying “right now” and they have a right to do whatever they want to on their property. They would have a different tune if there were a big chemical plant that was put on someone’s property across the street from them. Then they will want some planning. The region needs good quality water, healthy streams, and pure groundwater that is sufficient to support future population. The ordinance is good and there probably will be some tweaking, but in balance and citizens should support it. In a number of places there’s an opportunity to come up with a plan such as what he’s doing for his property to minimize the environmental impact of individual homes. He commended the Planning Commission for the work.

Tom McDowell, 20504 Highway 507, Centralia, stated the Skookumchuck River is near his property and he abides by the 100-foot setback. He said he believes that is more than ample.
Last evening, some people said it should even be 33 feet as far as the drainage and that the County had it wrong. That’s debatable, but 100 feet is taking a lot of land, but he can live with that. Mr. Sonnen cleared up the generator issue because where he lives he loses power not for hours at a time, but days and weeks at a time. He said he needs a generator and he was under the impression that there would be a limit of 20 gallons on-site generators, but apparently, that’s not true because he hasn’t read through the entire draft and doesn’t know. No matter what he’s currently doing now, if he wants to put half a dozen cows on his property it means he would have to get a permit because he doesn’t currently have cattle. He said he has chickens and geese, and typical farm things but he’s not raising livestock. However, he has the right to do that if he wanted to have a few sheep or some cows to graze down his area. He said he shouldn’t have to consider the County and permits. He said that he feels that it is an unjust invasion of his privacy. He said he understands the goal to protect other people, but there’s a limit to how much protection we need. He said he realizes the Planning Commission is taking the brunt of everyone’s hostilities, but he’s curious because so many people are saying the statistics are wrong. Some of them are retired and some are working. He asked whether Planning Commissioners have backgrounds in critical areas in order to develop the plan or is the Commission contacting people that are using the website. He asked how the proposal is being devised.

Chair Kohlenberg responded Commission members come from a variety of backgrounds. Initially, work groups were established for each critical area. The work groups included individuals with backgrounds in the respective areas. Members from the Farm Bureau and the real estate communities were invited to participate. The task was laborious and time-consuming, because there was much review of literature. The collection of best available science that is represented within the draft is approximately only one-tenth of what was reviewed. Each work group reviewed literature. The Planning Commission has worked on the CAO for two years. It was an enormous task mandated by the state. Thurston County staff pulled the work group results together and the information was reviewed. The draft was summarized and presented to the Planning Commission. The Commission welcomes feedback from people about studies that may have been missed. The Commission tried to include the best professionals that the Commission could find that were willing to spend hours and hours of volunteer time.

Mr. McDowell indicated that the mandate requires a review every seven years. However, it doesn’t mean all of the changes are required.

**John Sisco, 5731 Sunrise Beach Road NW,** stated Thurston County is special and it should be protected as much as possible. The Planning Commission is doing a fine job of trying to define what can be done to do that. However, it is important to be very careful with development spoiling the environment and with inattention to environmental rules. That’s basically what the Planning Commission is paying attention to. However, the needs of small property owners who vote and who will have an impact on whether the ordinance is adopted also need to be considered. People need to be convinced their rational needs should be balanced and dealt with reasonably. He thanked the Commission for its efforts.

**Jerry Handfield, 2124 Gravelly Beach Loop NW, Olympia,** said he is President of the Griffin
Neighborhood Association, which is an active association that includes 13 members who volunteered their time to attend monthly meetings and who tend to promote communication and maintain the quality of life in the Steamboat Island area. The association supports efforts to use BAS, even though it realizes science is an ever-changing arena. The association also supports the County’s efforts to hold the open houses and educate the public about the problems that many citizens are living with. Many association members live in or near the defined critical areas. Residents look forward to participating in the process the Planning Commission has set up. The association especially appreciates the rules applying to marine bluffs and landslide hazards, since residents remember the expensive problems and heartbreaking losses on Carlyon and Sunrise Beaches. The association appreciates the wetlands and buffers for streams since many residents grow rare Olympia oysters on their mini personal farms. There are many salmon spawning areas connected to Totten and Eld Inlets. Residents appreciate the concerns and protection of aquifer recharge areas since most have wells. The association believes in growth and development without serious damage to the environment. In the future, residents would appreciate a fair and equitable enforcement by County representatives when problems arise. Because what that does is pit neighbor against neighbor and that happens now and he hopes that will be prevented in the future. Members agree with the idea that the document should be shorter, but it does take both versions. Residents want to avoid the hazards and contamination of the past and make it possible for new residents who are unaware of the soils and the climate to make good decisions about where they live. We do not want their enthusiasm for living here to lead them into situations where they’re misled into risky investments. The association believes education and communication are powerful tools to help maintain and improve the quality life. The revision to the CAO could assist property owners in transferring their healthy lands to the next generation. Recently, one of the residents said it would take five weeks before anyone could inspect and approve their upgraded septic system. Since there is a limited window of opportunity before the rains come, perhaps there can be some adjustment to temporary County workforce during the building season. A second thing is to explore incentives for the citizens who are affected by the new ordinance. He asked whether citizens can be eligible for tax incentives over a period of years. The Planning Commission’s work is viewed as a helping hand for all of us to work together as neighbors and friends to help keep Thurston County an exciting place to live with a quality of life that cannot be beat. It’s our quality of life that makes all of us appreciate our unique environment and the residents thank the Planning Commission for their hundreds and hundreds of hours spent on the effort.

James Myers, 947 Old Pacific Highway, Olympia, stated he owns a 41-acre farm with a stream running through the middle of it. He cited ways he has served the community in a variety of volunteer positions similar to the Planning Commission. He said he understands some of the competing uses and knows how challenging it is. Mr. Myers said he’s speaking as a landowner in the Nisqually Valley and a critical area and as someone who supports the Nisqually Subarea Plan. He has given a certain amount of his rights away in order to preserve the valley in addition to other farmers. He encouraged the Planning Commission to look at the bluff areas in Nisqually on the Pacific Highway side and on the west side. He asked the Commission to look at the critical landslide areas and similarly the competing density problems between the urban growth area (UGA) of Lacey and the County. There have been some conflicts and it needs to be resolved. He encouraged review of geologic factors and the existing Nisqually Subarea Plan for...
He said he has heard lakes and ponds less than 20 acres in size are going to change, aquifers are going to change, and for marine habitats there is now a new understanding as well as recharge zones. It appears some things are going to change - wetlands and ground liquefaction now become a consideration. There are special and important habitats in riparian areas that are now becoming more attentive to. It seems to him that some things have changed and with these changes the financial burden often falls on the backs of a few - the few who probably over a number of years have done a lot to preserve land, and those are the agricultural people. They deserve a pat on the back and not kick in the rear.

**Kathleen O’Connor, Young Road, Steamboat Island,** thanked the Planning Commission for supporting efforts to protect critical areas in the County. Ms. O’Connor said she submitted written comments but based on the last evening’s testimony she believes she should also speak during the hearing. She said there are more concerns in common than initially imagined based on the way people spoke at the previous public hearing. For example, she heard more than one person expressing concern about losing trees to developments in rural areas. Tree loss and high impact development can contribute to runoff and water quality issues. This is of particular concern in critical areas. Most, if not all of us, would agree that clean drinking water is a good thing. The revisions are designed to help ensure clean drinking water. She said she supports that. What we now know about the importance to protect critical areas is more than we knew during the last revision. We can and should do better. We can use our better knowledge to protect the quality of life, environment, and critical areas. She said her property is near a wetland and she knows there are things she should do make sure that what she does on her land will not impact the water or the well of her neighbors. In fact, her neighbors have covenants with each other in order to avoid contaminating each other’s wells. This perspective has value when thinking about wetlands and critical areas. We all have covenants with each other in order to prevent contaminating our neighborhood and community water. She encouraged the Planning Commission to support the revisions. A document was sent to many residents in the County that was misleading that needlessly inflamed and unnecessarily scared residents. It contained inaccurate statements, some of which were addressed last night and people could not hear either physically and they weren’t ready to hear. It is not true that there will be retroactive wetland buffer sizing for example. It is important to be aware of the document and recognize it is misleading, and perhaps have a point-by-point rebuttal of the falsehoods in the document so that residents know the truth about the revisions.

**Gayle Broadbent Ferris, Steamboat Island,** said residents are facing tremendous pressure from developers. It seems like they’re knocking on the door asking if they can buy the front lawn. And that’s okay to have good development as long as it is done right. We want to have families in good homes built in a good place in the right way. The amount of financial incentives developers have to develop whatever they can as much as they can and wherever has diminished the intent to do the right thing. She said her area is filled with wetlands, streams, and ravines that flow to Puget Sound that include salmon, bald eagle nests, steep slopes, and geologically unstable shorelines in the critical area. The reason it hasn’t been developed is because it’s not a good idea. It will be built if the money is there and it is pursued. The neighbors are watching as they are only a half a mile away and some of her neighbors have actually lived through the Carlyon landslides. No one wants to live through that again. The Planning Commission does
not want them to live through that again. And it’s very fair to us, as we’ve been working with the County because the current regulations are just not adequate. They don’t address a lot of the problems with stormwater and redirecting stormwater. These are people’s houses and lives. It’s not just a matter of protecting natural resources. The residents need help. Having a bunch of scared, alarmed, and freaked out people calling the County everyday should not be part of good land use. She said she has read the document and finds it fascinating. It is fantastic. The science is good, the conclusions drawn are good, it’s a great tool, and it is needed badly. She asked the Planning Commission to accept it swiftly.

Peggy Bruton, 1607 East Bay Drive, Olympia, spoke on behalf of the Thurston County League of Women Voters and stated the League supports the changes as proposed. They are particularly concerned that developers coming in to the County from other places don’t understand what life is like here. A developer’s legitimate aim is to make money. Strong and well-applied rules are needed particularly for large development. She said she was a neighbor in the Griffin neighborhood and shares the concerns expressed by the last several speakers. She owns 50 acres of forested wetlands which are in the 100-floodplain area and the aquifer recharge area. It is a priceless investment and important for maintaining the quality of life. She is concerned about it and the surrounding area upstream facing additional development. Assuming the revisions are passed, she said she’s glad the areas that will be developed will receive a higher level of protection. Ms. Bruton thanked the Planning Commission for its hard work and said she hopes it is successful.

Sally Vogel, 5042 Viewridge Drive SE, Olympia, stated she lives on a small wetland and can appreciate the regulations that she hopes will be instituted. Some years ago, the regulations weren’t so strict. In the 1998 flood, several of the houses permitted to be built had water in the basement. From a flooding standpoint, it is important to increase the buffer, but also for the wildlife that exists. She has noticed a disappearance of wildlife near where she lives. It goes along with the disappearance of the forest. Something that particularly upset her was to see the felling of trees that lined the water catchments basement between that and the Chehalis trail. There was no need for those trees to come down. It is her hope the new regulations the ordinance will institute are accepted. She read an analysis sent to the Planning Commission from Futurewise and the People from Puget Sound. They support all of the recommendations and have suggested some changes she hopes the Planning Commission will review. She thanked the Commission and farmers for protecting the land.

Steve Lundin, Gravelly Beach Loop, Olympia, said he appreciates the Planning Commission and staff’s hard work. As a long-time owner of rural acreage, he was quite upset that he received a document in the mail from the Farm Bureau, Olympia Master Builders (OMB), and various other groups and was very upset about what he read. He thought perhaps the proposed regulations were out of control. He spent many hours reading the document. Professionally, a number of years ago, he drafted and analyzed laws and he understands how frustrated people are. Clearly, that was evident the last evening and to a certain extent at tonight’s meeting. Part of what you’re hearing, whether its perception or reality, is that the small guy feels shafted compared to the big guys. They have trouble getting permits and they look across the street at million dollar homes where the trees have been clear-cut next to them. They are upset because
they feel there’s a two-pot system. Whether it is or not, they feel it strongly. The Commission has heard some of the frustration. After reading the document, he said he was astounded. Now, he’s upset at the authors of the mailing. It contained misinformation. For example, there are statements saying a permit is essentially needed everywhere to have a portable gas generator. That’s not in there. And the staff explained very clearly what is in there. The misstatements go on and on and on. For example they say it only protects to a 50-year flood not a 100-year flood and that’s not right. It is similar problems that have ticked off a lot of people. They are frightened and scared and very upset. Candidly, the mailing exacerbated the situation because it is not factual. A lot of the changes are mandated by state law notwithstanding comments made by other people who claim to know what they’re talking about.

Rolle Geppert, 9028 Joelle Lane SE, Olympia, stated he is very proud of his five acres. He manages the acreage solely for one purpose - the protection and restoration of fish and wildlife. The State of Washington consists of 43 million acres. It’s getting no larger or smaller. Geographically, Washington is the smallest of the 14 western states, yet it has the second largest population. California is first. The population of Washington is increasing at the rate of one person every five minutes for every hour of the day. If you drive the stretch from Olympia to Bellingham, you are keenly aware of the issue. Also 75% of the state is listed under the federal Endangered Species Act as being threatened or endangered. That includes all of Thurston County. Mr. Geppert said he supports the draft ordinance. The advancement of a society can be judged by how much attention is given to the future. If you, I, everyone out here and everyone who stood in this position before him do not do everything possible to protect the natural resources, everything else of value in life is totally irrelevant. He said he happens to be the unlikely recipient of a new city that was authorized by Thurston County directly across the street from his property. He’s not very pleased about this. It is a 71-unit housing development on 46 acres. Mr. Geppert said he is excited about the new draft ordinance and thanked the Planning Commission and staff for the bold step.

Raul de Leon, P.O. Box 1486, Olympia, said he’s a small landowner in Thurston County and President of the Thurston County Farm Bureau. He opposes the proposed critical area regulations. He supports the Farm Bureau’s objections. The Farm Bureau encourages family farms, individual rights, privacy, the future, and the current way of life. Balancing environmental concerns is challenging. However, in attempting to resolve the issue by placing the burden on those being good stewards and protecting the environment - local family farmers and rural property owners, it is not only illogical but extremely unfair. The proposal creates hardships on citizens, businesses, retirements, and dreams, and is a consideration the Planning Commission must take. If it is not the Commission’s intention to impact agriculture, impact homeowners and devalue their property, regulate pets and livestock, unattended generators using bio-diesel supplementing hybrid cars, solar, and wind systems, then it should be plainly stated in English. If the Commission is not changing anything, he asked why there is such an onerous document that took him days to review. He said when he was 18 years old his father brought the family to the United States from Cuba to escape from totalitarian regulations, violations of individual and civil rights, and excessive government controls in the absence of liberty. His family had a dream based on the guarantees of the constitution and the American way of life, which you’re all familiar with - the promise of liberty and the pursuit of happiness. The hopes
and dreams are not jeopardized by oppressive regulations such as these. We the people is our foundation and we are them, all of us here. For the sake of our future and for the well being of our environment, he said he sincerely hopes the Planning Commission hears them from within their hearts. This is out of fairness and good stewardship of our lands and the people on those lands.

**John Stuhlmiller, 1130 Fellowship Lane NW, Olympia**, said he is also with the SW Farm Bureau. Based on the article that ran in *The Olympian* he said he’d like to respond to a couple of things Mr. Sonnen addressed especially related to existing uses. The quote in *The Olympian* and Mr. Sonnen’s review captured it nicely for the Farm Bureau. Mr. Sonnen said “residents can continue activities on land in critical areas whether it is mowing, tilling or plowing, but if the land use has a demonstrated impact on a pond, stream or other critical area, they will be asked to change the way they do it so it doesn’t hurt the environment.” It sounds like a green light to go ahead with his existing uses, however, he would submit what it does is cast enough uncertainty, which no uncertainty is needed in the document. His organization stands for keeping agriculture viable in the state as a whole but also in the County. The Farm Bureau takes that charge very seriously. Any regulatory uncertainty will challenge that dramatically and could well drive agriculture out of business in a County that has an ever-diminishing amount of agriculture. Mr. Stuhlmiller referred to Table 9.2 and said under existing agricultural activities it says they could take place in a wetland or associated buffer under two sets of conditions that are called out in sections A and C in Section 17.15.970. Section A contains a list of general requirements that all uses in the wetlands have to abide by. It indicates all uses shall be conducted to avoid or minimize impact to the wetland and buffer. While possibly well intentioned, this also proves that existing uses will not necessarily be allowed to continue. There will be existing uses modified, which is not a continuation of an existing use. Section C, provision 1 A requires existing agriculture mitigate for potential probable impacts to wetlands. Those two words are as broad and open as you can possibly get. He doesn’t know what would or would not be covered by the two words and requested clarification in the ordinance. Mr. Stuhlmiller referred to existing gardens for personal consumption. They’re subject to mitigation as well. In addition, there are four use restrictions: clearing or tree removal shall not be permitted outside the portion of the site authorized for development pursuant to the CAO; pest management practices shall be used for pest control; BMPs shall be used for fertilization and weed control; and the approval authority of the County may require other protective measures necessary to maintain water quality and protect wildlife. The average homeowner does not know what BMPs are. The average homeowner doesn’t necessarily use IPM, and IPM does include pesticide use. There’s not an actual grandfathering, unless, if the grand fathering meets newly established criteria. He said that is the Farm Bureau’s concern.

**Scott Nelson 11122 Case Road SW**, stated he has concerns about the proposed changes to the CAO. As a member of the agricultural community, he has a vested interest in the proposal. His family has been here since 1861 and he’s the fifth generation to farm the land, much of which is along the Deschutes River. The first thing that caught his attention was the addition of the term “frequently flooded areas” (he read the definition) and the definition for the 100-year floodplain is the same. He said he’s confused how an area that may only flood once every 100 years can be considered frequently flooded. Mr. Nelson said he does not like the term “high intensity use”
which includes tillage more than once a year with an option in the proposal to make it every five years. This bothers him because any time he wishes to till his ground; Thurston County will require a permit. When he tills a field, he prefers to plant an annual crop in the spring, harvest and till in the fall, and plant a covered crop with a grass mix. If this is considered tilling the field more than once in five years, he will have pasture and hay fields that fall under high intensity use. Additionally, it will require him to annually obtain a permit for an area he rents out to an organic producer who wishes to expand. Another section suggests reducing nutrient applications below agronomic rates in areas where groundwater has high nitrates. To many people, this may sound like a good idea, nitrates go up, and fertilizer applications go down. The problem is a field has fertilizer applied in agronomic rates has only enough fertilizer applied to grow the crop. This will have the net effect of hurting his yields and not changing the groundwater nitrate levels. The County has taken it upon itself to decide what the BMPs are for each farm in the County. The County is going to require farms to file a farm management plan for approval. This plan must already be approved by WSU Cooperative Extension, USDA and RCS or the Conservation District. The professionals are specifically charged with tending to agricultural issues and could be overruled by the County’s Commission members who have no requirement of agriculture knowledge. The idea of a permit to build a fence is another concept he doesn’t grasp. His family has 100 years of combined experience in building fences, and now he must submit a fence design to the County for approval. He asked how members of the Planning Commission can know better than those who have a lifetime of experience. In closing, one of the purposes is to minimize business interruptions, which is in Section 17.15.700 A. He said he does not believe any of the above-mentioned amendments do anything for business interruptions in the agricultural community. Like most business people, farmers are busy people. The amendments have been proposed to add to an already busy schedule for most. The amendments make it more immediately difficult to farm in Thurston County and it might make it impossible at some point.

Bill Pritchett, 606 96th Lane SE, Olympia, said the ordinance is confusing and that’s an understatement. He thinks the CAO should be tabled for two years and possibly up to four years. There are several things happening in the next couple of years. The GMA has not been extensively tested in court. There are court decisions coming down on fringe areas. The whole thing could be mute. There’s Proposition 37 that went through in Oregon. It’s a big deal. It didn’t get much play here, but it was a 60/40 split as a ballot issue and that’s huge as a ballot issue. Perhaps we’ll have one in 2006. Here again that would wipe out anything we’re talking about. Proposition 37 was a property rights issue. Property rights are a big deal. It’s right up there with free speech; it’s a biggy. This thing treads on it not lightly but very heavily. He asked the Commission to think about how property rights will be impacted. Mr. Pritchett commented on one of Mr. Sonnen’s statement and said he doesn’t know how to measure one part of gasoline per million parts of water. It can’t be done and the science doesn’t exist. The buffers are a shot in the dark. A 1% slope is different than a 10% or 20% slope. One size does not fit all. He said a 100-foot buffer is crazy. It’s like everyone wearing the same size shoe. It’s different. Nitrates take a bum rap. He asked the Commission about the last time they have had a hot dog, ham sandwich, or a slice of bacon. They’re loaded with nitrates.

Eran Bev-Sira, 15140 Fox Hill Road SE, Yelm, stated he lives on a hillside and has no plans to
cut his trees or do anything to the water. He voiced concern about the little farmers. They don’t want any permits or anything if they have two sheep, 10 or 20 sheep, or one chicken. He doesn’t need to have a permit. Last night a speaker said there would be an evaluation of existing laws and if there is an existing condition there has to be new regulations to enforce changes and the owner will pay for them, such as elevating the house, which is now considered under the flood line. A property must pay for insurance to ensure the land is covered. One size doesn’t fit all. If someone has 100 acres and one person has one acre, the one with one acre cannot build any more than the larger property owner. Regulations must be relative to the amount of land that a person owns. The draft should be very clear without any vague interpretation. It says “human activity,” which can mean anything. He said he could build a walkway and need a permit. If this is an example then the regulations must be clear. As a volunteer commission he suggested the Commission must follow through because the rules affect everyone. He said he didn’t want to hear that the Planning Commission is comprised of volunteers. He suggested the Commission should do its job and make it clear. Before preparing the final draft, the Planning Commission should invite people from both sides of the fence. He said he wants clean water and wouldn’t do anything (to harm water quality), but that the farmer organizations and the OMB were very clear that the Commission needs to invite them to the table. Together, everyone comprises the county, are united and concerned. All voices should be considered and compromises made to ensure people obey regulations and that the regulations are not an unreasonable burden.

Paul Sparks, 14205 Military Road SE, Tenino, said he supports and applauds the Planning Commission’s efforts. Although he said he is worried about some parts of the regulations. If the regulations are too detailed and too intrusive, it’s unenforceable and won’t accomplish what is desired. The previous CAO for the most part has not been enforced by the County. Developing regulations following the previous pattern won’t solve the problem. The real problem occurred 15 years ago during the development of the new growth management plan and subdividing too smaller parcels. Most of the central county is going to be subdivided one unit to five acres. The real problem is not with traditional agriculture, although that’s where much debate has been focused. He apologized to folks in that category and commented on people who move to the county and cut down trees for a pasture and then add horses, goats, and llamas resulting in more livestock on a small pasture than any traditional farmer might have. Adding up those situations could equate to the county experiencing feedlot conditions resulting in increased agriculture runoff. The real problem is a faulty growth management plan. The second major issue and one the County may have difficulty with is that each drop of drinking water comes from groundwater. Most of the County is located within the Deschutes watershed. The watershed is fed six months of the year from stormwater runoff and six months of the year primarily from the shallow aquifer that supplies drinking water. Peering over the edge of the bridge on Waldrick Road to the Deschutes River reveals very little water. In 1989, the Department of Ecology (DOE) mandated a minimum stream flow. Since then, the county has not achieved that stream flow in the summer months. As more development occurs there is less availability of water. As more development occurs without good controls on land clearing, livestock, and the use of pesticides and fertilizers, the more likely impacts will occur to the aquifer. If the aquifer is impacted, it will be the most costly disaster the County has ever experienced. For those property owners that live in rural areas on a five-acre tract with 300 feet of frontage, the cost of running a rural sewer or rural waterline is approximately $50 a linear foot.
Bob Jacobs, 720 Governor Stevens Avenue, Olympia, said the issue is all about quality of life. It’s about maintaining the current high quality of life and restoring it to previous levels for future generations. When his children were growing up the 70s, they caught salmon in Puget Sound. Mr. Jacobs said now that he has several grandchildren, he would like to fish with them. The salmon stocks are dwindling. Even the dogfish are down over 80%. The trend is very clear in the 31 years he’s lived in the county. If the present course continues, Puget Sound will become a dead sea, which will degrade the quality of life, reduce property values, and hurt businesses. An important part of the problem is the way the County has developed. For instance, those expansive lawns right up to stream banks on Puget Sound look lovely but are killing the salmon. By taking a few simple steps like building farther back from the water’s edge and maintaining native vegetation to filter and cool the water, population growth can be accommodated within the County while maintaining a high quality environment and its benefits in terms of human health, recreation, business, and an appreciation of the natural world. He said he’s optimistic. Scientific research shows what’s needed. He asked the Planning Commission to do what it can to protect Puget Sound and the quality of life. Mr. Jacobs thanked the Planning Commission and staff for their work in developing the ordinance.

Patricia Galivan, 6244 2nd Avenue SW, Olympia, said she appreciates what the Planning Commission is trying to do. Her family would like to build a home. Their property has a creek by the house, wooded land, and another five acres on Overhulse Road, which has experienced tremendous change with The Evergreen State College (TESC). She has seen land use that has taken land from people. She shared she wanted to divide the five acres for retirement purposes, which no longer can be done. She asked what she is supposed to do with the property now. She said she will have to ask for a tax reduction because she can’t do anything with the property. She can’t build a home on it. Her children can’t afford to build because of all the rules and regulations. When she built on her other property it took two years to obtain a permit because she improved the house by adding two extra beams under it. At the County Building Department she found that no one wants to put their name on anything. It cost her several extra thousands of dollars for the home improvement. The house has experienced three earthquakes and withstood them very well, with no structural failure. She indicated she respects her land and property and a lot of the people already have built their homes. Now, there are more restrictions, which our children and grandchildren will have to live with. She also has an acre she’s trying to sell which is also on the creek, and it’s value for her and her husband’s retirement is now gone due to requirements for buffers. There are no wetlands on the piece of property that borders the stream. She indicated she has to mitigate everything and pay more.

Walter Olson, 503 171st Avenue SE, Tenino, said he represents some citizens in agriculture, especially small farms, but said he is speaking for himself. He’s a veteran of the U.S. Navy and has served his country. He moved to the rural area of south Thurston County 40 years ago and was born in Olympia 64 years ago. He said he fought for the constitution and its meaning and the laws of the land. The Planning Commission has or will be violating his constitutional rights. Under Amendment 4 and 5 of the U.S. Constitution and the State of Washington, he has watched the Commission violate the rights of citizens in the County with double talk and bringing in hearing examiners who don’t agree with anyone but the Planning Commission. He said his point
is that the Planning Commission has destroyed the rural lifestyle he looked forward to when he wants to retire. In south County, the area supported strawberries, raspberries, and other crops. Forty railroad cars a year were shipped out of the area between Tenino and Rochester. The Planning Commission has allowed the destruction of agricultural lands. Instead of crops, there is clustered housing. There are 30 houses on 20 acres located 10 feet from Scatter Creek. Pending are 66 houses on 60 acres on an aquifer that is listed in the CAO as critical. No wildlife corridors or recreational areas were set aside in clustered housing developments. Clustered housing down along the river or along the creek allows no passage of animals. He said he has cougar running through his backyard. There were 30 dairy/cattle farms in the area but now there are two. Another dairy farmer is leaving for South Dakota in October. He said his point concerns how to feed the population of the County and bring crops to the Farmers Market, especially from gardens that are not allowed under the new provisions. He compared OPEC and the high prices of fuel with “FOODPEC” where it won’t be possible to obtain food and third world countries refuse to ship food to the US. But, the County allows gravel pits to take over agricultural lands. Sand and rocks do not taste as good as fresh strawberries or rural grown beef. He said so much for his peace and quality of life as the County has allowed gravel crushers to run 24-hours a day in the past few weeks and backup alarms keep him awake at night. Berms were never built and vegetation was never planted on the slopes. But the Planning Commission acts like God to south County residents and he said he has had it with this type of government, which doesn’t serve citizens. Citizens’ dreams and rural living have been destroyed.

Glenda Girton, 503 171st Avenue SE, Tenino, said she agrees with Mr. Olson’s comments.

Gita Moulton, 1011 5th Avenue SW, Olympia, said she, too, agrees with Mr. Olson’s statements about farmland and food production. She thinks it’s critical if there are concerns about sustainability farmland that farmland should be protected to produce food. But it won’t do any good to produce the food if water and natural resources are not protected and growth is not controlled. Ms. Moulton said she does support the ordinance and thanked the Planning Commission for its efforts.

Alice Swidecki, 15220 Strawn Lane, Tenino, said she appreciates the fact that the work is a big job and many faceted but that most would agree that one size doesn’t fit all. It does often appear that the big guy is saying to the little guy, “We’re bigger than you, we know more than you, so get over it.” While the Planning Commission doesn’t intend it as such, she said she is not surprised such feelings have been expressed. She said she loves the beauty of the area and the wildlife. She’s said she is glad she doesn’t have to have a permit for her barn cats. She was permitted to move a mother-in-law accommodation onto the family farm. Her mother suffered a stroke a few years ago and is able to be close and that’s a good thing. However, there is the possibility a couple of her children might want to live in single-family homes on the property. It appears that would not be allowed. It doesn’t feel equitable when she wants to build two homes on 48 acres when big housing developments are putting anywhere from 40 to 70 residences on given plots of acreage. Ms. Swidecki said it seems there is a lot of red tape that goes along with permits. Perhaps permits could be priced or rated on a sliding scale depending on the applicant’s income. Also, if the County is unable to send staff out to critique or follow up on an application for a permit within a reasonable time perhaps the fee could be waived to keep ball rolling.
That’s not to say inspections should not be made or regulations and standards should not be enforced. She said as the taxpayers, we pay the wages. The servants shouldn’t be greater than those who pay the wages. It would be nice to believe she has similar rights to do things with her property within reasonable bounds.

Edmund Rauset, 607 Tartan Drive SW, Tumwater, said he owns six acres of property on Cooper Point consisting of five acres of timber and one acre for building a home. He is retired and is still dreaming but probably won’t continue dreaming. He indicated that if he wants company, all he has to do is start up a chainsaw in the neighborhood and it’s amazing how many people come out. Most of them have lived here for 20 to 30 years. They have the house they want and they want his timber for their own enjoyment. He has cut nothing down. Consider the people with property in the area who have owned their property for their enjoyment and made no improvements. They are the ones that are being punished. They haven’t raped the land and haven’t developed. Mr. Rauset said he lives in the Littlerock area in a low lying area and built a house and installed a septic system. It appears the regulations will require him to locate farther and farther from low land. On Littlerock Road, at a depth of six or seven feet there is water. He said he would like a little more attention to people who have property and have protected the area for many years. He has planted a lot of trees. Littlerock was bare land. It is nicely wooded now. But the Planning Commission is punishing people good or bad. Everyone talks about recharging the water area and polluting it. He noted that any big subdivision, such as stores and large parking lots are built with nowhere for stormwater to go. That’s where much of the pollution comes from. The report mentions keeping wildlife safe. Mr. Rauset said a simple solution that would save birds and chipmunks and other animals is to get rid of the “cats.” Cats are the biggest killer in the County as far as killing wild animals.

John Garvin, 4222 Johnson, Olympia, said he is the largest landowner in attendance and owns the Thurston County dump. The County abandoned the dumpsite and the $15 million cleanup is on his back. The County dumped at the site from 1939 to 1972. He said he informed the Thurston County Planning Commission and they made fun of him. He found a meth lab and broken bottles and other garbage and cleaned up the site this year, spending several thousand dollars to do so. He had someone bury the glass so no one would get hurt. He said he knows people shouldn’t trespass, but he has a mile and a half of roadway in that area. There are also many fancy homes in the area. There were 10,000 trees taken off his place in the last year. Mr. Gavin said he owns the old railroad ROW. On the other end of the same property the County stole 50,000 yards of gravel and created ponds along the road and filled it with asphalt. Finally, the County traded it to the state, so now it belongs to the state. The state put a fence around it. He advised by looking at the title map, it’s plain to see that he is the owner and always has been, but that they encroached upon it. He referred to the man that spoke the previous evening about the draft and how it has taken two years to complete. He addressed his property. The truck stop on 93rd Avenue has a federal office with scientists and bird watchers. Right across from the street from the office is a ditch off the road. There is a County easement with no trespassing and a 300-foot buffer on both sides of the ditch, which represents at least 10 or maybe 20 areas and that isn’t cheap land. It is zoned industrial/commercial. Boeing considered moving there at one time. It doesn’t flood and the ditch doesn’t do anything. There’s never any water in the ditch. In the middle of winter there is not a drop of water. The County spent $250,000 and he said he is
sick and tired of the County and that the County should leave farmers alone. Farmers build and maintain ditches and take care of the problem. He said he intends to be in court with the document because in the Nisqually Valley Delta he had 55 acres and used to make a living off the land but now the County won’t allow him to break a twig or even walk on it.

George Swartz, 2410 Crestline Drive NW, Olympia, said he has a 32-acre farm at 10603 Independence Road SW that he bought in 1990 after the 1990 flood. He said he fell in love with the property that has 1,000 feet of frontage on the Chehalis River. Scatter Creek runs through the property. He owns both sides of Scatter Creek and a concrete bridge and Scatter Creek opens into a river. The salmon come in to Scatter Creek pond and they hole up until they can go upstream. Three winters ago, the logjam completely plugged off Scatter Creek. He went down with his chainsaw and cut a notch through it. He could then lay there and touch every salmon that came up Scatter Creek. In 20 minutes he counted 160 salmon running by. As he walked over his bridge there were at least 300 salmon waiting to go through. He bought the property in 1990. The GMA shoved the Chehalis Agriculture district shoved down their throats by the agriculture committee. There were two gravel land barons on the committee that shoved it down their throat. They had the same type of committee that would not listen to the property owners. They shoved it down their throats and 50% of the agriculture district is in the floodplain where it can never be used otherwise. He said his farm consists of 32 acre and approximately 27 acres is in the floodplain and floodway, which can’t be used. Mr. Swartz said he is against the ordinance unless it is to the vote of the people of Thurston County, not the County Commissioners. If we get a chance to vote on it and it is approved by a majority of the people in Thurston County, then he will support it.

Susan Fisher, P.O. Box 790, Yelm, said she lives in Yelm on Holly Street. She just attended the Nisqually River Council celebration where people who have been working on watershed protection have been honored because of the 20 years they have spent working to protect the area. A couple of years ago she became a stream steward volunteer. She said she grew up in Washington and has lived here her whole life. She had such a deep sorrow within her because of what she saw happen to the wonderful, lush, beautiful area. She said she ignored what was going on and didn’t want to get involved. Ms. Fisher said she was previously a flight attendant and often during times of danger she often had to tell passengers not to panic. That is how she feels about what is occurring to the environment. She said undertaking the stream study course was the most remarkable extraordinary course she ever completed and it changed her outlook 180 degrees. There are many people in the area who are volunteering because they want to. People have moved here because they love the area for the most part and they want to do the right thing. She said she didn’t know how many things she was doing that were causing harm to the environment. She suggested that the program, although it is the Nisqually River Program for the watershed, should inform people. There has not been one person from any area that has completed the course who wasn’t totally changed in their thinking about what needs to be done.

Clyde Ormsby, 6223 Cotton Drive SE, Olympia, said he owns property on Case Road. He doesn’t receive the newspaper or watch television but received information through a letter sent to the wrong person at the right address. The person that bought the property hasn’t been the
property owner for the last 15 years, but he’s still on the books. The property is now up for sale. The property is called a ditch. There are more wetlands since the County put in a culvert because they put it below the ditch. He now has cattails on the property that were never there previously. The County created a wetland for him. He said he would ask for a road permit but is required to obtain a wetland evaluation. There have been several wetland evaluations completed on the land by the County. The County knows what’s on the land. Yet, the County wants $260 to tell him he has wetlands. All he wants is a 15-foot ingress/egress road. He would have to get a road permit along with an evaluation letter, which is not right. There was no wetland when he bought the property. Mr. Ormsby acknowledged his property contains a wetland but asserted he shouldn’t have to pay for something that should be free and that the County will have to get an evaluation on its wetland or it will have to complete a wetland evaluation and provide it to him. There’s a wetland where Case Road has been changed. He asked whether the County will issue an evaluation on that wetland.

Bill Robinson 1414 37th Avenue SE, Olympia, said he attended the previous evening’s public hearing and was turned away because of the large crowd. He thanked the Planning Commission for continuing the hearing. A couple of years ago he was driving around the County and his daughter said, “Dad why do we have farms? Why don’t we just go to the store and buy our food?” He said he thought about that. It appears we have lost touch with connections of our food stream and natural systems. Listening to the public testimony, it appears there seems to be a disconnect in terms of how the world operates. People want to protect the value of their land and rural character, they’ve done good work on their land, but yet they’re disappointed and angry that others haven’t done the same thing. They want their groundwater and aquifers protected, they want to be protected from landslides, irresponsible logging and development, they want the protections, yet they don’t want regulations. The disconnect is still taking place. The Planning Commission has a difficult job to bring balance. The only way it can be accomplished is by getting more people involved. Quite frankly, the process hasn’t been handled well because of the lack of communication. At the beginning of the meeting the Chair mentioned the public notices and the website. He said he thinks he’s pretty well informed but he didn’t know anything about the meeting until he read the paper two days ago. The public notice needs to be sent out and there needs to be a simple explanation of what the ordinance does and what it doesn’t do. There has been a lot of miscommunication. There should be a simple description that is made available to the public about what the ordinance does and doesn’t do in advance of the meetings that could be covered by the media, so people could be better informed. He did get a copy of the ordinance and tried to read it. Quite frankly he was not able to glean much information out of it. It is very complex and difficult to understand. He said he understands everyone’s frustration in trying to read the document. He suggested a simple, clear explanation with a good presentation similar to what was provided at the beginning of the meeting is needed. However, unfortunately it is too late as people are already upset. There does need to be some balance between the property rights of people and protecting us from damaging actions of neighbors undertaking unacceptable development.

Sue Danver, 7106 Foothill Loop SW, Olympia, said she is pulled in many ways and thanked the Planning Commission for its hard work in dealing with very complex and emotional issues. Ms. Danver also thanked John Sonnen for his excellent work. He summarized some of her
statements such as 85% of terrestrial mammals, birds, and fish spend some time by the river. She said she is speaking for those who can’t speak – the fish and the wildlife. She said she supports the buffers. While working at a booth during Yelm Prairie Days she was amazed at the number of people from Rochester that came and said they are protecting their own little prairies on their acreage. She said she also heard a lot of people from Yelm, Lacey, and south County that have watched the large developments go in. Birds and the animals are flocking to one and two-acre refuges and staying there for a summer not knowing where to go because the animals have lost their habitat. She said at least five people conveyed that information. She said she feels sympathy and empathy for small land owners. In the past, they have been land stewards and they are still land stewards. There has been rapid development and what worked before is not working now. Buffers are needed to keep watersheds and rivers healthy. Huge developments are the problem. They come in and seem to be free to do what they want and create bigger problems than the smaller landowners. The discrepancy should be dealt with. No one has spoken about pesticides and chemicals. She said she likes a lot of the things that have been adopted to try to minimize the impact of the poisons. There are more of them in our lives and the buffers do help. As a result, on page 522, monitoring of asphalt runoff and groundwater is mentioned. The biggest problem with asphalt is air emissions. She asked that all asphalt plants should be located a half-mile from any refuge or significant wildlife area.

Carl Warren, P.O. Box 1524, Yelm, said he owns property in the County and in Yelm. He indicated he has seen people bash the Planning Commission during the last two days and unfortunately he will likely do the same and asked them not to take offense. He said he is emotionally distraught over what he has read. He spent time in the military and volunteered for some special programs. Currently, he owns an executive protection and data recovery business. Every day he sees the impacts of drugs and all the nastiness that goes on. But the one thing that really affects him about the issue is that no matter what happens in people’s lives, there’s accountability. He said his attorney calls him a dinosaur because he still believes in God and country and a handshake. But when he sees something like the proposed regulations, it truly horrifies and disgusts him because whoever took the time to write the document wasted his tax money as well as everybody’s tax money. He acknowledged the intent and hard work by the Planning Commission but cautioned that once written, laws are enforced to the letter of the law. The intent no longer matters because once written it can be enforced. He said he’s an “honorably” retired vet and that he fought and lost buddies so that all people could all have the chance to have some rights. It sickens him when he sees something like this because although much time was taken to write this “abortion,” there wasn’t a lot of thought put into the effort. He cited RCWs that were broken and asked whether the authors should go to jail if the letter of the law stipulates going to jail if a law is violated. He referred to the SEPA regulation and indicated he did not understand it. He indicated he spent time reviewing the information and cited the RCW that indicates personal wetlands cannot be affected. Rather, the decisions are based on what’s being done for commercial uses. He said if he has something on his land and he wants to grow a garden, he should be able to.

Chair Kohlenberg advised Mr. Warren to submit his comments in writing due to the time limitation for comments. The Planning Commission will consider all comments – verbal as well as written. Mr. Warren suggested more can be accomplished by putting money towards the
removal of meth labs. A meth lab will contaminate more groundwater and land than 2,000 cows next to a river. He referred to additional RCWs and said more speaking time is necessary.

Sherie Suter, 12140 Koeppen Road SE, Rainier, said one of the reasons there’s so much emotion in the room is because of the fear. The fear exists because people no longer trust their elected or appointed officials to listen to their will and act upon it. And that’s why people are so up in arms. It is very frustrating to those who may be affected. Her particular piece of land is not going to be affected, but she knows many people whose properties will be affected. She referred to the vague language issue that has been addressed and suggested it is difficult to believe that once a regulation is enacted, the County may not follow through on required permits or regulations. She noted she has horses. There have been horses on her property for over 100 years. She said she knows the Planning Commission says if the ordinance is enacted that there will be no requirement for permits for uses that currently exist. However, the state also told the public once the seat belt requirement is adopted, motorists cannot be stopped because they were not using a seatbelt and that it would only be cited if it occurs as a secondary offense. She asked how many people in the room have recently been pulled over for not wearing a seatbelt. The public has lost trust. The proposed language needs to be very specific. She said she believes water should be protected. Obviously, if there isn’t clean water none of the land is going to be worth anything because people must be able to drink and have water. However, it’s not necessary to enact a lot of restrictions to achieve clean water. She asked about the source of the “good science.” Some people have testified that some of the science is not good science. There needs to be an opportunity for the opposing science to be presented as well. Ms. Suter said she has a friend that owned 100 acres. When he wanted to get a permit he was told he had a spawning fish stream in a drainage ditch, which is extremely seasonal and wasn’t functioning most of the year. She indicated it was not a spawning area. Laws are going to be enacted, which are basically stealing people’s property from them. If that happens, some of the people have their whole lives tied up in their land. People have testified their retirement is gone because their land is no longer worth anything because it’s been claimed as a wetland or buffer zone. There needs to be some sort of remediation for those people. There needs to be some sort of protection for people whose land and livelihood are gone because of the rules that are being enacted. However, the most important thing is that the regulations need to be very certain and very specific that the laws are going to do something, state clearly what they are going to do, and exactly what needs to be done.

Carl Teitge, 815 N. Stadium Way, Tacoma, said he owns property in the county and is a development professional. Years ago when he wrote a document for a client he used words such as “subsequent,” “hereafter,” and “forthwith.” The client handed the document back and said he was sure the document contained what was needed, but asked that it be written in English so that it is understandable when he was not available to interpret the language for them. Mr. Teitge stated numerous people have talked about the inability to read the document. He is a trained development professional, a lawyer, and a bright guy. The document is very difficult to read. People are asking the Planning Commission to state its intentions because they cannot read the document. The Commission has the ability to convey to the County Commissioners that the Commission has insufficient time to complete the job. The Commission is under pressure to complete the work so that the County Commission can respond to the ruling from the Growth
Management Hearings Board to provide more agriculture and less dense lots. The Planning Commission can take the time to reflect on the document. He challenged members to hand the document to a spouse or friend and ask them to read it and comment on the clarity of the different requirements. One of the things the Commission is contending with is growth management and it is somewhat amusing because nothing in the document speaks to birth control or population control. As long as there are people, there will be children. He asked where they will live. In the City of Portland, 6,500 new building units were created and only 17 children live in them. People do not want to live in those areas. He pointed out other confusions with the document. A stand of oaks is something that consists of 25% or more trees per acre. Oak Savannah can have something else. The information is included in the definitions on page 8-14. Page 8-22 says there shall be no net loss unless it is proved that nothing else can be constructed. He asked how a property owner would prove the requirements to staff. On page 8-27 the requirements indicate building outside the drip zone by five feet unless a forester or an arborist determines more protection is needed. He asked how an owner would approach the Development Services counter to address the requirement. In the Building Code definitions there is a requirement to take 15 more feet beyond any of those boundaries. He asked the Commission to provide more clarity and urged them to review the document line-by-line and adjust the impact and to remember that the Commission is providing protection for connectivity to its species. However, people need to have connectivity to their children and affordable places for them to live. That is not being provided now.

Stuart Glasoe, 3260 Lorne Street SE, Olympia, said he works for the Puget Sound Action Team for the Governor. The address is P.O. Box 40900, Olympia, 98504-0900. Puget Sound Action Team is a regional partnership of governments and other organizations and interests charged by the state with preserving and restoring the health of Puget Sound. He works on the staff of the action team to serve as the liaison to the Thurston County community. The Team has submitted a letter. The health of Puget Sound is determined largely by the health of the watersheds that surround and drain to the Sound. The health of the watershed is determined largely by development patterns and populations in the watershed. As such, Puget Sound’s health is very much a land use issue. In Thurston County, and the rest of the Puget Sound region, the community is dealing with a challenging situation. There is a large and vast growing population that is contributing to a rapidly urbanizing landscape. At the same time, there are world-class resources and habitats such as salmon bearing streams and dynamic shorelines that are vulnerable to development impacts. The ordinance reflects the attention the Planning Commission and staff have given the issues and to accommodate the current land uses and future growth while attempting to save the region’s prized resources, private property, and public health and safety. The Puget Sound Action Team supports the proposed 100-foot riparian buffer and 100-foot management zone along all marine shorelines. High quality riparian buffers are essential for safeguarding aquatic habitats and resources. However, it is important to understand that buffers alone won’t preserve healthy resources in the long-term but must be coupled with other measures too. For example - prevent pollution, preserve forest cover, and limit impervious surfaces on a variety of scales. Section 830 provides a good list of marine habitats and species to protect. The Team encourages the Commission to again address all of the marine habitats and species as summarized in Section 870 when addressing standards for uses and activities. Development research shows that the near shore marine environment plays a critical role in the
The lifecycle of certain salmon species particularly as it relates to the rearing and migration of juvenile Chinook salmon. Equally important, is the need to protect the natural sediment delivery processes that form habitats that the young salmon and all the other plant and animal species depend on. The ordinance covers a lot of ground and provides a number of detailed provisions, many of which are aimed at giving added flexibility to the landowner and developers. But it is also a long and complicated ordinance. He asked the Planning Commission and County to explore options to streamline the ordinance wherever possible and to develop companion materials perhaps in the form of a simple users guide to help landowners and developers understand the most essential elements of the program.

Ron Nelson, 3624 Waldrick Road, Olympia, said the best wildlife habitat in the world is a well-managed farm. He said his two objections to the plan include – the stance that no changes or alterations in the way farming occurs will affect the farmer. He cited the analogy of his father farming with horses. If the ordinance was effective in the 1960s his son would still be farming with horses. The second objection concerns BAS. Many provisions that refer to BAS within the document should be changed and upgraded. The first speaker represented himself as a certified agronomist willing to help rewrite the ordinance using BAS. He asked how the first speaker and staff could meet and work on the issue.

Chair Kohlenberg suggested Mr. Nelson should submit his comments in writing. Mr. Nelson asked how to address staff to make any changes in the document. Chair Kohlenberg replied that the best way is to speak about the concerns, submit written concerns, and ensure the Planning Commission receives the information. The Planning Commission is as responsible for the document as staff. The Commission will hold public work sessions that will be open to the public. Mr. Nelson asked if there will be another hearing before the Planning Commission prior to the hearing before the County Commissioners. Chair Kohlenberg reported the Planning Commission will have another meeting prior to the County Commissioners. She described the public process and said the public is welcome to attend upcoming meetings. A short discussion about Roberts Rules of Order with a member of the audience followed.

Jessie Ratcliff, Johnson Point Road, said he loves farming but is not able to make a living from farming. He said he is also a teacher. He said he purchased 60 acres with a partner and it’s been an emotional roller coaster with the finger being pointed at him as a farmer for polluting Henderson Inlet. A DNA study was completed and the five most pollutants as far as species include humans, dogs, waterfowl, and canine. It appears the buffers are not taking care of problem. The problem is with septic systems. It is going to cost a lot of money for those people to fix their septic systems. He asked how the County can justify making people fix their septic systems. He commented about giving people tax breaks to afford them an opportunity to upgrade and repair septic systems. The proposed buffers will not allow him to use an acre on either side of the ditch, which reduces his use of acreage by 20 acres. He said he’s not polluting the water and that there’s evidence to support that. Mr. Ratcliff said he hopes the Planning Commission is open-minded enough to accept the public’s ideas.

Mark Sloan, 4129 77th Avenue SE, Olympia, said he farms at Century Farm. There have been three owners in 100 years. The owners consider themselves to be good stewards of the land. He
said he is concerned that the things he already does to protect the land won’t be good enough for the document. There are riparian buffers along a mile of stream. The streams are buffered by 50 feet, which seems to work fairly well. No farming occurs during the winter so it’s a huge waterfowl area in the wintertime. It is an old wetland as is Skagit Valley and all farm lands because that is the nature of farm lands. The whole state of Minnesota was a wetland. He said he fertilizes at agronomic rates and always has and always will. However, he would like the right to be able to double crop when he wants to. He said he has cut no trees and scrapes daily, and he has winter exclusion. Mr. Sloan said he has four farms and one condominium. He indicated he has not sold any five-acre tracks or developed any cluster housing. However, the property is a large part of his portfolio and he was planning on developing, which he now will not be able to do. Mr. Sloan spoke about recent restrictions from increasing the requirements to developing from one unit per five acres to 20 acres and eliminating cluster development. Several minutes ago several people were outraged about prairie clusters. There have been some huge cluster developments occurring on very fragile soils. Cluster development was meant as a way for a farmer like himself to use as a retirement tool. He said he farms 100 acres in the middle of cluster developments and it works. However, instead the County and Planning Commission have left it as a tool for developers. The developers are attending the meeting because they will always make the money. They buy the land and they’ll make sure it goes through. The people attending are century farmers. There are people in the room whose families have been here for a 100 years. They are buying in whole as well and feel like this is penalizing the buy in whole people. He asked the Commission to find a way to pay for this. He said he has health insurance and has never been sick. He doesn’t begrudge someone with cancer to use all his money. He asked why there are not different ways to fund these kinds of things. He referred to environmental insurance for suburban people, where the money would go to the impacts. He said he does not want to be impacted but would want to be paid. He said he paid $20,000 in Thurston County taxes last year, and that’s a big check. If he didn’t have to pay $20,000, the County could take some buffer and he would do something else. He suggested making it profitable so that farmers are not penalized for doing the buy in whole.

Mark Hancock, P.O. Box 88028, Tukwila, representing a major landowner in Thurston County, stated there are three levels of critical areas protection – federal and state requirements; reasonable science, and protections suggested by extreme science or that are entirely optional. The proposed CAO goes beyond criteria and protections required by the federal government and the state, and in many cases it goes beyond reasonable science. It sometimes uses extreme science and includes optional species, habitat, and buffer widths that are not required or used elsewhere. The document is often arbitrary and vague and needs further study. It is understood that some of the requirements are necessary, but it goes too far. The CAO update is not required by the state but is optional. He asked where the current code fails to protect the environment in Thurston County to warrant all of the additional restrictions? The proposed CAO includes habitat areas that go beyond federal and state protected list and definitions, and species that are not listed and are in fact, common. Apparently many species duplicate the state list, which is not necessary, and others are listed because they indicate a particular habitat, which is not appropriate since they range far outside the habitats of interest. This is a very serious issue and if there is to be a County list, which there does not have to be, of local habitat species, the adoption of any habitat, animals or plans should be well-studied, carefully defined and
thoroughly reviewed in a very open public process. A local list should be limited to very exceptional circumstances and not broad brush species. Some jurisdictions choose not to go beyond state and federal lists. Nature’s corridors and connections are quite serious as they involve the taking of otherwise unencumbered good land between critical areas. The CAO should not exceed state or federal regulations. Gravel mines should not be prohibited outright in critical areas. Mining permits should be allowed to take into consideration the critical areas and where a mining operation can avoid or mitigate for those. Other jurisdictions allow mining in certain critical areas and buffers in certain circumstances and the same should be the case in Thurston County, especially at large sites where it can be done. Mining is a temporary use, not a permitted use, so flexibility is warranted. Gravel is an integral part of the County’s economy as a private ingredient in public projects such as roads and private projects such as housing. If it is so severely and unnecessarily limited, costs will go up for taxpayers and individuals. Procedurally, he requested the Planning Commission keep the website up-to-date, please notify the public about the upcoming CAO meetings, especially the September 10 worksession, and hold the record open for at least two more weeks to allow for written submissions. Many people just received the ordinance. The ordinance should not be acted upon until there’s a resolution of the zoning due to the Growth Management Board’s decision and until a map is produced that shows how much of County land will be lost by all the new buffer dimensions and species. Certainly the impacts of the CAO must be known before it can be considered and adopted. He asked that another hearing be held for the final CAO since it should be quite different than the current one before it is passed on to the Board of County Commissioners.

Helge Sandberg, 17848 Mulqueen Road SE, Rainier, said he appreciates the opportunity to speak and to be listened to. He indicated he comes from a country where he didn’t have that right. He said he agrees and disagrees with what has been said. The Planning Commission has a difficult task. He indicated he does honor the need for ecology as there is only one world and he recognizes the importance of what the Planning Commission does. On the other hand, the side affects of the ordinance is of great concern to him. A previous speaker referred to an individual who does not trust any type of government anymore because government pulls things out of thin air and all of a sudden everything is prohibited to put it very bluntly. An element of trust is a needed one and it is next to absent. Consideration should be given to develop that trust again because otherwise democracy won’t work. Alexander said he designs septic systems. In recent years he has had increasing trouble with trying to install systems on small lots and trying to figure out how people can live legally on their land. It’s getting increasingly difficult. There has to be a solution one way or the other otherwise something isn’t going to work. He asked whether it is true the CAO will not affect Weyerhaeuser or the military. Chair Kohlenberg replied the county does not have any authority over military land. She noted Weyerhaeuser is different because forest land is considered differently. Mr. Sandberg said the reason he asked is because he has been watching the removal of trees on Bald Hills over the last few years. Commissioner Lyman clarified that many of the trees that are being cut are regulated by the state and Thurston County does not have jurisdiction. Mr. Sandberg said nevertheless it has impacted the atmosphere. He provided an example. We have to do something because we live here, we have to find a way to live, and he doesn’t want a “paragraph jungle” with publicly hired predators coming down and chasing people with ideas he didn’t even know existed. We’re ending up in a “paragraph jungle” and that is a problem for the layman. He thanked the
Commission for the opportunity to speak.

Carl Iverson, 6526 79th Avenue NE, said he purchased waterfront property in 1989 prior to the wetland regulations. When he works with the County he finds it very confusing, the answer is always no and very misleading and many times the County is wrong. What he thought he was buying were four existing parcels although the property was zoned one house per acre. What he wound up getting out of the deal after being accused of all kinds of stuff that happened prior to him buying the property, was one house on 8 acres. He paid a price reflective of one house per acre and he was thinking four houses. He paid four times what he should have paid for the property. He had to file for an environmental impact study because one option he had was to try to plat it and there was a wetland issue. There was two acres of wetlands by the time the buffers were added. He said he wound up with a driveway and one building site and pays $1,500 per month in property tax. Maybe he’ll argue that since 80% of his property is a wetland. He said maybe the County would give him a break. Instead, the County said no as it needs to charge him market rate for the property even though 80% of his property is a wetland. He asked how many people donate $200,000 to $300,000 in property to an environmental cause. He said he did. He asked whether any of the Commissioners have donated property. He said he doubts it and asked why the Commission can not consider those property owners that have sensitive areas and consider eliminating property taxes, perhaps rewarding property owners, or compensate for the loss in property. It appears the County is going to continue restricting and taking away from the poor minority of people that are stupid enough to buy waterfront property or are stupid enough to buy agricultural land. The County is going to wipe them out. He said the alleged critical areas help the entire state and that citizens should be taxed for compensation to property owners who have sensitive areas. That is the way the real world works. He said he is a businessman and he doesn’t go around raping his clients and associates and not compensate them for it. He would likely get sued. He suggested the County should adopt some rules to compensate property owners or at least place them on a pedestal or build a statue for them downtown that says, “Look what they did, Carl donated $300,000 of his property for you guys.” There are millions of other people in the state that allegedly benefit from his wetlands.

Sandy Mackey requested clarification on the deadline for written comments. Chair Kohlenberg said another public meeting will be held at the end of September. The hearing will be recessed and written comments will be accepted until the close of the hearing in September. Mr. Mackey said a three-minute time format is not effective for presentations. He asked whether he would be afforded time to provide an hour-long technical panel presentation. Chair Kohlenberg said staff will check with the County’s legal department to see if it is possible.

Sandy Mackey, Perkins and Coie, expressed concerns about the public process. Mr. Mackey said he has been writing CAOs since the legislature passed it. He said he has shared three articles with the Planning Commission that have been submitted in writing. The public process should provide an opportunity to provide technical information. Otherwise, there is no real ability to respond because the Planning Commission is receiving emotional input within a three-minute speaking time. The Commission is not receiving the technical information. There is a different and better way. What the Planning Commission has is agency science. Agency science – and he’s listened to the science, has a mission. Spokespeople at fisheries say their mission is to
protect fish and wildlife habitat. While they are protecting common species, that’s fine because it is science, but it is not good science. The methodology indicates by not using agency science, there is a departure from best available science. That’s a myth. There is other science available and there are other ways. He referred to Island and Jefferson Counties where the ordinance was upheld in the courts. Neither agency followed agency science and the other science that was equally good. He said best available science must be appropriate to the location. One of the documents he has provided is Critical Areas and Big Buffers - Six questions local officials must answer before adopting a buffer based CAO. He pointed out how everything speaks to buffers, alternative buffers, management zones, and the right combination of buffers and management zones. So what do the agencies say about the science on the 200-foot buffers? For example, the OCD model ordinance, standard buffer widths presume the existence of relatively intact native vegetation. These standard wetland buffers were based on environmental settings throughout the State of Washington, which may not be appropriate either scientifically or in a practical sense in an area where land use settings and buffer functions are different. He referred to a second article on the Protection of critical areas and methodology of buffers. Mr. Sonnen has indicated the need for 100-foot buffers in order to protect groundwater. He referred to groundwater and Exhibit A and cited the fact that 70% of the protection is afforded out of the first 70 feet and 10% of the protection is afforded from the 230 feet. An alternative is using stormwater treatment systems, which do not require a 200-foot buffer. With respect to the terms, he suggested considering protection versus restoration. He said it’s a restoration model that is implying ways to enhance, but the GMA dictates protection of existing functions and values. Retroactivity is a big issue. The Commission has said it is not retroactive. Mr. Mackie said he disagrees. For example if he had a house within 100-feet it would become a nonconforming use. In the Shoreline Master Program if a use is destroyed more than 50% it can’t be reconstructed. The County will allow the addition of 500 feet to the rear of a house, but the structure may be within 100-feet of the water. It would be more beneficial to stipulate that there is a nexus between the 500 feet. He said he could have a 1,000 feet but it doesn’t affect having to plant trees. There are other choices. He asked the Commission to read the articles and seriously consider them. He will submit his comments in writing. He closed his remarks by indicating the Commission’s work is technically flawed.

Robin Lee, 921 26th Avenue NE, Olympia, said she is learning that there is an extreme lack of education as to what has been done to the environment and how important it is to protect all of the things that are known and loved about Washington. Nobody knows what is involved and how serious things have gotten. It’s not in the news. Ms. Lee spoke of being extreme in order to protect what we love and where we live. She said there should be some serious education through the newspaper, television, and creative things that engage people to understand exactly why the Planning Commission is proposing the changes. Environmental issues are too liberal for many people but when it comes down to the Planning Commission having to legislate and develop regulations similar to the proposed guidelines, people need to know why. Voluntary compliance is possible when people understand that things are needed. There may be less resistance and fear.

Debbie Lattin, 9402 Rich Road SE, said she sincerely hopes that the Planning Commission has listened to the last two days of testimony and will come away with the idea that maybe what has
been written is not something that should go into effect. What is proposed will affect many people, a lot who don’t even realize it yet, in very bad ways. Personally, the County is trying to take away her livelihood. She’s a farmer and is fed up with the way her government is running all of the regulations and the permitting process which she has had tremendous problems with. She said she is not speaking alone, as the Commission has heard from everyone in the meeting room. The Commission needs to stop harassing the farmers, harassing people of Thurston County, and start helping them. The Commission needs to protect the wetlands, to protect the environment, and to make it possible to still live here. None of us want to live in a desert or a city. However, the Commission needs to realize the proposed regulations are just simply ludicrous. They do not help the people and most of the regulations are already covered in rules that have already been proposed or are on the books. She said she can’t state strongly enough how bad an impact the set of regulations will have on life in the County. The regulations will make people leave the County. If that is the goal to lessen development, the regulations will cover that. People will not come to Thurston County. People will leave it and will go to other counties because they cannot live with the regulations. She said she wonders if the Planning Commission has thought what the regulations will mean to their respective lives as well. She asked if the Commission has thought about how many of the regulations are going to impact their children, grandchildren, and the people down the road. She indicated the Commission needs to stop and think more before proposing the kind of regulations contained in the proposal.

Chair Kohlenberg urged those who testified to put their comments in writing. It would be helpful to have examples of problems and specific comments about particular problems. Comments about specific regulations and other science would also be beneficial.

3. **Adjournment**

Chair Kohlenberg recessed the public hearing at 9:20 p.m.

Liz Kohlenberg, Chair
Tom Cole, Vice Chair

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services