1. **7:04 PM CALL TO ORDER**

Chair Roper called the June 27, 2007 regular meeting of the Thurston County Planning Commission to order at 7:04 p.m. Commissioners provided self-introductions.

**Attendance:** Chair Joyce Roper, Commissioners, Liz Kohlenberg, Chris Lane, Scott Nelson, Tom Cole, Craig Ottavelli, Rhenda Strub, and Kathleen O’Connor

**Excused:** Commissioner Liz Meyers

**Staff:** John Sonnen, Nadine Romero, and Recording Secretary Jessica Tate

Chair Roper formally welcomed Kathleen O’Connor as a new Thurston County Planning Commissioner.

2. **7:06 PM APPROVAL OF AGENDA**

**MOTION:*** Commissioner Ottavelli moved to approve the agenda as presented. Commissioner O’Connor seconded. Motion carried.

3. **7:12 PM APPROVAL OF MINUTES**

**MOTION:*** Commissioner O’Connor moved to approve the June 6, 2007 minutes as amended and accept the audio as the official recording. Commissioner Kohlenberg seconded. Motion carried.

The following revisions were made to the June 6, 2007 minutes:

- Page 3, first paragraph, first complete sentence should be revised to state, “Mr. Sonnen said the language should be refined to say something similar to allowing intensive uses adjacent to but not within…”
- Page 5, Calendar: Commissioner O’Connor clarified that she might not be able to attend rather than she would not be able to attend.
- Page 4, sixth paragraph, third paragraph: Chair Roper said the sentence should be stricken, as she did not indicate the Western Meadowlark should be removed from the Important Habitat and Species chapter. The sentence should state, “Chair Roper noted that the Blue Heron is not listed, and thought the subcommittee had included the Blue Heron. She asked staff to verify whether it is on the state listing, and if not add it to the local list.”
4. 7:13 PM W: CRITICAL AREAS – CRITICAL AQUIFER RECHARGE AREAS (including reclaimed water)
(Staff: John Sonnen)

Mr. Sonnen introduced Nadine Romero as the new Thurston County Hydrogeologist. Ms. Romero reviewed her professional background. She introduced Lauri Morgan, Hydrogeologist, Washington State, and Art Starry, Thurston County Health Department.

Three handouts were distributed:
1. CAO Chapter: 17.15.500 Aquifer Recharge
2. Table 5-1. Prohibited and Restricted Uses and Activities Within Critical Aquifer Recharge Areas (CARA)
3. LOTT Alliance Memorandum

DISCUSSION: Mr. Sonnen presented proposed changes to the Public Hearing Draft – Amendments to the Critical Areas Regulations – TCC 17.15.500 and corresponding public comment.

Mr. Sonnen reviewed staff’s methodology for determining the area categories (CARA):

1. Determined physical susceptibility by reviewing permeability of the soils.
2. Determined contaminant loading potential by reviewing potential contaminant sources (e.g. wrecking yards, cemeteries, and landfills).
3. Reviewed water sources with similar characteristics: Scatter Creek, community wells, and Group A wells to acquire a sense of dependency and whether or not alternative water sources are available.
4. Reviewed sole source river valleys vulnerable to contamination warranting special protection.

The public hearing draft map was derived from the methodology and includes the following categories:

- **CARA Category I:** Wellhead protection areas unprotected by a till layer, without an alternative water source
- **CARA Category II:** Soul source aquifers located in poor soils and susceptible to contamination
- **CARA Category III:** High and extremely high susceptibility to contamination, protected by till layer
Following category determination, the areas were compared to the state guidance document. The categories were also compared to the Department of Ecology (DOE) and Environmental Protection Agency (EPA) guides to identify uses with potential to contaminate ground water. These uses are identified in Table 5-1.

The draft includes revisions in the context of overarching issues. One exception that may impact the draft is Substitute Senate Bill 5248.

Chair Roper said she understood reference to intensification of agriculture in the critical areas amendments would result in revision. Staff suggests purging all references to agriculture from the draft, retain existing regulations on the books, and clarify agriculture is not subject to new regulations. Agriculture will be incorporated in the draft when appropriate. Chair Roper asked if changes are required for the current regulations. Mr. Sonnen indicated changes cannot be made to the current regulations.

Commissioner Cole asked whether impacts to Puget Sound aquaculture due to hardpan runoff are addressed. Mr. Sonnen replied that Puget Sound is not specifically addressed. However, anadromous fish and wetlands are addressed. The issue can be reviewed during the amendment process. Chair Roper asked if these issues are being addressed in the update to the Stormwater and Drainage Manual.

7:33 PM Mr. Sonnen reviewed the purpose statement on page one of the draft. In section 17.15.500 (A) the statement, “To prevent the degradation of groundwater” was stricken. Public comment was received requesting retention of the statement. The intent is to prevent degradation of groundwater to the greatest extent possible. However, the statement indicates an absolute, which is not feasible. Absolute prevention of degradation cannot be achieved with development.

Commissioner Ottavelli referred to Purpose statement A and requested adding “existing” to the last line. Mr. Sonnen acknowledged the request.

Ms. Romero suggested revising Purpose statement C to state, “To recognize and maintain the delicate balance and connection between surface water and ground water in order to preserve essential biological, physical, and geochemical functions and processes, including avoidance of saltwater intrusion or saline thermobaric waters found at depth, which can contaminate upperquadral aquifers due to ground water pumping…”盐水入侵是特拉松县最显著的污染源之一。盐水和盐水热力学水入侵也可以很广泛，但不是很为人所知。Mr. Sonnen said staff would also like to reorganize references to saltwater and saline thermobaric water intrusion. The Commission agreed with the proposed revision.

Discussion followed regarding the occurrence and treatment of saline thermobaric waters.

Mr. Sonnen reported public comment was received regarding Purpose statement D,
requesting inclusion of County adopted Water System Plans and Wellhead Protection Plans for water utilities. The Commission expressed no objection to the revision.

Mr. Sonnen referred to page two, section 17.15.510 Applicability, and reviewed the third public comment on page two of Handout 1, indicating, “Application of regulation should be limited to affected area on parcel” should not apply to the portion of the parcel that is not affected by the development proposal. Mr. Sonnen said staff agrees with the comment and recommends striking the portion of the third line following the italics and replacing it with, “This section is to apply to proposals for new development and alterations or expansion of uses listed in table 5-1 that are located in a CARA identified.” The Commission agreed with the revision.”

Mr. Sonnen reviewed staff proposed language for agricultural uses. Discussion followed on how to address agricultural uses. Mr. Sonnen stated he will include a link to the RCW for reference.

Mr. Sonnen clarified that the newly adopted documents are the updated CARA delineation maps and will be incorporated into Section 17.15.510 (A) CARA Categories.

Mr. Sonnen reviewed the public comment in reference to Section 17.15.510 (B)(2). Staff recommends striking “except Category I” from the second line. The Commission agreed to the revision.

Mr. Sonnen referred to Section 17.15.510(B)(2)(a). Ms. Romero suggested clarifying that a hydrogeologist rather than a geologist should be referenced in the section. The Commission agreed.

Mr. Sonnen reviewed Section 17.15.510(B)(2)(b) and indicated the property owner distance regarding notice for a proposed map amendment might warrant revision. One public comment requested an extension of the 20-day time period in response to a proposed map amendment to at least 120 days. Discussion followed regarding a reasonable timeframe for a person to acquire professional service, study, or documentation. Ms. Romero reported a time period increase is warranted and recommended extending it to 60 days. Staff will provide a formal recommendation at the next meeting.

8:18 PM Mr. Sonnen reviewed Section 17.15.510(B)(2)(c). He referred to the first line and requested striking “hired at the applicant’s expense” with the understanding that another provision addresses the issue. Jeff Fancher is also concerned that this gives the impression of providing a blank check to the applicant and suggests adding language clarifying that staff will provide an estimate of the cost to the applicant, so the applicant can decide whether to proceed at that cost. Mr. Sonnen said he will provide revised language at the next meeting.

Mr. Sonnen referred to corresponding comments from water purveyors requesting the Development Service Department Director or designee consult with municipalities or
water purveyors of the entity to be impacted by changes to a wellhead protection area or if new wellhead protection areas are proposed within city limits. Commissioners concurred with the request. Notice to potentially effected water purveyors will be added to section 17.15.510 (B) to (b).

8:26 PM Commissions reviewed handout #2. Mr. Sonnen reviewed the intent to address handling of toxic material in identified CARA.

Chair Roper asked why there was a distinction between Greenhouse – commercial/Nursery – wholesale versus retail if plants are not grown on site. Mr. Sonnen acknowledges that retail should be added.

Chair Roper referred to the fourth and fifth sentences of Section E on page 5-20 of the CARA Amendment Draft and requested replacing “may” with “shall” in both sentences. She asked that the section should be consistent with table 5-1 by referring to vehicle and boat repair and servicing/body shops. Mr. Sonnen acknowledged the requests.

Commissioner O’Connor asked for clarification regarding dry cleaning use. Mr. Sonnen indicated the section refers to new uses. Mr. Starry explained the intent is to ensure new uses use updated equipment and less toxic cleaning compounds. Mr. Starry said he will check on whether it’s possible to open a new business using outdated equipment. Mr. Sonnen indicated he will craft language with reference to current equipment technology.

8:40 PM The Commission discussed sections in Table 5-1 pertaining to gas stations with an attendant and gas stations without an attendant.

Mr. Sonnen requested input regarding the addition of a requirement for secondary containment areas in Section G, on page 5-21 of the CARA Amendment Draft.

Commissioner Ottavelli inquired about potential unintended health risks associated with a secondary containment area. Ms. Romero replied such areas are undercover and require rapid response for spilled fuels.

Chair Roper referred to item 3 on page 5-16 of the CARA Amendment Draft and asked for discussion regarding the statement, “Persons that possess liquid, soluble, or leachable hazardous materials shall contain such materials in a secondary containment device or system that will effectively prevent discharge on-site.” The provision does not appear to adequately address secondary containment tanks for issues such as spillage from a gas pump. It appears more to reference underground holding tanks. The requirement should also address uses beyond public fueling facilities. Commissioner Lane commented that requiring a secondary containment system appears too restrictive for farmers who store fuel on their property. However, a requirement for double hull fuel tanks is appropriate.

Discussion followed on how to appropriately address gas stations with and without attendants, whether self-service gas stations should be allowed in certain areas,
consideration for prohibiting self-serve public fueling stations in CARA Category I and perhaps only allowing full-service stations, potential arguments arising from competition between full-service and self-service stations, and the likelihood of no new construction of gas stations.

Mr. Sonnen advised that staff will provide additional information regarding the potential to prohibit transfer of hazardous materials and self-service public fueling facilities in CARA Category I, while allowing the uses in CARA Categories II and III, with a staff presentation of standards and risk management for new facilities at the next meeting.

5. 9:20 PM CALENDAR (TENTATIVE) AND ATTENDANCE
   • July 11, 2007:  W:  Critical Areas:  (Commissioner O’Connor will be in attendance. Commissioner Lane might not be able to attend.)
   • July 18, 2007:  Begin Wetlands Discussion - Tentative (Commissioner Kohlenberg unable to attend)

6. 9:23 PM STAFF UPDATES

   Mr. Sonnen reported the LAMRID recommendations were formally adopted on June 18, 2007, with the exception of the Rochester expansion north of 173rd Avenue.

   A public hearing on the rural rezoning proposals is scheduled for July 2, 2007.

   The DOE has indicated a shoreline grant specific to Thurston County will be prepared for the next biennium.

   Commissioner Nelson referred to the open space issue and indicated the Commission lowered the application fee. However, Thurston County is still highest in the state. Chair Roper asked staff to prepare a letter to the Board of County Commissioners for review at the July 18, 2007 meeting, reiterating the need for a fee incentive to promote the value of the program.

7. 9:32 PM ADJOURNMENT

   With no further business, Chair Roper adjourned the meeting at 9:32 p.m.

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Joyce Roper, Chair

Prepared by Jessica Tate, Recording Secretary
Puget Sound Meeting Services