1. **6:30 PM CALL TO ORDER**  
Chair Lane called the April 30, 2008 special meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

**Attendance:** Chair Chris Lane, Commissioners Liz Kohlenberg, Liz Meyers, Scott Nelson, Kathleen O’Connor, and Joyce Roper.  
**Excused:** Commissioner Tom Cole.  
**Staff:** Don Krupp, Scott Clark, Sandy Norton, Cindy Wilson, Jeff Fancher, and Recording Secretary Cheri Lindgren.  
**Guest Speakers:** Chuck Natsuhara, Resource Soils Scientist, Natural Resource Conservation Service; James Weatherford and Dave Nygard, Natural Resource Specialists; and Kathleen Whalen, Administrator, Thurston County Conservation District.

2. **6:31 PM INTRODUCTION OF SCOTT CLARK, LONG RANGE PLANNING MANAGER**  
County Administrator Don Krupp introduced Scott Clark, Long Range Planning Manager. Mr. Clark previously served the County as a Utility Planner in the Water and Waste Management Division. Mr. Clark provided an overview of his work experience and environmental planning background.

Mr. Krupp reported on an effort to reconstruct the budget to support long range planning and rebuild staff capacity.

**6:38 PM APPROVAL OF AGENDA**  
MOTION: Commissioner Roper moved to approve the agenda as presented. Commissioner Kohlenberg seconded. Motion carried.

3. **6:38 PM PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)**  
There were no public communications.

4. **6:39 PM APPROVAL OF MINUTES**  
MOTION: Commissioner Roper moved to approve the April 2, 2008 minutes and accept the audio as the official recording. Commissioner Kohlenberg seconded. Motion carried.

5. **6:39 PM (W): LONG TERM AGRICULTURE (LTA) – LANDS OF COMMERCIAL SIGNIFICANCE**  
(Staff: Sandy Norton)

Mr. Natsuhara referred to a Soil Survey for Thurston County document published in 1990. All soil data is posted on websites and is the most up-to-date information available. A map can be accessed at www.usdasite.gov. Hard copy surveys are stamped with a disclaimer stating they are no longer official surveys. Mr. Natsuhara distributed contact information and a current prime and unique farmlands list dated 12/12/06 to Commissioners. A hard copy of the final rule defining “prime and unique farmlands” as published in the Federal Register was circulated.

Guest speakers responded to questions presented by Commissioners. Land with a slope of 8% or more is not considered prime land. An erosion factor kicks it out. There are three main criteria to consider - if the land has been in agriculture of commercial significance, is it now in agriculture, and is there a likelihood the property will remain in agriculture. The commercial significance is tied to soil classification.

In response to a question from Commissioners Roper and Kohlenberg, Mr. Fancher clarified the County’s responsibility when responding to the mandate to look at prime farmland soils as identified in criteria #1, soil type in the comprehensive plan.

Mr. Natsuhara said fieldwork supporting the soil survey published in 1990 was completed in 1979-1981. How the soil data is obtained, concepts used to find different soils, and assembling interpretations that are tied back to soil mapping were described. A minimum delineation is four to five acres. Approximately 10-25% of other soils can be recognized within the mapping.

Depth is ascertained via field verification on site. The survey is not designed to be site specific. It provides an idea of what one might find.

Discussion ensued about the requirement for a comprehensive plan amendment if a property owner wants to un-designate lands from LTA because it doesn’t meet the criteria. Mr. Fancher said the project could take longer than envisioned. Some onsite verification might be warranted.

7:07 PM Discussion followed about asking Geo Data to create a steepness layer to cull additional properties from the proposal. One question is whether to delete only that portion of a property that contains steep slopes or the entire parcel.

In response to a question from Commissioner Roper, Mr. Fancher said prime soils if drained, filled, or irrigated are included in the proposal.

7:15 PM Mr. Fancher reviewed the Lewis County Supreme Court case.
Commissioners discussed farming with limited or no water availability, whether properties with critical areas, if not currently in farming, should be eliminated from the proposal, and drained and/or irrigated lands. Mr. Nygard pointed to a parcel identified on the map that is probably too wet for farming. Members acknowledged that the land was included because it met the criteria. Mr. Fancher said the property most likely did not show up as a critical area. Mr. Nygard said drained and/or irrigated prime land can be used to grow grasses and small grains.

7:30 PM Commissioner Roper said it makes sense to also consider lands that are currently being farmed that were not included with the initial LTA designations assigned in 1990 and earlier.

Commissioner Kohlenberg said another issue is whether to include properties that work if irrigated that are not currently farmed, especially given the difficulty of acquiring water for irrigation. Mr. Fancher said that group should be included. When evaluating best use of the property, the Commission can consider whether or not water rights are available in a particular area when designating LTA. Mr. Clark said if the intent is to protect LTA in perpetuity, protecting and securing the associated water right is necessary. Water rights in some areas of Lewis and Thurston Counties are going for $2,000 per acre-foot. For some farmers it is more valuable to sell the water rights and abandon the land than it is to continue farming. As an example, a farmer has to justify the amount of water being used or DOE can reduce the water right. State law doesn’t work in favor of LTA unless it’s been farmed, has been in continuous use, and the water right is used. Mr. Fancher noted that some crops do not require irrigation.

Additional discussion ensued concerning transfer of water rights that haven’t been used in the last five years and investigating a water rights trust. Mr. Clark added that transferring water rights is a long and tenuous process.

7:45 PM Discussion followed about additional criteria suggested to help remove properties that could have been inadvertently included in the proposal prior to determining if additional fieldwork is necessary and the possibility of a topography overlay. Mr. Clark said GIS has two-foot contour capabilities.

Commissioner O’Connor asked if there is a way to eliminate undrained lands from the onset. Mr. Fancher replied case law states just because someone decides not to drain their land it doesn’t mean it shouldn’t be designated LTA. If there is a wetland and an owner is not allowed to drain it, that’s a different story.

8:00 PM Commissioners generally agreed that if a property contains 51% or more in slopes, it makes sense to remove it from the proposal.

Ms. Norton indicated staff will work with Geo Data to create another map proposal for the May 21, 2008 meeting. Mr. Clark reported staff will provide the Commission with additional criteria at the May 7, 2008 meeting.
Mr. Fancher reported he will likely seek a continuance from the Western Washington Growth Management Hearings Board (WWGMHB).

Ms. Norton and members reviewed criteria the Commission would like staff to use to create a new map:

- Overlay parcels with Nisqually #73 soil
- Identify parcels with 51% or more with slopes greater than 8%
- Identify parcels containing critical areas and wetlands
- Identify parcels with streams and their associated buffers
- Identify parcels containing un-drained soils

Commissioners thanked the guest speakers for their expertise.

6. **8:15 PM (D) PLANNING COMMISSION OPERATION PROCEDURES**

Chair Lane reported there currently are seven seated Commissioners. Four members constitute a quorum.

**MOTION:** Commissioner Roper moved to modify item A within section VII on page 4 of the *Rules of Procedure* to read, “Quorum: A simple majority of the appointed members of the Commission shall constitute a quorum for the transaction of business.” Commissioner Nelson seconded. Motion carried.

Commissioners asked staff to apply the change consistently throughout the document.

**MOTION:** Commissioner O'Connor moved to change item B on page 1 to read, “Special meetings shall be at the call of the Chair or by the request of a quorum.” Motion carried.

**8:19 PM** Commissioner Roper referred to her April 29, 2008 e-mail to Commissioners. She explained she was not able to check Growth Management Hearings Board cases to confirm the question of legal challenge. Members briefly reviewed the LTA county comparison created by Commissioner Roper.

7. **8:24 PM CALENDAR (Tentative) AND ATTENDANCE**

- May 7, 2008 – Critical Areas – Habitat Chapter (Cindy Wilson) *Quorum confirmed*
- May 21, 2008 – Long Term Agriculture Worksession; Revisit Commissioner Roper’s LTA Counties Comparison (*Commissioner Myers unable to attend*)

8. **8:27 PM STAFF UPDATES**

Mr. Clark reported the department received eight applications in response to filling three positions. Candidates selected to participate in an interview process will be asked to give a staff presentation concerning a current issue. He asked for a Commissioner to serve on
an interview panel along with Commissioner Nelson. Chair Lane volunteered. Mr. Clark outlined other potential interview panel members.

Ms. Norton reported the Board of County Commissioners (BoCC) adopted the 2008 Official Docket. The docket is also available online. Copies were distributed to Commissioners.

Ms. Norton reported on April 15, 2008, the BoCC adopted an ordinance establishing a moratorium temporarily prohibiting any new uses on the Maytown aggregate site by the Port of Tacoma. Copies of the ordinance were provided to the Commission. A public hearing is scheduled for June 2, 2008.

Discussion ensued about a strategy to expedite completion of the Critical Areas Ordinance (CAO) that could include holding special meetings and scheduling meetings in succession. Mr. Clark noted that the Shoreline Master Program (SMP) update and watershed characterization work will dovetail with and influence the next CAO update.

In response to a question on the status of the County’s stormwater manual, Mr. Clark said a consultant has been hired. The target is to finish the manual this year.

9. 8:45 PM ADJOURNMENT
With there being no further business, Chair Lane adjourned the meeting at 8:45 p.m.

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Chris Lane, Chair

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services