1.  **6:33 PM CALL TO ORDER**  
Chair Lane called the November 4, 2009 meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

**Attendance:** Chair Chris Lane, Commissioners Scott Nelson, Liz Kohlenberg, Kathleen O’Connor, William Jackson, Tom Cole, Christopher Earle, Karen Rogers

2. **6:33 PM APPROVAL OF AGENDA**  
MOTION: Commissioner Earle moved to approve the agenda. Commissioner Nelson seconded.

Motion carried.

2. **6:34 PM PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)**

*James Esig, representative from Granite Construction Co.*

Mr. Esig stated that he is here in response to the subcommittee’s report to the Planning Commission (Commission) two weeks ago and has concerns that a lot of those statements in the report are based on opinion but are not backed up by the facts or the science that is available. The assumptions by the subcommittee that the operators are not complying with the current permits and that the DNR is not doing their job, the operators are not doing their job or complying with DOE in some cases, that ORCAA clean air agency doesn’t do the monitoring, or isn’t following up on their responsibilities. These agencies were made to be the experts of Thurston County and the State of Washington to help you guide (and other planning commissions throughout the state) with guidance on developing your zoning ordinances and general plans and rules that you guys come up with. It seems like we are starting to layer more rules on top of what is already in place. That is definitely a concern for us.

Secondly, there were comments that there was a fear that mine owners will just walk away from gravel mine sites without any responsibility for the reclamation. I think many of you know there has to be a bond and there is an equation and process in place as to how big a bond and the value of what work you will do to reclaim it from the specifications of the reclamation plans. There is no way a gravel company can just walk away without doing the work, and if they did, they would hold the bond in place to actually reclaim the site.

My fourth one is probably my biggest concern. The comparison of an asphalt plant to incinerating waste and I want everyone to know that during the asphalt production process we are not combusting asphalt. We are combusting natural gas and propane to heat the rock so it is dry. So, yeah, you are burning natural gas just like at home or other things around
like propane cars, and natural gas is used in burners for many types of industrial uses. When we sit there and compare to burning garbage essentially, it is pretty harsh and they definitely don’t relate. With that, when you are using those comparisons, the EPA provides what they call a AP42 emission factors. In the subcommittee report there was no evidence or science to back up to say that asphalt plants are producing this amount of emissions and these are types of emissions in terms of pounds per year based on a certain production compared to what is being produced by the incinerators. Statements such as “recycled asphalts will contain unknown types of contaminants from prior uses,” how do we know that all recycled asphalts that used in asphalt processing will contain “unknown contaminates?” That is another assumption with no evidence. Back to the SEPA and Special Use Permit process – the purpose is when you do the Environmental Checklist it goes to a variety of the agencies – DOE, DNR, County Health Dept., ORCAA, and these guys are the experts, so they offer mitigation measures and suggest the types of conditions that should be placed on these types of projects. I think we should trust them to be making the right decisions, and our job here is to find appropriate sites that asphalt plants and mineral aggregate plants should be located. And I think that is where we need to keep the focus on.

Commissioner Jackson asked Mr. Esig if he was at the meeting two weeks ago. Mr. Esig stated that he was at the meeting. Commissioner Jackson stated that he was surprised at the positive aspects the subcommittee report had with the time that has been spent on this project over time. Commissioner Jackson stated that he thought that this issue of walking away from the site was strongly defended by a Commission member. Commissioner Jackson stated that he didn’t remember actual “garbage” being compared, you may be correct, but he came away feeling that the Commissions job is “location”, not an oversight of other agencies and that was never meant to be the case. We look at it as that these agencies are doing their jobs, they have to do their jobs. Mr. Esig agreed that they are doing their jobs. Commissioner Jackson stated there is a pretty good balance on this Commission and they recognize that our job is basically location so that all the parties involved can be satisfied where these placements can be. And it is not an easy thing – we are trying to balance the Residential, the Industrial and your own industries, and Commissioner Jackson stated that he was very pleased with the report and thought it was focused on location. Commissioner Jackson stated that he is not speaking for the whole Commission, but hopes that they feel that way.

Mr. Esig stated that he hopes that is the case, but these are referred to as “waste management incinerator.”

The Commission thanked Mr. Esig for his testimony.

3. 6:40 PM APPROVAL OF MINUTES

**Commissioner O’Connor moved to approve the October 21, 2009 minutes and accept the audio as the official record. Commissioner Nelson seconded.**

The following changes were made:

- On page 3, line 4, change the word “patters” to “patterns.”
- On page 4, line 27, change the word “suppose” to “supposed.”
- On page 4, line 27, the reference to “concerning a Bill” should be changed to reference Senate Bill 5248 which required a report from Ruckleshaus.

**The minutes were approved as amended.**
4. **6:42 PM HIGH GROUND WATER PRESENTATION**  
*Staff: Jeremy Davis, Nadine Romero*

Mr. Davis explained that staff provided information at a previous meeting concerning an adjustment to the City of Tumwater’s Urban Growth Boundary located in the Salmon Creek Basin. Mr. Davis introduced Ms. Romero, Thurston County Hydrogeologist, who explained that the Planning Dept. has hired her to do some analysis on this area and the data that has been collected, and to ultimately update the High Ground Water (HGW) maps for planning and land use.

The Planning Commission (Commission) asked if staff could provide a brief explanation of how this information is used in the Salmon Creek Basin (SCB). Mr. Davis explained that the SCB Plan was an assessment of a high ground water issue in the basin and is important to County land use and zoning densities in that area because of flooding. The Plan called for the County and the City of Tumwater to assess the zoning in that area, and Ms. Romero is assisting with the assessment of HGW in that area. Staff will be bringing a staff report with a proposal for the zoning of that area to the Commission at a meeting in December.

Ms. Romero provided the Commission with a Power Point presentation titled “Salmon Creek Basin, High Ground Water Area Presentation.” The presentation included the following information:

- **Purpose:** overview of the SCB Hydrology and Hydrogeology; overview of new data findings and analysis of ground water levels measured in the basin in the last decade; comparative analysis of previous findings; update the HGW maps for planning and land use.
- **Ground water monitoring locations:** there are twelve wells in the basin collecting data and samples for the last decade.
- **Explanation of how the wells are drilled and used.**
- **Monitoring well data sets.**
- **Ground water flow direction on February 5, 2006:** Ms. Romero explained that with the newest LIDAR maps and the data collection they will be able to produce a map showing the depth of the water in this area.
- **February 1999 HGW event map.**
- **Geologic cross section map of area.**
- **New geologic map 2009 from Washington Department of Natural Resources.**
- **Water flow vector map.**
- **Cross section of the water flow vector map:** the Commission asked if there is a map showing where the water exceeds the surface and Ms. Romero explained that there is a very accurate mapping layer in GeoData showing this information. A discussion ensued concerning steep slope mapping and LIDAR mapping.
- **Identification of extreme events in the Olympia airport precipitation record.**
- **The identification of six heavy precipitation patterns.**
- **Characterization of what the stream flow record patterns look like.**
- **Extreme event frequency chart.**
- **Cross sections comparing Scatter Creek Basin ground water flooding, Salmon Creek Basin flooding and Scott Lake flooding.**
- **Map showing the monitoring well network.**

Mr. Clark explained to the Commission a history of how the plan was created in 1999-2000. The County and the City of Tumwater are looking at the zoning in this area because some of the zoning in this area is not appropriate with the conditions of the area. Mr. Davis explained again that staff will be provided the Commission with a staff report and a proposal for
addressing this issue at a meeting in December. Mr. Davis will provide another Power Point presentation which will include additional photos and maps.

The Commission thanked Ms. Romero for her presentation.

5. **7:20 PM WORKSESSION: MINERAL LANDS**

*Staff: Olivia Terwilleger*

Ms. Terwilleger explained that this Work session will be addressing the designated mineral lands of long term significance and will not address asphalt plants. Asphalt plant will be addressed at a later time. The Commission was provided with a staff report containing a draft ordinance reflecting the recommendations of the Mineral Lands Task Force. Ms. Terwilleger provided the Commission with a Power Point presentation which included the following information:

- Background explaining the current moratorium.
- Information addressed by the MLTF, which included
  - A) Where gravel mining should be permitted,
  - B) Where and how should designated mineral lands of long term commercial significance should be located, and
  - C) Where should asphalt plants be permitted?
- The presentation included the analysis and recommended changes to the ordinance for A1 – A3 and B1 – B16. The Commission asked questions of staff and discussed the proposed changes to the ordinance. The Commission asked staff to provide additional information concerning the B-5 analysis showing DNR’s recommended projections of supply. The Commission would like to know how those projections are made.
- Two options were provided to the Commission which included option 1 – recommend approval of the draft ordinance to the Board of County Commissioners (BOCC); and 2 – take no action.
  - Staff recommended option 1.
  - Next steps for the draft ordinance.

Mr. Clark explained that a public hearing will be held on this draft ordinance at the November 18, 2009 Commission meeting. Public testimony will be taken and a work session will follow the public hearing that evening. A recommendation by the Commission, which may include a majority/minority report, will be taken to the BOCC in a work session on December 16, 2009. The BOCC will then hold a public hearing in January 2010. The moratorium expires on February 24, 2010 and the final ordinance may be adopted.

The Commission and staff reviewed the draft ordinance containing the text changes proposed. The Commission discussed the draft ordinance and made the following changes:

- Page 3, number 5 – The Commission agreed to exclude “critical aquifers.” Mr. Clark was asked to be more specific here on delineated and non-delineated wellhead protection areas, and have a policy that will protect the areas that are known to be sensitive. The applicant will be required to provide delineation on other areas during the review process.
- Page 3, number 4 – It was suggested that the reference to “20 years” be excluded.
Mr. Clark will provide clarity as to whether this means 20 years of mining operation or 20 years of gravel supply. The Commission would like to strike the reference to 20 years if this means 20 years of continuous mining. The Commission was asked to consider whether this is encouraging only large gravel mines. This issue was discussed. The word “shall” will be removed and re-worded.

- Page 3, number 3 – The Commission agreed to remove “with a minimum width of 500 feet at its narrowest point.”
- Page 3 – The Commission discussed limiting mining on steep slopes and unstable lands. Mr. Clark will look further at this for limiting mining in specific areas such as Carlyon Beach and Nisqually Bluff and will email this information to the Commission.
- Page 3, number 7 – The Commission asked why mining is being limited in the 100-year floodplain. After discussion, it was agreed that Mr. Clark will get an opinion on this from Ms. Romero and will report back to the Commission.
- Page 4, first bullet – change “should be provided” to “shall be provided.”
- Page 5 – The Commission discussed adding language here referring to priority habitats as defined by the State. Mr. Clark will look into this and report back to the Commission.
- Page 5, number 7 – The Commission agreed that mima mounds should be changed to “Mima Mounds.”
- Page 8 and 9 – The Commission agreed that this should language should match the earlier recommendations of the Commission.
- Page 9, item g – The Commission agreed to strike “(over 51%).”
- Page 9, item f – The Commission asked why DNR requires a site zoned for Long Term Forestry be returned to forest at reclamation. Ms. Terwilleger will check with DNR about this and report back to the Commission.

6. **8:56 PM STAFF UPDATES**

*Staff: Scott Clark*

Mr. Clark provided the following updates to the Commission:

- Glide Path to March 2010 – Mr. Clark provided the following schedule to the Commission:

  **November 18** – Mineral Lands public hearing/work session; Cluster subdivision briefing
  **December 2** – Maytown briefing; Housing briefing; Tumwater UGA rezoning briefing
  **December 16** – Cluster subdivision public hearing/work session; Asphalt plant’s briefing draft ordinance release; Joint plans work session (Tumwater – transportation; Yelm – Transportation; Olympia – Parks; Lacey – Landuse, housing, utilities); Open house date setting
  **January 9** - Asphalt plant public hearing/work session
  **January 13** – Comp Plan open house *tentative*
  **January 20** – Comp Plan public hearing
  **February 3** – Recommendations to the BOCC
  **Contingency dates** – February 10; February 24
Two Commission members will be unable to attend the December 16th meeting concerning Asphalt plants and asked that this meeting be moved to the December 2nd date. It was agreed that the December 2nd Maytown briefing and the December 16th Asphalt plant briefings will be switched.

- Mr. Clark explained that the Maytown site visit with the Commission has been cancelled.

- Mr. Clark stated that there will be a meeting on Transfer of Development Rights with Commissioner Romero and others on Monday, November 9, 2009 from 10-11:30 a.m. Some of the Commission members will be in attendance.

7. **9:04 PM CALENDAR**

November 18, 2009 – All Commissioners in attendance can attend.
December 2, 2009 – All Commissioners in attendance can attend.

8. **9:05 PM ADJOURN**

With there being no further business, Chair Lane adjourned the meeting at 9:05 p.m.

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Chris Lane, Chair

Prepared by Cami Petersen, Recording Secretary