1. **6:30 P.M. CALL TO ORDER**  
Commissioner Nelson called the February 15, 2012 meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

**Attendance:** Commissioners Scott Nelson, Kathleen O’Connor, Christine Spaulding, Christopher Earle, Edward Fleisher, Jennifer Davis & Liz Kohlenberg

**Absent:** Chair Chris Lane & Bill Jackson

**Staff:** Andrew Deffobis, Cynthia Wilson, Scott Clark, Jeremy Davis & Cliff Moore, Resource Stewardship Director

2. **6:30 P.M. APPROVAL OF AGENDA**

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

Item #5, Mineral Lands work session was removed from the agenda and LOTT was moved to the first work session due to attendance.

3. **6:31 P.M. APPROVAL OF MINUTES**

**MOTION:** Commissioner O’Connor moved to approve the October 12, 2011 minutes and accept the audio as the official record. Commissioner Earle seconded. Motion carried.

4. **6:32 P.M. STAFF UPDATES**

Mr. Clark provided the following staff updates:

- Mr. Deffobis will be providing a time line this evening that will show the rest of the schedule for finishing out the CAO process.

Commissioner Kohlenberg arrived.

5. **6:32 P.M. WORK SESSION: CAO – LOTT – Reclaimed Water – Cost of Treatment – Speaker Mike Strub & Karla Fowler**

Mr. Clark introduced Mr. Strub and Ms. Fowler from LOTT. The pair is here from LOTT to talk about reclaimed water and discuss some of the questions that Planning Commission members had from the last meeting.

Detailed section starting at 00:03:23
Mr. Strub: Hello everyone and thank you for having us. My name is Mike Strub and I’m the executive director at LOTT and with me is Karla Fowler our communications and environmental policy director. So one of the questions that were posed during one of the hearings or the discussions on this was about the potential cost of advancing our treatment processes to reverse osmosis which is one of the highest levels you can take treatment to. But we also thought because things are sort of developing around some of the timelines that were working on now we thought that it would be important to fill you in on some of that and also just a little bit of background on what we actually do and how we do it and what we’ve built. So we felt like we could take this opportunity to maybe do just a few more things in this presentation. So tonight what we wanted to talk about is timing of our next major infiltration project and the place holder for recommendations sort of going back to the recommendations that we gave you in our written comments. An opportunity to sort of tie those two things together and talk a little bit about them. Something else that has come up in the development of some of the presentations that we’ve been giving and actually some of the comments from Scott is to talk about the origin of the highly managed plan and some of the things that were considered during that process. Why are we doing reclaimed water at all and how did that evolve? Then a little bit about our facilities and the science and the changing conditions around us today and a little bit about the groundwater scientific study that were embarking here on soon.

Detailed section ending at 00:05:20

After Mr. Strub gave the breakdown of his discussion a further detailed description was given. Earlier in the process when LOTT spoke with the Planning Commission a graphical presentation was handed out showing the highly managed plan. This shows a time line from 2005 to 2052 which is the hypothetical build out. As described LOTT’s mission is to provide capacity for the urban build out when it occurs. This is also the process that drives LOTT’s capital spending. Currently only two projects are built. There are many more projects lined up to happen and are noted on the time line. The next infiltration basin is not scheduled to come on line until 2018.

The recommendation that was given to staff in December was to consider separating the CARA’s chapter from the CAO until coordination with other agencies on issues identified can be addressed or the second part of that was to leave a place holder for a reclaimed water section deferring to the existing state and federal regulatory structure until the groundwater recharge scientific study can be completed. Language for the deferred section was then introduced; Thurston County will not consider permits for infiltration of reclaimed water until data is available from the groundwater scientific studies that guide decision making about treatment levels to be required. Again, this is just suggested language to be used as a placeholder introduced from LOTT.

Karla Fowler was then introduced to discuss what the origin of the wastewater resource management plan was a how LOTT got back to the decision about groundwater infiltration. Questions have been raised about what other alternatives were considered at the time when the decision to go to reclaimed water was made. The Budd Inlet Plant was what started the long range planning process to figure out how to meet future treatment capacity needs. At the beginning of the planning process there were nine program
directions defined and they were based on all the possible things you could possibly do with waste water effluent and where could the ultimate end product go. Item one was demand management, which has since been referred to as flow reduction. Active water conservation flow reduction programs were also started at the beginning of the planning process. As a result of environmental evaluation which was really driving a lot of the decision making as opposed to technical evaluations. A very large amount of public involvement was had throughout the entire planning process. In the end the final decision was to choose the highly managed alternative as the wastewater resource management plan for the future. The uses for reclaimed water were then suggested. The purpose of the groundwater study is to look at the soil aquifer treatment at a site specific location but multiple sites will have the study done at the same time.

The standards for reclaimed water were written by Ecology in 1997 but some updates have been made to their working manuals i.e. permit writers manual and criteria for sewage works design. The updated manuals were more recently done in 2008. The map version that was displayed on screen through the power point presentation was then discussed. This version showed the long range plan of sites that are currently being used and sites that are planned to be used. Currently a great deal of modeling science is used to select the sites keeping in mind that the idea is purposely to avoid interaction with drinking water. This is regulated by the well head protection program.

The reasons why the ground water recharge scientific study was done was then discussed. The study was placed on the Capital Improvements Plan back in 2010. LOTT's approach to the ground water recharge study is not just to focus on ground water recharge but to focus on the entire water shed where there are many issues to deal with. The study will be about developing credible science to address emerging concerns within the water shed. The current treatment processes that are followed do pre-effectively deal with the concerns. The costs of future development were also discussed. The costs were based on reverse osmosis procedures.

The Planning Commissioners and staff were then invited to a compound of emerging concern science symposium on Friday March 2nd, 10-4 p.m. at the LOTT regional services center. Scientific testimony will be given. The workshop will be recorded so that if others cannot make it they can still watch it for further information and scientific testimony.

The third slide was then reviewed. A question was raised about the future sites and most of the facilities had been noted as Class A but it does not show the Henderson site as being Class A? This was an error and it will be a Class A site. The next question was in regards to volume and how much will the facilities be producing? This is for the projects in the future not the two that are producing right now. They would like the facilities as with the Budd Bay Facility to be able to produce 1.5 million gallons up to 5 million and so on. Depending on the site location is the amount of production the plant can fulfill. Next the CAO was brought up and which facilities would be affected by it in the future.

In terms of augmentation of stream flow the PC would like to see other opinions from state agencies, tribes or jurisdictions. Mr. Clark stated that he will be talking with the Nisqually and Squaxin tribes about the requested information. His request would be that
they produce an opinion in writing or come to the PC to discuss the opinion of augmentation of stream flow for reclaimed water.

6. 7:41 P.M. WORK SESSION: Parks and Recreation Plan Update Status
Staff: Cliff Moore, Resource Stewardship

Mr. Moore gave a very brief overview of the Parks and Recreation Plan status on being updated. Currently staff and Department of Parks and Recreation Advisory Board are working on updating the Parks and Recreation Comprehensive Plan. The hope is to bring a draft form before the PC in about three to four months with the view of getting it approved by the end of this year. There is a 2002 adopted version and a 2008 version that was developed and presented to the current Board of County Commissioners (BOCC) that found the draft wanting still and asked staff to go back and rework a second draft. Roger Giebelhaus, with Public Works will be heading the process piece of the draft update and Keith Eisner will be working on the writing portion to present. Keith Eisner is the Public Information Specialist for the Commissioner’s Office. The mission and goals of the update were last discussed leading into the proposed policy changes.

7. 7:43 P.M. WORK SESSION: Enforcement, Violations & Penalties Development Code Update Introduction
Staff: Cliff Moore, Resource Stewardship & Jeremy Davis, Planning

Staff is working with the Prosecuting Attorney’s Office, Rick Peters in particular on bringing forward some code amendments related to County code enforcement. A new chapter may be included to describe civil penalties for code violations. The code enforcement language is also being cleaned up in all the chapters of the code in which building and zoning code enforcement is described. These changes are funded for one year by the BOCC to use Rick Peters who already has a preliminary draft he is typing up. These changes will be brought to the PC and the BOCC almost simultaneously to expedite the approval because there are some tools that staff does not have related to code enforcement that would be very beneficial. If they are consolidated it would be put into its own title for example the CAO, as Title 25, Code Enforcement or something along those lines. This means that the code enforcement chapters in all the titles would be taken out and then adding a reference to Title 25. A second code enforcement officer position has been approved by the BOCC for a one year period and the process of hiring him/her has already started. Currently, the one code enforcement officer has 300-400 open cases and gets multiple inquiries etc. a day. Public health and public safety issues are always moved to the top of the list. There was a study completed in 1995 that stated a code enforcement officer can handle effectively about 50 cases a year.

8. 7:48 P.M. WORK SESSION: CAO
Staff: Jeremy Davis, Andrew Deffobis, Cynthia Wilson & Scott Clark

The time line which staff is calling the brief introduction was the first thing discussed. At the last meeting staff and the PC talked about the main categories and issues that were pointed out in the public comments. The PC was asked to take a look at the time line and see what they think. Staff this evening did bring some options on density provisions, storm water introduction and introduction on clearing and grading issue that was brought
up during the public testimony at the hearing. Ms. Wilson then discussed storm water
and how staff had met with the County’s Water Resources Department and in discussing
the draft with them some language was determined to be confusing. This is to try to
clarify what the new drainage manual allows and where it can be done. The terminology
has to do with storm water dispersion. This is a storm water term for dispersing the water
and is used specifically within their storm water designs. The intent is to recognize that
dispersion as defined by the drainage manual is a storm water methodology for treatment
and to recognize that when you have run off you can discharge it at the buffer edge, you
can treat it or if you need to use the dispersion calculation you can then use a portion of
the buffer for that calculation. This is just water flowing over vegetation. This is only
used when they do their storm water calculation for treatment that they want to county
the square footage.

**MOTION:** Commissioner O’Connor moved to adopt the modified improved
language for consistency. Commissioner Earle seconded. Motion carried.

Staffed then asked the PC to take out the Memorandum that was mailed to them prior to
the work session titled CAO Title 20 Rural Zoning Density Requirements. As part of the
CAO update the proposal was to move the density limits from the CAO to Title 20 Rural
Zoning Density Requirements. Specifically the density limits affect the residential and
resource 1/5 acres and the rural residential 1/5 acre zoning districts. In total they are
about 170,000 acres in rural Thurston County. When they were first initially adopted it
was to solve a variety of rural densities lawsuit that the county was under at the time so it
was a compliance issue. Currently the jurisdictional wetland size is 22,000 square feet
but with the CAO update that will be changed to 1,000 square feet, therefore that
jurisdictional wetland size change actually has a policy change as to what is permitted
within the rural area per densities. Two options have been provided to the PC. The first
is to continue with the current jurisdictional size for determining density and the second
is to put in an exception in Title 20 under the RR 1/5 and RR 1/5 zoning districts to only
base the density reduction on the current jurisdictional size of 22,000 square feet or 2,500
square feet or more adjacent to a stream or within a sign of a 100-year flood plain. A
short discussion ensued. Since the discussion was mainly in regard to how this is not a
science issue and is a policy issue the PC mainly discussed leaving the policy as is.

**MOTION:** Commissioner Spaulding moved to approve option two as the language
on zoning densities. Commissioner Earle seconded. Three approved the motion,
four opposed. Motion Failed.

**MOTION:** Commissioner Spaulding moved to approve option one as the language
on zoning densities. Commissioner Earle seconded. Four approved the motion,
three rejected. Motion Carried.

The next discussion was in regards to multiple comments about taking another look at the
clearing and grading provisions in riparian areas and riparian management zones.
Specifically most of the comments were toward no clearing and grading in riparian areas
and only minimal allowances in riparian management zones which is either the 50 or 100
feet outside of the riparian area. Within the land use table staff found that under riparian
management zones, under both fresh water and marine riparian, grading was listed as
permitted which is what staff believes provoked a lot of the comment to proceed. After
looking through the entire chapter however there is standards that are in place. The staff
recommendation for the table is to list clearing and grading as S (now changed to “P”) for
subject to standards and to be consistent within the chapter and other CAO sections. The
second recommendation which is 24.25.140b and it shall read clearing on lots larger than
one acre etc. shall not exceed 35% of the portion lot or tract within a riparian
management zone. A discussion of the staff concerns ensued.

**MOTION:** Commissioner Davis moved to change clearing and grading in riparian
areas from permitted to requiring a critical areas permit, fix the language relating
to the 35% limit and require clearing and grading only be permitted in conjunction
with an approved use. Commissioner Kohlenberg seconded. Motion Carried.

The 35% will be calculated based on the area within the riparian management zone not
the entire size of the lot.

9. **8:39 P.M. CALENDAR**

February 29, 2012 (special meeting) – Jennifer Davis will not be in attendance.

10. **8:39 PM ADJOURN**

With there being no further business, Commissioner Nelson adjourned the meeting at
8:39 p.m.

Scott Nelson, Vice-Chair

Prepared by Carrie Toebbe, Recording Secretary