1. **6:30 P.M. CALL TO ORDER**

Chair Lane called the February 8, 2012 special meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

**Attendance:** Chair Chris Lane, Commissioners, Christine Spaulding, Ed Fleisher, Scott Nelson, Jennifer Davis, Liz Kohlenberg & Bill Jackson

**Absent:** Chris Earle & Kathleen O’Connor

**Staff:** Olivia Story, Scott Clark, Cynthia Wilson, Jeremy Davis & Jeff Fancher prosecuting attorney

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

**MOTION:** Commissioner Kohlenberg moved to approve the agenda. Commissioner Davis seconded. Motion carried as amended.

Staff updates and calendar were moved before the public hearing.

3. **6:31 P.M. STAFF UPDATES**

Mr. Clark provided the following staff updates:

- Staff met with the Board of County Commissioners about continuing the asphalt plant moratorium today. They will be considering it and voting on whether to extend it on Tuesday. If the BOCC votes for the extension it will extend the asphalt plant moratorium for another six months.
- On February 14, 2012 a science café will be held out at Saint Martin’s by LOTT on reclaimed water.
- Staff talked with the BOCC about the CAO timeline and taking them information that is complete at the end of March.
- The public hearing for extending the Prairie Interim Ordinance is on March 16th.
- Ecology is considering providing additional funding for Shorelines and staff should hear about that next week. If additional funding is received staff will be able to finish the characterization of shorelines and also get into the rules.
- The EPA grant (science to local policy) should also be starting up again soon. The grant was on suspension while the best available science issues were gone through.
- Staff will be briefing the BOCC on the Habitat Conservation Plan on February 23rd.
4. **6:35 P.M. PUBLIC COMMUNICATIONS** (Not associated with topics for which public hearings have been held.)

*No members were present in the audience.*

The official audio is available on line at:

http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html

5. **6:35 P.M. CALENDAR**

February 15, 2012 – Commissioner Jackson will not be in attendance and Commissioner Davis is tentative.

*The Commission took a brief recess until 7:00 p.m. and the start of the mineral lands public hearing.*

6. **7:00 P.M. PUBLIC HEARING: Mineral Lands**

*Staff: Olivia Story*

Chair Lane gave an overview of the hearing process. A public hearing is required prior to the Planning Commission recommendation to the Thurston County Board of County Commissioners.

Ms. Story gave a brief overview of some background information in regards to mineral lands. The purpose of the hearing is to accept public comment on chapter changes relating to the designation of mineral lands required by the Western Washington Growth Management Hearings Board (GMHB). The Board of County Commissioners had adopted the draft regulations relating to the designation of mineral resource lands back in 2010. The County was in return challenged on 23 issues within the newly adopted criteria in November 2010. The GMHB held a hearing on May 3, 2011 and found that the County must reconsider 7 of the 23 issues. The Planning Commission held multiple work sessions after May 2011 to make changes to the Thurston County Comprehensive Plan amending the designation criteria in Chapter 3 Natural Resources for Mineral Lands of Long Term Commercial Significance, and other related amendments. Title 20, Zoning will be amending Chapter 20.30B Designated Mineral Lands to amend the mineral lands designation criteria and for other related amendments to ensure consistency with the Thurston County Comprehensive Plan.

Five comment letters were received by staff all generally in favor of the recommendation in the draft ordinance. A few of the letters had suggestions.

**Chair Lane opened the public hearing on Mineral Lands at 7:09 p.m.**

Members of the audience that chose to speak:
Chair Lane closed the public hearing on Mineral Lands at 7:14 p.m.

The Planning Commission and staff then moved into a work session on mineral lands.

7. 6:33 P.M. Work Session: Mineral Lands  
   Staff: Scott Clark & Olivia Story

Mr. Clark started the discussion presenting a map to the PC that they had been requesting. The map shows CARA I’s and is a hybrid showing both the old method which was soils and now is hatched. The map also shows the geology. In a lot of areas there is an overlay where there are both soils and geology matched together and other areas where the soils stray away from the geology therefore creating the difference of how the CARA’s are designated. The areas that are dark red, yellow and orange are the municipal well head protection areas for the major cities. The smaller water systems were not represented. A larger version was presented for the PC to view. Staff and the PC had discussed CARA’s and well head protection areas and that staff’s thought was that you could probably conduct gravel mining in a CARA as long as you protected the value of the drinking water system within it with no mining activities proposed there through the process of designation.

Commissioner Davis then brought up a concern with the language of minimum designation criteria #6 and the same language within the code #iv. This is known important habitats and known habitats of primary association to species listed under the Endangered Species Act of state law. At the very least Commissioner Davis believes that the sentence should state all known habitats of primary association to species listed as endangered or threatened under the Endangered Species Act of state law. Staff and the PC agreed that this language should be added to #6 in minimum designation criteria and also within the code #iv. Commissioner Davis’s concern is that this is the only criteria where the term “known” is used. The language is not specific enough. Along with the industry the Commissions concern is being specific in knowing if the applicant will be required to supply the County with further studies at the time of designation or is it “known” by the County already at the time of designation? Staff stated that the intent with #6 of the minimum designation criteria was to prevent endangering or threatening a species any more than it already was. Beyond this idea, it was believed that one you wouldn’t be sure and known was that staff knew what was there by maps, information on the property and a study. The PC then took a vote on who was in favor of removing the highlighted language by Commissioner Davis and including the language that Ms. Story had previously added which was listed as endangered or threatened. Majority ruled. Staff will now strike out of criterion #6 in the Comp Plan “known of important habitat and”, the left of the sentence will be left. The same language will be corrected in the code #iv. Further information can be provided with an inquiry by staff from DNR if
species in certain areas need to be identified and are not by the Thurston County’s GIS system. The suggestion of taking “known” out the #6 was then given with the rest of the PC and staff in agreement. Under minimum designation criteria #6 the sentence will now read; Mineral resource lands shall not include important habitats of primary association… Item #8 will now read; mineral resource lands shall not include mapped category, class I. Then within the Code, item 8 will now read; mineral resource lands shall not include category class I. Mapped was removed out of criterion #8 of the Comp Plan and also out of e ii.

The PC and staff then discussed Mr. Cook’s comments and suggestions from the public hearing. Commissioner Kohlenberg had concerns with the first comment where mineral extraction shall not negatively affect nor endanger service and ground water quality. Her concern is that his comment definitely should be included within the proposal. On page 3-14 she would like to see the second sentence to say critical areas also; location, value of the resource and critical areas as well as its proximity to existing residential areas. On page 3-16 the recommendation/sentence just discussed would also be added to the minimum designation criteria. This would be adding number 9 to say; mineral extraction activities shall not negatively affect nor endanger surface and ground water flows and quality.

The Public Comment Index was then discussed.

**MOTION:** Commissioner Kohlenberg moved to approve the changes that were made to the draft ordinance. Commissioner Davis seconded. Motion carried.

**8. 7:50 PM ADJOURN**

With there being no further business, Chair Lane adjourned the meeting at 7:50 p.m.

Chris Lane, Chair

Prepared by Carrie Toebbe, Recording Secretary