PUBLIC REMARKS AT PLANNING COMMISSION 11/7/2012

In December of 2008 we were surprised to find our property rezoned into LTA without our knowledge. In an exchange of emails and phone calls with county staff we were told that there was a State mandate for the preservation of lands of long term commercial agriculture significance, and we were selected based on county soil maps.

We were told that we could soil test out if our land did not contain 20" of topsoil. With 330 acres of our land (which had been in 1:5 rural residential) now in the category of LTA, we decided to soil test. Land designated LTA without the topsoil credentials to go with it has little value. Our land has no top soil, so we did not think getting out would be a problem. The procedure was presented to us as needing to be done by a properly trained soil specialist using the “site specific protocol” written by Pacific Rim Soil and Water by soil scientist Lisa Palazzi. I have already supplied emails from Mr. Clark where he indicated that this could possibly be done by having Lisa Palazzi take a quick look at the property before year’s end, possibly at no expense to us. With the encouragement of Mr. Clark, we wrote a flurry of letters to the County Commissioners pleading for intervention, but of course nothing can be changed without an official appeal for reconsideration. He did make it appear that this would not be a difficult or expensive endeavor.

In 2009 we soil sampled according to the protocol designed by Pacific Rim Soil and Water to the County’s specifications. As we could find no other firm willing to take on this task, we thought we should have the testing done by the people who designed the protocol for the County. We had to file this within the year. We tested and did not have any topsoil. We filed the reconsideration application. Then we waited. They postponed from 2009 to 2010. In 2010 we were put on the docket and Mr. Davis said he needed to send the soil test for peer review. He did not send it.

While we waited for the appeal, we were approached by the NRCS about selling our grassland into the Federal Grassland Reserve Program. Being completely out of money and locked in the limbo of the County’s appeal process, we decided to enter this program. It took us two years and a great deal of work to create our Grassland Reserve. We put 330 acres of land into this permanent, very strict, limited access category in order to stay in operation. The NRCS does not put LTA land into grassland reserves, crops are not allowed. (A fact which might aid you in understanding yet another view point of the quality of the soil present on our property.) The majority of the remaining property is in the two forested parcels which are under review.

In 2011 there was no movement on our reconsideration appeal. And now it is 2012. Our soil study was peer reviewed on Oct. 15, and we received an ugly shock. Even though not a single morsel of topsoil was uncovered after multiple soil testing outings, including dozens of hand sampled areas and 2X3' pit studies by a qualified soil scientist, our property was to remain in LTA because not enough sampling was done. How is it that we could have had a deficiency, given that we were using the site specific protocol required by the County? We are not soil scientists, and can not be expected to second guess Soil Methodology Protocols for accuracy. Over and over again the peer review states that “the field report was prepared by a qualified professional soil scientist and provides compelling reasons consistent with Field Methodology for making non-LTA determinations for both parcels.” Further, in Mr. Small’s summary he states “On review, Thurston County Field Methodology supports changing the planning designation of 2 of the 11 parcels: Schader Crown Ranch 2320000 and 2432000.”
We kept all of the property in RRR 1:5 because we knew it would never be productive farm land, and we wanted to preserve our options. We put the whole farm in agriculture zoning after we were put into LTA. Our RRR 1:5 taxes were very high and taxes remained higher in LTA— which is a valuable tax category because it formerly indicated quality land. The timber parcels are not farmed in any way. The timber is managed under a Federally approved sustainable forest plan. The timber has been a secure resource for on-farm use. The slopes are steep, the ground is either very wet or very rocky. The soil has been identified by foresters as meager. If clear cut, it would not make pasture land. We have never been able to replant it with young trees. These parcels would not be suitable for development into chicken sheds or green houses. Forest land cannot be drained. Access is restricted by the Grassland Reserve. The only access is past our farm house and regular commercial use would be impossible. The on-site environmental benefits of agricultural lands do not surpass the those of forestland. Why would you want to convert or reclassify forestland as LTA?*

We feel that the County has dealt harshly with us. This has been an entirely adversarial process. Though my brother and I are both master gardeners and my brother has a commercial nursery, our opinions have been ignored. We have been treated with distain and disregard. I have spent hundreds of hours defending my property rights when I could have been pursuing a useful activity. I find it humiliating to stand here and tell you my property is wretched, having to beg you to believe the obvious. The County created a bait and switch situation with the soil testing requirement: They told us poor soils would keep us out of LTA zoning. We paid for a "determinative" soil survey based on their protocol and the County has walked away from it, saying that we were disqualified by their "peer review" process which took four years to obtain. Why is Mr. Small's office opinion more valuable than the hired on-site soil scientist. What did the County pay for this peer review?

I discussed further soil testing of our two parcels with Ms. Palazzi, now of J.W. Morrissette, (an environmental engineering firm). She states that the County soil protocol is local and not well developed, and she cannot recommend further testing. She states that without a letter from the County explaining exactly what they would need to change the LTA status of each individual parcel, additional soil work would not pay off. She does not expect the County to provide this information. Further, this review work would take several months and be very expensive. This is a very different situation than was explained to us 5 years ago. The County has had time to gather its resources while punishing us with postponement and changing protocols.

To summarize: We have placed 330 acres of our property into a Grassland Reserve that will remain permanently without structures as pastureland for grazing animals. The number of these animals is limited by the restrictions of the Reserve. In addition we have dedicated a 25 acre lake in perpetuity. I would like my timber parcels returned to the RRR 1:5 zoning so that I can trade, sell, or redeem them in another conservation activity which I have already discussed with the NRCS. This property has no value as agricultural land...even for non soil-dependent agricultural uses, because it has steep slopes, no topsoil and restricted access.
"marigold"

<marigold@ywave.com>

To: Bob <boxhillbob@comcast.net>

Schader farm near Yelm Washington

To whom it may concern:

For a period of years from the late 1990's to early 2000's, I was contracted by the Schader farm on 128th near Yelm to upgrade access roads & drainage improvements to the farm.

The soils that I encountered while implementing these improvements were poor at best, ranging from large boulders to clay & in many cases extensive hardpan. These clay & hardpan areas usually resulted in wetlands.

I worked on most of the approximately 600 acres of this farm. The only top soil that I encountered was in the garden site located near the farm house, I believe this soil was imported.

My experience in dirt moving is approximately 40 years, ranging from large open pit gold mining to landscaping.

respectfully,

Rick Johnson
President

Placer Recovery Systems LTD
Judy:
The Planning Commission continued the hearing to December 5, 2012. The Planning Commission will begin the meeting at 6:30 p.m. on that date. The Board of County Commissioners has scheduled a public hearing on December 11, 2012 at 5:30 p.m. I will forward your comments into the record.
Regards,
Christy Osborn

Christy L. Osborn
Associate Planner
Thurston County Planning Department
360.754.3355 ext. 4465
osbornlc@co.thurston.wa.us

>>> Don & Judy Rogers <djrogers4@hotmail.com> 11/19/2012 5:25 PM >>>
I am sorry that I get confused about the hearings. We all left so late that I did not know if everyone had finished or if there would be a continuation of the public comment.

We struggle with our soil test being deficient. We do not understand how a soil test that was done by a registered soil contractor using a methodology that its president created, and that was accepted by the county can be inadequate in its use of that methodology. We could find no other provider to perform this survey. The soil scientist web site emailed us by Mr. Clark was a dead link. My brother made several inquiry calls and found no one able to perform this service. How could a recommended contractor fail in performing the approved soil testing? And how can it be our fault? The standard of performance for the property owner far exceeds that of the County. Our property
was placed in LTA based on soil maps developed without any on-site investigation—guesstimates as it were. We have spent thousands of dollars on testing without an inch of topsoil being discovered; and that is not good enough? How can one imagine that more testing will find something that is not there. These parcel also have quite steep slopes which both soil scientists agree are not compatible with commercial agricultural land.

Thank you for your consideration. Judy
From: Don Rogers <djrogers4@hotmail.com>
To: Christy Osborn <osborne@co.thurston.wa.us>
Date: 11/27/2012 5:24 PM
Subject: Re: Public Hearing 12/5

Thank you. That is helpful. Judy

Sent from my iPad

On Nov 27, 2012, at 4:39 PM, "Christy Osborn" <osborne@co.thurston.wa.us> wrote:

Judy:
This e-mail is in response to your e-mail concerning the December 5, 2012 planning commission meeting. The public hearing was continued from November 7, 2012 so additional oral and written comments are allowed including from the public. The chair of the planning commission dictates the conduct of the hearing and typically directs questions to staff or the applicant. The planning commission considers all information submitted into the public record which includes written and oral comments, application materials, staff reports and correspondence. I am not sure what you are referring to regarding the opportunity to sit down with the planning commissioners like people who are requesting the up zones get to do? If you have additional questions please do not hesitate to contact me.
Regards,
Christy Osborn

Christy L. Osborn
Associate Planner
Thurston County Planning Department
360.754.3355 ext. 4465
osborne@co.thurston.wa.us

>>> Don & Judy Rogers <djrogers4@hotmail.com> 11/25/2012 9:15 PM >>>
Christy,

In discussing the hearing on 12/5 with other people, I have discovered there is some confusion regarding what may be done at this hearing. Is this a public hearing where oral comments are allowed? Can members of the public participate? Are we allowed to ask the commissioners questions? Are we allowed to know what they are considering? Do we get to sit down and talk to them like the people who are requesting the up zones get to do? It seems like we have no standing in this discussion. We are often confused about what is going on. I would appreciate more detail. Other people involved in this process are also confused so I am trying to be as precise as possible about what the purpose of this meeting will be so that I can share real information and not guesses. Thank you. Judy

<Chryste Osborn.vcf>
November 7, 2012

Thurston County Planning Commission
2000 Lakeridge Drive SW
Olympia, WA 98502-1045

Re: Long-Term Agriculture Designation
Tax Parcel Nos. 22611110200 and 22611110600

Dear Planning Commission:

Weyerhaeuser Real Estate Development Company would like to thank you for your time and efforts in reviewing and bringing a conclusion to our applications for removal from Long Term Agricultural designation. We have reviewed the peer report, staff report and recommendations from our soils consultant. We accept and ask that you accept the staff recommendation to remove our parcel 22611110600 (Weyerhaeuser 2) from the designation of LTA, and though we do not agree with leaving our parcel 22611110200 (Weyerhaeuser 1) in the designation of LTA we accept their recommendation.

Our reasons for not agreeing with their recommendation on Weyerhaeuser 2 are:

- Wetlands combined with buffers cover almost the entire site
- Access is a private road, no public access, and if there was off of Mountain Vista Drive SE, would have to go through wetland to access remaining portion
- Doesn’t the county want to protect wetlands, the reason for buffers
- Any type of agriculture activity will put non-native waste and or chemicals into the wetlands
- As you can see this wetland ties into a large wetland area that can be impacted if used as agriculture (see attached map from the Thurston County geo-mapping)
- We believe there are hydric soils with shallow ground waters of less than 20 inches

At this time we do not have the time to complete additional studies to prove the shallow ground waters prior to this meeting and the Board of Commissioners meeting later this year. WREDCO would like to see a final resolution to our designation and with that in mind we accept staff’s recommendation and again ask that you do.

Thank you for your time and work.

Sincerely,

Marlene Voss
Assistant Project Manager
Comments:

- Wetlands combined with buffers cover almost the entire site
- Access is a private road, no public access, and if there was off of Mountain Vista Drive SE, would have to go through wetland to access remaining portion
- Doesn't the county want to protect wetlands, the reason for buffers
- Any type of agriculture activity will put non-native waste and or chemicals into the wetlands
- As you can see this wetland ties into a large wetland area that can be impacted if used as agriculture
November 13, 2012

Ms. Christy Osborn, AICP
Thurston County Planning Department
2000 Lakeridge Drive SW, Building 1
Olympia, Washington 98502

RE: Proposed 2012 Comprehensive Plan amendments and related associated development regulation amendments

Dear Ms. Osborn:

Thank you for sending Growth Management Services the proposed amendments to Thurston County’s comprehensive plan and development regulations that we received on September 28, 2012, and processed with Material ID No. 18515. The materials include proposed Parks Element amendments, two proposals regarding the potential resizing of the Olympia urban growth area, and the potential de-designation of agricultural lands of long term commercial significance. We have reviewed the materials and offer the following comments for consideration:

It is our understanding that the request to reconsider four designations of long-term commercial agriculture made in 2008 are based on a one-time provision that would allow specific consideration of soil depth information. Further, this analysis would be reviewed by a third party with soil expertise for consistency with the county’s adopted provision for reconsideration. We offer no specific comments on these applications.

The county is also proposing updates to the Natural Environment to update parks information. We commend the county for taking steps to keep the parks and recreation information current by updating park and facility acreages. Further, the plan notes that when the proposed land acquisitions/development in the county’s six-year capital facilities plan are added to the current acreage, an adequate level of service is maintained to address the needs of an increasing population through 2018.

We have reviewed the materials submitted regarding the French Loop/Butler Cover area and the Chambers South area. Both areas are located within the City of Olympia’s urban growth area. In both instances, questions regarding how to develop are based on concerns regarding density, environmental constraints, and the provision of urban services. We support the position that the property be retained within the existing urban growth area boundary, while allowing for phased development at lower levels until urban services can be provided. We support reductions in allowed density until such as time as adequate public services can be installed to serve the area. Future analysis, such as subarea planning or interim zoning standards may be needed. Any development permitted before the subarea planning is complete, or before more intensive development is allowed, should be monitored to ensure future urban development is not precluded.
Congratulations to you and your staff for the good work these amendments represent. If you have any questions or concerns about our comments or any other growth management issues, please contact me at 360.725.3045 or joyce.phillips@commerce.wa.gov. We extend our continued support to Thurston County in achieving the goals of growth management.

Sincerely,

Joyce Phillips, AICP  
Growth Management Planner  
Growth Management Services

JP:Iw

cc: Todd Stamm, Planning Manager, City of Olympia  
Leonard Bauer, AICP, Senior Managing Director, Growth Management Services  
David Andersen, AICP, Eastern Region Manager, Growth Management Services  
Ike Nwankwo, Western Region Manager, Growth Management Services