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

Chair Nelson called the April 3, 2013 meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

**Attendance:** Chair Scott Nelson, Commissioners Bill Jackson, Christopher Earle, Edward Fleisher, Jennifer Davis & Donna Nickerson

**Absent:** Chris Lane, Christine Spaulding & Kathleen O’Connor

**Staff:** Scott Clark, Allison Osterberg & Cynthia Wilson

**Guest:** Veena Tabbutt, Thurston Regional Planning Council

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

**MOTION:** Commissioner Earle moved to approve the agenda. Commissioner Fleisher seconded. Motion carried.

Chair Nelson brought up that during the PC election on March 6, 2013 there was a 4-3 vote and it has to be a majority or five or more members to pass. Since this poses an issue it was moved to after approval of minutes for discussion.

3. **6:32 P.M. APPROVAL OF MINUTES**

**Commissioner Fleisher moved to approve the July 18, 2012 minutes and accept the audio as the official record. Commissioner Davis seconded. Motion carried as amended.**

Commissioner O’Connor is listed as in attendance and absent. The minutes will be heard again and the correction made to see if she attended the meeting or not.

**Commissioner Davis moved to approve the February 20, 2013 minutes and accept the audio as the official record. Commissioner Jackson seconded.**

Page 2, line 31 – take out “is” and add “federally funded”.
Page 2, line 33 – take out “which is” and add “when another jurisdiction has petitioned”.

A question about whether the minutes were verbatim or detailed was brought up and until the question could be answered by the recording secretary the minutes were not approved.
Note: The meeting minutes for this date are not verbatim but are detailed to contain action items and discussion along with research of explanation.

Again the discussion of this year’s election was brought up. The rules of order for the PC were re-read and it is believed that the election results are invalid because there was no majority vote. It was decided that a revised nomination process needs to be redone. No one was chose to revise the process but since the election was invalid with no majority vote Chris Lane will remain chair and Scott Nelson will remain vice-chair until this process can be carried out again. A new election will have to take place with a re-vote. The time of the re-vote was recommended to be done at the next meeting.

4. 6:44 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)

1. Doug Karman – 4108 Kyro Road SE Lacey, WA 98503 – Spoke in regards to the Henderson Basin Watershed Study and stated that he came to listen to the presentation tonight.

The official audio is available on line at:

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

5. 6:46 P.M. STAFF UPDATES

Mr. Clark provided the following staff updates:

- Staff is working on rescheduling the recognition dinner with the PC and BOCC. The task at hand is to try and get everyone involved to attend so the dinner date has been pushed out further into May.
- There is a public meeting this Saturday April 6th at the TC Fairgrounds. The meeting is sponsored by the USFWS and is part of a NEPA scoping (national environmental scoping act). The meeting is to inform the public on how to submit comments on the environmental impact study as what should be considered in the habitat conservation plan. Staff will be there and will be starting to collect information for SEPA. There will be two of the same presentations one in the morning and one in the afternoon.
- Staff has met with the Habitat Conservation District in regards to HCP and with the School Districts who they will be meeting with again on April 10th. An RFP has gone out requesting professional services for a consultant to develop a model for the interim permit strategy. The request for funding in the third year has been made and is pending at this time.

Commissioner Davis asked that as the process starts up for the HCP the County has an active system in place right now under the CAO to deal with potential conflicts between these prairie species and development or whatever might come up and would like to know if this is being implemented on a daily basis.
Mr. Clark responded that for the County yes, the CAO passed.

6. **7:04 P.M. WORK SESSION: Science to Local Policy – Briefing**  
*Staff: Allison Osterberg & Cynthia Wilson*

Ms. Wilson introduced Allison Osterberg who has been hired by the Planning Department to specifically work on the Science to Local Policy EPA Grant. A hand out was passed out to the PC called Translating Science into Local Policy.

Ms. Osterberg gave a brief project background explanation. Latest figures show that the County will grow by 140,000 in the next 20 years. The County has teamed with TC Regional Planning Council (TRPC) on this project that integrates watershed science into local land use policies. The aim of the study is to investigate ways to accommodate projected population growth while preserving water resources in areas impacted by said growth. The collaborative effort is funded by a grant from the U.S. Environmental Protection Agency, and focuses on basins in the Totten, Eld Budd/Deschutes, Henderson and Nisqually Reach watersheds.

The project stages will be as follows: 
Evaluate and group basins based on current conditions (intact, sensitive, impacted, degraded). This has been completed. Then, two, evaluate basins at risk of impacts from projected growth and this too has been completed. Third, identify basins with sufficient data for hydrologic modeling. This has also been completed. Fourth is to select three basins for a more detailed study. This is the current stage of the project. Fifthly, to model future land-use scenarios and effects of changes to zoning and development regulations on watershed processes. This process should begin the summer and fall of 2013. Lastly, to develop and implement recommended changes which should be done around winter or spring of 2014.

The overall goals of the project are to protect water quality in Puget Sound and protect healthy watersheds that we have now by identifying what current conditions are in the watersheds and where areas are at risk. This will also involve implementing strategies to protect basin health. The strategies that will be considered during the project are looking at the zoning and development regulations, stormwater regulations, considering how to use transfer/purchase of development rights program and doing compensatory mitigation program. A map was then shown of the watersheds within the project area.

Commissioner Fleisher asked why the project did not include the main line of the Nisqually River. Ms. Osterberg responded that yes that’s correct. At the start of the project there was thought about doing the Nisqually River area during a subsequent phase of the project, but it was not included in the project area for this round.

Some of the reasoning for choosing from the ten basins were that first only ten have sufficient data for modeling. Then also considering where is the most growth expected, where can changes to land use regulations have the most impact and where are we likely to lose the most forested land.
We need to narrow the choices to 3 basins. The basin selection candidates are McLane Creek Basin, Woodard Creek Basin and Black Lake. As a backup Woodland Creek Basin would be a good candidate to test effects of high growth pressure on heavily impacted basin. There was discussion on the reasons why the basins were selected.

The Thurston County Commissioners will make the final selection on the basin selection. The hydrologic modeling will take place this summer and then we will be developing and implementing the policy changes. In the future, options for basins excluded from this project round for lack of data will be considered.

Commissioner Nickerson asked questions about the population increase data and where it is coming from. Veena Tabbutt from Thurston Regional Planning Council is the forecaster for Thurston County and part of the project and was asked to answer this question. The forecast for this model is a moderate look of past trends and what staff actually thinks will happen. The numbers are ballpark not exact. The current population of the county is 152,000.

A brief discussion on the reasons why each basin was selected occurred with follow-up of some general questions by the PC.

The grant is funded till the end of the project which is projected till June 2014.

*The work session ended on science to local policy but a brief discussion began started with an update from Mr. Clark.*

*Note:* Mr. Clark wanted to make sure that all members of the PC had heard about the tribes vs. the State lawsuit outcome. The tribes had sued the states over failing culverts essentially in 2001 and the judge sided with the tribes. The state has 17 years to make the fixes and it is roughly 1 billion dollars in culverts.

7. **7:28 P.M. Transfer of Development Rights – Briefing**  
**Staff: Scott Clark**

Mr. Clark started his presentation on transfer of development rights. Transfer of development rights is essentially a market driven program. The intent is to sever the development right from open space, conservation or agricultural lands and allow that right to be moved into an urban area typically to raise density.

Purchase of development rights is done with public dollars. For example there is the conservation futures tax, real estate excise tax or bonds. There are also private/public partnerships where the county may team up with Nisqually and Capital Land Trust or Unites States Fish and Wildlife with Natural Resource Conservation Service.

At this time, the County receives one development right per every five acres. If you have a home or barn for example on the property then you lose a development right. The market value in 2006 was $14,000 per TDR. The landowner signs an easement that says the property will not be developed and that goes on the title of the land and becomes permanent. The property remains in what the designated use was at the time. After this
the developer transfers rights to receiving areas which are the different jurisdictions and what the incentives are for their zone.

Examples were then given and displayed on maps within the power point presentation.

The analysis and effectiveness of the TDR program is that in initial acquisitions 26 came to be and then in 2007 there was only 1. 18 of those have been sold and 1 of the 27 has been applied in the Tumwater jurisdiction.

The issues currently are that the acquired rights are not being transferred. There is no demand for higher density parcels. The average build out across the county is 3 dwelling units per acre, the recession which has affected many aspects of land use and not achieving the desired effect of preserving agricultural lands.

Again further examples were given which included Calvert County, Montgomery County, The Pinelands, New Jersey and Kind County TDR. Public financing, transactions, acreage conserved and fund sources were compared between King and Thurston County’s.

A discussion ensued about how to balance all of the issues and recommendations with the goals of the GMA. Having the process for up-zoning with the other jurisdictions not being free any longer was also discussed.

The PC was encouraged to take a look at other jurisdictions TDR and PDR programs and come back to the table with ideas.

8. 8:07 P.M. CALENDAR

April 17, 2012 – All Commissioners will be in attendance.

9. 8:07 PM ADJOURN

With there being no further business, Chair Nelson adjourned the meeting at 8:07 p.m.

Scott Nelson, Chair

Prepared by Carrie Toebbe, Recording Secretary