



Draft Ordinances Available

Your views are sought

November
2001

After a year's worth of effort, shellfish districts will be established soon for the Henderson Inlet and Nisqually Reach watersheds.

Based on feedback from an Oct. 1 public forum, Thurston County has prepared draft ordinances and work plans for creating the districts. This bulletin summarizes the draft documents, and invites you to share your views. We look forward to hearing from you soon.

*Thurston County Office of Program and Budget Development
709-3079 or e-mail swartom@co.thurston.wa.us*



Learn and Let Us Know

To receive a copy of the draft ordinances and work plan:

- ◆ Call the Office of Program and Budget Development at 709-3079 and request copies.
- ◆ Visit our web site: www.co.thurston.wa.us/shellfish.
- ◆ E-mail swartom@co.thurston.wa.us.

To share your views:

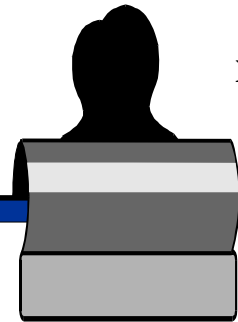
- ◆ Attend the Nov. 19 meeting.
- ◆ Send a note to: Thurston County OPBD, 2000 Lakeridge Dr. S.W., Olympia, WA 98502.
- ◆ Send an e-mail to: swartom@co.thurston.wa.us.
- ◆ Fax comments to 754-4682.

Please contact Thurston County no later than Monday, Nov. 19 because county commissioners are meeting the following day for a summary.



How Have We Reached the Public?

- ◆ Personal "stakeholder" interviews
- ◆ Presentations to community groups
- ◆ Direct mailings (district-wide, and to interested parties)
- ◆ Television broadcasts
- ◆ Newspaper articles
- ◆ Feb. 22 open house; April 12 workshop; Oct. 1 forum
- ◆ Future outreach planned



**Join the next meeting,
Monday, Nov. 19**

Time: 6 p.m. at Heritage Hall, Thurston County Fairgrounds. The address is 3054 Carpenter Rd. S.E. in Olympia.

Agenda: Staff will present the draft ordinances and work plans for creating shellfish protection districts. Audience comments on the draft documents will follow the presentation.

Other important dates

Tuesday, Nov. 20: Commissioners will review residents' comments before preparing a legal notice for the newspaper. Time: 4 p.m. in Building 1, Room 280, of the Thurston County Courthouse, 2000 Lakeridge Dr. in Olympia.

Tuesday, Dec. 11: Public hearing before county commissioners. Time: 6 p.m. at Heritage Hall. Commissioners might act immediately that day, or vote at the next regular board meeting on Monday, Dec. 17.

Shellfish Protection District

A Summary of the Draft Proposal As Presented at Oct. 1 Public Meeting

Boundaries

Goal: *Create separate districts to reflect the unique characteristics and challenges of the Henderson Inlet and Nisqually Reach watersheds.*

Action: Create two separate districts based on watershed boundaries.



Work approach for Phase 1

Goal: *Correct known sources of fecal coliform.*

Actions:

Failing septic systems

The Environmental Health Department will continue its current program:

- ◆ Identify and correct failing systems by using complaints, evidence of failed systems, voluntary inspections, and existing permit-review processes.
- ◆ Provide loans to help qualified homeowners repair failing septic systems.
- ◆ Ensure that septic system owners are properly operating and maintaining their systems in accordance with their operational certificates.

Stormwater

- ◆ Continue building capital projects within shellfish watersheds. Also continue to operate and maintain existing county-owned stormwater facilities within the watersheds.
- ◆ Focus public information and education programs on methods residents can use to help reduce the amount of fecal coliform bacteria that ends up in stormwater runoff.
- ◆ Explore innovative project solutions aimed at reducing the amount of fecal coliform bacteria that is transported in stormwater.

Land use

- ◆ Continue improving enforcement of, and compliance with, existing land-use regulations and permit conditions.

Agriculture

- ◆ Encourage farm owners to voluntarily use best management practices.
- ◆ Promote compliance with existing regulations and the county's nonpoint pollution ordinance by following up on complaints and acting upon existing agreements between the Thurston Conservation District, the state Department of Ecology, and Thurston County.

Why No Major New Initiatives in Phase 1?

The majority of people who have shared their views on this issue feel Thurston County should make the best use of existing rules, programs and revenues – and better pinpoint the sources of contamination – before launching any major new initiatives. This is the basis of Phase 1.

Once Thurston County has fine-tuned its existing programs and done more testing, the public said, the county should work with residents to revisit whether new programs and revenues are needed. This process will forge Phase 2.

Put another way: Phase 1 is a launching pad that allows Thurston County to comply with state legal deadlines for creating the districts, while honoring the desire of residents to “respond swiftly and proceed deliberately.” From this Phase 1 launch, residents and the county will then prepare for a more targeted and researched response in the future (Phase 2). Much work has been done; more work lies ahead.

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Goal: *Do not increase taxes or fees, or add more regulations, until Thurston County has more information to effectively target nonpoint sources that make a difference.*

Actions:

Testing

- ◆ Sample storm events in Henderson watershed and in Woodard and Woodland creeks.
- ◆ Sample McAllister Creek again.
- ◆ Identify fecal coliform sources through DNA testing in both watersheds (Henderson in 2001 and McAllister in 2002).
- ◆ Ecology is coordinating water quality studies with the county in both watersheds.

Goal: *Continue public involvement.*

Actions:

- ◆ Route land-use development proposals to interest groups for review and comment.
- ◆ Build a public involvement plan before moving to Phase 2. This will help ensure the public remains involved in the decision-making process.

Goal: *In concert with the public, develop a framework for Phase 2 while the first phase is underway.*

Actions:

- ◆ Report test results.
- ◆ Develop Phase 2 work program.
- ◆ Develop funding options.
- ◆ Decide how to continue public involvement in district issues.



Phase 2

To be developed, with involvement from the public, after Phase 1 is underway. Phase 2 might involve refining boundaries (if necessary), and taking new actions to reduce fecal coliform bacteria. (Note: This section has been strengthened in the draft ordinances and work plans. See below.)



How the Ordinances Repond to Comments From the Oct. 1 Meeting

What we heard

Recognize the original response strategy written by state agencies, Thurston County, and the Puget Sound Action Team. (State law requires these agencies to meet and write an initial response strategy whenever the state Shellfish Protection District law is triggered.)



The draft ordinances

This is not addressed in the draft ordinances, however, the Board of County Commissioners will re-examine the response strategy and respond to its writers shortly after the district boundaries are formed.

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How the Ordinances Respond to Comments . . .continued

What we heard

Thurston County must involve the public early, and throughout, Phase 1 to make sure residents' views are always woven into the ongoing shellfish-protection district effort.

Better define what Thurston County intends to accomplish in this process.

Better refine the purpose of Phase 2, and ensure it includes a timeline.



The draft ordinances



The Phase 1 work plans ("Exhibit B" of the ordinances) call for Thurston County commissioners to build a public involvement strategy to make sure the public remains involved.



The draft ordinances define the following broad goals:

For Henderson Inlet:

"...to address water quality problems...and to develop long-term strategies in an effort to prevent further commercial growing area downgrades and to improve water quality to increase the number of shellfish harvest days."

For Nisqually Reach:

"...to address water quality problems...and to develop long-term strategies in an effort to prevent further downgrades and to restore commercial shellfish growing areas."



According to the work plans, Phase 2 must include (but is not limited to) the following:

- ◆ Defining the sources of fecal contamination.
- ◆ Defining goals and objectives to address the problem.
- ◆ Determining which actions are necessary to address the problem.
- ◆ Crafting a timeline for implementation.
- ◆ Pursuing funding options (if needed) to implement a course of action.

The work plans also call for the Board of Commissioners to gauge the success of the county's efforts four years after the districts are created.

Why Are Shellfish Protection Districts Even Necessary?

Unacceptably high levels of fecal contamination in the Henderson Inlet and Nisqually Reach has prompted the state Department of Health to restrict (and in some areas, close completely) shellfish harvesting in the two inlets. This invoked a state law requiring Thurston County to create a shellfish protection district (RCW 90.72).