

MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes
October 30, 2006**

(Note audio tape (#3) dated October 30, 2006
counter (#) for exact details of discussion)

(This document is not intended to be a verbatim transcript)

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1. CALL TO ORDER

The meeting was called to order by Chair Bill Dewey at 6:00 p.m.

2. ROLL CALL

Members Present: Bill Dewey, Tim Wing, Diane Edgin, Wendy Ervin, Terri
Jeffreys and Jay Hupp.

Staff Present: Bob Fink, Barbara Adkins, Susie Ellingson, and T.J. Martin.

3. APPROVAL OF MINUTES

The minutes from the October 2, 2006 meeting approved as presented with the
following requested change:

Wendy Ervin requested a review of the tape for some missing language on page 7 in the minutes from the
September 25, 2006 minutes. Staff will review and bring back for approval.

(#0795) on page 9 should read: 'Terri Jeffreys added that she is very disappointed with the consultants and
she feels like the PAC was not given very much option or alternatives'.

4. NEW BUSINESS

(#0250) Barbara Adkins opened the public hearing on the Parks and Recreation Comprehensive Plan. I'm

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here with John Keates, Parks and Trails Director, and members of the Parks and Recreation Advisory Committee. (*Members introduced themselves*).

(#0300) Arvilla Ohlde of the Advisory Committee spoke first. She paid appreciation to the team. There was unbelievable amounts of knowledge and contributions to this project. It is really an honor to work in the community that I live in. She expressed appreciation to the elected leaders of this county in that they could see this come to fruition. She also thanked staff for their work in doing it all in house. She said this plan is like a blueprint in that we listened to the public. We had public meeting, workshops, and initiated a countywide survey. She thanked the PAC for listening to them and going through with this document.

(#0375) John Keates, Parks and Trails Director, stated they had 623 surveys. There were nine members on our advisory committee and it was a great group to work with.

(#0385) Diane Edgin stated that it was a first for them to have the committee show for the hearing.

(#0395) Barbara Adkins stated that the purpose for doing this update is that our plan was ten years old and outdated. We want to use this plan as a guide for future development for parks, recreation, and next year, trails. We also wanted to satisfy our GMA requirements and having a Comprehensive Parks and Recreation Plan now brings us into eligibility for grants. The BOCC appointed a nine member committee to work with us and the community throughout the process. John has been taking pieces of the plan to them as it was done and working through it with them and ultimately putting it all together. There are eleven chapters. *Chapter 1 - Mission Statement*. 'Provide a diverse system of safe, attractive, and professionally maintained parks, trails, and recreation opportunities designed to enhance the quality of life for all who reside in and visit Mason County'. There's also an introduction that talks about all the health benefits associated with having trails and having good recreation and parks facilities in the county. The county profile goes over the history of the county with geography, climate, population and population forecasts. *Chapter 2 - Goals and Objectives*. They include Administrative, Tourism, Natural Resource, Water Access, Pedestrian Linkage, Coordination, and Security and Safety. There were several goals that were all addressed in that chapter. *Chapter 3 - Intergovernmental Coordination*. This talks about the management of parks and community services, campgrounds, trails, boat launches, facilities, recreation programs, and special events in addition to other programs. Coordination with the City of Shelton, the State, Shelton School District, and the Port. *Chapter 4 - Existing Facilities*. This discusses the existing facilities we have in Mason County. Mason County owns and manages 351.05 acres of developed and undeveloped park property. There are five types of park properties categorized as follows: Community / Neighborhood Parks, Regional Parks, Natural Areas, Special Use Areas, and Recreation Facilities. *Chapter 5 - Existing Operation / Park Maintenance*. This is a brief description of the existing operations and park maintenance and how it's organized. *Chapter 6 - Level of Service Standards Needs Analysis*. This goes over the LOS standards and needs analysis. Mason County incorporated the following elements into the planning process to determine park and natural areas needs. They compared other counties LOS standards, worked with the Parks Advisory Committee, took into consideration the results from the survey, park usage information and public input and miscellaneous factors from the workshops that we conducted. There are eleven community parks in the county consisting of 84.63 acres. Some of those include: Foothills, Shorecrest, Latimers Landing, Mason Lake, Phillips Lake, Truman Glick, Walker, and Menards Landing. Based on a demand standard of one Community Park within a five-mile radius of most residents, up to two additional park sites would be recommended for acquisition in Mason County. Existing inventory is 84.63 acres in eleven sites. There are 95.4 acres proposed by 2012 of community parks and 165.3 acres proposed by 2018.

(#0555) Wendy Ervin inquired about the difference in present demand standard of 1.59 and recommended demand standard of 1.57.

(#0560) John Keates responded it has to do with the increase in population. There would be a recommended increase in acreage because of that.

(#0580) Terri Jeffreys inquired about the six year plan.

(#0590) Barbara Adkins explained that the parks plan is updated every six years to be eligible for grants.

(#0600) Terri Jeffreys further inquired beyond the parks planning cycle shouldn't it be more in line with the

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Comp Plan for a twenty-year cycle.

(#0610) Barbara Adkins explained it still would have to be addressed every six years regardless of whether it goes out twenty years or not. There are three Regional Parks totaling 151.87 acres within the planning area. Those are Mason County Recreation Area, Oakland Bay Park, and Sandhill Park. There is a fifteen acre circle drawn around each of these. Proposed inventory by 2012 is 208.8 acres is recommended. In 2018, 233.16 acres is recommended. Mason County owns and manages four sites as Natural Area Open Space. They are: Foothills Park, Harstine Island Park, Mason Lake Park, and Watson Wildwood Park. There we have a present inventory of 113.9 acres. Additional acreage needed by 2012 is 400 acres. Additional acreage needed by 2018 is 452.8 acres with a total acreage of 566.7 acres. Mason County has two Special Use areas managed by the Department of Parks and Trails. They are: Mason County Skate Park and Hunter Park. There is a present inventory of .65 acres. Proposed 2012 inventory is three sites with a total of .5 - 1 acre. Recreation Facilities categories include: baseball fields, softball fields, soccer fields, regional trails, local trails, water access, children's play areas, and tennis courts.

(#0700) Diane Edgin inquired about the Harstine Island Park and wouldn't that be better served by calling that a Special Use area if the theater goes in.

(#0710) John Keates stated there is a provision in the plan that if something did go in there like a theater it would be reclassified to a Special Use area.

(#0750) Barbara Adkins continued on with her presentation. *Chapter 7 - Level of Service Strategies*. This discusses proximity standards and development and / or acquisition strategies for the above mentioned categories including improvements to other parks and trails. *Chapter 8 - Prioritization*. This discusses criteria used to rank and schedule projects using the current level of deferred improvements or safety concerns, type of project, results of the 2006 survey, availability of funding, grants and cooperative agreements, ability to comply with ADA standards, and potential for active involvement of citizen groups, nonprofit organizations, and other agencies. Priority by project type is discussed using improvement to existing developed sites, development of undeveloped sites, acquisition of new sites that serve geographic equity needs, and development of new sites that serve or meet geographic equity needs. *Chapter 9 - Survey Results*. This chapter shows the results of the survey that was put out in July and August of this year. *Chapter 10 - Project Funding*. This discusses the various financial tools that can be used for park and recreational services. They include a number of tools including private donations, Department of Ecology grants, general obligation bonds, short term special levy, transfer of development rights, and various levies and programs. *Chapter 11 - Capital Improvement Projects and Cost Estimates*. There is a master list of the parks capital projects from 2007 - 2012, including a section on projects beyond the initial planning period from 2013 - 2018. There are project descriptions and estimated costs and possible funding sources. There are also cost estimates for each park or project. The plan is pretty detailed and extensive. Barbara explained that there were a few grammatical edits from the draft before them and handed out the new draft. Barbara also handed out comments that were received from Terri Jeffreys.

(#0900) Bill Dewey opened up the hearing for public comment. Bill asked for the record to reflect that there was no one here tonight to offer public testimony. The public comment period was closed.

(#0960) Wendy Ervin inquired about Shorecrest Park and wasn't the name of it Jacoby Park.

(#0975) John Keates responded that some people call it Shorecrest Park and some people call it Jacoby Park. Everyone in our office calls it Shorecrest Park.

(#0990) Wendy Ervin stated that she has spoken previously at the PAC meeting about trails and bike trails. She has continually stated that the idea of having bike lanes on the roadbed is extremely dangerous. She explained that her daughter works in the medical examiner field and they call those 'donor lanes' because that's where you get your organ donors. She showed a picture of what happens when somebody is riding in a 'donor lane' and gets caught between two trucks. This is what we're planning and here on page 72 it says 'Part of the completed trails plan should include potential bicycle routes throughout Mason County. All bicycle routes should be designed by signage, and be striped as bike lanes if the road in question has the necessary right-of-way width and is free of on street parking. These bike lane projects should be

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implemented whenever their respective roadways are resurfaced'. So it's clear that the plan is to put bicycles in traffic. If you're interested in tourism and interested in people who are tourists coming here to enjoy biking, I'm not putting my grandchild on a bicycle to play in traffic. They have to be off the road. She stated that she strenuously objects to that whole paragraph in the plan. Thurston County has it all over the place, but drawing a little picture of a bicycle doesn't make anybody safe. It actually endangers people because it gives them a false assurance that this is okay. I see bicycles all over the place and they're on sidewalks because they have more sense than to get on the roadbed and play in traffic. This one paragraph is foolish and creates a hazard and it creates a hazard for the county because by lining that roadbed and putting a little bicycle symbol you have an implication that this is a safe place to ride your bicycle. It's just a bad idea and you need to have your bicycle trails separated by a grass berm or whatever. The bicyclists need some measure of safety. A white lane doesn't give them any safety at all.

(#1150) A Parks Advisory Committee member responded that he lives on Highway 106 and he sees plenty of bicyclists going along there. There's no right-of-way and just a small line to pedal on. The professional bicyclists are going to bicycle wherever they can. It's a state highway and children should not be riding a bike by themselves there. In Seattle there's bicyclists everywhere from the ferries to downtown to the bus zones. If you want to make a really boring bicycle trail then put them inland off the water and off the scenic routes. To rule it out completely would be a mistake.

(#1180) Wendy Ervin added that when you paint that bicycle on the roadbed you give a false assurance of safety. If you have no symbol painted on there those people who are cross country bicyclists, they know that they bicycle at their own risk. They're safer with no markings. They are going to be more attentive to what's going on if there's no bicycle painted on that trail. It's also better to just have them off the road.

(#1225) Diane Edgin stated that you'd almost have to write a state law to do that because technically bicyclists are supposed to obey the same laws as people who operate motor vehicles.

(#1245) Wendy Ervin responded that Diane has said to her before but a kid that gets a bike for Christmas has not gone and taken the same drivers test that the kid who gets a car for his 16th birthday. So you've got an awful lot of unlicensed, uneducated people out there and they're the ones that ride bikes the most.

(#1266) Bill Dewey stated that there's a transition when you go from a rural county to more urban settings where you will see more of these trails and bicycle use.

(#1280) Wendy Ervin stated that Thurston County has invested an enormous amount of geography, acreage, and money to have these bicycle lanes and sidewalk on both sides of the road and the bicyclists don't use the bicycle lanes; they're on the sidewalks.

(#1300) A Parks Advisory Committee member stated that with some of the transportation funding these days you get bonus points for putting in non-motorized vehicle lanes with roadways. The right-of-ways and easements are already in place and they leveraging that to get a recreational element out of that so they don't have to go and buy a lot of property.

(#1335) Wendy Ervin stated that she has no objection to bicycle lanes, but she has an objection to putting them in an area that puts the bicyclist at risk.

(#1340) Tim Wing suggested the committee might review this issue and see where there might be opportunities to have protected lanes and wouldn't cost too much more money. Tim agreed that this is a point well taken but only a small element of this whole plan.

(#1350) Barbara Adkins also added that the county will be addressing trails next year so that would be the appropriate time to get specific on trails.

(#1360) Wendy Ervin stated that the plan calls for two more tennis courts. She inquired about the tennis courts up at the Port and whether they're available for use.

(#1385) A Parks Advisory Committee member responded that they haven't been maintained for years.

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(#1400) Wendy Ervin added that Shelton, at one time, had more tennis courts for this city than any place else in the state. The tennis finals were actually held here because there were 39 public tennis courts.

(#1425) Jay Hupp stated that it is the Port's property and they have been working in the direction of eliminating recreational facilities on that Port since it became a Port as such. Under Washington State court law Ports are not allowed to maintain or facilitate recreational activities. You would probably need to have a meeting with the Port commissioners.

(#1450) Terri Jeffreys discussed her comments. She stated that Chapter 2 shows generalized goals and objectives but it frustrated her because when you get that general you don't have specific action items to move towards. In the Needs Assessment are recommendations, laying out the plan to move forward, and she inquired whether it would be possible to take out those recommendations and place them in Chapter 2 under the appropriate goals and objectives as specific strategies. An example would be saying that you have need for a park in the southwest area, then wouldn't that be one of the recommendations under acquisitions to do the scoping project to acquire property to fulfill that gap in our service needs. She stated it needs to be a working document by taking all that information and recommendations and moving them into target strategies to meet our objectives and goals in Chapter 2.

(#1500) Arvilla Ohlde of the Parks Committee stated that what you're trying to do is you are trying to be specific in some ways but you're also going to want to have an ability to have opportunities come your way. You won't know those definitively each time so I think you're correct when you look at the goals and then you walk yourself through that process and then make a work plan. Take it from the general to the specific as a strategic plan for a year or so. She stated she has seen where opportunities have come along and if you got too definitive you couldn't accomplish it. You want to allow yourself some latitude to have the ability to know this is a Comprehensive Plan and then you can narrow down the vision by a work plan.

(#1575) Terri Jeffreys stated that she disagrees. We do suffer from having distraction in keeping focus. Other opportunities do come up and you've been very adept at doing regulation change and Comp Plan changes. We're going to put together a LAMIRD in a couple of short weeks. We've learned how to get around that. She states that she feels the needs assessment information is buried and should be pulled out. The assessment should be part of an appendix. Regarding the LOS, it seems that we identified what we currently have and divided it by population and then set those out as LOS standards. Then there's a couple of places where they were upped without a real explanation of why.

(#1625) A Parks Advisory Committee member responded it was based on public input from the surveys.

(#1650) Terri Jeffreys stated that's another place to identify how we set our LOS standards in Chapter 2 as opposed to in the Needs Assessment discussion and that way it's policy.

(#1675) John Keates responded that the LOS was probably part of the plan that we had the most time wrestling with. In most cases we established the LOS based on what we have now and based on the population growth. Some other levels were set by comparisons with other counties. It was a challenge to put those together and we didn't want to set something that was too low. We really did our best effort to try to be realistic about what the public says we need and what hopefully we can achieve.

(#1695) Terri Jeffreys inquired if they would be able to pull it out and put it in Chapter 2.

(#1700) John Keates responded that before we started on this project we got at least 4 or 5 plans and looked at how they were structured and each seemed to flow in the same way set this plan up. In terms of how it was structured a lot of that was based on other plans.

(#1750) Terri Jeffreys noted that there was a goal that we would have certain kinds of parks accessible to people within a 5-mile, 10-mile and 15-mile radius, but we don't have anything in our projects and planning goal that identifies that and it needs to be added on page 10. A really important and key funding opportunity is a Metropolitan Park District. It's mentioned way in the back but not up in Chapter 2. On page 12 under Multiple Use Goal what does 'resource effective' mean? That needs to be restated. We need to talk about what type of service parks availability there is throughout the county and how we're going to meet that. On

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page 12 in the Tourism Goal you talk about wanting to attract sports tournaments but again specificity is real important here. What types of sports tournaments could we truly attract given the facilities we have? Maybe just to keep it at soccer and softball because that's what we have. The survey says that people want water access and our Water Access Goal doesn't talk about how to guide acquisition opportunities and how to meet that service gap.

(#1950) Wendy Ervin inquired about the Washington State Fish and Wildlife listing on page 22 and if there was a way to put picnic tables there.

(#1965) Arvilla Ohlde stated you would have to look at the underlying deed to see if there are restrictions for that.

(#1985) John Keates explained that one question in the survey asked about water access and where would they like to see additional water access. When we got the results it was like almost every conceivable water body in the county was listed. Combine that with the fact that we now know that's a very hot item with the public but in reality we don't have, at this point, any specific answers in terms of where we can increase water access like swimming. In time that's going to crystalize.

(#2040) Diane Edgin stated that there's been a lot adjacent to Latimer's Landing for sale for a number of years. About ten years ago the county was going to buy it and it was \$100,000 but there wasn't any money in the budget for it. That could be used as another ramp to launch boats from, as a fishing dock in this county for people to go to.

(#2055) John Keates responded that it's for sale right now for \$475,000. That facility is slated to be improved next year.

(#2100) Terri Jeffreys reiterated on the Parks Financial Objective that it would be more helpful if there was some criteria around determining what funding sources could be utilized.

(#2125) Tim Wing inquired what direction this plan would go and if a year from now it would be changed or what.

(#2165) John Keates responded it is a work in progress. John explained he came on board May 1st and started the plan then and it is the best plan for the time that we have. This plan can be amended at any time.

(#2210) Tim Wing inquired if the Parks Advisory Committee was in agreement with this plan.

(#2220) The response was they were in agreement with the plan and they had just numerous conversations along with an understanding and a learning process along with it.

(#2240) Tim Wing stated that it's great to see a group of people that have as much background as you do to come up with an initial plan like this. There's interest in participating and trying to encourage continued evolution of the plan, especially in areas that might need that. This is a lot of work and you've done a great job.

(#2275) A Parks Advisory Committee member stated that there is talk of having a permanent committee with trails planning happening next year. He stated he was so impressed with John and with his knowledge of parks planning. John really reached out to us and used the survey to get up to speed in a short time on what the needs were for this county.

(#2310) Tim Wing stated he wanted to underscore his concern about Mason County and getting anything done in this county or with any group. My view is that when you get a group of people together who spend as much time working on something like this and then come together with it with an idea that works, they can make that work for them. This is an excellent start and there are things that have been discussed that are probably important to consider as this evolves but it's a very good start. You are one of the strongest citizen committees I've seen in the county in a long time.

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(#2355) Jay Hupp echoed what Tim Wing stated. It's come together as a very good plan and obviously a lot of work has gone into it. You should be commended on the way you put it together along with the public participation. The way you got the public input was the important thing. Jay did comment on Wendy's discussion on the bicycles. He stated he would like to see the second and third sentence in that paragraph on page eliminated at this point. Maybe sometime in the future you can come up with the wording that makes the way we put bicycles authorized on the roadways for Mason County safer.

(#2400) Bill Dewey added that maybe some additional guidance as far as trying to avoid mixing the bicycles with the traffic.

(#2425) Wendy Ervin inquired if there was a chart of information for tourists to guide them to these parks and amenities.

(#2500) Arvilla Ohlde responded that when the committee did the survey a lot of the people who live in Mason County didn't know where the parks were. That was a real eye opener.

(#2540) Diane Edgin stated the county needs designated dumping areas for RV's. It does attract people to an area.

(#2600) Bill Dewey complimented the advisory committee for their work. We're in admiration of the citizen input you got. If we could get that kind of feedback with all the issues that we deal with here at the PAC we would be doing great. Bill stated that he works for Taylor Shellfish Company and he has a selfish interest in shellfish, especially dealing with water quality. He expressed concern about the fact that the number one response from the survey was development of waterfront parks and improve water access. There really isn't anything in here addressing adequate human waste or animal waste facilities at the various parks. He noted that over 50% of the respondents, 321, wanted restroom improvements in the parks. That tells me that maybe what we have isn't adequate out there but as we move forward we should be concerned about that. The Oakland Bay site, in particular, is a priority for development and water quality in the bay is on the edge right now and we don't need any additional sources polluting out there. In fact, Bill stated that the industry would be more than happy to partner with the county in developing some informational kiosks about shellfish farming and the importance of water quality. I believe shellfish aquaculture is the second largest private employer in the county. We depend on that industry for supporting our local economy and we need to try to protect that water quality. Bill stated that he thought something regarding that might be best put into the Maintenance and Renovation Goal on page 14. Or maybe it needs to be a separate goal all by itself. I'll leave that up to staff. The verbiage might include providing adequate sanitary services for human and pet waste. There also needs to be boat pumpouts, particularly if you're thinking about water trails. Bill stated that Tim has been great about raising the issue of transportation infrastructure in the UGA's and coming up to standard with the growth we're trying to put into those. We've got a challenge in this county that we're not getting the population into the UGA's like they're supposed to under GMA. Having adequate parks and recreation facilities could actually be a draw and are we working on that in our parks plan to encourage those types of facilities into the UGA's so people are drawn to those areas. It might be appropriate to insert something under Projects and Planning Goal under Project Planning Objectives on page 10. The verbiage might include providing parks, trails, and recreational facilities in Mason County UGA's to adequately service those areas. Bill also added that it came up in the surveys that is great is that people would like dog parks .

(#2650) Wendy Ervin stated that when Allan Borden was pushing for trails she made the point that it is good to have some place to take their dogs.

(#3000) Arvilla Ohlde commented on the dog park issue. This county has so much water access and shellfish beds and that's a real critical thing to make sure you do the right thing when you talk about dogs and that water access.

(#3050) Bill Barker of the committee commented that he got involved with this group because he saw something happening in Thurston County, where he used to live ten years ago. He now lives in Mason County. He stated there is a nature trail in Thurston County that has a beaver pond surrounded by wetlands and there's a beautiful creek that comes up from Mud Bay and the salmon come up it. It's called McLane Nature Trail. Being from New Jersey it struck him to see something so beautiful so close to our state capital.

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He frequented the park with friends and family. Every once in a while he saw people walking there with their dogs. Last year he went there and saw that this beautiful natural wetland area has turned into a dog park. Lots of people bringing their dogs, with most of them not on leashes. This nature trail is run by DNR. He said he investigated this and even wrote to Doug Southerland regarding this issue. There is some sort of law constraints so that place is now literally and figuratively going to the dogs. I don't like that, and I love dogs. I just don't think they belong everywhere. One of the reasons I'm involved with this is that I want to see Mason County be aware of that. Dog parks should be incorporated into the plan but I don't ever want to see what's happened to that nature trail happen to Oakland Bay Park. Not only is there a problem with the waste but there's an affect on wildlife. Also, some people don't want to particularly see dogs and other people don't want to be attacked by a dog should they not be on a leash. We need to rethink what pet policies are in open land areas. Dogs don't belong everywhere.

(#3450) Bill Dewey asked the PAC what they would like to do with this as far as a recommendation. Terri has raised some significant concerns with it as it stands. I've offered a few comments and tried to offer some potential specific language that might be inserted. We may be able to come up with some amended language for the bicycle trails to address Wendy's concerns.

(#3500) Tim Wing inquired if this doesn't get passed right away what would be the affects from that.

(#3510) Barbara Adkins responded that there's a deadline from the state.

(#3520) Terri Jeffreys inquired if this was part of the Comprehensive Plan.

(#3525) Barbara Adkins responded that it was.

(#3530) Terri Jeffreys inquired where the deadline for the six-year update comes from.

(#3535) Barbara Adkins responded that is an IAC deadline for grants. They won't consider a plan that isn't six years or younger when they're giving out grants.

(#3570) Bill Dewey inquired if John and Barbara could get some of the comments incorporated and sit down with Terri and discuss her concerns fairly easily and bring it back to us. We may want to continue the hearing.

(#3600) Terri Jeffreys stated that her comments are not intended to hold this up. She stated it is a way she would like to see us start moving our Comprehensive Plan in. She stated she doesn't want to hold anything up, especially if there's grant money out there.

(#3650) Barbara Adkins stated we could continue it until December 4th. John and I can go over your comments with you and give you a revised version at that time. We would still have enough time to get it to the BOCC.

(#3675) Tim Wing made a motion to continue the Parks and Recreation Plan until the December 4th meeting.

(#3680) Jay Hupp seconded the motion.

(#3685) Bill Dewey inquired if there was any more discussion. Hearing none, the vote was called for and the motion passed. The PAC thanked the committee for their work.

(#0070) Bob Fink opened the hearing on the Critical Areas Ordinance, specifically pertaining to Wetlands and the Fish and Wildlife Habitat Conservation Areas. Bob updated the PAC on what has happened on these issues since the last meeting. There were workshops last week on these issues. They were pretty well attended. In those workshops we wanted to explore what it is the stakeholders are looking for regarding the process and where we go from here. Some of the comments were fairly broad and we were looking for specific things we could respond to in a relatively short period of time. The county needs to take action on these issues by December 1st. We discussed what we can do in the future, not necessarily what we're going to do between now and the end of the year. One of the principal concerns was how do we accommodate growth in the urban areas. These regulations will have some impact on what you can do with certain

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properties where there are wetlands in the urban areas. The urban areas were sized based on the regulations for wetlands and other critical areas that are known. The county regulations rely on a site by site determination of whether there's wetlands. What really matters is where that is on the ground and not on the map. Looking at the advice and guidance from DOE the way this can be addressed is to do a more specific review of the urban areas so that you have a better understanding of what is there and come up with an area wide approach for mitigation and development. This is discussed in the guidance document. The best way to address the issues of buffers in urban areas is to conduct a landscape analysis and develop a sub-area plan that identifies, prioritizes, and protects the most important wetland, riparian and upland habitats. Maintaining and restoring connections between these habitats is key to protecting wildlife. The landscape analysis can help identify existing connections and should be protected as well as those areas where connectivity can be restored combined with standards for low impact development and state of the art stormwater management. This kind of approach could result in smaller buffers around other critical areas that are not providing vital habitat. That is something we can work towards.

Bob distributed a set of written comments that have been received regarding these issues. He also handed out a letter he prepared for Brandon Houskeeper who is with the Olympia Master Builders. Brandon had inquired what our BAS was before he made too many comments. We're dealing with both the Wetlands and the Fish and Wildlife Habitat Conservation Areas. They're different as far as the record goes as I reviewed it. The Wetlands is one of the older critical areas ordinance that was resolved several years ago, whereas the Fish and Wildlife Ordinance was resolved in 2003. The record we principally relied on for the Wetlands draft is the DOE guidance document, which is a two volume set. We have the work the consultant did at the county's request. The changes in the Fish and Wildlife Ordinance were not significant. The buffer widths are not changing that much in most circumstances. The existing ordinance was reviewed under BAS. We have BAS reports that go back to 1998. There is a sequential series of steps where some issues would be raised, there would be a review, meetings of stakeholders, meetings of scientists, public hearings with testimony, and a decision made to adopt a particular proposal and then some aspects of that proposal would then be remanded. Before the county adopted 150 feet for Type 1 and 2 and 3 buffers, it had adopted 100 foot buffers, increasing it from what it was previously. That was remanded and that was later increased. The same way the buffer on the marine waters was taken from zero to 100 feet through that amendment process. It's been an incremental series of increases. There was actually a six-year process of BAS review, public testimony, committee meetings, PAC meeting, and BOCC meetings all that lead up to what our current Fish and Wildlife Ordinance is. In the Wetlands, there was a lot of that that went on but the BAS requirement wasn't put in place and adopted until about the same time the final version was adopted. What we're relying on is new conclusions and discussions and the guidance document. There is all kinds of science presented and all kinds of alternatives discussed and that is all part of the record. When you make your final decision, you state why you went with a particular alternative.

The BOCC is interested in being able to consider this issue by the statutory deadline. What we propose to do is bring back to you on November 6th our responses to the different comments we have received. It will probably take the form of different alternatives for you to consider on different sections. We would ask you on November 6th to make a decision of what you think is the best that is presented to you. There won't be a lot of opportunity for the public to review it prior to you making a decision. We would ask you to leave the record open so people can provide testimony. There will be several weeks prior to the BOCC hearing to review the documents and testify before the BOCC at their hearings.

(#0700) Bill Dewey stated we're leaving the public testimony open until November 6th and he inquired when the public will see a revised draft.

(#0710) Bob Fink responded not until November 6th. The PAC will receive it as soon as possible.

(#735) Bill Dewey stated he is concerned about that from the standpoint that there isn't adequate time to review it.

(#0750) Bob Fink responded the public will have a chance to review the document and formulate their comments and present them to the BOCC at a later date.

(#0760) Jay Hupp stated we don't have to forward a recommendation to the BOCC at all. If we don't have

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adequate time to address it we might not have a recommendation for the BOCC.

(#0775) Bob Fink added that if you feel there are issues that are open and unresolved you can say you don't have a recommendation regarding certain issues. We're essentially running out of time. We want to get it in the hands of the BOCC as soon as possible.

(#0800) Bill Dewey inquired if the issues can all be addressed in such a short period of time.

(#0810) Bob Fink stated that there are complaints about the public process and suggestions that we don't follow the statute and try to act by December 1st. We can't change the past and we can't change the statute so this is the situation we're in. If the BOCC feels there are serious objections made, they can delay action but they want to make that decision themselves.

(#0830) Bill Dewey stated he would strongly encourage staff to try to prioritize getting out whatever revisions or alternatives to us as soon as possible including mailing it to all the stakeholders that have been interested.

(#0840) Bob Fink responded that we will certainly try to prioritize that with our consultant.

(#0900) Wendy Ervin noted that there are a number of issues that are being driven by the calendar and inquired if other counties different. She inquired if all these things were mandated.

(#0950) Bob Fink responded that every county is unique. Some counties acted on their issues in time and some were successful and some were remanded for changes. Thurston County didn't act on time. The City of Shelton is still looking at their Comprehensive Plan update from last year. Their grants are being threatened because they're not in compliance with the GMA. Realistically what are the consequences? Just because I discuss the consequences doesn't mean I'm advocating this as an alternative. The consequences are that if you don't adopt these regulations when you're supposed to then any party could bring a failure to act petition to the GMHB and the county would had no defense. As far as the CAO's we're doing what is required.

The question arose when DOE did their review and developed their new categorization system did they look at wetlands in Mason County. The answer is they did. They looked at 4 wetlands in Mason County. They looked at 122 wetlands in Western Washington. When they calibrated their rating system, 58 of those 122 wetlands ended up with the same category; 43 wetlands had a lower category of the revised version, and 21 wetlands had a higher category under the revised version. One of the reasons why the wetlands changed so much between our previous version and the current version is the guidance for wetlands has changed by the inclusion of habitat consideration. They look at the landscape, the environment in which the wetland sits and they evaluate whether the habitat value of that wetland in that larger system is high, or low, or medium. In the case of a wetland that has a high habitat value, even though the category might a lower category wetland, it might still end up with a larger buffer if it has a high quality habitat. That wasn't considered in the older version.

(#1200) Lisa Berntsen of GeoEngineers, Mason County's consultant, added that when we talk about a lower category we typically say that it goes from a 2 to a 3. I think that might be confusing. When you lower your category you're actually going from a 1 to a 2 which is more restrictive.

(#1250) Tim Wing inquired if his interpretation was correct in that 58 stayed the same and 48 got easier to deal with and 21 got higher.

(#1275) Lisa Berntsen stated that was her interpretation.

(#1300) Bill Dewey opened the hearing up for public testimony.

(#1350) Matt Matayoshi from the Economic Development Council testified. He stated they have followed this process as closely as they could. They have been involved in every public outreach opportunity that has been available to us. He stated he has spent extensive time researching this subject. He's talked with other jurisdictions and his conclusions and questions are founded having spent many hours on this subject. He stated that science, in addressing wetlands, supports that 95% of the benefit to a setback comes within the

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first 100 feet or so, yet the proposal that's in front of you requires up to 250 foot setback for category 1 wetlands, depending on the function and value of the wetland. This is somewhat confusing. The statute lays out quite clearly what BAS is and the criteria for that, and it isn't always material that is provided by DOE yet the state agencies have put quite a bit of pressure on local counties to utilize the documentation and resources they provide. With BAS, the first criteria is it has to be peer reviewed and secondly that it's published. It does not say it has to be approved by one state agency or another. The approach that Mason County is using seems to be based on what worked in Kitsap County and what was approved. In jurisdictions throughout this state the question always comes down to will this pass the muster of the GMHB. The question that should be asked is what is BAS and what is the best for our individual communities. That is not what's being asked. Non-conforming uses; there are a number of businesses and homes in the county functioning today. If they are relegated to non-conforming use that will diminish the value of the property and make it difficult for refinancing, selling and the ability to rebuild if they're damaged in fire or another disaster. Within our UGA's what mechanism is available for us to grow more densely in regards to wetlands. Will there be a mitigation plan included in this CAO update that allows us to build where the utilities are? Matt gave an example of a property behind Walmart where you might be able to build out 15 acres of the property and when you get down to it when you put in 250 foot buffers around those wetlands it significantly diminishes the property that you're available to develop. If we adopt the current CAO without a mechanism to address wetlands in our UGA's and building at urban densities, we're falling short of the mark.

Regarding the Fish and Wildlife section, there's one addition proposed. There's an area for a special salmon buffer. It's well beyond anything we have now. He inquired what the reasoning for that and suggested that be taken out of the Fish and Wildlife section. F & W's comments where they raised concern about development on waterfront, Mason County supports development of existing lots contiguous to other development in that new construction can have the same setback as existing development. F & W says this does not appear to be supported by BAS and would likely result in a net loss. F & W and DOE, unless we move in the direction that they are working the communities towards, we can count on them coming back and possibly going to the GMHB on issues such as that. If we were to ask CTED for an extension on these issues what would their response be? Matt shows the PAC several maps of the streams and wetlands.

(#1800) Tim Wing inquired about the ability to expand a home with a non-conforming use on a critical area. Our shoreline rules say you can now with a 10% footprint increase.

(#1825) Bob Fink stated that's why they proposed the minimum house size. If you have a 2,600 sf house you wouldn't be able to expand it further, but if you have a 1,200 sf cabin, then you could under the proposal that defines minimum uses. It's a management tool because we're talking about the developed shoreline with small lots and people who would be getting variances if it weren't for this provision.

(#1875) Miscellaneous discussion.

(#2100) Ken VanBuskirk from Belfair testified next. Ken stated that he is a member of the general public and he is confused. He did say he appreciated all the time the PAC volunteers towards these efforts. It's a noble planning effort to make nice buffers either for wetlands, buffers or open space, salmon bearing stream, or critical aquifer recharge area, however it is not responsible planning if we don't identify what it is that we're trying to protect. Last spring a lady from DOE put on a workshop here and said that identification and protection on a broad landscape approach is what needs to happen to be successful. So far that hasn't happened in the Union River Valley where I live. The county drew some lines on a map, called it a UGA, spent \$120,000 planning everything else except the identification of those critical areas. At one point in the planning process, the group suggested putting R10 zoning right up against the Davis Farm. My wife and I bought 10 acres to serve as a buffer to it. We played by the rules and with your help we were finally successful in getting a rezone request approved. A few months ago I saw in this very room a county map that identified a road that was called the Union River Bypass that was part of the TIPCAP planning list. The farm is a conservancy never to be developed. The county staff needs to be on the same page as well as the different advisory groups. The McKnight rezone that was withdrawn is now a pending development in the Union River Valley within the UGA. Now it's going to a Hearing Examiner. I looked at the map that staff had built for that request and it shows a nonexisting stream running through a house. Meanwhile Mr. Fink told us that there's only a few applications a year for work in buffered areas. There is only one enforcement person working for the county and I know of three examples of work done in buffer areas right up to the edge of the

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streams within a half mile of my home. The county can't enforce these regulations with only one enforcement person so people just continue not to get permits. Please include identification and protection of these critical areas as the primary objective goal in all these ordinances that are before you. A strong enforcement policy and identification of these areas are key to all of this and I concur with the recommendations delaying adoption.

(#2300) Lisa Berntsen of GeoEngineers offered some comments. Back in June Bob and I went through a discussion of which elements we were proposing to make modifications to in both the Wetland and F&W Ordinance. With respect to wetlands, a RO was developed in terms of the wetlands ordinance. We had a one size fits all for each of the wetland categories. At that time that was how people did their wetland buffers. We recognized that all wetlands were not created equal and all category 2 wetlands don't look the same or feel the same or have the same functions or values. This has been a progression. In the beginning there was little protection, then we moved on to having some protection, and now we've taken a positive step forward in addressing the wetland buffer issue. Instead of having one wetland width per wetland category we have a number of different tables that describe different options and alternatives for buffers. One of the questions that came up in the last couple of weeks is why did you choose that alternative? Why didn't you choose something else? *Lisa showed the two documents put together by DOE for BAS.* It is their version of BAS. They reviewed 1,500 documents and that's what they came up with in terms of their science. About ten years ago we first did the BAS for wetlands for Mason County and we were literally scrounging up documents across the United States to try to come up with some information for buffer ranges. Since then DOE has more staff, time and resources so they produced this set of documents. Since then most cities and counties have been using these documents as their basis for BAS to start with because most cities and counties don't have the funds or resources to duplicate it or refute it. Some of the other options that were discussed was doing site specific work and take a look at what Mason County really looks like in terms of wetlands. With the timing of this process and the resources available that wasn't the approach that we were directed to take. We were directed to give us an approach that was better than what we had that moves us towards compliance and over time Mason County may choose a different way and update it. The buffers are increased for higher habitat values and they're decreased for lower habitat values. That was the premise for all that.

(#2600) Terri Jeffreys inquired if they were also increased for intensity of use.

(#2620) Lisa Berntsen stated that they were. One of projects that we worked on a couple of years ago before these documents came to help us was for the City of Tacoma. They said that they were an urban city and how were they to deal with these 300 foot buffers? We had to make sure that water quality and water quantity and stormwater is taken care of absolutely outside of those wetland buffers and then deal with those buffers in terms of what are you really trying to save there. Do you want elk tromping up and down the ravines of the City of Tacoma? No, so you probably don't need to have the big 300 foot buffers for protection of wildlife. That organization had a number of years to work on this process and the planning commission took years to work on the process to come up with buffers they were satisfied with.

(#2700) Wendy Ervin asked about buffer mitigation where you could provide shade in certain areas; manufacture what is necessary for the health of the stream.

(#2740) Lisa Berntsen stated there are provision in there to do buffer reductions and buffer enhancement so if you have a 100 foot buffer and you need to use a portion of that buffer you can do enhancement of the critical part of that buffer and get that buffer reduced.

(#2780) Diane Edgin inquired about wetland mitigation banking and is there anything set up where they could either buy something extra or put money into a pot where they would be able to enhance other buffers.

(#2800) Lisa Berntsen responded that there are mechanisms in place at the state and federal level to allow mitigations to occur. The legal definition of a mitigation bank is pretty onerous. There are a number of different steps to achieve that. Other places have land that they're calling wetland buffer set-asides so they don't get stuck with the wetland mitigation bank term and they're allowing developments to mitigate on those pieces of property. They don't have quite as many legal strings tied to them but the goal is that if you have a piece of property you need to develop you can fill that wetland or that buffer and you can mitigate for it somewhere else. We put some language in the ordinance that touched on the availability of considering that.

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(#2850) Tim Wing inquired about the maps that Matt had presented and the possibility of the 250 foot buffers and if we have any way to know how much of those areas that were shown are actually buffers, and not all of it would be 250 foot buffers. It seems it's very defensible to go before the GMHB and say that this could be a disaster for economic growth and in violation of some major parts of the GMA for us to do this. We need to know what impact this is going to have.

(#2875) Lisa Berntsen explained that no one has actually studied what it means on the ground in Mason County, especially given the fact DOE only had those 4 wetlands that they looked at in Mason County. The wetland buffers as they are now range from 25 - 125 feet. With the base areas that we're proposing in this ordinance went from 30 - 200 feet. Those could go higher or lower depending on the different ratings of the different wetlands. It does have an impact but exactly what that impact is per area is not known.

(#3000) Terri Jeffreys added that they could be higher given the fact we're a very rural county and there's a lot of high habitat quality.

(#3050) Lisa Berntsen stated this rating system in here is 95% the same as alternative 3 in DOE's rating system. The one area it is very different is DOE is proposing a base 300 foot buffer for category 1. We are suggesting a base 200 for that category.

(#3100) Miscellaneous discussion.

(#3200) Jay Hupp stated that what we need to focus on is the real impact of that map that has all the red lines on it. It really doesn't make any difference how wide you draw those lines. The fact of the matter is this entire county is covered by fish and wildlife buffer as a result of application for consideration for streams and for wetland areas. That's an issue that has not been addressed. When you said you couldn't lay a 300 foot corridor for elk in Tacoma you had the political clout there to say that. We have not had the political clout in this county to say that no one is going to jam down our throats to put in a 300 foot elk buffer down the streets of Shelton. That's what we're wrestling with.

(#3300) Terri Jeffreys stated the management zone approach would help us address this issue. She inquired why we didn't look at that as being an approach.

(3325) Lisa Berntsen stated that's alternative 4. Approach 1 is strict buffer widths for the different categories with no flexibility. Alternative 2 was based on land use intensity but it was also a strict number with no flexibility. Alternative 3 has the land use intensity combined with some flexibility for the habitat value for the rating system. What you're talking about with alternative 4 would be taking that one step further and applying the parts that Bob was talking about with respect to the UGA areas. That would be one other step beyond what we've already put together. Lisa stated she thought about that but we're already making big steps towards something with flexibility. If you want to move the next step further and see what that might look like with respect to the possible allowance within the UGA we can put that together.

(#3400) Tim Wing commented that maybe we could use alternative 1 on 40 acre pieces and bigger. Then say we're going to use what we've been proposing now for properties that are 40 acres and less in rural areas. They say we're going to use our old standards inside the UGA's. He inquired what that would be like.

(#3475) Lisa Berntsen responded that could be an option. The problem would be having BAS to support that. That would be a decision that the PAC and the BOCC could make.

(#3525) Miscellaneous discussion.

(#3700) Jay Hupp stated it is just beyond me how we could allow ourselves to be forced into implementing stricter regulations even if there is better BAS when we have not looked at the application of what we've currently got and how it's working.

(#3735) Bob Fink stated the best way to do the protections of these areas is by a site by site basis which might entail reviewing the entire landscape and then doing a site evaluation of that particular site and where it fits in the landscape. However, that is a very expensive process. For their project, Tacoma developed new

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information, they analyzed and studied the particular streams that were in the city and they did their homework and they came up with an approach that met the test. There's no BAS out there that says you need just a 50 foot buffer on a wetland.

(#0140) Tim Wing stated that they have all the staff scientists and doing their homework and they're ready to go to war about it so I don't think we're going to win on that. Tim did inquire if there was any opportunity to win on the idea that showing the maps and the UGA's and talking about the goals of GMA and taking the position that to do this is contrary to the goals of the GMA.

(#0160) Bob Fink stated that he can't say if it's ever been tried but we actually sized the UGA's by including a factor for critical areas. In Belfair almost 35% of the area was written off as critical area so if you took your approach successfully and said we're not going to protect the critical areas in the urban areas then they would tell us to reduce the size of the urban area by 35%. If we think this makes a major affect of the ability to develop urban areas, we can expand the urban area. We can say from this new BAS there's actually 45% restricted land in the Belfair urban area.

(#0200) Bill Dewey thanked Lisa for coming to the meeting. So we're continuing the public hearing and continuing to take public comment through the hearing on November 6th.

(#0235) Jay Hupp brought up the danger tree issue. He presented proposed draft language for the PAC and staff to consider and it will be discussed at the meeting on the 6th.

(#0245) Meeting adjourned.