

# 1 Environmental Summary & Fact Sheet

## 1.1 FACT SHEET

### Title and Description of Proposed Action

Pursuant to the Washington State Growth Management Act (GMA), the Jefferson County Board of County Commissioners (BoCC) is considering adoption of ten (10) individual amendment proposals to the 2004 Jefferson County Comprehensive Plan. Nine (9) site-specific amendment proposals (one of which is a Master Planned Resort (MPR)) and one (1) suggested amendment proposal (relating to implementation of the Industrial Land Bank provisions of the GMA, RCW 36.70A.367) comprise the 2007 Comprehensive Plan Amendment Docket, which is the "Final Docket" for this year's annual amendment cycle.<sup>1</sup>

This document is a combined Staff Report and State Environmental Policy Act (SEPA) Addendum for eight (8) of the nine (9) site-specific proposed amendments, as well as the one (1) suggested amendment proposal. The proposed site-specific MPR amendment will be analyzed in a separate Environmental Impact Statement (EIS). The MPR Draft EIS is hereby incorporated by reference to this 2007 Staff Report. The objective of this document is to analyze the proposed amendments individually and cumulatively with regard to Comprehensive Plan amendment criteria outlined in Jefferson County Code (JCC) §18.45 and potential environmental impacts under SEPA. Adoption of Comprehensive Plan amendments is a non-project action under SEPA and is not intended to satisfy individual project action SEPA requirements (i.e., the environmental review needed for future land use or building permit applications).

Following are brief descriptions of each of the ten (10) proposed amendments to the Comprehensive Plan that are the subject of this notice. Each case has a Master Land Use Application (MLA) file number for reference:

#### Site-Specific Amendments:

1. **MLA07-70**; Tukey Investment LLC; west side of Oak Bay Road, immediately north of the junction of Oak Bay and Old Oak Bay Roads; 20 acres (tax parcel number 921182003); RR 1:20 to 1:5.
2. **MLA07-79**; Janet Gillanders; Big Leaf Lane,

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<sup>1</sup> The 2007 Comprehensive Plan Amendment Docket was established by the Board of County Commissioners (BoCC) on June 18, 2007 following consideration of a Preliminary Docket containing twelve (12) items.

- west of US 101, north of Quilcene; 40 acres (tax parcel numbers 702113011 & 702113002); RR 1:20 to 1:5.
3. **MLA07-90**; Richard Broders and Broders Family Associates LP; west side of US 101 on the west side of Discovery Bay; 396 acres (tax parcel numbers 902124002 & 902121002 (partition)); request for Mineral Resource Land Overlay on CF 1:80.
  4. **MLA07-93**; Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); Clearwater Road, west Jefferson County; 42.91 acres (tax parcel number 412182020); RF 1:40 to RR 1:5.
  5. **MLA07-94**; Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); West of Oak Bay Road and north of Mats Mats Beach Road; approximately 120 acres (tax parcel numbers 921322002 (partitioned) & 921321004); CF 1:80 to RR 1:20 and RF 1:40 to RR 1:10.
  6. **MLA07-96**; Hill Timber and Bay Mountain Timber (Joseph D'Amico, authorized agent of property owner); west of US 101 in S11, T29N, R2W W.M.; 40 acres (tax parcel numbers 902111008 & 902114001); RR 1:20 to RF 1:40.
  7. **MLA07-99**; Sharon McCarthy; South Jacob Miller Road; 20 acres (tax parcel number 001081005); west of South Jacob Miller Road; RR 1:20 to RR 1:5.
  8. **MLA07-100**; Sharon McCarthy; South Jacob Miller Road; 20 acres (tax parcel number 001081001); adjacent and to the west of Jacob Miller Road; RR 1:20 to RR 1:5.
  9. **MLA06-87**; Black Point Properties, KMC, and W. Kaufman (Statesman Group of Companies Ltd., authorized agent of property owners); approximately 252.64 acres as 13 parcels in the Pleasant Harbor/Black Point area near Brinnon; east of Highway 101 and south of Black Point Road; RR 1:5, RR 1:10 and RR 1:20 to master planned resort.

Suggested Amendment:

10. **MLA07-104**; Jefferson County; initiation of the process and analyses necessary to designate up to two sites located in east Jefferson County under the Industrial Land Bank provisions of the GMA (RCW 36.70A.367) in order to provide additional employment opportunities for county residents.

<b>Proponent</b>	The Jefferson County Board of County Commissioners (BoCC) on behalf of the applicants for the nine (9) site-specific amendment proposals.
<b>Lead Agency</b>	Jefferson County Department of Community Development (DCD) Long-Range Planning 621 Sheridan Street Port Townsend WA 98368  SEPA Responsible Official: Stacie Hoskins, DCD Planning Manager (360) 379-4463  Contact Person(s): Karen Barrows, Assistant Planner DCD Long-Range Planning (360) 379-4482  or  Joel Peterson, Assistant Planner DCD Long-Range Planning (360) 379-4472
<b>Authors and Principal Contributors</b>	Jefferson County Department of Community Development Long-Range Planning
<b>Date of Staff Report &amp; SEPA Addendum and Brinnon MPR Draft EIS Issuance</b>	September 5, 2007
<b>Date Comments are Due</b>	For site-specific amendment proposals numbered 1 – 8 and suggested amendment proposal number 10 above: <ul style="list-style-type: none"><li>• Oral comments are welcome at the Planning Commission public hearing, 6:30 p.m., Wednesday, <b>September 19, 2007</b>, at the Chimacum High School Auditorium.</li><li>• Written comments will be accepted by DCD on behalf of the Planning Commission through 4:30 p.m. on Friday, <b>September 21, 2007</b>.</li></ul> For site-specific amendment proposal number 9 above (Brinnon MPR): <ul style="list-style-type: none"><li>• Oral comments are welcome at the Planning Commission public hearing, Wednesday, <b>October 3, 2007</b>, 6:30 p.m., at the Brinnon Community Center.</li><li>• Written comments will be accepted by DCD on behalf of the Planning Commission through 4:30 p.m. on Wednesday, <b>October 24, 2007</b>.</li></ul>

**Past Related Actions and  
Future Anticipated Actions**

The Planning Commission will hold a public hearing at 6:30 PM, Wednesday, **September 19, 2007**, at the Chimacum High School Auditorium and a public hearing at 6:30 p.m., Wednesday **October 3, 2007** at the Brinnon Community Center. In early November, DCD expects to transmit to the BoCC a final DCD Staff Recommendation together with the Planning Commission Recommendation for all proposals on the 2007 Comprehensive Plan Amendment Docket.

**Tentative Adoption Date**

A legislative decision from the BoCC on each of the ten (10) Comprehensive Plan amendment proposals under consideration is expected sometime prior to the end of the second week in December 2007. The meeting schedules and agendas for the Planning Commission and BoCC with regard to this Docket are available on a Jefferson County website dedicated to the 2007 Comprehensive Plan annual amendment cycle process. This website can be accessed from the Jefferson County homepage:  
<http://www.co.jefferson.wa.us>.

**Appeal Information**

Issues relating to the adequacy of this SEPA Addendum or the Draft EIS and other procedural issues may not be appealed under the administrative appeal provisions of JCC §18.40.330. Appeals of GMA actions (i.e., a legislative decision by the BoCC) are heard first by the Western Washington Growth Management Hearings Board.

**Location of Background  
Material and Documents  
Incorporated by Reference**

Background material and documents used to support development of the Addendum and DEIS are available for inspection from 9:00 AM to 4:30 PM, Monday through Friday, at the Jefferson County Department of Community Development, 621 Sheridan Street, Port Townsend WA 98368, (360) 379-4450. Appointments are welcome.

**Relation to Other Documents**

A series of documents have been prepared by or on behalf of Jefferson County to evaluate the impacts of the Jefferson County Comprehensive Plan and development regulations (i.e., the Unified Development Code (UDC) codified at Title 18 JCC), including amendments to both the Plan and UDC. These documents, listed in part 3 of this document, "Supporting Record, Analyses, and Materials," provide substantial background information and offer previous environmental descriptions and analyses. They are incorporated herein by this reference. The reader is encouraged to refer to these documents in conjunction with this document for a broader understanding of the issues and impacts analyzed.

In this document, descriptions of and references to the contents of the proposed amendments have been

provided to the greatest extent possible, but do not include all information from the Comprehensive Plan amendment applications. For a more complete understanding of the discussion presented within this document, the Comprehensive Plan amendment applications themselves should be consulted.

**Cost to the Public**

Copies of the 2007 Comprehensive Plan Amendment Docket DCD Integrated Staff Report and SEPA Addendum, or selected pages thereof, are available at cost from the Jefferson County Department of Community Development (DCD). The text and selected appendices are also available for free download on the DCD website dedicated to the 2007 annual amendment cycle, which can be accessed from the Jefferson County homepage: <http://www.co.jefferson.wa.us>. Copies of this document are available for inspection at DCD and the Jefferson County Public Library at Port Hadlock.

## 1.2 ENVIRONMENTAL SUMMARY

### 1.2.1 Introduction and Process

Jefferson County adopted a comprehensive plan pursuant to the Growth Management Act (GMA) on August 28, 1998 and substantively updated the Plan on December 13, 2004. The Jefferson County Comprehensive Plan is a policy document that guides growth and future land use decisions in Jefferson County. In each successive year since initial adoption, the County has conducted a Comprehensive Plan amendment cycle as provided by the GMA. JCC §18.45 is the set of development regulations adopted in December 2000 to guide the process for amending the Comprehensive Plan. The 2007 "Preliminary Docket" included twelve (12) proposed amendments. Consistent with JCC §18.45, all site-specific amendments (formal applications submitted in conjunction with a fee) automatically qualified for the "Final Docket." The Jefferson County Planning Commission heard testimony on three (3) suggested amendments on the Preliminary Docket and formulated a recommendation to the Board of County Commissioners (BoCC) regarding the composition of the Final Docket. The BoCC then established the Final Docket, declining to docket two (2) of the three (3) suggested amendments and establishing ten (10) as the total number of amendment proposals on the Final Docket (i.e., nine (9) site specific proposals (including the Brinnon MPR which is being addressed through a separate EIS) and one (1) suggested amendment relating to the establishment of up to two Industrial Land Banks as authorized under RCW 36.70A.367).

This document is an integrated Staff Report and State Environmental Policy Act (SEPA) Addendum. The object of this document is to analyze the proposed amendments individually and cumulatively with regard to Comprehensive Plan amendment criteria outlined in JCC §18.45 and potential environmental impacts as required under SEPA. The adoption of amendments to the Comprehensive Plan is a non-project action under SEPA, and the analysis presented in this document is not intended to satisfy individual project action SEPA requirements (i.e., the review needed for future land use or building permit applications). This is an integrated GMA/SEPA document that combines environmental analysis with a Staff Report offering a recommended action on each proposed Comprehensive Plan amendment. Guidance for preparing integrated SEPA/GMA documents is found at Washington Administrative Code (WAC) 197-11-235. The analysis in this document supplements the existing adopted environmental documents incorporated herein by reference.

#### 1.2.1.1 Adoption of Existing Environmental Documents

The following existing environmental documents have been adopted through legal notice published in the *Port Townsend & Jefferson County Leader* newspaper on September 5, 2007 (Appendix A):

- Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS, dated February 24, 1997 and May 27, 1998, respectively, examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
- The Integrated Staff Report and SEPA Addendum prepared for the 2004 Comprehensive Plan Amendment Docket by the Department of Community Development, issued on September 22, 2004;
- The Integrated Staff Report and SEPA Addendum prepared for the 2005 Comprehensive Plan Amendment Docket by the Department of Community Development, issued on August 3, 2005; and
- The Integrated Staff Report and SEPA Addendum prepared for the 2006 Comprehensive Plan Amendment Docket by the Department of Community Development, issued on July 19, 2006.

### **1.2.1.2 Incorporation of Documents by Reference**

The ten (10) Comprehensive Plan amendment applications themselves, including all supplemental information submitted with or associated with the applications, all supporting record, analyses, and materials listed in part 3 of this document, all Appendix Items to this report, and all other materials or documents referenced in the text within are incorporated herein by this reference, pursuant to WAC 197-11-600 and 635.

The documents listed in part 3 of this document, "Supporting Record, Analyses, and Materials," provide substantial background information and offer previous environmental descriptions and analyses. The reader is encouraged to use existing documents in conjunction with this document for a more comprehensive understanding of the issues and impacts analyzed.

Moreover, to the greatest extent possible this document includes descriptions of, and references to, the content of the ten (10) individual proposals, but these descriptions do not include all the information from each Comprehensive Plan amendment application. For a more thorough understanding of the discussion presented here, the Comprehensive Plan amendment applications themselves should be consulted to supplement the information in this document.

### **1.2.1.3 Level of Environmental Analysis**

This document provides both a qualitative and a quantitative analysis of environmental impacts as appropriate to the general nature of the 2007 Comprehensive Plan Amendment Docket proposals. The adoption of comprehensive plan amendments is classified under SEPA as a non-project (i.e., programmatic) action. A non-project action, such as decisions on policies, plans or programs, is defined as an action that is broader than permit review for a single site-specific project. Environmental analysis for a non-project proposal does not require the same level of site-specific analysis required in conjunction with a permit application; instead, a document such as an Environmental Impact Statement (EIS) or a SEPA Addendum discusses impacts and alternatives appropriate to the scope of the non-project proposal and to the level of planning for the proposal (WAC 197-11-442). The analysis in this document is not intended to satisfy individual project action SEPA requirements (i.e., the review needed for a future land use or building permit application).

SEPA encourages the use of phased environmental review to focus on issues that are ready for decision, and to exclude from consideration issues already decided or not yet ready for decision-making (WAC 197-11-060(5)). Phased review is appropriate when the sequence of a proposal is from a programmatic document, such as an integrated GMA/SEPA document addressing comprehensive plan amendments, to other documents that are narrower in scope, such as site-specific, project-level analyses (i.e., "project actions" under SEPA).

Jefferson County is employing the phased review concept in its environmental review of growth management planning actions. The analysis in this Staff Report and SEPA Addendum will be used to review the potential environmental impacts of the proposed amendments to the Jefferson County Comprehensive Plan. Additional environmental review of development proposals will occur as specific projects are proposed (e.g., land use and building permit applications). This will result in an additional incremental level of review when subsequent implementing actions require a more detailed evaluation and as additional information becomes available. Future project action environmental review for development applications that are not categorically exempt from SEPA could occur in the form of a supplemental EIS, SEPA addendum, or threshold Determination of Non-Significance (DNS).

### **1.2.1.4 Process and Public Involvement**

The following is a description of the anticipated review and public involvement process for the 2007 Comprehensive Plan Amendment Docket and associated Staff Report and SEPA Addendum.

This 2007 Comprehensive Plan Amendment Docket DCD Staff Report and SEPA Addendum and the MPR Draft EIS are available to agencies and interested parties pursuant to GMA and SEPA rules. Comments on the merits of the proposals shall be accepted as outlined below under "Public Comment Period."

#### 1.2.1.4.1 Preliminary Public Outreach - Docketing Process

The public process for compiling the final docket has followed the public involvement requirements of the GMA and the specific procedures established in JCC §18.45.060 through §18.45.080. DCD staff compiled the preliminary docket following the March 1, 2007 deadline for applications set forth in JCC §18.45.040 (2) (a).

On April 4, 2007, the Planning Commission and BoCC held a joint workshop to gather information and review both site-specific and suggested preliminary docketing recommendations.

The site-specific proposals were docketed automatically. After timely and effective public notice, the Planning Commission held an open record public hearing on April 14, 2007 to receive public comment on the suggested amendments of the preliminary docket.

On April 24, 2007, Planning Commission transmitted its final docketing report and recommendations to the BoCC.

On June 18, 2007 the BoCC adopted the 2007 Final Docket of ten (10) proposals for review.

#### 1.2.1.4.2 Review of Final Docket - Planning Commission Public Hearing - Public Comment Period

The Jefferson County Planning Commission is scheduled to hold at least one (1) public hearing to take testimony on the proposed Comprehensive Plan amendments that comprise the 2007 Comprehensive Plan Amendment Docket (2007 Docket). Formal notice will appear in the newspaper of record, the *Port Townsend & Jefferson County Leader*, prior to the public hearings.

The issuance of this *Staff Report and SEPA Addendum* and the *Brinnon MPR Draft EIS* on Wednesday, September 5, 2007, initiates a public comment period. For site-specific amendment proposals numbered 1 – 8 and suggested amendment proposal number 10 above:

- Oral comments are welcome at the Planning Commission public hearing, 6:30 p.m., Wednesday, **September 19, 2007**, at the **Chimacum High School Auditorium**.
- Written comments will be accepted by DCD on behalf of the Planning Commission through 4:30 p.m. on Friday, **September 21, 2007**.

For site-specific amendment proposal number 9 above (Brinnon MPR):

- Oral comments are welcome at the Planning Commission public hearing, Wednesday, **October 3, 2007**, 6:30 p.m., at the **Brinnon Community Center**.
- Written comments will be accepted by DCD on behalf of the Planning Commission through 4:30 p.m. on Wednesday, **October 24, 2007**.

Please submit any written comments to DCD at 621 Sheridan Street, Port Townsend WA 98368 or via email to [planning@co.jefferson.wa.us](mailto:planning@co.jefferson.wa.us). Comments submitted prior to the close of the comment period will be forwarded to the Planning Commission for consideration during that advisory body's deliberations. Please note that the Planning Commission may elect at its discretion to schedule an additional date and time for oral comments, and/or extend the period in which written comments may be accepted.

Written public comments submitted after close of the Planning Commission comment period will be forwarded to the Board of County Commissioners (BoCC) for consideration in its legislative

decision. The BoCC may hold a public hearing before taking final legislative action on the Final Docket (formal notice will appear in the newspaper of record, the *Port Townsend & Jefferson County Leader*, prior to the BoCC hearing).

#### 1.2.1.4.3 Availability of Documents

For more information or to inspect or request copies of the original applications for the proposed amendments, the adopted existing environmental documents or other related information, contact DCD Long-Range Planning at the mail or email addresses above, by phone at (360) 379-4450, or visit the 2007 Comprehensive Plan amendment cycle webpage, where many relevant documents and maps are available in Portable Document Format (PDF). The 2007 Comprehensive Plan amendment cycle webpage can be accessed through the County homepage: <http://www.co.jefferson.wa.us>.

#### 1.2.1.4.4 Planning Commission and Board of County Commissioners Deliberation

Following the public hearings on the proposed Comprehensive Plan Amendments, the Planning Commission will deliberate on the proposals, potentially over a series of meetings, and formulate a recommendation on each proposal for consideration by the Board of County Commissioners (BoCC). It is anticipated that the Planning Commission will initiate its deliberations for proposals 1- 8 and 10 above following the close of oral testimony on September 19, and may continue deliberating on the proposed amendments during its regularly scheduled meeting of September 25, 2007. For proposal 9 above (Brinnon MPR) it is anticipated that the Planning Commission will initiate its deliberations following the close of oral testimony on October 3, 2007, and may continue deliberating on the proposed amendments during other regularly scheduled meetings on October 17, 2007. It is anticipated that the Planning Commission will forward a recommendation and transmittal to the BoCC on all proposed amendments (i.e., including the MLA06-87 – the proposed Brinnon MPR), by Wednesday, November 14, 2007.

The Planning Commission generally meets the first and third Wednesdays of any given month at the WSU Community Learning Center, Shold Business Park, 201 W. Patison, Port Hadlock. It is possible that the Planning Commission will hold one or more special meetings outside of the meeting schedule outlined above. Following the completion of the Planning Commission recommendation on the 2007 Docket, DCD will formally transmit the Planning Commission recommendation to the BoCC along with the DCD final staff recommendations, any comments submitted during the public comment period, and the record of the Planning Commission deliberations. It is anticipated that the Planning Commission and DCD recommendations will be presented to the BoCC in late November or early December 2007.

In making a final legislative decision on the Docket, the BoCC considers the Planning Commission recommendations, the full case record of the Docket (all comments provided to the Planning Commission, the minutes of the Planning Commission meetings, and other background information), the DCD staff recommendation that accompanies the Planning Commission recommendation, legal advice from the Prosecuting Attorney's office, and any written or oral comments provided to the BoCC before or during a BoCC public hearing on the Docket (should one be held). If the BoCC elects to schedule one or more public hearings on the Docket following receipt of the Planning Commission recommendation, there would be another opportunity for agencies and the public to provide formal comments on the Docket. A legal notice would appear in the *Port Townsend & Jefferson County Leader*, the publication of record, announcing any BoCC public hearings on the 2007 Docket.

A legislative decision from the BoCC on each of the Comprehensive Plan amendment proposals under consideration is expected prior to the end of the second week in December 2007 (Monday, December 10<sup>th</sup> has been tentatively identified as a likely adoption date). The meeting schedules and agendas for the Planning Commission and BoCC with regard to the 2007 Docket are available on a Jefferson County webpage dedicated to the 2007 Comprehensive Plan annual

amendment cycle process. This webpage can be accessed from the Jefferson County homepage: <http://www.co.jefferson.wa.us>.

## 1.2.2 Major Conclusions

The summary conclusions and/or highlights from the analysis in part 2 of this Staff Report and SEPA Addendum are presented here for the reader's convenience. A reading of the analysis in part 2 in addition to any supporting material referenced in the text, including Appendix Items, is encouraged. Generally, information presented elsewhere is *not* reprinted here.

### 1.2.2.1 Summary Matrix of Impacts and Mitigation Measures

The complete description of the proposals, analysis of impacts, and recommendation for mitigation measures and conditions are within the individual staff reports for each of the proposed amendments found in part 2 of this document, "Concise Analysis of the Proposals," or among the Appendix Items, as appropriate. Summary statements presented in the Summary Matrix are, in some cases, considerably abbreviated from the full discussion in part 2 and lack explanations of terminology. Readers are encouraged to review the more comprehensive discussion of issues of interest in part 2, and to consult the Appendix Items, the amendment applications themselves, and other supporting materials listed in part 3, in order to formulate the most accurate impression of impacts associated with the proposals and staff recommendations.

"Significant" as used in SEPA means a reasonable likelihood of more than a moderate adverse impact on environmental quality. Significance involves context and intensity and does not lend itself to a formula or quantifiable text (WAC 197-11-794).

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
1	<b>MLA07-70</b> ; Tukey Investment LLC; west side of Oak Bay Road, immediately north of the junction of Oak Bay and Old Oak Bay Roads; 20 acres (tax parcel number 921182003); RR 1:20 to 1:5.	None identified.	Recommendation – Approve the proposed rezone with the Condition that future development be set back from the CF 1:80 designated land located immediately adjacent and to the south as consistent with JCC 18.15.150. The parcel meets the criteria for the RR 1:5 designation, and is surrounded on three sides by zoned or platted densities of 1 d.u. per 5 acres or greater.
2	<b>MLA07-79</b> ; Janet Gillanders; Big Leaf Lane, west of US 101, north of Quilcene; 40 acres (tax parcel numbers 702113011 & 702113002); RR 1:20 to 1:5.	Yes. The proposal would likely increase pressure to up-zone adjacent parcels which are zoned RR 1:20. This would be inconsistent with the overall purpose and effect of the land use pattern established in the 1998 Comprehensive Plan (CP).	Recommendation – Deny the proposed rezone. The subject parcel is surrounded on more than 50% of its perimeter by parcels larger than 20 acres in size that are zoned for low-density rural residential use (RR 1:20). An "established pattern" of 5-acre or smaller parcels does not exist in the vicinity of the subject site (see LNP 3.3.1(a)), because RR 1:20

			zoning is currently applied to adjacent parcels to the north, west and south.
3	<b>MLA07-90</b> ; Richard Broders & Broders Limited Family Partnership; west side of US 101 on the west side of Discovery Bay; 396 acres (tax parcel numbers 902124002 & 902121002 (partition)); request for Mineral Resource Land Overlay on CF 1:80.	Yes. Application of the MRL Overlay to designated and mapped fish and wildlife habitat areas located on the eastern one-third of the proposed overlay area could result in significant adverse impacts to these environmental resources.	Recommendation – Approve the proposed Overlay with the following condition: 1) require the preparation of a habitat management plan as a condition precedent to issuance of any use permit within the Overlay. As conditioned, the designation of the subject property as MRL Overlay is consistent with NRG 6.0 and related policies of the Comprehensive Plan, as well as the designation criteria set forth in JCC §18.15.170.
4	<b>MLA07-93</b> ; Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); Clearwater Road, west Jefferson County; 42.91 acres (tax parcel number 412182020); RF 1:40 to RR 1:5.	Yes. Removal of the property from forestland designation would reduce the total forest resource land base of Jefferson County. It would also be likely to increase pressure to up-zone and convert RF 1:40 parcels located to the northwest of the site. This would be inconsistent with the overall purpose and effect of the land use pattern established in the 1998 Comprehensive Plan (CP).	Recommendation – Deny the proposed rezone. Under NRP 3.3, parcels designated as Forest Land (including RF 1:40 lands) in common ownership separated by a public right-of-way (e.g., Clearwater Road) must be considered a single parcel. The designation of the property as RF 1:40 is consistent with the guidance contained in the Natural Resources Element of the Comprehensive Plan.
5	<b>MLA07-94</b> ; Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); West of Oak Bay Road and north of Mats Mats Beach Road; 120 acres (approximately) (tax parcel numbers 921322002 (partitioned) & 921321004); CF 1:80 to RR 1:20 and RF 1:40 to RR 1:10.	Yes. Removal of the property from forestland designation would reduce the total forest resource land base of Jefferson County. The proposal would likely increase pressure to up-zone and convert resource lands (both CF 1:80 and RF 1:40). This would be inconsistent with the overall purpose and effect of the land use pattern established in the 1998 Comprehensive Plan (CP).	Recommendation – Deny the proposed rezone. The designation of the property as CF 1:80 and RF 1:40 is consistent with the guidance contained in the Natural Resources Element of the Comprehensive Plan.

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
6	<b>MLA07-96;</b> Hill Timber and Bay Mountain Timber (Joseph D'Amico, authorized agent of property owner); west of US 101 in S11, T29N, R2W W.M.; 40 acres (tax parcel numbers 902111008 & 902114001); RR 1:20 to RF 1:40.	None identified.	Recommendation - Approve the requested downzone, with the condition that parcels either be tied together via restrictive covenant, or that a boundary line adjustment be completed to ensure that the minimum 40-acre parcel size criterion for RF 1:40 is satisfied.
7	<b>MLA07-99;</b> Sharon McCarthy - West; South Jacob Miller Road; 20 acres (tax parcel number 001081005); west of South Jacob Miller Road; RR 1:20 to RR 1:5.	None identified.	Recommendation – Approve the proposed rezone. The applicant's contiguous property ownership (i.e., including both parcels 001081005 and 001081001) meets the criteria for the RR 1:5 designation, and is surrounded on all sides by zoned or platted densities of 1 d.u. per 5 acres or greater.
8	<b>MLA07-100;</b> Sharon McCarthy - East; South Jacob Miller Road; 20 acres (tax parcel number 001081001); adjacent and to the west of Jacob Miller Road; RR 1:20 to RR 1:5.	None identified.	Recommendation – Approve the proposed rezone. The applicant's contiguous property ownership (i.e., including both parcels 001081005 and 001081001) meets the criteria for the RR 1:5 designation, and is surrounded on all sides by zoned or platted densities of 1 d.u. per 5 acres or greater.

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
9	<b>MLA06-87</b> ; Black Point Properties, KMC, and W. Kaufman (Statesman Group of Companies Ltd., authorized agent of property owners); approximately 252.64 acres as 13 parcels in the Pleasant Harbor/Black Point area near Brinnon; east of Highway 101 and south of Black Point Road; RR 1:5, RR 1:10 and RR 1:20 to master planned resort.	Nine (9) issues and impacts are addressed in the Draft EIS including 1) shellfish, 2) water quality, 3) transportation, 4) public services, 5) shorelines, 6) fish & wildlife, 7) rural character, 8) archaeological & cultural, and 9) critical areas.	A staff recommendation will be prepared after reviewing the Final EIS.
10	<b>MLA07-104</b> ; Jefferson County; initiation of the process and analyses necessary to designate up to two sites located in east Jefferson County under the Industrial Land Bank (ILB) provisions of the GMA (RCW 36.70A.367) in order to provide additional employment opportunities for county residents.	At the time of this writing, the proposal is insufficiently developed to meaningfully assess its potential range of land use and environmental impacts.	This suggested amendment (which when more fully developed might also incorporate up to two site-specific rezones) is not prepared for adoption at this time. It is recommended that a final legislative decision on the proposal be deferred, and that the matter be included on the County's Comprehensive Amendment docket for 2008.

### 1.2.2.2 Comparison of Current and Proposed Land Use District Designations

The following table displays the (approximate) current number of acres within each land use district (from the Comprehensive Plan, County Geographic Information System database, and other sources), and the proposed change in the number of acres under each district under the proposals. The reader should understand that these numbers are approximations for planning purposes only, and all figures have been rounded. They do not necessarily represent the actual numbers of acres on the ground. They are, however, the best approximation available at this time. The purpose of the table is to set a context for the legislative decision before the Board of County Commissioners for this year's amendment cycle.

All acreage figures in the following table are in gross acres, including road rights-of-way and some water features. The net developable acreage would be lower.

<b>Comparison of Current and Proposed Land Use District Designations</b>			
<b>Land Use Designation/Zoning District</b>	<b>Current Gross Acreage (2006 Plan)</b>	<b>Potential Future Gross Acreage Under Applicant Proposals</b>	<b>Potential Future Gross Acreage Under Staff Recommendation</b>
<b>Rural Residential</b>			
RR 1:5	29,212	29,355 (+143 approx.) <sup>2</sup>	29,272 (+ 60 approx.)
RR 1:10	9,874	9,914 (+40 approx.)	No change
RR 1:20	51,444	51,304 (-140 approx.)	51,404 (-100 approx.)
<b>Incorporated UGA</b>			
Port Townsend UGA	4,466	No change	No change
<b>LAMIRDs</b>			
Rural Village Centers (Hadlock, Brinnon, Quilcene)	242	No change	No change
General Crossroads	96	No change	No change
Convenience Crossroads	11	No change	No change
Neighborhood Crossroads	122	No change	No change
<b>Master Planned Resort</b>			
MPR - Village Commercial Center	43	No change <sup>3</sup>	No change
MPR - Resort Complex 10:1	57	No change	No change
MPR - Multiple Family 10:1	75	No change	No change
MPR - Single Family 4:1	1,431	No change	No change
MPR - Single Family Tracts 1:2.5	114	No change	No change
MPR - Recreation Area	259	No change	No change
MPR - Open Space Reserve	356	No change	No change
<b>Parks &amp; National Forest</b>			
Parks, Preserves, Recreation - Not MPR	2,859	No change	No change
Olympic National Forest	57,299	No change	No change
Olympic National Park	139,463	No change	No change
<b>Forestlands</b>			
Rural Forest	8,645	8,602 (- 43 approx.)	8,685 (+ 40 approx.)
Commercial Forest	310,327	310,247 (-80 approx.)	No change

<sup>2</sup> MLA06-87 a proposed MPR would potentially change the future gross acreage of RR 1:5 by ± 253 acres.

<sup>3</sup> Potential Gross Acreage under applicant proposal MLA06-87, which is being addressed through a separate EIS, would increase overall MPR areas by 253 acres (approx.).

<b>Comparison of Current and Proposed Land Use District Designations, cont.</b>			
<b>Land Use Designation/Zoning District</b>	<b>Current Gross Acreage (2006 Plan)</b>	<b>Potential Future Gross Acreage Under Applicant Proposals</b>	<b>Potential Future Gross Acreage Under Staff Recommendation</b>
<b>Forestlands, continued</b>			
Inholding Forest	7,228	No change	No change
Resource Based Industrial Zone	152	No change	No change
<b>Agricultural</b>			
Commercial Agriculture	4,296	No change	No change
Agricultural Lands of Local Significance	3,220	No change	No change
<b>Industrial<sup>4</sup></b>			
Heavy Industry (Mill)	278	No change	No change
Light Industrial (Glen Cove)	72	No change	No change
Light Industrial/ Manufacturing (Quilcene, Eastview)	56	No change	No change
Light Industrial/ Commercial (Glen Cove)	90	No change	No change
<b>Essential Public Facilities</b>			
Airport EPF	287	No change	No change
Military Reservation	3,452	No change	No change
Waste Management EPF	241	No change	No change

Note: The total resource land area subject to the Mineral Resource Land Overlay is not depicted in the above table. Proposal MLA07-90 would result in the overlay being applied to approximately 396 acres of CF 1:80 zoned land; however, the underlying zoning would not be altered, allowing the commercial forestry use to resume after extraction of mineral resources and reclamation.

### 1.2.2.3 Significant Unavoidable Adverse Impacts

Conclusions as to whether an impact would be considered significant, unavoidable, and adverse are found in the Summary Matrix above. Many of those conclusions contain assumptions about the ability to plan future development proposals in a way that would minimize impacts, or assumptions about how mitigation measures or existing regulations would be applied. Based upon use, regulation, and mitigation assumptions, none of the potential impacts of the future development scenarios evaluated in this document would meet all of the parameters (significant *and* unavoidable *and* adverse). In at least two instances, the staff recommendation includes recommended mitigation measures that go beyond the regulatory framework currently in place. For more information on the relationship of plan and policymaking to future review of development permit applications, review the discussion on Effectiveness of Mitigation Measures below at §1.2.4.2.

<sup>4</sup> MLA07-104 would seek to establish up to two (2) industrial land banks in east Jefferson County under the provisions of RCW 36.70A.367. However, the location and size of these potential industrial lands is unknown at the time of this writing.

### 1.2.3 Significant Areas of Controversy & Uncertainty

The following table summarizes the key environmental issues and options facing decision-makers:

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
1	<p><b>MLA07-70</b>; Tukey Investment LLC; west side of Oak Bay Road, immediately north of the junction of Oak Bay and Old Oak Bay Roads; 20 acres (tax parcel number 921182003); RR 1:20 to 1:5.</p>	<p>As has been the case since adoption of the Plan in 1998, what constitutes “an established pattern of same or similar sized parcels” (LNPs 3.3.1 through 3.3.3) is somewhat unclear. A reasonable interpretation of these policies would suggest that in instances where 50% or more of the perimeter of a parcel abuts areas designated and/or divided into parcels of equal or lower density, that the existing zoning should be retained. Application of this interpretation in this instance suggests that the applicant’s request should be approved, rezoning the subject property to RR 1:5. However, clearer policies should be developed to guide rezoning decisions in the future; doing so would help to ensure rational decision-making that does not erode the purpose and effect of the Plan’s rural residential land use scheme.</p>
2	<p><b>MLA07-79</b>; Janet Gillanders; Big Leaf Lane, west of US 101, north of Quilcene; 40 acres (tax parcel numbers 702113011 &amp; 702113002); RR 1:20 to 1:5.</p>	<p>The above discussion relative to MLA07-70 also applies here. Approximately 70% of the boundary of this property abuts designations and actual densities of RR 1:20 and lower. This proposal, as is the case with the other proposed rural upzones, raises the issue: under what circumstances is it appropriate to redesignate and rezone lower density rural residential parcels for higher density rural use?</p>
3	<p><b>MLA07-90</b>; Richard Broders &amp; Broders Family Associates LP; west side of US 101 on the west side of Discovery Bay; 396 acres (tax parcel numbers 902124002 &amp; 902121002 (partition)); request for Mineral Resource Land Overlay on CF 1:80.</p>	<p>This proposal raises the issue as to how JCC §18.15.170(6) should be applied to individual requests for application of the MRL Overlay designation. Many of the County’s most productive resource lands contain significant fish and wildlife habitat resources. Should the criterion identified above be interpreted as precluding application of the overlay to areas containing designated and mapped fish and wildlife habitat areas?</p>

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
4	<p><b>MLA07-93;</b> Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); Clearwater Road, west Jefferson County; 42.91 acres (tax parcel number 412182020); RF 1:40 to RR 1:5.</p>	<p>The subject parcel encompasses soil types, geology, topography and environmentally sensitive areas similar to many parcels designated RF 1:40 in Jefferson County. The property is in timber tax classification, indicating its suitability for timber production. Redesignation and rezoning of the property to RR 1:5 could create a precedent with far reaching implications, including over time, incremental erosion of the Plan's overall forest land designation approach. Both the GMA and the Jefferson County Comprehensive Plan strongly discourage the redesignation of forestland.</p>
5	<p><b>MLA07-94;</b> Rayonier Forest Resources L.P. (represented by Terra Pointe Services, authorized agent of property owner); West of Oak Bay Road and north of Mats Mats Beach Road; 120 acres (approximately) (tax parcel numbers 921322002 (partitioned) &amp; 921321004); CF 1:80 to RR 1:20 and RF 1:40 to RR 1:10.</p>	<p>The above discussion relative to MLA07-93 also applies here. The subject parcels encompass soil types, geology, topography and environmentally sensitive areas similar to many parcels designated CF 1:80 and RF 1:40 in Jefferson County. Both parcels are in timber tax classification, indicating their suitability for timber production. This proposal, as is the case with the other proposed forest land upzones, raises the issue: once designated, is it appropriate to remove a property from forest land designation absent a manifest error in the initial zoning?</p>
6	<p><b>MLA07-96;</b> Hill Timber and Bay Mountain Timber (Joseph D'Amico, authorized agent of property owner); west of US 101 in S11, T29N, R2W W.M.; 40 acres (tax parcel numbers 902111008 &amp; 902114001); RR 1:20 to RF 1:40.</p>	<p>The proposal as presented is a downzone from RR 1:20 to RF 1:40, changing from a rural residential to resource land designation. Should such a rezone be approved, the authorized agent may apply for a conditional use permit to site a shooting range on the rezoned parcels. However, such a potential permit application decision is not part of this rezone decision nor would approval of this rezone proposal bind the County to either approve or deny such a permit application.</p>

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
7	<p><b>MLA07-99</b>; Sharon McCarthy; South Jacob Miller Road; 20 acres (tax parcel number 001081005); west of South Jacob Miller Road; RR 1:20 to RR 1:5.</p>	<p>The above discussions relative to MLA07-70 and MLA-07-79 also apply here. Application of the “50% criterion” suggested above, would suggest that the rezoning request should be approved, since the property is not part of an “established pattern” of RR 1:20 parcels.</p>
8	<p><b>MLA07-100</b>; Sharon McCarthy; South Jacob Miller Road; 20 acres (tax parcel number 001081001; adjacent and to the west of Jacob Miller Road; RR 1:20 to RR 1:5.</p>	<p>The above discussions relative to MLA07-70, MLA07-79, and MLA07-99 also apply here.</p>
9	<p><b>MLA06-87</b>; Black Point Properties; KMC; W. Kaufman (Statesman Group of Companies Ltd., authorized agent of property owners); approximately 252.64 acres as 13 parcels in the Pleasant Harbor/Black Point area near Brinnon; east of Highway 101 and south of Black Point Road; RR 1:5, RR 1:10 and RR 1:20 to master planned resort.</p>	<p>The proposed establishment of a master planned resort must be analyzed for potential environmental impacts and the level of interest within the community for such a level of development intensity in a rural area. Environmental impacts are analyzed in the Draft EIS referenced in this document.</p>

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
10	<b>MLA07-104;</b> Jefferson County; initiation of the process and analyses necessary to designate up to two sites located in east Jefferson County under the Industrial Land Bank (ILB) provisions of the GMA (RCW 36.70A.367) in order to provide additional employment	The proposed designation of industrial land bank locations must include consideration of where to site such areas and analysis of the potential impacts.

## 1.2.4 Issues to Be Resolved

### 1.2.4.1 Environmental Choices to Be Made

The Comprehensive Plan states that, “a healthy environment is fundamental to the quality of life of its citizens” and further provides four essential components for environmental protection:

- Watershed and Fish Habitat Recovery Management Strategy;
- Regulatory Strategy for Consolidated Environmental Review;
- Critical Area Protection Strategy; and
- Public Education and Involvement Strategy.

Each choice taken by the County and its residents may impact environmental quality. Comprehensive Plan goals and objectives are implemented through development regulations in the Unified Development Code (UDC) (now codified within Title 18 of the Jefferson County Code (JCC)). The UDC was developed such that protective measures are incorporated into permit decisions. For more discussion on how this process operates, refer to §1.2.4.2 below.

The Comprehensive Plan amendment proposals on this year’s Docket may have the potential, if adopted, to affect the environment. For this reason, each proposal must be carefully analyzed for potential impacts, both as an individual proposal and with respect to cumulative impacts when associated with the other proposals on the 2007 Docket, and if necessary, denied, conditioned, or modified appropriately.

### 1.2.4.2 Effectiveness of Mitigation Measures

The legislative adoption of Comprehensive Plan amendments is a non-project action under the State Environmental Policy Act (SEPA). A project action would be a decision on a land use or building permit reviewed under the general policy framework offered by the Comprehensive Plan and its implementing regulations. SEPA review is required for project actions, unless those actions are categorically exempt from SEPA review when the proposal is compared to the list of

exemption thresholds at WAC 197-11-800. Environmental review such as the analysis contained in this document is useful and essential at the non-project level in order to set up a regulatory framework that protects the environment. Mitigation for non-project actions in this sense is essentially the extent to which the established regulatory framework is effective when applied to future development proposals. Generally, mitigation measures would not be required for the programmatic action of adopting a Comprehensive Plan or development regulation amendment, but may be useful and appropriate to address probable significant adverse environmental impacts identified at the project level. It is often the case that project action environmental review is where specific mitigation measures can be applied to condition a proposal such that the approval and execution of the proposal does not present a significant adverse environmental impact. With regard to environmental review of this year's Comprehensive Plan annual amendment cycle docket, it should be understood that Jefferson County has in place a regulatory framework that follows the guidance established in Washington State laws, such as SEPA, the Growth Management Act (GMA), and the Shoreline Management Act (SMA).

Jefferson County adopted the Unified Development Code (UDC) in December 2000 (effective January 16, 2001) as the unified set of development regulations to implement the Comprehensive Plan adopted in August 1998. Until the adoption of the UDC, the Comprehensive Plan was implemented through a variety of separate ordinances, some in place prior to the adoption of the Comprehensive Plan. The Interim Controls Ordinance prescribed allowed uses within the various districts set forth upon the Comprehensive Plan land use map, and the Land Use Procedures Ordinances outlined the development permit review process and related administrative matters. The UDC replaced these and other previously existing ordinances. It has now been codified at Title 18 of the Jefferson County Code (JCC).

Among the replaced ordinances was the Critical Areas Ordinance. Protective measures for what are now called "environmentally sensitive areas" are contained at JCC §18.15 Article VI-D, et seq. Environmentally sensitive areas are protected through the application of overlay districts. Examples of such overlay districts include Critical Aquifer Recharge Areas, Frequently Flooded Areas, Geologically Hazardous Areas, Fish and Wildlife Habitat Areas, and Wetlands (JCC Articles VI E-I). The County maintains data to assist in identifying these areas from a variety of sources, including the State of the Washington and the US Federal government, in a Geographic Information Systems (GIS) database. The data are used to create maps depicting the approximate location and extent of environmentally sensitive areas.

Development Review Division planners use available GIS information when reviewing land use and building permit applications and apply the protective measures accordingly. Frequently an applicant is required to submit a Special Report, such as an Aquifer Recharge Area Report, Drainage and Erosion Control Plan, Geotechnical Report, Grading Plan, Habitat Management Plan, or Wetland Delineation Report. The contents of these Special Reports are governed by JCC §18.45 Article VI-J. Submitted Special Reports are used not only to condition land use and building permit approval, but can augment existing data for the County GIS database on environmentally sensitive areas.

Sometimes the existing regulations are insufficient to effectively protect the environment when examined in the context of a particular project. Depending on the particular aspects of a development proposal, mitigation measures above and beyond the protections provided by the established development regulations may be needed to avoid significant adverse environmental impacts. In these cases, jurisdictions may employ their "SEPA substantive authority" to further condition approval of a development application. These mitigation measures are generally developed through project action SEPA review and established as permit conditions through an EIS or a threshold Mitigated Determination of Non-significance (MDNS).

Consideration of mitigation measures that correspond with adoption of any one of the proposed Comprehensive Plan amendments in this year's cycle is not always as clear as placing a condition on a permit. For example, the legislative decision to adopt a modified version of the

original Comprehensive Plan amendment proposal may also be considered a form of mitigation. The Board of County Commissioners (BoCC) may be effectively mitigating the potential environmental impact of adopting a Comprehensive Plan amendment by adopting a modified proposal or even deciding not to adopt the proposal based on environmental considerations. For formal site-specific amendment applications, the BoCC could apply a mitigation measure that affects future use of the land in question. In any of these cases, mitigation as applied to a non-project action such as a Comprehensive Plan amendment is distinct from mitigation as applied to a land use or building permit approval. It is at the time of project action review that established protection measures for environmentally sensitive areas and other development standards are applied to proposals for on-the-ground development. Judging the effectiveness of mitigation measures in this context requires on-going attention.

### **1.2.4.3 Main Options to Be Preserved or Foreclosed by the Action**

Eight (8) of the site-specific proposals and one (1) suggested proposal to implement the Industrial Land Bank provisions of RCW 36.70A.367 (MLA07-104) reviewed in this document are relatively minor in that they do not collectively represent a distinct change in direction from implementation of the adopted 1998 Comprehensive Plan. In deciding when it is appropriate to up-zone lower density rural residential parcels to higher density rural residential designations, or when it is appropriate to up-zone commercial forest land to rural residential designations, the County will establish precedents with far-reaching implications that will be used to judge the appropriateness of similar rezone proposals in years hence. In consequence, determinations that appear to have little direct environmental impact when viewed in isolation in 2007 may have significant indirect and cumulative environmental impacts if employed as justification for a substantial number of similar rezones in future Comprehensive Plan amendment cycles. Choosing not to approve certain rezone proposals that would increase pressures to convert commercial forest land and/or rural lands to higher intensity land use designations will likely reduce present and future environmental impacts, prevent sprawl, and preserve future planning options.

The County has identified nine (9) areas of probable significant adverse impacts from the proposed Brinnon MPR. Analysis and possible mitigations to these environmental concerns are included in the Draft EIS.

Regardless of the alternative selected, growth and development under the County's adopted Comprehensive Plan will result in some adverse impacts that are impossible to avoid. The County's adopted Plan is designed to accommodate the Washington State Office of Financial Management (OFM) population projections for the year 2024. Under any of the action alternatives reviewed in this document, continued growth and development under the adopted Plan is likely to result in increased growth and development in certain areas of the County, cumulative impacts to fish and wildlife habitat, increased demands upon transportation facilities and transit, and increased demand for public infrastructure and facilities. The County will continue to plan for distribution of growth that will result in the lowest levels of environmental impacts, focus on infill, and balance capital investment.