



## JEFFERSON COUNTY

### PLANNING COMMISSION

621 Sheridan Street  
Port Townsend, WA 98368  
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Minutes of the Critical Areas Committee Meeting  
January 25, 2007  
WSU Learning Center  
Shold Business Park, Spruce Room  
Port Hadlock, WA

Planning Commission members: Jim Hagen, Peter Downey, Henry Werch and Dennis Schultz (Bud Schindler, alternate)

Advisory Group members: Al Latham, Amy Hiatt, Bill Wheeler, Cathie Baker, Dennis Holman, Diane Johnson, Dianne Bonnavier-Holman, Dr. Kenneth Brooks, Dr. Robert Crittenden, George Yount, Jill Silver, Jim Tracy, John Richmond, John Boulton, Julie Jaman, Kathy Dickson, L. Katherine Baril, Nancy Stelow, Norman MacLeod, Roger Short, Ron Sikes, and Sandy Hershelman.

Staff: Brent Butler, Barbara Nightingale, and Cheryl Halvorson

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The Planning Commission Critical Areas Committee meeting was called to order at the WSU Learning Center, Spruce Room, at 7:00 pm by Chair Jim Hagen. Planning Commission members present were Bud Schindler, Dennis Schultz, Jim Hagen and Henry Werch. Advisory Group members present were Al Latham, Amy Hiatt, Bill Wheeler, Diane Johnson, Dr. Kenneth Brooks, Dr. Robert Crittenden, George Yount, Jill Silver, Jim Tracy, John Richmond, L. Katherine Baril, Nancy Stelow, Norman MacLeod, Roger Short, and Sandy Hershelman.

DCD staff present were Al Scalf, Barbara Nightingale, and Cheryl Halvorson.

There were about 25 members of the public present. Those who signed the guest list were: Jim Storey, Jim Fritz, Denver Shoop, Renee Brush, Frank Hoffman, Bill Pflueger, Lois Richmond, Pat Scott, Phyllis Schultz, John Gieser, Jerry Lindsay, Richard Hild, Edna Forker, George Forker, and two illegible signatures.

Jim Hagen read a letter of resignation from Dennis Holman.

#### Public Comment:

James Fritz said that there were two attitudes that troubled him and should disqualify someone from sitting on a committee such as this. He said that decisions had to be based on science and not from the heart. The Green Party and the new Democrats had indicated that you could own property but society has the right to determine how it could be used. That may be so around critical areas, but they were talking about all property. That struck at the very heart of our system. The truth was that ecology was, as we know it today, based on the surface wealth generated by production. You don't find ecology in poor countries. All the money that went into ecology was the product of us living in a fast society. If we had another Great Depression, all the money would dry up and the ecology movement would dry up along with it.

### Discussion/Recommendation on Sub-group Reports:

The group began with the agriculture issue. Al Latham said they had struggled with the definition of "Existing and Ongoing Agriculture". They felt that it excluded a lot of ag land in the county. He handed out a one-page document from the sub-group that proposed two new definitions, one for "Agricultural Land" and the other for "Agricultural Activities". The exemptions would have to be changed to accept the two definitions. The alternative regulation came through the ag ordinance, which he had also been modifying to add in components of the Island County plan and the Chimacum plan.

A question came up about compatibility with the Comp Plan. Al Scalf responded that, if it affected the Comp Plan and/or UDC, a Comp Plan amendment would have to be prepared. The definitions were in both the Comp Plan and the UDC. The deadline for Comp Plan amendments is March 1 this year. It was doubtful that we could have an amendment package ready this year.

Amy Hiatt asked for clarification about what land Mr. Latham was addressing. Al Latham responded that it would include the zoned ag lands (Prime and Local), but it would also include ag lands that may be fallow and that were not currently in the zoning. The group discussed those lands that are not currently zoned agriculture (generally zoned Rural Residential) and whether there could be a process to rezone them and whether the ag accessory uses could apply to them.

Katherine Baril said you had to separate the discussion between what you wanted for ag in terms of tax purposes or ag in terms of a building permit. The issue here was ag as it related to critical areas. She said the committee did not want to define two different kinds of ag, one before a certain date and one after. You should focus on the potential impacts to the resource and have a performance based regulation. The dilemma with having them petition later was that it would require them to make a financial investment on property that they may not know they could farm until it was approved, which may take two years. What they were trying to do was to have a piece of land having a farm plan or stewardship plan saying how they would protect the critical areas. We would not know where that land might be. It may not be on prime soils. It may not be anywhere where we currently had ag designations. Al Scalf said that there was a perception at the food-farm summit that if you were Rural Residential there was a certain characteristic about that land and you were subject to nuisance claims, whereas the zoned ag lands were not subject to the nuisance claims. He acknowledged that there are ag uses going on in Rural Residential zoning. The concern was what rights those people could get, not only for protecting the public benefit, but more for uses that would foster the economic viability of farming.

Henry Werch questioned how the word "area" applied in the 18.15.210 section and what it meant and whether it should be a different word. Dennis Schultz explained that "area" was part of a parcel and not necessarily a whole parcel.

Roger Short said that he had looked at some proposed legislation on critical areas which indicated to him that we would need to keep the "existing and ongoing agriculture" term. Also, concerning the right to farm issue, he had never seen anything that indicated it had to be only for ag zoned property; it had to be ag activity.

Norm MacLeod referred to the community ethic for buying local and producing local. We could not meet that need at this point. Any barriers in the way of people starting to farm if they wished to should not be there or should be as limited as possible.

Dennis Schultz reported that when we did the ag survey a few years ago, we found that most of the agriculture being done in this county was not in the valleys along the streams. That land was mostly taken already. So people were starting with greenhouses or using drip systems and were not generally on ag soils. The original ag zoning only included those lands that were on ag soils. He proposed that we develop a process whereby someone could opt into ag zoning. Al Latham said that soils should not be the only criterion for ag zoning in this county because we had a lot of soils here that were better for farming than our prime soils. He asked for any suggestions for wording that any other committee members might have.

Katherine Baril suggested that the committee clarify what we wanted and then let the planners craft the language that would get you there and bring it back to the committee for review. She said that the farmers in the community were leery of the critical areas regulations and a lot of ag use was failing to happen that could be happening because they were afraid they could not get through the permitting process.

Jim Hagen asked about the first report from December and how this current proposal differed. Al Latham responded that it was very similar. Basically, the newer proposal got rid of the "existing and ongoing agriculture" term and substituted "agricultural land" and "agricultural activities". He explained the reasoning for the "right to farm" ordinance. However, we did not necessarily want to give that right to farm to someone who starts a new farm in a residential area. That was a very important distinction.

Kenn Brooks moved that the committee accept the ag sub-group report as presented tonight. Dennis Schultz seconded the motion.

Kenn Brooks said that the purpose of the motion was to facilitate having a series of reports approved by the group and that, on the basis of those reports, the committee could then begin working with staff to develop the code language.

Al Latham said he would like to have another week to fine tune the proposal. The proposal presented tonight was just to get input from the committee. He said he would be soliciting input from others besides the ag sub-group.

Diane Johnson thought that just because the committee accepted the ag report, it did not mean the committee would not still review and change code language that may come forward on the topic later as the process went forward.

The group discussed how to proceed and whether voting on accepting the sub-group reports now was necessary. Some were of the opinion that it was time to give the reports to staff so they could begin writing code. Another opinion was that the committee would review the code language as it came from staff. Others were of the opinion that we needed to move forward and get started on developing the code language. The thought was expressed that any draft code language presented could be subject to changes as the committee moved along. Another opinion expressed was that the committee was running out of time in its process and should move forward towards code language in order to have concrete recommendations for the Planning Commission by April 1.

Jim Tracy suggested several modifications and offered some clarifications about the GMA as it applied to the proposal.

Henry Werch said that he would support a preliminary approval of the sub-group's proposal pending a final submission with some of the wrinkles ironed out. Kenn Brooks said that there would be opportunities for changes to be made to the draft code language, but we needed to get started towards that goal.

The motion carried with eighteen in favor and one opposed (18-1-0).

The group moved on to the Fish and Wildlife Habitat Conservation Areas issue. Dennis Schultz said that the first point of the sub-group was that F&WLHCAs in forestlands were covered by the DNR. They recommended that Type 4 (NS) and 5 (NP) streams have no buffers for wildlife. Type 3 (F) streams had a 25-foot buffer, which was similar to what the Conservation District used in ag lands now. Type 1 and 2 (S) streams would have 50-foot buffers. For species and habitats of local importance, they proposed a public process for listing or de-listing a species or habitat. The reason they made these recommendations was that there did not seem to be any reason or justification that wildlife had suffered over the last number of years since the land was cleared; it had remained pretty stable. The rare and endangered species were already covered by Federal and state regulations. There were currently no species or habitat of local importance designated.

Amy Hiatt asked why the sub-group was suggesting smaller buffers than what the Forest Practices Act required. Bill Wheeler said that they were not proposing changing the buffers for forest lands. Their discussion about non-forest lands concluded that smaller buffers were satisfactory. Kenn Brooks said that most of the areas that were not forest land were areas that had been cleared for agriculture. So, the wildlife habitat attributes were already significantly degraded. We were not required to enhance the habitat under the GMA. Those areas would retain their current status absent some voluntary enhancement efforts. Another part of the reasoning was that the WWGMHB had stated that it was inappropriate to impose restrictions on agricultural lands in the absence of a showing of harm. There was no showing of harm by the existing conditions. Absent some showing of harm to wildlife by agricultural uses or low density residential development, they did not feel it was appropriate to impose wide buffers.

Jill Silver responded that we had listings of salmon species in our county. We certainly had seen a great reduction of those species in this county which was related not just to agriculture but also to other land uses. She said that she did not think we were talking about agriculture because it would be addressed in other ways. She thought we were talking about other lands. She said that forest land buffers under Forest Practices were based on the assumption that they would remain in forestry, that they have a low impact to fish and wildlife, and yet we still had endangered species on forest lands. Her concern was that some of our forest lands or other resource lands would be converted to residential development. She wanted to encourage the committee to apply the same science that developed the buffers that DFW, CTED, DOE and Forest Practices recommended.

Bill Wheeler discussed the process that had to be followed to convert forest land to another use. Once you go through that process, you would still protect any streams. He said that the sub-group was not talking about forest lands. They were addressing specifically land that was not forest land and how it should be regulated. They proposed a 50-foot buffer, which was the core protection area. Jill Silver responded that the core buffer was a no touch buffer. Ms. Silver and Mr. Wheeler discussed buffers under Forest Practices versus buffers that should be needed for other uses, such as residential.

Henry Werch asked what areas, other than forestry or ag, the sub-group was covering. Dennis Schultz responded that it was Fish and Wildlife Habitat Conservation Areas. Kenn Brooks said that fish and wildlife pertaining to streams was covered in a separate section from wetland buffers. The sub-group thought the wildlife buffers should be consistent across all the critical areas. The group discussed the purposes of wildlife buffers and wetland buffers. Jim Tracy said that the current CAO said that where there were multiple critical areas present, the most restrictive buffer applied.

Roger Short said that we needed to consider what the buffer was protecting. Without question, there was a difference between a buffer for a fish and a buffer for winter waterfowl. They were, in fact, in opposite directions. Everything seemed to be geared toward fish, but there were other wildlife species to consider as well.

Amy Hiatt and Bill Wheeler discussed the effects of forest buffers in a conversion scenario. Bill Wheeler drew a scenario on the board to illustrate how the buffers would apply. Kenn Brooks said that part of the reason for the proposal was tied to what the WWGMHB had said. Their ruling was that there must be a clearly identified need for some restriction. Their rulings did not support arbitrarily large buffers just in case there was a need. There was a responsibility on the part of government to show that there was some harm. Then there was a responsibility on the land owners' part to respond to that demonstrated harm or need. Without a demonstration of harm or need, you were essentially finding someone guilty and taking their property without a crime having been demonstrated to have occurred.

Amy Hiatt asked how much land this would affect that was not in agriculture. Bill Wheeler said he did not know.

The illustration of the proposal was for a Type S stream. It would have a 50-foot no touch buffer and then 100 feet that could be used somehow, ie landscaping, for a total residential setback of 150 feet. The difference was in terminology between "setbacks" and "buffers". The sub-group was not proposing to change the current 150-foot residential setback.

Al Scalf discussed the county assuming lead agency status for Class IV forest conversions. He said that proposed regulations would come before the Planning Commission later in the year. He would not speculate on what form those draft regulations would take. Bill Wheeler pointed out that there would still be SEPA review to consider. Al Scalf said that the discussion pointed out the imperfections of the GMA and how it was not integrated with Forest Practices.

Nancy Stelow said that, from a users standpoint, this was where we got into the need for clear and concise language in the code. Until she just heard the explanation of the 150-foot stream setback, she was really concerned because of the effects if we had lots of residential development. She said that where conversions of forest lands were concerned, if the density was 1:80, there was no density issue. She was trying to figure out what lands this proposal would actually apply to.

Jim Tracy said that the proposal was setting up a paradox. The reason it's a 150-foot setback is because there was a 150-foot buffer for Type 1 streams in the CAO and the proposal is for consistency. Now we would create a situation where there would be inconsistency between the zoning building setback and the critical areas setback, which raised the question of why we needed the 150-foot zoning setback anymore. Al Scalf said that he was concerned about what the Hearings Board would say, because they had already ruled on these issues in 2000. That was why the county went to the minimum setback of 150 feet. He agreed that the Hearings Board had issued other rulings since 2000. Now we were talking about management within that 150 feet. But still you needed the caution of the legal ramifications. The Hearings Board continually ruled that if you were going to deviate from what they say, you needed to have adaptive management plans. He would be interested to hear about the committee's plans in that area.

George Yount agreed with Mr. Scalf's assessment that these recommendations were a significant departure from the DOE fish and wildlife recommendations. He referred to the Hearings Board rulings that discussed best available science [BAS], saying that we would have to come up with BAS to support this proposal. These buffers were significantly less and he could not find any papers that justified them even though he had looked through a lot of research.

Kenn Brooks moved that the group accept the Fish and Wildlife sub-group's report. Sandy Hershelman seconded the motion.

The group debated the issue of accepting the reports as presented when there were still issues in question.

Jill Silver asked for clarification as to whether all streams were critical areas. Al Scalf responded that they were. Ms. Silver understood that designating F&WLHCA was different than streams being designated as critical areas. She just wanted to bring that back to everyone's mind about layering of buffers and whether the buffers were adequate to protect the streams, particularly Type S streams, which were the larger rivers. She said that 50-feet had not been shown to be adequate on a large stream for providing shade. There was a lot of science that supported the Forest Practices buffers that were much wider in forest lands. She said that she did not know that there was any scientific justification for deciding that wildlife did not need buffers on non-fish bearing streams. She cited some examples. She did not understand that just because a stream did not have fish in it, it did not have other wildlife uses that should receive protection.

In answer to Roger Short's question, Jill Silver said that she was very clear that streams in ag lands were still critical areas but they were allowed the ag exemptions.

Bill Wheeler said that we had only four Type S streams in the East County and the majority of them were within the National Forest and they were all forested or ag exempt. In effect, anything we may adopt for Type S streams would probably not have any impact. Jill Silver responded that the exception would be where private forest land or ag land was converted to residential development.

The motion carried with fourteen in favor and five opposes (14-5-0).

The group moved on to the wetlands issue. Kenn Brooks said that there had been several suggestions for changes. One dealt with the proposed default buffer in residential lands where the landowner did not want to delineate or rate a wetland. The suggestion was to set that buffer at the maximum distance associated with the hazard that was intended. He thought the sub-group could address that. He was comfortable not going into that tonight. Another proposal, made by the F&WLHCA group, was to replace the habitat buffer system to make the buffers consistent across streams and wetlands for wildlife.

Robert Crittenden moved that the committee accept the wetland sub-group report pending resolution of the issues Dr. Brooks mentioned. Dennis Schultz seconded the motion.

Bill Wheeler said that the group was lead to believe that there would be a minority report or alternative offered. Henry Werch responded that the minority members of the sub-group would provide some specific recommendations, which they were not ready for yet, and they hoped the full committee would consider it at a future meeting and vote on the minority report to present it to the full Planning Commission. Jill Silver explained their basic proposal for wetlands.

Henry Werch explained his reasons for supporting the motion. Norm MacLeod said that it was important that we take the new science that had been developed and the potential for a more people-friendly system that could result. He looked forward to getting that worked into the DOE's best available science so that it could become available to other counties in the state.

The motion carried with sixteen in favor and three opposed (16-3-0).

Katherine Baril handed out a packet of public information from WSU on environmental stewardship.

The group moved on to Channel Migration Zones [CMZs]. Robert Crittenden said that the sub-group recommended that the county not regulate CMZs as critical areas because there was no mandate in the GMA to do so.

Norm MacLeod read a quote from the Director of the WEC about the Settlement Agreement and the hope to create a broad framework that would allow wide latitude to develop ordinances that would apply to the GMA. The Settlement Agreement asked that we regulate CMZs although there was no requirement to do so in the GMA. What we had was a demand that we, as a county, enter into an optional exercise of government power. He thought we should discuss this issue very carefully. He referred to the motion that was tabled last week. He thought that, because we were being asked to do something that we don't have to do, the affected landowners should be notified and have an opportunity to fully participate. He was troubled that WEC was using Jefferson County to set a precedent that CMZs be regulated under the GMA when the legislators did not put that into the Act. He read the pertinent section of the Settlement Agreement. It required designation and regulation of CMZs.

Dennis Schultz said that, inside the CMZs, we had geologically hazardous areas which were already covered in the code. We had streams which were covered with buffers under the wildlife and wetlands regulations. He did not see any reason to add another layer of regulation.

Jill Silver provided a graphic on the board concerning CMZs. She stated that the minority had presented an alternative which cited the connection between the Shoreline Master Program, the GMA, and critical areas.

Kenn Brooks suggested that we include findings with the majority report about the reasoning for the majority recommendation. One thing the Hearings Board had said was that we must support our decisions with best available science to include rational arguments. In this case we were not arguing with GMA, because it was not part of the GMA. However, because of the Settlement Agreement, it was important to show why we have reached this decision. He suggested a supporting document that summarized the whole discussion.

Jill Silver explained her reasoning for designating CMZs and their high hazard zones. It made best sense to develop regulations for future development, both public and private. She referred to the minority report which laid out an alternative proposal.

Dennis Schultz said that he did not disagree with the hazards of migrating rivers. He thought it was a very serious hazard for people to live in such areas. However, he thought regulations to address the issue came under the geologically hazardous areas section of the code. We already had the needed regulations and did not need another layer.

Norm MacLeod said that, until the legislature put a requirement in the law to regulate CMZs, we should not put it into our code. He believed that people who lived in CMZs likely already knew they lived in a hazard area. He did not think government at this level at this time had a proper role in doing something that was entirely optional, notwithstanding the Settlement Agreement. It did not make sense to have a buffer zone on top of wherever the river was going to go. He questioned why you would have a buffer zone outside of the potential CMZ. Jill Silver responded that it was because of the geological hazard. When channels migrated, they migrated into the edge of the bank. The current regulations only called for a 35-foot setback. Bill Wheeler said that CMZs were already addressed in Forest Practices.

Kenn Brooks moved that the committee accept the report of the CMZ sub-group but he wanted them to produce findings supporting that recommendation. Nancy Stelow seconded the motion.

Kenn Brooks said that we should state in clear terms why we did not support regulating CMZs. Henry Werch said that good legislation needed to respond to the needs of the community, to respond to the needs of those who would oversee the legislation, and to respond to the economic sources of the county. He was concerned that it was dangerous ground if the position was that, despite the Settlement Agreement, we did not believe we should respond to it. He thought there was a way to write code that responds to the letter of the Settlement Agreement without necessarily impinging on the rights of property owners. He was uncomfortable with the position it would put the county in if we simply said "Settlement Agreement be damned; we are not going to respond to it." Jim Tracy said that the committee took a specific motion earlier that said we were not going to do that but that we would consider it.

Al Scaff pointed out that under an earlier appeal of our CAO, we were ordered by the Hearings Board to add seawater intrusion under aquifer recharge to our CAO even though it was not specifically included in the GMA.

The motion carried with fifteen in favor and four opposed (15-4-0).

#### Public Comment:

Jim Storey asked if the minority reports would be available to the public. Cheryl Halvorson responded that all of the reports presented, both majority and minority, on January 4 would be put up on the county web site. Henry Werch asked if there would be additional material submitted. Amy Hiatt responded that she could not answer the question at this time.

Kenn Brooks said that the committee had earlier taken a motion to work synergistically with staff to create code language in a timely way after adoption of the reports. He thought staff could write the first draft code language within a week or ten days and bring it back for review. He said that he did not want to see this process stalled.

James Fritz discussed wildlife, saying that the limiting factor for wildlife was a food supply. We needed to consider food production for the various kinds of wildlife within the buffer zones.

Moe Rogers said that the Federal government already controlled migration zones and flood zones. He did not think they needed any help from the county. You cannot build in those zones. If you do, you cannot get flood insurance. That took care of the migration zones.

Denver Shoop discussed wildlife in this area of the county. We had wildlife back now that had been gone for years. It looked to him like wildlife was making a comeback. He questioned if there were any species that we had caused to decrease due to our management of critical areas. He thought wildlife had increased over the years. We had fenced the creeks so our animals could not get into them. Elk needed to get into the creeks to get water, however. He questioned how you could allow wildlife to get into these

spots and not the farm animals. He did not think we should have any buffers for wildlife. He thought it was better the way it was now. He had learned a lot from Dr. Brooks about wetlands. Dr. Brooks was the only one he had heard who knew what he was talking about and it related to best available science. He still did not agree with the buffers Dr. Brooks proposed for some wetlands. However, he believed that Dr. Brooks was being very fair on what he was suggesting for setbacks. He could live with what Dr. Brooks proposed. Otherwise, the county would have to show him, environmentally, why larger buffers were necessary.

Katherine Baril reminded the group that when we started this effort we had cited the Island County effort as a model. Now that we had agreement on some of the concepts and while the planners were writing code language, we had an opportunity to invite the state agencies and tribes to come to a workshop to listen to the concepts as Island County had done. It would serve to educate the community as well. She suggested that we had some time now to do that.

Al Latham said that something he had brought up at the first meeting, which he thought would be beneficial to the whole group, was to have a field trip to illustrate what these proposed concepts would actually do on the ground. You could also see what the reality of the DOE guidelines would be on the ground as compared to Dr. Brooks' suggestion. They may not be as far apart as people might think.

Frank Hoffman thanked the group for the work it was doing. It seemed to him that the majority was talking about the present while the minority was talking about the future.

Mike Belenski referred to Henry Werch's comment at the last meeting that the specifics of the minority report would be forthcoming. He thought it had to be based on science, but he had not seen much except for personal opinion. He referred to the public records requests he had made to the county about how the May, 2006, draft CAO had been developed. It seemed that WEC had the inside track at DCD. He did not think it was appropriate for anyone outside of staff to do the drafting of code language. No one on the committee should talk to staff about the code drafting outside of these meetings. He thought Mr. Scalf needed to tell staff that they could not take any kind of public comment when it came to drafting code. He asked if anyone at the table had talked to the tribes. Kenn Brooks, George Yount, Jill Silver and Al Scalf raised their hands.

Kenn Brooks said that he had sent copies of his report to the Port Gamble and Jamestown S'Klallam tribes and asked for their comments. Bud Schindler suggested that Dr. Brooks send his report to the Skokomish Tribe as well.

Jim Tracy said that one of the critical elements of the WEAN case before the Hearings Board was the early consultation with the tribes and state agencies. All of them testified in support at the hearing about the Island County model. If we could do that (early consultation), it would strengthen the recommendations of this group.

#### Process of Committee Recommendation to Planning Commission:

Al Scalf described the past process where a committee provided a report to the full Planning Commission. Then the full Planning Commission would make a recommendation to the BOCC, most of the time accepting the majority of the committee's report. He was concerned about the volume that this proposal would have. He was particularly concerned about the BOCC understanding everything that had gone into the proposal, similar to what had occurred with the Omnibus. He was concerned about determining which JCC sections would need to be amended. He concurred with the suggestion that staff draft the code language with no outside input. Then it could go to the Planning Commission and concurrently to the committee, if the Planning Commission desired.

Jim Hagen said that his experience in the past had been that most of the line-in, line-out work was done at the committee level. He thought staff could begin drafting code language based on the sub-group reports that had been accepted and bring it back to both the committee, and the full Planning Commission as information, until the committee had finished the draft. Bud Schindler supported the line-in, line-out being drafted through the committee before it went to the full Planning Commission.

Norm MacLeod asked if it would be possible to do the line-in, line-out review piece by piece at the future meetings as staff had sections ready. Al Scalf and the committee members discussed the timing of when staff could start drafting the line-in, line-out code. He reviewed the current workload for LRP staff, saying that staff could not draft code within seven to ten days. Given the current staff situation, it was suggested that the county hire a consultant to do the drafting and use the salary savings in LRP, although Mr. Scalf did not think the salary savings would be enough.

Al Scalf said that the proposed outreach would take time. Kenn Brooks said that the committee could do the outreach. Jim Hagen said that before we did the outreach, we should have something to show them. Some committee members expressed frustration with a possible delay in getting to code language because of the current staffing situation when the committee had put in extra effort, working under a tight timeline, to get to a recommendation.

The group discussed what could be done in the next meetings. There were some administrative issues that could be discussed. One had to do with property tax issues where the committee could invite the Assessor. Bill Wheeler discussed the information he had on taxes and the white paper he provided in December, 2006. He discussed some of the suggestions he had proposed.

Jill Silver asked how the committee could support Mr. Scalf in asking for help in getting someone to do the drafting.

Norm MacLeod moved that the committee authorize the Chair to write a letter to the BOCC asking that LRP hire a consultant to write the code language for the committee, using any residual LRP salary savings plus any other necessary general funds expenditure. Roger Short seconded the motion.

Kenn Brooks suggested that the committee have some input into who was hired to do the committee's work. Al Scalf said that he would welcome such input.

Katherine Baril said that it was not necessary to have draft code available before a meeting with the tribes, state agencies, and public; they were interested in the basic concepts.

The motion carried unanimously (19-0-0).

Jim Tracy said that the state agencies had already bought off and supported the Island County ordinance. We should only have to show them how this proposal was different.

Nancy Stelow thought something that would be beneficial was a timeline depicting the particular parts of the proposal so that the pertinent sub-group could respond when that section was ready from DCD; ie, if it was wetlands, then the wetlands sub-group would be ready to review it. Jim Hagen suggested that topic be discussed at the next meeting.

#### Adjournment:

The agenda for the next meeting will be some of the administrative issues along with the timeline topic.

The meeting was adjourned at 10:07 p.m.