

JOINT MEETING
OF THE
JEFFERSON COUNTY PLANNING COMMISSION
AND
BOARD OF COUNTY COMMISSIONERS

MINUTES FOR JUNE 4, 2003

- A. OPENING BUSINESS
- B. PRESENTATION BY PROPONENTS OF 2003 COMP PLAN AMENDMENTS
- C. PUBLIC COMMENT
- D. ADJOURNMENT

A. OPENING BUSINESS

The joint meeting of the Planning Commission and BOCC was called to order at the WSU Learning Center at 7:00 p.m. by Planning Commission Chair Tom McNerney. Planning Commission members present were Phil Flynn, Jenny Davis, Edel Sokol, David Whipple, Dennis Schultz, Robert Morgan, Eileen Rogers, and Pat Rodgers.

BOCC members present were Dan Titterness and Glen Huntingford.

DCD staff present were Al Scalf, Josh Peters, Karen Driscoll, and Cheryl Halvorson, secretary.

There were about twenty members of the public present. Those who signed the guest list were Mari Phillips, Gary Phillips, Bill Curry, Jo Beachy, Ande Grahn, and one illegible signator.

The Chair welcomed the County Commissioners and explained the purpose of the meeting - to hear direct presentations by the proponents of the Comp Plan amendments.

B. PRESENTATION BY PROPONENTS OF 2003 COMP PLAN AMENDMENTS

The meeting began with presentations by the proponents of the four site specific amendments. The Chair read a summary of each proposed amendment by way of introduction and then invited presentations by the proponents or their representatives.

MLA03-231, Phillips and Maki

The site specific amendment proposed a re-designation for approximately 36 acres from a Rural Residential land use district to a Mineral Resource Lands Overlay [MRL].

Skip Irling, Ecological Land Services, consultant for the proponents, used an overhead projector showing an aerial photo of the subject area. He explained the history of the existing mining pit and explained the locations of the other properties involved in the request. He stated that the Phillips family wished to expand their mining operations into the subject parcels. He stated that the neighboring DNR property was going to be logged or had been logged already. He explained that the subject property was surrounded by either other family-owned property or DNR land. He stated that surveys done of the property indicated that there was a good bit of mineral resource that would be easily mined. He stated that there would also be easy access to the market because of the location of Penny Creek Road with SR 101.

Skip Irling stated that the review that had been done indicated that there were some things that came up with regard to wildlife habitat. As they looked into it further, in conversations with staff of the various agencies, they concluded that the property did not offer the same type of prime habitat that the species would frequent. Mr. Irling stated that the logging that had been permitted would not have been approved if the environmental review had indicated any severe environmental constraints related to species and habitat.

Skip Irling stated that there was a stormwater system that was in use now and that would be continued for use with the expanded mining. He explained briefly about how they would reclaim the property as they went.

Skip Irling stated that his review of the criteria for a MRL designation indicated to him that the proposal met the criteria.

Al Scalf pointed out the county pit, the existing quarry the Phillips purchased from the county (which did not have a MRL designation but was a grandfathered use), the Phillips' existing quarry (which did have a MRL designation), and the surrounding forest land.

Tom McNerney asked about the "leg" of land along Penny Creek Road. Skip Irling stated that it would be included in the MRL but would be used for supporting activities.

In answer to Al Scalf's question, Skip Irling explained the kinds of products that would be manufactured.

MLA03-182, Northwest School of Wooden Boat Building

The proposal was to re-designate approximately 5 acres from a RR 1:5 land use district to the Port Hadlock Rural Village Center Commercial District. Tom McNerney clarified that approximately half of the 5-acre parcel was already in the RVC and the other half was in RR 1:5. Al Scalf agreed that the parcel was split between the two zoning designations. This application was to re-designate the rural residential half of the parcel to the RVC designation. Mr. Scalf stated that the parcel was within the UGA boundary overlay. Mr. McNerney stated that the purpose of the application was to get the subject property re-designated now rather than to wait for the UGA effort to be completed.

Bill Brock, representing the Northwest School of Wooden Boat Building, made a presentation using PowerPoint. He clarified that the school had an opportunity to purchase the subject property for their campus and wanted to eliminate the split zoning.

Bill Brock explained the activities of, and training provided by, the Northwest School of Wooden Boat Building. They hold 9 and 6-month courses as well as shorter courses. He stated that they estimated that students at the school brought in between \$1.3 million and \$1.5 million to the community per year.

Bill Brock displayed a slide depicting their vision for their Heritage Campus. He explained the fund raising that had been accomplished already to make the Heritage Campus happen. Some funding was through grants while other funds came through in-kind services and direct donations. He explained the development that had occurred through three grants.

Bill Brock stated that the reason the rezone was important to the school was because, under the commercial (RVC) zoning, the school was allowed through a conditional use process, while under the RR 1:5 zoning, the school was not allowed.

Bill Brock displayed a slide depicting the topography of the parcel, stating that there were three terraces on the property. There was a drop in elevation of about seventy feet.

Bill Brock displayed a slide depicting the future built out development for the school on the proposed property. He stated that there were already water, septic and fire protection in the area and on the property, or it would be put on the property as they developed it.

Bill Brock explained the benefits to the school of the rezone. It enhanced future competitiveness, supported the school's mission, would provide room for expansion, and provided room for a quality campus. He then explained the benefits to the public. The economic center would shift to Port Hadlock. It would provide a harmonious design and use. It would provide access to new infrastructure. It would enhance view opportunities. It would provide meeting facilities. And it would enhance the historic waterfront image.

Pat Rodgers asked staff if there were any inconsistencies with the existing zoning in the Tri Area relating to the RVC. Al Scalf stated that it was proposed under the UGA that the parcel would be designated commercial, so it would be consistent with an RVC designation, and, in fact, expanded uses under a UGA. Mr. Rodgers asked if the area had been included in the RVC already. Mr. Scalf replied that it was not in terms of zoning regulations. Mr. Rodgers asked if a RVC could be located inside a UGA. Mr. Scalf replied that once we completed the final capital facilities and zoning for the UGA, the RVC would be extinguished. Mr. Rodgers stated that it was possible to have a RVC and a UGA in the same place. Mr. Scalf stated that was the case right now.

Glen Huntingford stated that was an issue that had crossed his mind as well. He stated that we had a UGA boundary and we were now doing the work for what may or may not happen inside that boundary. Mr. Huntingford stated that the county had made a commitment to not make any changes until such time as we got the infrastructure plan finished. Mr. Huntingford stated that his question was, if we made this requested change, whether we were inconsistent with what had been said in the past. And could we make this change legally before the infrastructure planning was done. He thought that was something that should be discussed.

Tom McNerney asked whether we should be considering this proposal as if there were no UGA boundary; it was a request to modify the RVC which already existed. Al Scalf stated that the county should review it under the standards for a LAMIRD (limited area of more intense rural development). Mr. McNerney clarified that the application should be considered as to whether the property was acceptable as an addition to a LAMIRD, ignoring any relationship to the UGA. Mr. Scalf agreed.

Concerning the septic system that was mentioned, Tom McNerney asked if the septic system was designed to accommodate the full buildout. Bill Brock replied that it was. Mr. McNerney stated that the sewer planning for the UGA would not be affected by the Boat School's plans then.

Bill Brock explained that the reason they were pushing for this rezone now was because they wanted to continue to make progress. He stated that it really hindered them to not know what size campus they would have. He stated that they had not received a grant because they could not afford to give up any of the RVC until they resolved the split zoning issue. He stated that they had seen the UGA come out, but it was a hardship on them to not move ahead and to have to wait for the UGA issue to be settled, and they wanted to move ahead. He stated that they wanted to be able to continue raising funds

and making progress. He stated that this was a big issue for them because they did not know if they could survive on a 2-acre campus; a 5-acre campus would allow them that growth. He stated that if a UGA came along in the future, they would adjust, but they needed to have some resolution to their immediate needs.

MLA03-189, ANE Forests of Puget Sound, Inc.

The proposal was for a re-designation of approximately 40 acres from RR 1:20 to RR 1:10. There was no one present representing the proponent.

MLA03-225, Donna Pall

The proposal was for a re-designation for approximately 68 acres from Commercial Forest 1:80 to a combination of Rural Forest 1:40 and RR 1:20. There was no one present representing the proponent.

The meeting continued with the suggested amendments.

MLA03-232, Port of Port Townsend

The proposal was to (1) extend the Essential Public Facilities (EPF) designation to approximately 24 acres of Port owned property adjacent to the airport, (2) amend the Comp Plan and UDC related to the allowance of limited rural scaled industrial uses within the EPF, and (3) propose an area in which residents in close proximity to the airport would receive notification of airport operations.

Larry Crockett, Port Executive Director, provided the presentation on the Port's proposal. He stated that Port Commissioner Herb Beck was also present along with Mary Winters, the Port's attorney. Mr. Crockett stated that there would be a more detailed workshop with the BOCC, and Planning Commissioners who wished to attend, on June 18.

Larry Crockett stated that the 24 acres mentioned should really be 34 acres. He explained that it included a 24-acre parcel the Port had purchased but it also included another 10 acres that had not been included in the EPF with the 1998 Comp Plan. That 10 acres should receive a map correction.

Larry Crockett stated that the FAA required that the airport be self-supporting. He stated that the airport had lost money in the last ten years of between \$10,000 and \$40,000 per year. He stated that the increased revenues from development on the two parcels would make up for those losses, and would probably generate a profit, which would be kept at the airport for operations. He stated that the proposed light industrial uses would be kept at a rural scale.

Larry Crockett displayed a map depicting the 50 and 55 DNL contours. He explained that both contours had actually gotten smaller with updated, improved software. He stated that there were about 65 parcels within the 55 DNL contour, not counting Port property, although there may be owners of multiple parcels. He explained what would occur in terms of notification for property owners within each contour area. Mr. Crockett stated that the 1998 Comp Plan was clear that the county would adopt a Noise Overlay District. He stated that the Port and county had been negotiating for some time. He thought the two entities were close to an agreement.

Larry Crockett cited RCW 36.70.547 which stated that every county in which there was sited a general aviation airport, that was operated for the benefit of the general public, whether publicly owned or privately owned, shall through its comp plan and development regulations restrict the siting of incompatible uses adjacent to such general aviation airports. He stated that the RCW went on to describe how that should be done and cited the GMA. Mr. Crockett referred to The Airports and Available Land Use, Volume I, from the Washington State DOT, Aviation Division. He stated that the last several pages provided land use guidelines and land use planning strategies. He stated that it clearly stated that you should evaluate noise sensitive land uses in light of aircraft noise contour lines. He stated that was what we were doing. He pointed out that it also talked about obtaining navigation and obstruction easements. He stated that they were not doing that. Mr. Crockett stated that it was not necessary with the 55 DNL. However, if it was a 65 DNL, under FAA regulations, they would have to take more severe measures. He pointed out that the 65 DNL was wholly within Port property.

Larry Crockett stated that the 55 DNL was being used by a number of other airports. He stated that the Port of Portland used it and, in fact, had a document concerning strengthening their local comp plans with regard to the 55 DNL noise contour.

Larry Crockett stated that the Port was not asking, and never had asked, to restrict residential properties. He stated that all they wanted was that the property owners be aware that they were near an airport. He stated that the reason they would want to comment on applications, and part of the proposal was to codify the requirement that the county notify the Port of development applications within the zones, was so they could make sure the other FAA related incompatible land uses were at least considered. He referred to the church that was permitted on Highway 19 as an example. Mr. Crockett stated that DOT was clear that any gathering of up to 100 people, in this case within 4,500 feet of a runway, should be discouraged. He stated that it was those types of things the Port would look at. He stated that the county had been sending the Port copies of applications for over two years. In all of that time, the Port had only commented on two applications. One was the church and the other was a residence on the bluff overlooking the runway. Mr. Crockett stated that the Port had no intention of depriving anyone of their private property rights, but they should be made aware of the airport, as was clear in both state and federal regulations.

Mary Winters, Port attorney, stated that she wanted to clarify the process. She stated that the last time the Port was before the Planning Commission, we were only discussing the settlement agreement and the noise issue and there was only one zone. Now there were two zones, the 50 and 55 DNL contours, based upon discussions with staff and there were more limited requirements with noise compatibility and a noise overlay zone. She stated that if there was confusion about that, it should be discussed at the workshop. Ms. Winters stated that all of the airport issues were being rolled into the one Comp Plan amendment process. She stated that it included the expansion of uses at the airport for light industrial. It included a suggestion from their consultant that the EPF no longer be an overlay zone; they did not understand why it should be an overlay zone. The consultant's recommendation was that it become a distinct zone. Ms. Winters stated that there were some text amendments to support all of that on a policy basis. She stated that one part that was not quite complete was suggested UDC amendments to implement the proposed Comp Plan amendments. She stated that staff had indicated to them that if the Port was going to suggest light industrial uses

at the airport, the Port should also include UDC amendments on bulk and dimensional requirements, etc. She stated that the Port desired more discussion with the Planning Commission before they started drafting those. She stated that was something that would need to move forward as the whole process moved forward.

Mary Winters stated that while the amendment was termed a "suggested amendment", the Port considered it an implementation of the settlement agreement and the 1998 Comp Plan.

Concerning the light industrial uses, Larry Crockett stated that their intent was that the proposal was for purely light industry, although there was some provision for accessory uses on a small scale, such as a small restaurant to serve the workers. It would not include general commercial uses. He stated that they had been approached by several local small light industrial businesses which wanted to expand but could not in their present locations. He stated that the Port felt a light industrial area would allow those companies to do their expansions and hire more local people. In turn, that would create the smaller vacancies for other new businesses to start up. Mr. Crockett stated that the businesses would be on septic, but they already had water, power and fire protection. He noted that the Trottier Report mentioned the airport as a possible MID site. He stated that was still a possibility if a single company came along and wanted to develop. He stated that the Port would be open to that, too, but that was not the initial intent of this proposal.

Herb Beck, Port Commissioner, stated that the airport had been in existence since the early 1930's. Several years ago, there had been discussions about re-locating the airport, but the conclusion had been that the airport should remain at its current location. He stated that the airport was an essential public facility and should be given the protection that an EPF needed.

Glen Huntingford expressed some confusion, stating that he wanted to discuss it more thoroughly at the June 18 workshop. It had to do with his understanding about a letter to the surrounding landowners. Now he heard that there was a second part, with maps to the real estate people for them to notify potential buyers. He stated that was not what he had heard at the last discussion. Larry Crockett stated that originally it had been a letter plus notifying title companies and real estate offices for the 50 DNL, the larger area. Mary Winters suggested that perhaps a chart of the two zones [the 50 and 55 DNL] with the differences between them would be helpful, adding that it was hard to read the text of the proposal. Mr. Crockett stated that was a reason for having the workshop - to get into the details. He stated that amendments were proposed for different sections and it was difficult to catch all of them.

Tom McNerney stated that the public would have an opportunity to make comments after the presentations. He stated that the Planning Commission would also hold a public hearing on June 18 on the suggested amendments, followed by a recommendation about which suggested amendments should go forward in the amendment process.

MLA03-244, People for a Rural Quimper [PRQ]

The amendment proposed Comp Plan policy changes related to the elimination of requirements for Jefferson County to adopt an Airport Overlay or Noise

Overlay ordinance and to support adoption of an Airport Master Plan to regulate land uses at the airport.

Gabe Ornelas, PRQ representative, stated that their presentation would be in two parts. The first part would be a historical perspective and on the facts related to the airport noise overlay. The second part would be provided by Ande Grahn, their consultant, who would discuss the technical portions of the proposal.

Gabe Ornelas handed out two documents: (1) a chart on the number of properties within the various overlay maps, and (2) the PRQ airport survey.

Gabe Ornelas stated that their group was not anti-aviation, anti-Port, anti-pilots, or anti-Master Plan. Instead they were pro property rights. Their group did not see it as a noise issue. They saw it as a property rights issue. They were against any imposition of an easement over their properties, which they thought was synonymous with a noise overlay.

Gabe Ornelas displayed the three maps referenced in the overlay maps document, beginning with a 1998 map. He stated that the map represented property owners from all over the nation. He provided a history of the noise overlay issue, stating that the 1998 proposal was returned to the Port for additional work. Mr. Ornelas stated that the Port then proposed a 50 DNL noise overlay going from Discovery Bay, across the heart of the Quimper Peninsula, to Port Townsend Bay. A public hearing was scheduled for February, 2003, on the proposal, but it was cancelled. He stated that the property owners' question was "Why does the Port want to do this to us?" He stated that they did not know. He stated that because they did not know, anxieties and suspicions built. Mr. Ornelas stated that in all the years this has been going on, the Port had never come up with a listing of the complaints it had received about airport noise. He did not think that data was there; at least he had not seen it. Now there was a third proposal, dated April 2, which recommended the 55 DNL, which was a bit smaller than the 50 DNL. He stated that the data received from the Assessor's office was that the number of affected parcels was 99.

Gabe Ornelas stated that on April 14 the Port Executive Director appeared before the BOCC to provide an update. The Leader report of that meeting said that the Executive Director had stated that within the 50 DNL there was an estimate of 160 parcels of property and in the 55 DNL, the estimate was 30 parcels of property. Mr. Ornelas stated that the fact was that there were 99 parcels based upon the Assessor's records. He stated that the fact was that there were 420 parcels within the 50 DNL. He questioned the difference between the Assessor's numbers and the Port Executive Director's. He stated that the reason he brought it up was because the parcels represented people who owned them, and the people were confused and scared and felt like they were in jeopardy.

Gabe Ornelas stated that in 1998 they did an admittedly unscientific survey of other airports. They wanted to look at airports that were larger than Jefferson County's in terms of take-offs and landings, some that had less traffic, and were at least 100 miles radius from our airport. He pointed out that in December of 1998 and in May of 2003, all of the airports had said that they did not have noise overlay zones. Therefore, that added to the confusion of the property owners about why the Port wanted to do that to them.

Gabe Ornelas stated that, because this was a property rights issue, the imposition of an easement over their homes was a real concern to them. He stated that they were looking for protection by the Planning Commission and BOCC of their property. He stated that the American dream was to own a piece of property and enjoy it without any governmental intrusion and imposition on that property. He stated that, if the Port thought there were concerns with the viability of the airport, he believed there were methods to satisfy those concerns without imposing an easement on their properties. He urged the county to not satisfy the Port's concerns by taking away the dreams of the property owners, both present and future, by what they called an easement.

Ande Grahn, consultant for PRQ, stated that Mr. Crockett had said that they were proposing a pretty good solution to the issue. She stated that, by docketing this amendment, they would provide another solution. She stated that if, in going through the Port's suggested amendment, the county found that it was not interested in adopting a noise overlay district, this amendment would provide a second alternative. That was to remove the language in the Comp Plan that required the county to do so. She stated that they had not found any other airports that had noise overlays. She stated that an RCW was cited, but it did not say that a noise overlay was the only alternative. She stated that the properties in question were not adjacent to the airport; they were a long way from the airport. Ms. Grahn stated that there were other ways to meet the legal requirement of the RCW to prevent incompatible zoning. She stated that the current UDC was working, stating that the church and the residence cited were reviewed by the Port. She stated that there were a lot of regulations already in place that met a lot of the concerns. Ms. Grahn stated that they had prepared some line-in, line-out language in the Comp Plan amendment proposal that, should the county wish to consider it when it finished its review of the airport, provided another solution to having a noise overlay district. She stated that she did not want to argue the merits of having or not having a noise overlay district now. She just wanted the commissioners to understand why they proposed this amendment and requested that it be docketed. It gave the opportunity throughout this planning process to know that there was another solution to the request of the airport. Ms. Grahn stated that the Comp Plan directed that the Port prepare a Master Plan for the airport and they were very supportive of that. She reiterated that they just wanted to provide another solution to the ongoing noise overlay issue.

Jenny Davis referred to Ms. Grahn's assertion that many properties were not adjacent to the airport. She asked if Ms. Grahn was aware that if someone lived west of the airport, the flight pattern went over that area. Ms. Davis stated that even though it may not be right next to the airport, the area underneath the flight pattern was still impacted. Ande Grahn stated that she was aware because she had drafted the original noise overlay ordinance that the Port brought forward. Ms. Grahn stated that there was nothing in the current code or laws that prevented the Port from notifying its neighbors using its good neighbor policy. She stated that a Comp Plan amendment was not needed for that. Ms. Grahn stated that Mr. Ornelas kept calling it an easement, but she thought it was actually a zoning overlay or a zoning district; it would actually zone those properties with an overlay. Ms. Grahn stated that she did not believe a noise overlay was the only solution to notifying property owners.

MLA03-209, Jefferson County (Ag Lands)

The proposal was to develop a Agricultural Lands strategy including consideration of land use designations, reconsideration of UDC regulations and additional unfinished Ag Lands planning tasks as described in the Comp Plan.

Josh Peters stated that this amendment proposal represented Step 2 of the Ag Lands planning. This step was where the county would look into Ag Lands of Local Significance. It would also consider the tasks the Comp Plan laid out to finalize the Ag Lands ordinance, which were now the Ag Lands sections of the UDC and any other inconsistencies there may be between the Comp Plan and UDC.

Josh Peters introduced Karen Driscoll who would be working on this particular issue. He stated that she had participated as a member of the public on the issue when it was last before the Planning Commission. Karen Driscoll stated that she was a retired planner who was now on staff to work on this issue. She stated that she also owned 58 acres of farm land. Therefore, she thought she could look at the issue from both sides. Al Scalf stated that Ms. Driscoll was a Clerk Hire and would work specifically on this issue. He stated that she was hired through a state grant.

Josh Peters stated that Ms. Driscoll would be doing the public outreach program on the Ag Lands issue. She would also be working on developing a list of parcels for potential Ag Lands zoning. He stated that right now staff was working on developing a specific proposal for consideration.

MLA03-210, Jefferson County (Seawater Intrusion)

The amendment proposed the addition of narrative and policy language in the Comp Plan and UDC related to compliance with a Hearings Board order concerning seawater intrusion protection.

Josh Peters stated that the BOCC had adopted the Seawater Intrusion Policy and UDC amendments to comply with a Hearings Board order. In a compliance order, the Hearings Board said that it was not clear what the policy was, whether it was part of the Comp Plan or the UDC, or whether it was a GMA action, in fact. Therefore, one of the things we needed to do was consider that policy, compare it to the Comp Plan policy language, and then suggest actual language for insertion into the Comp Plan, or perhaps even changing some language that was already there. Another step would be to take a look at the other actions that were in the process right now and determine whether those actions had any influence on the Comp Plan. He stated that this was essentially a place holder application. He stated that it would be made more clear during the following week when the BOCC considered adopting an ordinance that potentially met the compliance order that was issued in December, 2002.

Josh Peters reviewed the actions leading up to the decision the BOCC would take the next week. He reported that the staff had sent its recommendation to the BOCC along with the Planning Commission's recommendation. He reported that the BOCC had decided to not restrict water use but to support conservation instead.

Josh Peters reviewed the changes and additions suggested by staff that were in addition to, or different from, the Planning Commission recommendation.

The Planning Commissioners and staff discussed some of the provisions that staff added to the recommendation to the BOCC. One topic had to do with proof of potable water for a building permit and a requirement for a hydrogeologic assessment. Another topic addressed submitting such reports to DOE for comment prior to issuing a building permit. Something was added about golf courses or other turf cultivation that used groundwater in a seawater intrusion protection area.

Phil Flynn asked how staff suggested addressing possible public water for Marrowstone Island. Josh Peters replied that there was a paragraph originally inserted by the BOCC on March 3 in the interim ordinance which essentially said that we would give ourselves two years to get public water on Marrowstone, and if that did not happen, we would in effect put in a well drilling moratorium. That was part of the 90-day compliance which the Hearings Board decided to weave into the 180-day compliance. The Planning Commission inserted language into the paragraph that was more to do with the monitoring program. The Planning Commission recommended that, if after two years of monitoring it was clear there was a problem, we would designate Marrowstone Island a High Risk SIPZ and a Sea Salt Water Intrusion area. He stated that staff essentially suggested deleting the entire paragraph. He stated that a monitoring program should be part of an adaptive management program. You would not just designate the entire island a High Risk SIPZ. You would look at the data from the monitoring program and try to make an assessment about areas that looked like they were impacted and then you would apply the adaptive management measures for those areas. Mr. Peters stated that there were really two things going on in that paragraph, so staff recommended deleting it. He reported that so far the BOCC had concurred.

Glen Huntingford stated that he thought we had seen enough information on the wells on the island and with the variances in testing that had occurred, and we really did not know what was going on. If we had the adaptive management process, it may take us a different direction. He thought that was a prudent way of going about it. Josh Peters stated that there may be Comp Plan language, for example, that talked about how to interpret data from a comprehensive monitoring program and reach decisions in that way.

Pat Rodgers asked about including statistical language to define when there was a problem. Josh Peters stated that the statistical test the Planning Commission had recommended using was the test staff continued to recommend using. He stated that one way to use the test was to look at individual wells. All you could use those test results for was to look at an area wide basis and then get expertise to interpret the results. Mr. Peters stated that information was something that could be put in the Comp Plan. He stated that it was in the findings for the draft ordinance that would be adopted by the BOCC. Mr. Rodgers stated that he was just concerned that a simple percentage change was wholly inadequate and would not describe what was really happening; it was simplistic and would lead to the wrong result.

Eileen Rogers and Tom McNerney asked about the final product (ordinance) that would go to the BOCC on June 9. Josh Peters stated that he did not know where the final ordinance was in the process. Al Scalf stated that staff would get the information and send it to the Planning Commission.

Phil Flynn asked, if there was public water on Marrowstone Island in eighteen months, if there was any provision whereby some of the requirements would get "short circuited". Dan Titterness replied that, because this was not strictly a Marrowstone Island issue, it was a county issue, the process would

remain in place. It was the analysis of data that would apply to the aquifers. Therefore, the fact that there was public water available on Marrowstone would not change the other requirements, at least for now. Mr. Flynn stated that Marrowstone Island was a distinct area in the proposal. Mr. Titterness agreed that it was a distinct area because it was a confined aquifer. Mr. Flynn asked whether the testing would continue on Marrowstone, along with the other processes, if public water became available, and if so, for how long. Glen Huntingford stated that he agreed with Commissioner Titterness that it could carry on for the rest of the county. However, he did not know that the county would want to be in the position of continuing to spend the money to the same degree for monitoring. He thought perhaps we would continue and do a smaller number of wells to see what was happening. Mr. Titterness agreed that the economics of the situation should be considered, but we would continue to need that data.

Robert Morgan asked, given all the statistics we would gather and if a problem was indicated and given the questionable legal right of the county to implement, how we could implement a management plan. Dan Titterness responded that was essentially the question the county was referring back to the Hearings Board.

C. PUBLIC COMMENT

Luke Bogus, reporter for the Peninsula Daily News, stated that this was his first Planning Commission meeting. He just wanted to introduce himself.

There were no other public comments received.

D. ADJOURNMENT

Al Scalf stated that staff had coordinated a stormwater training with the DOE in anticipation of implementation of the 2001 Stormwater Manual on July 1. Josh Peters reported on the training and the state agency staff who would be participating. Mr. Scalf and Mr. Peters reported on the examples of projects staff would be posing.

The next Planning Commission meeting will be a public hearing on the suggested Comp Plan amendments for purposes of formulating the final docket. Tom McNerney suggested that the commission make its recommendation for the final docket at that meeting. He commented that the Port may not make much of a presentation at the hearing because the workshop on their proposal will be the same day. He urged the Planning Commissioners to attend that workshop.

Cheryl Halvorson reviewed the schedule for the Planning Commission committees. The By-Law Committee will meet on Thursdays beginning June 12. The secretary had scheduled a meeting room for Wednesdays at the Tri Area Community Center for the UGA Committee. It was agreed that the UGA Committee would meet on June 11. The Seawater Committee will be inactive for awhile.

Cheryl Halvorson stated that she would work with Mr. Peters to get the committee meeting announcements on the county web site. Then if the papers did not print our committee meeting notices, the committee would still be able to meet.

Cheryl Halvorson stated that when the Airport Committee got started, they should establish a regular meeting time, which would facilitate getting a meeting space.

The meeting was adjourned at 9:05 p.m.

E. APPROVAL OF MINUTES

These minutes were approved this _____ day of June, 2003.

Thomas McNerney, Chair

Cheryl Halvorson, Secretary