



JEFFERSON COUNTY

PLANNING COMMISSION

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JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR JULY 11, 2007

- A. OPENING BUSINESS**
- B. FISH & WILDLIFE HABITAT CONSERVATION AREAS**
- C. ADJOURNMENT**

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 6:30 pm by Vice Chair, Bud Schindler.

Planning Commission members present were Bill Miller, Patricia Farmer, Bud Schindler, Henry Werch, Mike Whittaker, JD Gallant, Ashley Bullitt and Edel Sokol. Chair, Peter Downey arrived shortly after role call.

DCD staff present were Joel Peterson, Brent Butler, Al Scalf and Angela Wade.

There were about 22 members of the public present. Those who signed the guest list were Frank Hoffman, James Fritz, Jim Hagen, Renee Bush, Teren MacLeod, Norm MacLeod, John Richmond, Kathy Dickson, Kenn Brooks, Dennis Schultz, Hannah McFarland, Scott Clogston, Susan Hopkins, Judy Stewart, George Yount, Clark Crandall, Virginia Crandall and Roger Short.

Staff Updates:

Brent Butler reported that Shoreline Planner, Michelle McConnell would not be present this evening, her visit with the PC has been postponed to a later date.

Brent Butler reported that the Climate Change Resolution was approved by the Port Townsend City Council. The adopted Resolution aims to reduce the output of greenhouse gas emissions in Jefferson County by 80% by 2050, returning the county to emission levels similar to 1990.

Joel Peterson announced that the first meeting of the DOE Collaboration Project is scheduled on Friday July 13th, 2007, 1:00-4:00 pm at the Brinnon Fire Hall. There are initially about ten people gathering to discuss the feasibility and scope of the project, including Andy McMillan and Rick Mraz from DOE, Al Scalf and Joel Peterson from DCD, and interested citizens Norm MacLeod, Kenn Brooks, Dennis Shultz, Al Latham, Amy Hiatt, Sam Gibboney and Phil Andrus. So far there are no formal representatives from WEC planning on attending. Everyone agreed that it would be nice to have WEC participate, and will look into why they don't plan on having an official representative present.

Al Scalf clarified that the Planning Commission members are encouraged to participate in the meetings on an ongoing basis, as it is a collaborative effort. No more than four members of the PC can attend a meeting. Bud Schindler, Patricia Farmer, JD Gallant and Mike Whittaker expressed interest in attending the initial meeting. Peter Downey said that it would be beneficial to have one dedicated PC representative attend all meetings. Henry Werch asked if there should be a formal process to report these discussions to the PC. Ashley Bullitt suggested that a written report be submitted to the PC, so that additional time isn't taken at PC meetings for a verbal report. Peter Downey said that the PC will continue to work according to their timeline and incorporate information

gathered from the DOE collaboration meetings if or when it develops, without altering the PC's timeline.

Brent Butler reported that there has been no decision on the extension of the CAO timeline so far.

Brent Butler said that the WSU staff had requested that they don't open the doors during the PC meetings due to the repaired air conditioning unit. They also requested that the room be left tidy by cleaning up dishes, etc.

Brent Butler announced that this is his last meeting with the PC as he has resigned from DCD, and accepted another position as Senior Planner for the City of Bainbridge Island.

Mike Whittaker questioned rushing the completion of the CAO. He suggested that the PC take additional time with the process to create a better outcome. Peter Downey said that whatever is enacted today can and will be changed in the future. Mr. Downey imagines that the new ordinance will have smaller buffer sizes than prescribed by the current ordinance, so it benefits the county and people to act sooner rather than later.

Mike Whittaker asked DCD staff if they could report on the UGA settlement. Al Scalf said that ICAN's attorney offered the County a settlement agreement which is still pending before the Board and legal council, and he can't yet give any specific details.

Committee Reports:

Bud Schindler reported that an agenda is being established for the MPR meeting on July 31st at 7:00 pm at the Brinnon Community Center. The agenda includes introduction and review of the process, Environmental Impact Statement (EIS), and Memorandums of Understanding (MOU). Brent Butler recommended that they focus on the critical components of the EIS (WAC 197-11-444) and suggested that a separate subcommittee meeting be dedicated to economic impacts. Mr. Schindler said that the meeting will take place with the understanding that the draft EIS will not be complete. This will give public services (school, fire, police) an opportunity to state their concerns before the draft is complete so that their requests can be incorporated. Mr. Butler said that the draft EIS will most likely be complete in August.

Bill Miller stated that the Record of Action Taken (for the UGA compliance) were submitted by the County to the WWGMHB. Everything submitted had been accepted and forwarded, including the changes to the Comprehensive Plan and Unified Development Code. We are now in the 60 day appeal period.

Public Comments:

Kenn Brooks said that eight reviews of the supplemental BAS are now available; five more than are typically required for publication in a peer review journal. He said that six of the reviews are positive, and two of them he considers negative. He encouraged the PC

read the review by Dr. Weinmann, a wetland biologist with the Bureau of Land Management (BLM). Dr. Brooks considers this review to be the most thorough and on-point. Like other conservationists, Dr. Weinmann's review strongly endorses a site specific habitat management plan approach, and notes that prescriptive buffers do not offer sufficient protection. Dr. Brooks also referred to a 1992 DOE publication containing abstracts that summarize buffer needs. The abstracts suggest buffers ranging from 25 feet to 50 feet for various sizes of residential streams. He pointed out that there is a section that describes documented stream buffer sizes that is not included in DOE's BAS.

The recommendations from the majority committee are based on those peer-reviewed and published documents that suggest buffers sizes of 10 feet to 10 meters, and the committee's report is more conservative than what is stated in the peer-review documents. In regards to the DOE Collaboration Project, Dr. Brooks said that Andy McMillan expects the meetings to continue for six months. Dr. Brooks also cautioned that Mr. McMillan has health concerns and therefore is unable to participate in very large group meetings. Dr. Brooks said that the people chosen to participate in the meetings are excellent negotiators and have been chosen with great care. He thinks the larger the group becomes, the less efficient it will be.

Jim Fritz said that Walmart has filed a complaint with the WTO stating that height, square foot and zoning restrictions (within the 8,000 page WTO agreement) are an illegal restraint of trade and should be set aside. He said that essentially global organizations are demanding the right to replace sovereign nations regarding commerce. Mr. Fritz imagines that Walmart will win, and said the significance is that the treaty has a higher legal standing than the constitution. He said that such rulings could not be challenged on the basis that they violate county, state or federal laws or regulations, but would need to be appealed through the WTO.

Secondly, Mr. Fritz referred to an article in the newspaper by Bernie Arthur which he submitted to the PC. He read from the article "In a May 20 letter to the Jefferson County Planning Commission, wetland scientist Fred Weinmann offered the possibility that in 20, 30 or 50 years, Chimacum Valley might be converted to its pre-agriculture, natural state. He appears to be suggesting large buffers be used for decreasing land values for the purpose of future public acquisition." Mr. Fritz has heard from several people that agriculture and ecology are incompatible and he believes that there is a move to do away with agriculture in Jefferson County.

Paul Heinzinger questioned if any of the PC members had been to Mystery Bay on Marrowstone Island. He said that there is an example of a failed ordinance. He said that an ordinance was passed around 1990 about the use of buoys, and that by 2000, the use of buoys was completely out of control, and they were banned altogether. Currently there are at least 50% more buoys than in 2000. Mr. Hinesinger said that the County is wasting its time if the people affected by ordinances aren't involved in the drafting of them. For example, he doesn't remember any public input on Mystery Bay's ordinance, and now

the people ignore it. Mr. Heinzinger said that nothing is being done about the buoys and it's not his responsibility to enforce the ordinance or to tell people not to put buoys there. Norm MacLeod said that he had asked several times if cranberries could be grown in the wetlands in the county. He found the answer in WAC 365-190-050 that yes, bogs can be used to grow cranberries. When reviewing the RCW's and WAC's he found that the language in these regulations often uses a modifier, such as "may." Mr. MacLeod also said that the intent of the legislature included preserving agricultural lifestyles, and over and over again used the language "innovative solutions" "non-regulatory alternatives" and "stewardship."

Norm MacLeod said that for months they've been discussing these options and been told that they can't do them, when the WAC and RCW encourage the use of these alternatives. Mr. MacLeod said that CTED is required to maintain a database of innovative solutions that have worked around the state. In regards to the DOE Collaborative effort, Mr. MacLeod said that the Settlement Agreement comes into play again. He is disappointed that WEC isn't involved. Mr. MacLeod suggested that the PC review the pertinent WAC's and RCW's to learn more about the statutory support they have in developing an approach to critical areas.

Roger Short referred to the book "Iron Man of Hoh River" which talks about the life of pioneers 100 years ago and is relevant to what's happening today. Mr. Short said that upon hearing that Brent Butler is leaving DCD, he is upset by the constant changing of DCD staff and would like to see fewer turnovers. He asked who will be taking Mr. Butler's place at the PC meetings. Peter Downey said that the PC will address this question after the public comment period.

Jill Silver noted corrections to be made to her comments in the June 27th, 2007 PC meeting minutes. (These changes were incorporated in the previous minutes.) Ms. Silver said that last week there was discussion about researching Department of Fish & Wildlife (DFW) recommendations and including DFW in the process as they are responsible for making recommendations for permits on streams and for wildlife. She said there was also confusion about whether habitats need to be designated for threatened or endangered species in the CAO. Ms. Silver offered the following clarification: counties regulate the habitats and develop buffer widths but federal and state agencies designate the species of concern. This information is available on the Priority Habitat and Species page of the DFW website. She said that on the website, the habitats are broken down by DFW region, not by county. She referred to a document also available on the website, Management Recommendations for Washington's Priority Habitats: Riparian, written in 1987.

Jim Hagen said in regards to the time limit for completing the CAO, his understanding is that the current ordinance is valid and the time rush is only to meet the terms of the Settlement Agreement. Otherwise they are compliant. Mr. Hagen referred to the Jefferson County Comprehensive Plan Land Use Map and cumulative impacts of future development. He blacked out several sections of the map, including commercial forests, county parks, etc. and colored the agricultural areas in red. He spoke about the remaining

62,000 acres of rural residential land on the map representing 5% of the land. He wanted to show the distribution of land impacts, including rural village centers, heavy industry, rural based industry, light industry, and rural crossroads. Combined, the industrial lands cover a very small portion of the land: 748 acres. He listed all the watersheds in the county and requested the PC to look at the conditions as they really exist in the County when considering the impacts on critical areas. Mr. Hagen referred to a statement from the Division I Court of Appeals that reads “left cities and counties with the authority and obligation to take scientific evidence and to balance that evidence among the many goals and factors to fashion locally appropriate regulations based on the evidence, not on speculation and surmise.”

Frank Hoffman said that the PC mentioned that this is a political process. He referred to the letter from Andy McMillan’s discussion about conversations with Jill Silver and other members of community. He read “However, the primary focus of this effort would be to develop non-regulatory elements such as landowner stewardship programs to augment the proposed regulatory provisions.” Mr. Hoffman said that many of the landowners in Jefferson County are older people, and he hopes that the PC will consider how their decisions will affect the new prospective landowners. He said it’s not about pleasing people now, but about considering future landowners.

Peter Downey thanked the public for the enormous effort they have been contributing. Ashley Bullitt referred to the article by Bernie Arthur regarding flooding of farmland and returning the county to its pre-civilized state. She said that she never heard of this concept before and asked if anyone on the PC thinks this is a good idea. Mr. Downey said that he had encountered this concept when working for DOT and studying storm water based on a pre-Columbian review of the area. Mr. Downey said that some people think we should return the land to how it was before white people 500 yrs ago.

Peter Downey addressed Roger Short’s question about replacing Brent Butler. Al Scalf said that Brent’s resignation opens the position of lead planner in LRP. Mr. Scalf that he just heard this news today, and that it will take about one month to fill the position. In regards to DCD staffing at PC meetings, Mr. Scalf said that he will initially be filling in for Mr. Butler.

B. FISH AND WILDLIFE

Henry Werch handed out a document listing regulations that pertain to the CAO. He said they owe it to the community to publicly examine the RCW’s and WAC’s pertinent to the CAO. In regards to RCW-36-70A.011, Mr. Werch said it’s clear that the legislature intended to make a statement about the uniqueness of rural land and the rural lifestyle, and the need to preserve all aspects of that lifestyle. Mr. Werch said that they have the obligation to respond to this request of preserving the rural lifestyle of Jefferson County. He continued that RCW 36.70A.172 directs them to provide BAS. WAC 365-195-900 talks about how to best define BAS and directs them to give “special consideration to conservation or protection measures necessary to preserve or enhance anadromous

fisheries.” He believes that the PC should spend time deliberating WAC 365-195-920 because it deals with an adaptive management program.

Henry Werch believes that the location of the buffer will not contribute significantly to wildlife protection on the ground; protection can only come from public participation. Mr. Werch said that ordinances can either enable citizens by providing a framework for voluntary or community work to be undertaken, or they can present an obstacle and prevent the intent of the CAO from being carried out. For this reason, the PC should consider how prescriptive they make the CAO. He read from WAC 365-195-920 “Where there is an absence of valid scientific information or incomplete scientific information relating to a county’s or city’s critical areas, leading to uncertainty about which development and land uses could lead to harm of critical areas or uncertainty about the risk to critical area function of permitting development, counties and cities should use the following approach: (1) A “precautionary or a no risk approach” in which development and land use activities are strictly limited until the uncertainty is sufficiently resolved and (2) As an interim approach, an effective adaptive management program...” Mr. Werch emphasized that the WAC asks for both (1) and (2) to be carried out, not either/or.

Henry Werch said this is a deliberation point for them, as WAC is a directive to them. He also read from WAC 365-195-920 “To effectively implement an adaptive management program, counties and cities should be willing to: (b) Change course based on the results and interpretation of new information that resolves uncertainties.” Mr. Werch said this means that they don’t have to write a new CAO some time in the future.

Regarding conservation, Mr. Werch said that they can address individual issues without significantly affecting environmental goals. He believes the way to do this is to follow the direction of WAC 365-195-920 and put into the ordinance a very strict limitation on development and land use activities which affect the environment, and at the same time do what they can to encourage community efforts to provide adaptive management programs. He said his opinion differs from the public’s opinion that this can best be done by not providing restrictions, and leaving it in the hands of voluntary efforts. He said he’s concerned with this approach because the County is accountable yet they currently have no means for the County to answer to the State in regards to voluntary efforts. Mr. Werch said that addressing accountability is a key issue and the County needs a regulatory base. He suggests that a proper regulatory base is to have a strict ordinance in regard to buffers, and a program where the County interacts with individual landowners. He said the CAO was never meant to encumber the family farm.

Henry Werch suggests that the PC deliberate how they can respond to WAC 365-195-920 and provide an ordinance that lays the groundwork and framework for adaptive management within the ordinance. He suggests that the ordinance be more conservative than Report #1 recommends, and provide real, believable recourse on the part of the landowner to get permits for building and have them judged on the ground. In regards to the problems in an under funded county, Mr. Werch said that they can’t be resolved by enacting an ordinance that passes the buck but provides no clear lines of authority or accountability.

Peter Downey suggested that they approve a dual code that provides both prescriptive standards and also a way out of it if landowner chooses. Either the landowner can choose the prescriptive buffers or develop a habitat conservation plan that alters the buffers but still maintains the functions and values of the critical area via the performance standard. Mr. Downey said this habitat conservation plan then becomes binding to the property. Henry Werch said he supports the dual code approach and also asked if the habitat plans could come out of a group effort so that the onus doesn't fall on the individual property owner. Peter Downey responded yes and referred to the State Energy Code as an example of a regulation that provides six different options as well as the option to develop a plan entirely on your own. Mr. Downey said there is a way to provide options and make it easier for the landowner.

JD Gallant said that Henry Werch hadn't finished reading WAC 365-195-920. He said it continues to state "(2) as an interim approach, an effective, adaptive management program that relies on scientific methods to evaluate how well regulatory and non regulatory actions achieve their objectives." He said that this also needs to be considered.

Peter Downey said that he doesn't see any disagreement here; the disagreement is how it's applied. He said that the prescriptive approach is a cautionary approach with the consideration that some landowners will misuse their land. He said that providing only a prescriptive approach doesn't allow the option for people to be stewards, or to put in the effort to implement a habitat conservation plan specific to their land. Edel Sokol said that she's never heard the use of the word "voluntary," and that she's always heard the use of "performance standards."

Edel Sokol said that if hypothetically someone purchases a piece of land in a critical area; they wouldn't know what was happening there unless it had been previously tested. She said that the County doesn't have these maps and that in this case, the use of a stewardship plan may even enhance the property. Ms. Sokol said that she supports the prescriptive and stewardship approaches. Mr. Downey clarified that the performance approach is not voluntary, but rather the landowner is held accountable to preserve the function and values of the critical areas.

In regards to funding, Edel Sokol said that online she saw at least 100 places for funding. Bud Schindler said that in regards to funding, the case findings of the Skagit County Western WA Hearings Board show time and again that a prescriptive approach is often the most expensive approach.

Norm MacLeod said that there is money available through NRCS. He advised against the use of a "precautionary or a no risk approach" and said that there is no such thing and this is probably an error in the WAC. Mr. MacLeod continued that WAC offers a choice between the prescriptive approach and an alternative approach. WAC 365-195-920 says that "counties and cities should use the following approach" not must use the following approach, in regards to the alternative adaptive management approach. He said that the alternative approach suggested here is stronger than the usual alternative approach because it says "Management, policy, and regulatory actions are treated as experiments

that are purposefully monitored and evaluated to determine whether they are effective and, if not, how they should be improved to increase their effectiveness. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. To effectively implement an adaptive management program, counties and cities should be willing to: (a) address funding for the research component of the adaptive management program.” Mr. MacLeod said this is where NRCS funding comes into play. He continued reading “(b) Change course based on the results and interpretation of new information that resolves uncertainties; and (c) Commit to the appropriate time frame and scale necessary to reliably evaluate regulatory and non regulatory actions affecting critical areas protection and anadromous fisheries.” He said that this is the piece of the WAC that provides the basis for running experiments to see how to manage the situation and develop scientific certainty to replace the uncertainty.

Peter Downey said that he’s not talking about working within WAC 365-195-920 because it speaks about scientific uncertainties; he’s talking about a flexible dual system approach. JD Gallant clarified that the use of the word voluntary refers to the landowner’s choice not to use prescriptive measures. Mr. Gallant said that the question is how to word this correctly and where to place it in the ordinance, for example, as part of the mitigation. Mr. Downey responded that it’s standard to say use Path A or Path B (stewardship) and if you choose Path B, here are requirements: a habitat plan preserved in perpetuity, etc. Edel Sokol said that intense development should have strict buffers and no mediation from that. Mr. Downey said that even though Jefferson County currently is anti-big development and Jim Fritz pointed out that it may not always be that way due to multi-national corporations.

The PC referred to Report #2, lines 985, 1036-1037 that address an alternative option to the prescriptive approach. Mr. Downey said that it doesn’t exactly get at what he’s suggesting. It says that the administrator can make changes, but it doesn’t require a management plan, nor does it state that it must be maintained in perpetuity.

Kenn Brooks said that there is a whole section on allowing property owners to develop a site specific habitat plan in place of a prescriptive approach in the majority report. He also said that there is a misconception. He said that no one under any circumstances can undertake an action which causes a violation of WA State Water Quality Standards. He said that Island County adopted WAC 173-201 (Water Quality Standards) as their performance standards. He said that the court upheld the appropriateness of using WAC as their performance standards. He said that the majority committee’s report includes a monitoring plan, enforcement actions, a path to be taken when a violation is observed, and best management practices. Essentially it addresses everything the PC brought up tonight and there is nothing voluntary in the report. He continued that the primary difference is that they acknowledge a broader range of functions and values and therefore have lower buffer recommendations. He said that these are not the lowest in the state; Island County’s buffer requirements are significantly lower and they have not been challenged.

Henry Werch said that they need to focus on which recommendations they choose in regards to the descriptions of buffers in the two reports. His preference is to be conservative and provide buffers that are adequate and also provide an alternative to homeowners for specific cases. Mike Whittaker said that the buffers should be directed by the impact on the land. Mr. Whittaker said that the buffers should be different in different situations and each situation should be analyzed and backed up by science. Peter Downey said that this was addressed each time a landowner wants to make a change to the land and comes in for a building permit. Mr. Downey said at this point they have to come back to the County and have the choice to use a prescriptive or stewardship approach.

Edel Sokol moved that a 2 tiered approach shall govern either a prescriptive or a stewardship approach. Bud Schindler seconded the Motion.

In discussion, JD Gallant said that more details need to be written in; for example, they may need an additional staff person to monitor the stewardship approach. Mr. Gallant said that they don't want the County to go into debt because they can't afford additional staff. Peter Downey said that they must be careful about the language, and that he is not talking about including mitigation. Mr. Downey said that a Habitat Conservation Plan preserves the functions and values of a critical area, and the use of mitigation happens when the functions and values are not preserved.

Mike Whittaker said that Report #1 is in depth and includes monitoring procedures, wetland delineation reports, wetland mitigation and habitat management plans, etc. Mr. Whittaker said that the County must step up and commit to being a resource. Mr. Whittaker said that it is going to take money to provide oversight. Edel Sokol said that the Conservation District can tax, although they never have and don't want to, but other districts have imposed taxes and she doesn't know where this will lead. Bud Schindler said that the County awarded the Land Trust a significant amount of money, which he believes is a lower priority than what they're deliberating.

Ashley Bullitt said that she's in favor of stewardship programs. Her only concern is that it could be open-ended, and she would like it to have parameters. She said that if it's open-ended it could encourage disputes and lawsuits. Edel Sokol suggested that Habitat Conservation Plans must be recognized by a county biologist and must meet performance standards. Al Scalf recommended that the PC accept 2 tiered concepts, and develop additional motions for standards on how it's carried out.

The Motion was approved unanimously (9-0-0).

The PC began deliberation on Siting Assessment Requirements. Bud Schindler suggested following Report #14, and referring to Report #2 when there are differences. JD Gallant said he's completely in disagreement. Mr. Gallant said that these reports are equal, not majority or minority and suggested comparing the reports and sending the best of each to the code writer.

Edel Sokol moved to send Report #14, lines 320-367 to the code writer. Bud Schindler seconded the Motion.

In discussion Bill Miller mentioned that Report #2, lines 1722-1969, 1972-1996 as this section contains comparable language. It was stated that Report #2 is broader and contains more text. Bud Schindler said that the definition of a habitat management plan was out of place; it was introduced too late in the report. Peter Downey said that the grading piece in Report #2 is too prescriptive. Mr. Downey said that it may be pertinent in reference to a wetland, but if the habitat is not water based, it might not be applicable. It was suggested that the PC forward this section of Report #14 and if they later find something missing, they can add that piece from Report #2. Bud Schindler said that he thought that some of Report #2 might be duplicated in the development regulations.

The Motion was approved unanimously (8-0-1).

Bill Miller suggested that the PC review lines Report #14, lines 379-417 and Report #2, lines 1997-2102 about buffers for next week. Edel Sokol suggested reading the monitoring program in Report #1, page 12, beginning on line 433. Patricia Farmer said that she would appreciate more precision at the next meeting, with less moving between topics.

Public Comments:

Peter Downey requested that the comments be limited to three minutes.

Jim Hagen said that as a former Planning Commissioner, it was a pleasure working with Brent Butler and he wishes him good luck. He said that even if they just use a prescriptive approach, it needs to be monitored to determine if it's working correctly and to provide accountability. He continued that DOE uses a four step approach and Ms. Silver mentioned additional pieces that need to be implemented. He said that whether they use a prescriptive approach or a stewardship approach, the fact is that it will take money and he has been hearing that the money isn't there. Regarding the comments about NRCS funds, he said that \$230,000 was Conservation Futures Funds which is public money. He said that with little money, they need to identify priorities. He said that their Conservation District is highly respected, and Al Latham has not only preserved the functions and values of agricultural areas, he has improved and enhanced them. He suggested that the PC include in their recommendations a monthly or yearly allowance of Conservation Futures Funds money to go towards the Conservation District.

Dennis Shultz offered a point of clarification: that by law, Conservation Futures Funds can only be used for conservation easements.

Jim Fritz said that farmland and grasslands are wildlife habitat of the highest value because they provide food for wildlife. He said the idea that wildlife habitat and farmlands are separate is incorrect. He said there is a difference in the type of wildlife

that inhabits grassland versus buffer zones, but overall, farmland and grassland are habitat areas.

Norm MacLeod said that he reviewed several backyard conservation programs and the best one he found was developed and operated by the NRCS and covers all sizes of land. He said that there are effective programs in place across the country that draw on federal, state and local resources. He said that they are very effective at putting conservation on the ground and require little money to do so. Mr. MacLeod said that NRCS is also putting out a wildlife habitat conservation program that will be applicable to Jefferson County. In regards to the idea that monitoring is expensive, the EPA has a well-recognized citizen monitoring program that utilizes professional monitoring staff secondarily.

Larry Bonar said that he approves of the 2 tiered approach. However, he said the PC should recognize the burden they're placing on the county to establish a high level of expertise to evaluate the plans that landowners will submit under the adaptive management program, as well as monitoring over the years and changing the plans as needed.

Roger Short spoke about a project he was involved in regarding a conservation easement (cattle fence) in Quilcene Bay. He said that the Conservation District went back to see if the easement did any good and found that the fencing did significantly lower the fecal coliform levels. He said that it made a difference to the farmers that the Conservation District went back to make sure it was working. He said it's a lot easier to monitor if the landowner wants to do it rather than feels that he/she has to do it.

Kenn Brooks emphasized that the path that the PC is taking in regards to the 2 tiered approach will do more in the long run to protect natural resources than a pure prescriptive approach. When he worked closely with WSU as chair of the State Conservation Commission, their opinion was that the best programs are 60% education, 20% incentive, and 20% regulatory backup. He said that regulatory backup is necessary. He said that there are already many agencies and organizations demonstrating the use of monitoring and stewardship programs. He referred to the comment that our conservation district is a model in the state and said that it provides a source of expertise to address the needs the PC is talking about.

Renee Bush said that she prefers the 2 tiered approach, yet has a few concerns. She is concerned with buffer averaging because it affected her personally regarding the placement of her septic system. Complications arose due to the placement of her neighbor's system. She asked the PC to consider how buffer averaging affects the neighboring property. She also said that education needs to be part of a stewardship approach. Ms. Bush asked how a stewardship plan would change if the next property owner wants to use a different approach. She said she remembers that the May 17th draft CAO incorporated a 2 tiered approach. She said that the second option was not a "real" choice as it required money to hire a wetland delineator. She said that she would love to see the use of monitoring but she doesn't know if the county has the money to do this.

John Richmond said that he appreciated making everyone's acquaintance over the past year and thanked Brent Butler for showing them all how to behave like gentleman.

C. ADJOURNMENT

The meeting was adjourned at 9:30 pm.

D. APPROVAL OF MINUTES

These minutes were approved this _____ day of July, 2007.

Peter Downey, Chair

Angela Wade, Secretary