

**Jefferson County  
Board of County Commissioners**

**AGENDA REQUEST**

**TO:** Board of County Commissioners  
David Goldsmith, County Administrator

**FROM:** Al Scaff, Director of Community Development  
Josh Peters, Associate Planner  
Dave Christensen, Natural Resources Division Manager

**SUBJECT:** Planning Commission Proposal for Seawater Intrusion Compliance  
MLA03-202

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**I. Statement of Issue:**

The Western Washington Growth Management Hearings Board issued a compliance order in December 2002 regarding the Shine Community Action Council and Olympic Environmental Council appeal of the Jefferson County UDC. The order contained several "action steps" required by Jefferson County to comply with the Growth Management Act. The Planning Commission with staff support has developed regulations and action items to increase regulatory protections in the UDC and augment the Coastal Seawater Intrusion Policy, which will be integrated into the Comprehensive Plan during this year's amendment cycle under MLA03-210.

**II. Analysis:**

The Planning Commission has spent a great deal of time and energy on crafting a set of regulations and other actions to meet the hearings board order. The Planning Commission recommended policies and UDC amendments are attached, together with three pages of water conservation actions referenced in the code. These regulations should be reviewed carefully by the BOCC, recognizing the time and effort that went into their development. Public input was taken at two public hearings and during comment periods at other Planning Commission meetings and the proposal was modified based on the public input.

Some items may need additional discussion, based on the public comments received through the Planning Commission Process. Those issues include restricting water usage from an individual exempt well to 400 gallons per day (or for that matter, any number) and the need and possible routes to provide for ongoing funding. For example, estimates for monitoring on Marrowstone Island to meet the Planning Commission recommendation have been provided by a hydrogeologic consultant at about \$30,000 per year. That includes minimal data analysis and also does not include the increased number of wells to be monitored over time.

Another issue that staff believes merits additional discussion would be the feasibility of Jefferson County petitioning Department of Ecology to form a Groundwater Management Area under WAC 173-100. It is clear that many of the issues are not totally resolved and that a pathway for resolution is controversial.

**III. Fiscal Impact Statement**

The fiscal impacts from adopting the Planning Commission recommendation would be at least \$30,000 per year, based on initial consultant estimates. Effective enforcement of the sum total of the protective measures would also demand staff resources. Public outreach and education is another undetermined expense.

The fiscal impact could be reduced significantly by the formation of a special taxing district on Marrowstone Island under RCW 36.36. The text of the law is attached for reference.

**IV. Action**

1. Based on the complexity of the issue and the extent of the public record, staff recommend that the BOCC review the Planning Commission recommendations carefully and provide specific direction to staff if additional information or analysis is desired.

**V. Department Recommendation:**

All departmental staff involved concur with these action recommendations.

**Reviewed:**

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David Goldsmith  
County Administrator