

**Jefferson County
Board of County Commissioners**

AGENDA REQUEST

TO: Board of County Commissioners
David Goldsmith, County Administrator

FROM: David Christensen, Natural Resources Division Manager

SUBJECT: Overview of recent WWGMHB Order re: Seawater Intrusion

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 contains several "action steps" required by Jefferson County to comply with the Growth Management Act.

II. Analysis:

The order requires the County to clarify sections of the seawater intrusion policy, finalize adaptive management provisions, set timeframes for updating maps and provide more public review of the seawater intrusion policy. These items fit within existing staff workplans.

However, one item from the Hearings Board order requires additional discussion with the BOCC and a critical policy decision. This is the mandate in the order to develop more stringent protection standards, or a moratorium on the use of groundwater, on Marrowstone Island. More stringent protection standards would require additional staffing to implement and enforce. With existing budget constraints, staff questions developing new programs that are expensive to implement because of the ramifications to other existing programs. Additionally, staff believes that the Hearings Board will not find compliance with anything that allows additional water withdrawals on Marrowstone Island.

Natural Resources, Community Development and Environmental Health staff are extremely concerned about the potential proliferation of alternative water supplies as a long-term "solution" for water supply needs on Marrowstone Island. In fact, reliance on alternative water supplies even as the short-term solution may actually act as a disincentive to development of a permanent, safe, and reliable source of water supply for Marrowstone Island. Alternative water supplies are not a good long-term solution for water supply needs for the entire island.

In the end, having a safe, reliable source of water on Marrowstone Island will benefit the community, protect the public health and eliminate future seawater intrusion issues in the most severely impacted region in Jefferson County.

III. Fiscal Impact Statement

The fiscal impacts from complying with the Hearings Board order are difficult to determine. Staff time will be required to develop and process the required modifications to the UDC. There is fiscal impact from complying with the required modifications, but those fiscal impacts were anticipated.

What was unanticipated was the requirement for more stringent protection standards or a moratorium on ground water use. The fiscal impacts from adopting more stringent protection standards are that more staff would be required to implement and effectively enforce the new regulations. Additional staffing could be accompanied by cuts in other programs to offset the cost, or from new taxes or fees.

The fiscal impacts from adopting a moratorium on Marrowstone Island are difficult to determine. If public water supplies are available in a short time frame, then the impacts will be less severe than if public water supplies are not available for some time in the future.

IV. Action

This is a workshop in which staff would like to discuss the Hearings Board ruling with the Board. If the Board chooses, a public hearing can be set for some time in the future to discuss a development moratorium on Marrowstone Island until such time as public water is available.

V. Department Recommendation:

Natural Resources, Department of Community Development, and Environmental Health staff recommend compliance with the Growth Management Hearings Board order, and that staff be directed to draft an emergency ordinance for an outright development moratorium on Marrowstone Island until such time as public water becomes available from an off-island source.

Reviewed:

David Goldsmith
County Administrator