

Hearings Board Order	Existing Code/Interim Code	Petitioners' Request	Planning Commission Recommendation	Staff Recommendation, adopted language and pertinent UDC Section
<p>#1 Clarify the language of the UDC and Coastal Seawater Intrusion Policy that a well sample reading greater than 200mg/L would preclude use of a well at that site as the water source for new construction.</p>	<p>“areas within 1,000 feet of a groundwater source with a history of chloride analyses...” greater than 200 mg/L defines a High Risk SIPZ.</p> <p>Administratively, one single sample establishes High Risk SIPZ, unless high chloride is not caused by seawater intrusion. Wells within a high risk SIPZ cannot be used for proof of potable water without a hydrogeologic assessment indicating that aquifer degradation will not occur through the use of the proposed well.</p>	<p>It is unclear what constitutes a “history of chloride analyses” for the purposes of a well becoming or being removed from a SIPZ designation. How many samples constitute a “history”?</p> <p>From 10/14/02 petitioners’ brief at Line 350, “Further it is no excuse for the County’s continuing to permit on-going groundwater degradation by allowing new wells in the seawater intrusion protection zones...”—referring to their position that additional wells should not be drilled in all SIPZ.</p>	<p>Continue to map high risk zones based on one sample exceeding 200 mg/L. However, all existing High Risk Zones should have source of delineation (original source well) retested.</p>	<p>Accept Planning Commission recommendation. Public comment and technical input from hydrogeologists on the record indicated that mapping SIPZ based on one sample may be overly cautious; however, staff recommended retaining mapping SIPZ based on one sample based on the Hearings Board Order and to be cautiously protective</p> <p>Section 3.6.5.d(9)iv.C.I(c)</p>

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<p>#2 Clearly define what will constitute “degradation” of groundwater under the UDC and Coastal Seawater Intrusion Policy.</p>	<p>“applicant must provide evidence through hydrogeologic assessment of a reasonable probability... that the subject aquifer will not be degraded by the proposed use of the well”</p>	<p>The definition of degradation in the proposal cannot meet scientific scrutiny because baseline is not defensible.</p> <p>Jefferson County needs to hire a hydrogeologist to determine appropriate monitoring strategies and analyze data for groundwater quality.</p>	<p>No specific recommendation about individual permit decisions.</p>	<p>A Washington State Department of Ecology staff hydrogeologist, although not representing official agency opinion, indicated through electronic communication that he was “not aware of any policies or rules regarding the type of analysis that must be performed to determine compliance with the anti-degradation policy.” Thus, it would be inconsistent with his knowledge of hydrogeology to adopt specific standards for ground water degradation that could be used in all cases to make a decision for determining impacts to aquifers. Best Available Science suggests that the analysis requires each application, i.e., each well and/or request for water use, to be reviewed with appropriate hydrogeologic information, and evaluation by a properly trained professional scientist</p> <p>Therefore, the following was added to Section 3.6.5.d(9)iv.C.I: Hydrogeologic assessments submitted to comply this section will be subject to review and approval by the Department of Ecology. Pursuant to Section 4 of the State <i>Guidelines for Determining Water Availability for New Buildings</i> (Ecology Publication 93-27), investigation and identification of well interference problems and impairment to senior rights is the responsibility of the Washington Department of Ecology.</p> <p>c</p>

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#3 Set specific timeframes in which the County will act to redraw SIPZ maps.	UDC Section 1.4.2 requires all maps to be updated annually.	No specific proposal.	No specific proposal. Planning Commission recommended that the map be "updated and corrected" as soon as possible, specifically within 6 months.	Continue to use current code requirement in UDC Section 1.4.2. Section 1.4.2
#4 Finalize the adaptive management program with the other agencies, including the specific degree of seawater intrusion which will constitute "degradation" for purposes of imposing more rigorous protection standards, and the time within which these more rigorous standards must be imposed.	<p>MOA with PUD has been finalized. The PUD will conduct voluntary chloride monitoring. Data collected by the PUD will be used by Jefferson County to update maps.</p> <p>Education is being done by both the WSU under existing MOA (recent class to realtors), and by the County (May 31, 2003 workshop).</p> <p>SWI Policy adopted in 2002 states that when areas experiencing degradation are determined through evaluation of monitoring data, options before the BOCC include subdivision moratorium, Groundwater Management Area or Aquifer Protection District.</p> <p>Interim ordinance designates all of Marrowstone Island as a high risk SIPZ and a "sea-salt water intrusion area per WAC 173-160-171 on December 31, 2004" or when public water is available, whichever is sooner.</p> <p>Resolution 13-03 stating BOCC support for public water on Marrowstone Island.</p>	<p>The last letter from Petitioner states that reliance solely on public water should not be considered a solution for seawater intrusion.</p> <p>Earlier briefs state that public water is a preferable solution to groundwater quality problems on Marrowstone Island. From 10/14/02 petitioners' brief at Line 341, "Another source of potable water could, and clearly should, be used to support new development. At Line 348, "Ideally, the alternative water source would be a public water supply." re Marrowstone Island</p> <p>The definition of degradation in the proposal cannot meet scientific scrutiny because baseline is not defensible.</p> <p>A monitoring plan needs to be established by a hydrogeologic professional.</p>	<p>Remove the clause that designates Marrowstone Island as a High Risk SIPZ on December 31, 2004.</p> <p>Statistical test for degradation will be used to determine degradation of an individual well over time using the Sen's Slope Indicator test and other appropriate statistics, which are available in standardized software packages. A well will be tested for one year before a "baseline" is considered established and then degradation can be determined after the second year of testing.</p> <p>If degradation is occurring, then allowable water use is reduced from 400 gallons per day per individual exempt well to 300 gallons per day per individual exempt well.</p>	<p>Adopt Planning Commission recommendation by deleting second paragraph of section 3.6.5.a(4) and instead rely on ongoing chloride samples to determine SIPZ designations on Marrowstone Island.</p> <p>Adopt Planning Commission recommendation regarding statistical testing of individual wells to determine degradation. UDC Section 3.6.5.a(4)</p> <p>SWI Policy is docketed for 2003 CP update.</p> <p>Based on public comment and issues regarding legal authority, do not adopt water use restrictions for each individual well. Instead rely on more stringent restrictions in High Risk SIPZ, including:</p> <p>Section 3.6.5.c.(9) iv. C.I.(a) references required water conservation measures for High Risk SIPZ. In addition to the extensive list from the Planning Commission, the County added two conservation measures, 1. prohibiting outdoor hose bibs using well water, and 2. not allowing water softeners that use salt. Section 3.6.5D(4) Golf courses, turf cultivation, and any other water consumptive uses are prohibited in SIPZ</p>

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<p>In addition, within 90 days, the County must adopt more stringent protection standards for the sole source aquifer on Marrowstone Island that responds to the scientific evidence in the record.</p>	<p>Interim Ordinance adopted within 90 days of the WWGMHB Order included:</p> <p>As per SWI Policy adaptive management provisions, Jefferson County adopted a moratorium on all subdivisions until such time as public water is available.</p> <p>Requirement for installation of a variable speed pump that can be controlled at the surface to reduce instantaneous demand associated with all new building permits issued on Marrowstone Island.</p> <p>Required well monitoring for chloride for all new building permits issued on Marrowstone Island.</p> <p>Installation of a flow meter is required for all new building permits issued on Marrowstone Island.</p> <p>Installation of a 1,000 gallon storage tank for all new building permits issued on Marrowstone Island.</p> <p>Immediately require all residents on Marrowstone Island to use 1,000 gallons per day or less.</p>	<p>3.6.5D(1) Standards shall apply “when specified” in SIPZ, but are not specified.</p> <p>3.6.5D(4) Golf courses, turf cultivation, and any other water consumptive uses should be prohibited in SIPZ.</p> <p>3.6.5D(9)iii ADUs are exempted from this policy (and should not be).</p> <p>Additional infiltration could be required, including: infiltration of road runoff, shading of stormwater ponds, more stringent clearing and grading standards.</p> <p>On new construction, prohibit outdoor hose bibs drawing from groundwater sources</p> <p>Allow dual plumbing for potable/non-potable uses in house</p> <p>Clarify BOH catchment policy so that it is clear that water systems that do not supply 400 gpd are allowed as an alternative supply.</p> <p>Older wells that may be drilled too deep need to be evaluated for upgrades to improve performance.</p> <p>Distance from a well to marine waters should be maximized.</p> <p>If used, the 400 gallon per day proposal is more realistic than the 1,000 gallon per day restriction in the interim ordinance.</p>	<p>Immediately require all residents on Marrowstone Island to use 400 gallons per day or less.</p> <p>Additional water conservation measures added to County’s list (attached to this matrix).</p> <p>Additional monitoring of wells on Marrowstone Island to confirm the appropriateness of SIPZ designations.</p>	<p>Adopt the Planning Commission proposal, with the exception of the water use restriction.</p> <p>Section 3.6.5.d(9)ii. for subdivision moratorium</p> <p>Section 3.6.5.d(9)iv.D for Marrowstone Island provisions.</p> <p>Section 3.6.5D(4) Golf courses, turf cultivation, and any other water consumptive uses are prohibited in SIPZ</p> <p>Section 3.6.5.c.(9) iv. C.I.(a) references required water conservation measures for High Risk SIPZ. In addition to the extensive list from the Planning Commission, the County added two conservation measures, 1. prohibiting outdoor hose bibs using well water, and 2. not allowing water softeners that use salt.</p>

Other Miscellaneous Issues					
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Coastal Seawater Intrusion Policy must be adopted as a Comprehensive Plan Amendment	Docketed for 2003 Comp Plan amendment cycle.	Earlier briefs state that petitioners support the Seawater Intrusion Policy being either Comprehensive Plan amendments or UDC amendments.	The Planning Commission submitted policy statements as part of its recommendation. While some are administrative suggestions, others may form the basis of policy language in the Comp Plan.	Docketed for 2003 Comp Plan amendment cycle.	N/A
N/A	N/A	3.6.5D(4) Golf courses, turf cultivation, and any other water consumptive uses should be prohibited in SIPZ.	No specific comment.	Recommend eliminating allowing golf courses in SIPZ if the course uses a groundwater source from within the affected area that is not an approved public water supply.	Section 3.6.5.d(4)
N/A	N/A	Miscellaneous water conservation measures should be mandatory in At Risk and High Risk SIPZ.	The Planning Commission submitted two pages of water conservation measures that would be voluntary in coastal and At-Risk SIPZ and mandatory in High Risk SIPZ.	Adopt Planning Commission recommendations with the Administrative Water Conservation Measures required under Section 3.6.5.d(9)iv. In addition, add two measures to the list, one eliminating the use of water softeners that use salt and the other prohibiting outdoor water spigots using well water.	Section 3.6.5.d(9)iv.