



District No. 1 Commissioner: Phil Johnson
District No. 2 Commissioner: David W. Sullivan
District No. 3 Commissioner: John Austin

County Administrator: Philip Morley
Clerk of the Board: Lorna Delaney

MINUTES
Week of July 11, 2011

DRAFT

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Chairman John Austin called the meeting to order at the appointed time in the presence of Commissioner David Sullivan and Commissioner Phil Johnson.

PUBLIC COMMENT PERIOD: The following comments were made by citizens in attendance at the meeting and reflect their personal opinions:

- The Board was thanked for organizing Community Input meetings to dialogue with citizens and for the preamble language read at the beginning of the Public Comment Period. A suggestion was made that the Public Comment Period be discontinued and that a video of the Commissioners meetings be available on the County website. Other suggestions were also made including using the 5th Monday for the Board to meet and dialogue back and forth with citizens.
- A citizen reported the current Mayor of Port Townsend said that the reason people come here is because it is a funky old town and doesn't understand why people are trying to turn it into a "boutique" town. We have to move heaven and earth to get jobs in the County and raising the building footprint to 50,000 square feet would help. The economy is going to continue to get worse and there is a long way to go before it hits bottom.
- The Jefferson Land Trust has a sign at Tamanowus Rock that portrays the property as "private" land that is being called a "sanctuary." Sanctuary has spiritual significance. When public funds are used to purchase property it cannot be for spiritual reasons. RCW 84.34.250 which the Land Trust operates under does not allow them to restrict access to public land.
- When people commenting during the Public Comment Period verbally attack other people attending the meeting why isn't that put in the minutes? Why aren't certain people allowed to speak during the Commissioners meeting such as when the Representative from the ferry system made a presentation last week?

APPROVAL AND ADOPTION OF CONSENT AGENDA: Commissioner Sullivan moved to approve the items on the Consent Agenda as presented. Commissioner Johnson seconded the motion which carried by a unanimous vote.

1. **RESOLUTION NO. 30-11** re: **HEARING NOTICE:** 2011 2nd Quarter Supplemental Budget Extension - Appropriations; Various County Departments; Hearing Scheduled for July 25, 2011 at 10:00 a.m. in the Commissioners Chambers
2. **RESOLUTION NO. 31-11** re: To Construct Roads and Utilities on a Portion of Public Right of Way Known as Hilton Avenue and McLellan Avenue
3. **AGREEMENT** re: Comprehensive Onsite Program Evaluations; In the Amount of \$3,100.00; Jefferson County Public Health; C2 Associates
4. **AGREEMENT** re: Exploratory Regional Parks and Recreation Consultant Services; Not to Exceed \$25,000.00; Jefferson County Public Works; Arvilla Ohlde, AjO Consulting



5. **AGREEMENT** re: Right of Way Acquisition & Relocation Services; In the Amount of \$25,000.00; Jefferson County Public Works; Roland Resources, Inc.
6. **AGREEMENT, Change Order No. 1** re: Recycling Services; An Additional Amount of \$7,081.02 for a total of \$1,038,397.29; Jefferson County Public Works; Skookum Educational Services
7. **Advisory Board Resignation**; Mental Health Sales Tax Oversight Committee; Anne Dean
8. **Advisory Board Appointment**; Mental Health Sales Tax Oversight Committee; Representing Law and Justice; Ruth Gordon
9. **Payment of Jefferson County Payroll Warrants** Dated July 5, 2011 totaling \$823,388.18 and Dated July 5, 2011 Totaling \$640, 570.54

COMMISSIONERS BRIEFING SESSION: The Board members reviewed their calendars for the week and provided updates on the following items:
Chairman Austin reported the Board members attended Hadlock Days and the Tri-Area Community Center had a float in the parade. He attended a tour of the PT Mill and a Gardiner Community Center meeting last week.
Commissioner Sullivan noted that Catholic Community Services has been approved to expand into Jefferson and Clallam Counties. The organization will provide home care services.
Commissioner Johnson reported that he met with a couple of constituents regarding the school at Fort Worden. The building needs replacement windows and other upgrades. The Department of Fish and Wildlife would like to move into a building located at Fort Worden.

Consolidated Homeless Grant and Housing and Essential Needs Grant: Philip Morley stated he was briefed by Tim Hockett, Olympic Community Action Program, and Aimee Campbell, Auditor's Office, regarding the consolidated grants. He recommended the County decline being the lead grantee for these grants because it appears to be an effort by the State to delegate grant administration. The grant provides limited funding for administration and would be a severe additional burden on County staff. OlyCap also recommends declining but suggested the County keep direct contact with the Washington State Department of Commerce and the service providers without putting the County in the position of delegated responsibilities from the State. He drafted a letter to send to the Washington State Department of Commerce declining the grant

Commissioner Sullivan moved to accept Philip Morley's recommendation to decline the Consolidated Homeless Grant and Housing and Essential Needs Grant and authorize the County Administrator to send a letter to the Washington State Department of Commerce. Commissioner Johnson seconded the motion which carried by a unanimous vote.

Anibas/BellMoore Short Plat #MLA08-00350/#SUB08-00025 (See July 5, 2011 Consent Agenda): County Administrator Philip Morley, requested the Board to take action on the Short Plat that was deleted from the July 5, 2011 consent agenda. He reported he reviewed the case with Environmental Health and Community Development and the owners have been voluntarily complying and there are not any outstanding enforcement actions.



Commissioner Sullivan moved to approve the Anibas/BellMoore Short Plat, to divide 12.02 acres into a 2 Lot Short Plat. Commissioner Johnson seconded the motion, which carried by a unanimous vote.

The meeting was recessed at the conclusion of the business scheduled for the morning. All three Commissioners were present when the meeting reconvened at 1:37 p.m.

COUNTY ADMINISTRATOR BRIEFING SESSION: County Administrator

Philip Morley reviewed the following with the Board.

- Calendar Coordination
- Update on Joint Economic Development Strategies
- Budget Update
- Miscellaneous Items
- Future Agenda Items

Letter of Support: Commissioner Sullivan moved to send a letter to the Environmental Protection Agency regarding Clean Water Guidance. Commissioner Johnson seconded the motion which carried by a unanimous vote.

Memorandum of Support: Commissioner Johnson moved to send a memo to Prosecuting Attorney Scott Rosekrans in support of the Mental Health Court Pilot Site Application. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

Designation of Voting Member at NACo Conference: Commissioner Johnson moved to designate Chairman Austin as a voting member for Jefferson County at the NACo Conference. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

The meeting was recessed at 3:18 p.m. and was reconvened at 6:00 p.m. in the Superior Court. All three Commissioners were present.

HEARING re: Draft Jefferson County Response to Department of Ecology on Changes to the Locally Approved Shoreline Master Program (SMP): Chairman Austin introduced the following staff: the Commissioners; Philip Morley, County Administrator; Al Scalf, DCD Director; Stacie Hoskins, DCD Planning Manager; and Michelle McConnell, Associate Planner-Lead and Project Planner for the Shoreline Management Plan update. The Chair read the hearing procedures and ground rules for giving testimony.

Michelle McConnell explained that this hearing is for the public to provide input to assist the Board in preparing the County's formal response to the State Department of Ecology's required and recommended changes to the locally approved updated Shoreline Management Master Program. The



public comment period is open until July 25, 2011. The draft County response includes a matrix of 63 possible changes to the LA SMP and includes a couple of maps that show mapping changes. There are numerous issues including but not limited to shoreline environment designations, residential dock length, common line buffer provision for non-conforming lots and finfish aquaculture including netpens and upland fish farms. A staff report has been prepared on fin fish aquaculture.

The Chair then opened the public hearing.

Tom Jay, Chimacum, said that in the early '80s work was started on salmon restoration in eastern Jefferson County. First to restore the Chum salmon in Salmon Creek in Discovery Bay and then in Chimacum Creek and the efforts were successful. Those efforts blossomed into a full blown restoration and habitat reconstruction effort throughout the County. He was amazed and shocked to find that collectively all the different groups in eastern Jefferson County since the '80 have spent at least \$10 million on salmon restoration and recovery. This is a big vote for wild salmon. That doesn't count the thousands of hours citizens have put into working in the creeks, running hatcheries, gathering eggs, plucking "otoliths" out of dead fish, planting trees, all those different things that make salmon healthy. He is concerned that net pens are not compatible with wild runs of salmon. If you had a net pen in Glen Cove which is near Chimacum Creek; you would have the out-migration of Chum that would be attracted to those net pens. He knows this as a fact because they had net pens when they were trying to make a high survival rate for Chum salmon in Discovery Bay. There are going to be sea lice there. There is also a high possibility that the concentration of sea life will affect food fish that Coho and other species of salmon (like Steel Head and Cut Throat) depend on. There is evidence from Canadian research that Herring, Sand Lance and Dace can be impacted by the high concentrations of sea lice. Overall, it seems like an insult to imagine net pens being put in a community that was profoundly committed to restoring wild salmon. They don't mix. Native peoples in Canada have already decided that they are going to put all the net pens on land because they see what's happened to their native runs. It's okay for them to go on land. They can use the water, re-purify the water and send it back in, but if they're going to borrow the health of our estuaries which are so vital to everything, especially the salmon – it's not going to work. In the end, Wild salmon are the symbol of a healthy ecosystem; they're the keystone species. We're going to take the estuaries and waters of Puget Sound into an industrial zone basically and that doesn't work for the eco-system and it doesn't work for the people.

Dennis Schultz, Port Townsend, President of the Olympic Stewardship Foundation, stated as President he represents about 400 members that reside in rural Jefferson County or own property there. As an organization they believe that people living on the land will love and protect their property and are the best stewards of the land. His comments are directed toward the County's and the DOE's responsiveness summary of the public comments that were previously made. The County displayed an unbelievable level of arrogance toward those comments. They have the attitude that none of the comments made had any substance or do not have to be considered in drafting the final version of the plan. They have a standard reply to all the issues raised in those comments. Their attitude is that the proposed SMP meets all of the conditions of the RCWs and WACs that define the requirements for a shoreline plan; that the science used by DOE and DCD is current, complete and accurate even though it is based upon analysis made by DOE in 2005 to come up with recommendations for the Critical Areas Ordinance at the time; and that the DOE guidelines for shoreline plans must be followed. This is not a requirement. Other jurisdictions use their own judgment particularly in the buffer requirement, from zero buffer feet to minimal buffers such as in the City of Port Townsend. Many of the earlier comments are still pertinent



and will be the basis for standing in filing appeals of the County's action. The County is facing at least 3, and possibly as many as 6 lawsuits if they pass this ordinance as it currently stands. These legal costs may not be covered by the Risk Pool. If they're not covered they will have to be paid out of the County General Fund, our property tax money. Why should the County take on these additional legal challenges? There are also several suits in the Courts including one against Jefferson County. These suits challenge the issues found in the Shoreline Management Plan. These suits could require another expensive re-write of the Shoreline Management Plan. Some of the existing legal challenges are: that the science used to define buffer sizes is not current or valid; that the "one size fits all" buffers in the property usage rules for both developed and undeveloped properties is an unconstitutional taking of private property; that DOE's interpretation of State law is not legal; that DOE's admission that they do not have any studies or data to prove that existing rules on buffers are not working; or that the development standards are any better. This plan ignores a basic premise of the Shoreline Act. (Handed in a copy of his comments.)

Jim Todd, Port Townsend, said that he agrees 100% with what Tom Jay said and that it is extremely important that we have ecological regulations so that we can protect the beautiful waterways we have in this area.

Peter Downey, Port Townsend, thanked the Commissioners for their effort in this very long and involved process getting to this point. It has required a lot of work from a lot of citizens and he thinks they have been very responsive. He urged the Board to accept Ecology's required and recommended changes because they work pretty well for what we have going and what we have coming back. As a shellfish farmer he appreciates all the attention given to shellfish aquaculture. He thinks we've come up with a fair Shoreline Master Program and even though it has some requirements we haven't had before it will work for us. Thank you for your effort.

Scotty McComb, Port Ludlow, said that Puget Sound is a magnificent but fragile body of water. It is justified that many millions of dollars are spent on constantly keeping it clean and improving it, but after 25 years of having no net pen fish farms in the waters of Jefferson County, we are once again faced with the likely possibility of net pen aquaculture. Fish pens pollute, environmentally and visually. The pens cover acres and are as ugly as sin. In the pens are Atlantic salmon which are not really salmon but a non-native species. They are fed pellets laced with antibiotics some of which fall to the bottom feeder along with their concentrated feces. The business is such that it requires an effluent discharge permit the same as for a sewer pipe. That should get your attention. Property values will drop drastically. Job creation touted is minuscule. Some of the Atlantic's Salmon will escape carrying sea lice and competing with our wild salmon for food. Our wild salmon will lose and be no more. Our benign shellfish operations which require clean water will go out of business. Sites are a matter of contention. The most acceptable site would be upland and on shore where they can be easily controlled and monitored. This has always been resisted by the fish farm corporations because it is much more expensive than the cheaply leased waters of Puget Sound. But, land based fish farming has been very successful in many foreign countries and notably with catfish in this country. Look aghast to the fjords of Norway the lochs of Scotland or nearby British Columbia. Fish farms contribute nothing to our economy not being part of our way of life. They tear at the fabric of our first nation peoples. They contribute to corporate greed. Listen to history and don't repeat it. In January of 1986, Sea Farms of Norway, now cleverly renamed Sea Farms of Washington, was determined to place floating fish pens in the pristine waters of Jefferson County. The people in this County were against this polluting eyesore and a large portion of the



population of this County were equally determined to do something to prevent it and they did. We raised money through donation outside of Reed's QFC. We had parades through downtown Hadlock, we sold buttons and t-shirts and we got enough money to hire a dedicated lawyer. The local fishermen were with us.

Ray Hunter, son of a pioneer in Port Townsend who has resided next to Salmon Creek at Discovery Bay one way or another for 65 years. He has seen Discovery Bay in just about every face that our creator can put on it. He was there in '62 working at a mill when sawdust was dumped at the head of the head of the bay which started on 1948 and continued until the mill closed. Now, we have a society that is cleaning up our rivers and streams and returning salmon. I watched a decline of the fish in Discovery Bay after the beam trawlers raped the bay for years and years and it's just starting to come back. Now, it's proposed that we put fish pens in Discovery Bay. I have a document here, the Washington State Fish and Game Pamphlet, which is on fishing. It contains information on non-indigenous species invading our waters. We have Zebra Mussels, green Crabs that aren't supposed to be there. They've invaded Grays Harbor and Hoquiam and are moving north. There's Dolly Varden on the eastside and Bull Trout in Eastern Washington. The State doesn't want those to cross breed, they want to keep them there. The crux of this whole thing is the introduction of a non-indigenous specie. Everywhere this has been tried (in Louisiana they introduced nutrient to clean out the waterways of millfoil and weeds; in Florida an introduction of snakes and lizards; in Australia you have rabbits and cane toads) hasn't worked and they've overrun the country. Anywhere on this precious planet, where non-native species have been introduced it does not work. We certainly don't want them here, albeit the technology on how to take care of these fish has increased but it still doesn't work. We don't want them in Discovery Bay or Port Townsend Bay or in any of our waters in the Straits of Juan de Fuca, in Puget Sound or anywhere else.

Jim Parsons, owner and Senior Vice President of Trout Lodge, Inc. a Washington based company that has operated fin fish farms throughout the State of Washington for over 65 years. Among other products they provide Rainbow Trout for Anderson, Gibbs, Horseshoe, Leland, Ludlow, Sandy Shore, Silent, Tarboo and Teal Lakes. These fish provide recreational opportunities and more importantly recreational dollars and jobs to local businesses and they have been doing so for decades. They come from the types of upland hatchery facilities that this plan would effectively ban. We've recently been permitted for and are operating a land based fin fish operation on the site of the Point Whitney shellfish laboratory using existing State facilities to develop a marine species native to Washington marine waters. Your plan states that aquaculture is a preferred water dependent use of regional and Statewide interest that is important to the long term economic viability, cultural heritage and environmental health of Jefferson County. I couldn't agree more. The United States is already a major consumer of aquaculture products. We import 84% of our seafood and half of that is from aquaculture – imported foreign aquaculture – and yet, we are a minor player. US aquaculture supplies about 5% of the US seafood supply. US marine aquaculture only 1 ½%. Driven by imports the US seafood trade deficit has grown to over \$9 billion annually. Its highest ever. Your plan seems to focus on preventing negative impacts from fin fish aquaculture in the zones where it would most likely be successful. I direct you to a recent article in Time Magazine dated July 7 called The End of the Line and I paraphrase from it. Aquaculture usually puts less stress on the environment and requires less caloric input to yield a pound of protein than any other meat production. Part of that is simply a result of the bio-mechanics and the metabolism. Unlike land animals raised for food, fish are cold blooded and live in the water which means less of their feed is wasted from our point of view. It is being burned as energy to keep warm on land, not in the sea or to build bone. Jefferson County has an opportunity to truly take a progressive look at saving water related jobs and



generating a base of support for an industry that the United States truly needs. I urge you to not give in to false science, fear mongering, or the "not in my back yard" naysayer. Visit the sites. Talk to those of us involved. Educate yourself. The dreaded factory fish farms simply do not exist here.

Gene Farr, outskirts of Port Townsend, said that he looks at these public hearings and he sees nothing happening. He sees a very poor turnout tonight probably because everyone comes to these hearings and their comments are not dealt with in any substantive way. I seriously doubt that the comments tonight will have any effect other than, as Mr. Schultz points out, to increase our standing when the suits come. And I think he's right. It's not a question if there will be suits, it's a question of when and how many. So, to make sure you haven't forgotten my issues – one of the key things is there is nothing in the Shoreline Management Act, that instituted this whole process, that has anything to do with "no net loss." That provision has no basis in the SMA. They talk about minimizing ecological impact, not "no net loss." Also the SMA sets up the Conditional Use permit process to help property owners that are having a hard time with the "one size fits all" sort of regulations that this current SMP has to help them get through it. It's not set up to give you guys the opportunity to abrogate your responsibility to take care of this County by letting the Department of Ecology have the bottom line, total veto on anything that's done in this County. Then I look at the characterization and analysis report. To call it an analysis report to me is ludicrous, and there is no analysis in it. The references in there relative to supposedly applicable science are so far afield they aren't applicable. So, how you can get to saying 150 foot buffers are appropriate; how you can get to saying that we need to take the natural designations in this County from 11% of the shoreline property to 40% because somebody looked at it and saw that it wasn't developed and so you're not going to let people develop their property because they haven't taken the opportunity to develop it. That's ridiculous. He encouraged the Board to reconsider this whole process and he encouraged everybody here to support people like OSF, the Citizens Alliance for Property Rights, Pacific Legal Foundation and other people that are looking out for our property rights.

Tarren McCloud, Port Townsend, said that she has a limited comment on the natural designation. There are a lot of other things that are coming forward and they will also have written testimony from the Realtor Association as well. She is here as a citizen speaking to the natural designation and the fact that in that 41% natural designation what you have done, and there was plenty of comment on it that was not really considered or responded to, disallowed the future of auxiliary dwelling units in those natural designation properties. As a broker, she sees a lot of people come to this area, they actually build a small auxiliary dwelling unit that will in the future become some sort of income producing property or allow them to have their families close by. In the County this is a very significant piece of our life and that's being removed without hardly any discussion or the ability for that to be closely looked at and reconsidered. I think that should be one of the things that's reconsidered. Why are auxiliary dwelling units not allowed in the natural designation area and what does that mean particularly in this time of economic downturn when people need to make full use of their property.

Kevin Bright, Anacortes, said that he has been involved in the aquaculture industry, been employed at a salmon farm of over 20 years now and has a degree in marine biology. That's what got him interested in this. He said he thinks we need to learn how to grow our food including salmon and other fish species in the marine waters. He thanked the Board and the Department of Community Development for working



so hard on this. He knows this is a very complex issue and they have done a lot of work and have gotten "thrown into the fire" so to speak. He appreciates the work that has gone into this. It's a very passionate issue, obviously, and some people because it has to do with salmon get very passionate about it and science goes out the window. He wants to make that a point in his discussion. The salmon they raise are not loaded with sea lice. They are not ridden with disease. The object of any type of agricultural operation is to grow a healthy product and that includes farming carrots, chickens, pigs or wheat. He said it again - the goal of their operation is to grow healthy fish, make sure it grows fast, and do it in a sustainable way. They don't want to pollute the waters or impact the sediments. There is testing done to test the sediments around the fish pens. There's tons of regulations. His job now is to deal with the regulatory environment of the fish pens and there are tons and tons of regulations that they need to follow. You are not going to have net pens come rushing into Jefferson County. This is the future seafood production. We're not going to be able to keep harvesting wild seafood from mother nature and meet the population demands that are coming at us in the future. You have to think down the road and that's what SMPs are supposed to do - think down the road. Jobs in this country is future thinking. This country is running out of jobs and our grandchildren are going to have a hard time finding employment. We're going to continue to import seafood and food products from other countries and that's a shame. We need to learn how to grow it and he hopes the Commissioners and the Community Development Department thinks through this and does the right thing.

George Yount, Port Townsend, stated that he is representing the Olympic Environmental Council an organization far larger than 400. They commend the Board and the Department of Community Development for over 4 ½ years of effort on the Shoreline Master Program. It has been a long, long time in process and a tremendous amount of citizen involvement. It's unfortunate that some folks chose to come in late, so the claim of not being heard should not be relevant. Threat of suit is a threat of suit. It should not be relevant here. The issue is net pens. The Olympic Environmental Council is very concerned about not only net pens, but the endangered species of salmon and the habitat they need to survive. I can recall in my years here what it was like in Friday Harbor to see the Purse Seiners come in loaded to the gunnels with salmon. A tremendous amount of jobs developed through the wild species of salmon. We need this to return and the only way it can be returned is if we clean up Puget Sound. In looking at some of the data in preparation for this - there was a study that stated that 4 of the 14 net pens in the State of Washington produced the amount of effluent that was 98% of Seattle. Think of that in Jefferson County. If we must have net pens, conditional uses are required. We would like to see very special siting of where they go. Monitoring should be done by an independent organization and the data should be timely and placed on not only the company's Internet web page, but also the Department of Ecology's web page. He thanked the Board for their efforts to save Jefferson County.

Jerry Johnson, Port Townsend, as a recreation fisherman in the area who has been very active in the local fishing groups. We've been exposed to a great deal of scientific information coming out of the fisheries in British Columbia. He concurs with the gentleman from Chimacum on the debilitating effect of sea lice in the fish pens in the Bowton Archipelago of the northern part of British Columbia. He would hate to see it here. Over the years there's been a great deal of effort to return our wild salmon species, even



though we have lost dozens and dozens of wild salmon runs and those represented gene pools which are gone forever. Once we lose a run we can't reproduce it. With that in mind he would hate to see net pens in the water with any possible debilitating effects from sea lice, from effluent, impacting the wild runs that have been developed with a lot of blood and sweat and tears in Chimacum Creek and other areas in Puget Sound that as a result of estuary restoration, removing the dams on the Elwha River to create habitat there for wild salmon runs. He can't support net pens. They should go on land in tanks.

Michael Adams, Port Ludlow, representing the Jefferson County Marine Resources Committee, said that he also served on the STAC for 3 ½ years, the technical advisory committee as a citizen, and has been through this entire process and he knows the issues intimately. They struggled with the same processes; read the same documents; and gone through all the information and it's a tough issue. It's a tough issue in BC; it's a tough issue in Scotland, it's a tough issue in Norway; and it's a tough issue in Chili. We are here to recommend to the County Commissioners that they do not allow net pen aquaculture in Jefferson County waters. You provide provisions in the SMP for upland development of aquaculture. It's being done in Denmark now and it's being done in Canada. The technology exists, and true while it's more expensive at this point, it is a reasonable technology. If you look back to the pollution control hearings board findings, they found that all known and available technologies at the time that they went through that process, that upland was not feasible. At this point it is feasible and we recommend that we at Jefferson County take the active step of showing others throughout the nation that we can do it. This is important because right now NOAA, under the National Marine Fisheries Service, and the US Department of Commerce have identified aquaculture as one of the largest potential growth areas in the United States. They've also identified it as one of their major provisions to exponentially grow and they've targeted Puget Sound as the ideal area for that to occur. If we have wholesale industrialization of Puget Sound all the work that we've been doing currently to restore Puget Sound to it's prior condition is money ill-spent and wasted. So, as the Marine Resources Committee Representative, I am here to commend you for your efforts; to thank you for all the time and consideration you've given with regard to this matter; but, to carefully consider permitting net pen aquaculture in the waters of Jefferson County rather we would prefer that you put it on the uplands. Currently Ecology has approved limited protections for Whatcom County and I know that they've come back and stated that was a mistake, however, that has set a precedence. If they can do it in Whatcom County, why can we not prohibit it here in Jefferson County? Thank you again for your time and I continue to look forward to working with you.

Al Latham, Chimacum, stated that he submitted some comments with citations via e-mail. He echoes the concern or comment that it's odd that DOE allowed other counties to prohibit salt water net pens, but for some reason Jefferson County can't do that. They may have made a mistake. I don't know what that mistake was, but it seems pretty odd. He knows from his experience that DOE is quick to bust upland land owners on potential to pollute and here they're telling you that you have to allow salt water net pens which have the potential to pollute. You've probably been inundated with information, both pro and con, about salt water net pens. It's the usual back and forth – my best science is better than your best science –so, I hope you can find your way through that. None of them say there are no risks to the wild salmon and forage fish stocks from the salt water net pens. There are risks. It's not worth putting at risk all the efforts that have been done locally and throughout Puget Sound and the coast, to just have some net



pens. We all know the impact to the community of the listing of the salmon as an endangered species. Based on current trends we're well on our way to eventual de-listing of the summer chum based on all the efforts that have happened. So, you have to ask yourself, "what's that worth?" and "can we put that at risk?"

Amanda Stock, Ploshea and Stock, Seattle, representing Coast Seafoods Company, Pen Cove Shellfish and Taylor Shellfish Company. These companies are all shellfish aquaculture companies that have existing operations in Jefferson County. Between these three companies they employ over 75 individuals in this County alone. Jefferson County has a strong history of shellfish farming, not exclusively, but including Coast and Taylor's hatcheries and Pen Cove's muscle racks. There are other shellfish farming companies that operate here as well. Shellfish farming is a strong economic driver in the County and we also think that there are opportunities for growth. As you all well know, shellfish representatives have participated very closely at every stage in the process and the development of the County's SMP. We've done this because this is a very important process for shellfish farmers. These regulations will have a significant impact on how we run our operations and as a result we've really paid close attention and tried to be as involved as possible. We recognize and accept that the SMP will add significant regulations to shellfish farming in this County with this update. We don't think the end result is perfect. I don't think that it is the SMP that we would have designed if we could have written it all by ourselves, but on balance we think that the County struck a good balance between regulating and fostering shellfish farming as an activity under the SMA. When the County sent in its' locally approved SMP to Ecology, Ecology recognized and expressed appreciation for the County's efforts to develop these shellfish aquaculture provisions. And, we agree with Ecology's position with regard to shellfish aquaculture and we want to commend the County for their efforts and let you know that we support the County's efforts and that we support the County's shellfish aquaculture regulations as currently drafted. We'll be providing written comments in addition to the comments that we provide tonight. A couple of quick items – with regard to items 13, 14 and 15 for fin fish aquaculture, we do support Ecology's position that fin fish farming should not be prohibited outright as a water dependent preferred use, but we don't have any substantive comments with regard to the proposed provisions. With regard to the recognition that aquaculture is a form of agriculture – we support this position, but think there could be some language to clarify that aquaculture should be governed by the aquaculture regulation instead of the agriculture regulations.

Scott Marks, Port Townsend, said that the life cycle of a salmon has a provision to kill disease where they spawn and die in the streams and that most of the disease is gone when the baby salmon emerge. One of the problems with net pen aquaculture is when the wild salmon come close to the pens the disease is passed to the fish in the pens and when the baby salmon come out they can catch those diseases when they are not big enough to be able to fend for themselves. One of the trends in aquaculture is tanks on land and that can actually work better because the temperature can be controlled and salmon can be grown quicker than net pen aquaculture. If we lose wild salmon that's a lot of money and jobs in this State. Most of the salmon in the State migrate through Jefferson County. All the salmon in Olympia migrate through Jefferson County on their way to the ocean. Some fish are migrating up through the Purton Archipelago too and picking diseases from the salmon farms up there. The State of Alaska, as far



as I've found out, has a State ban on net pen aquaculture, and I think that we should consider that in the State of Washington also and state that wild salmon are important to this State, not just for food and jobs but also as a cultural icon for this State. Also the fact that salmon bring fertilizer and nutrients up into our forests that wouldn't be provided without salmon. There's also a virus called Salmon Anemia Virus that was non-lethal originally in wild salmon in Norway. It passed to fish pens and its mutated several times and there's a chance that it's been brought into British Columbia waters. It's become a lethal virus and its killed thousands of fish in Chili already.

Zach Hyatt, Attorney, Gram & Dunn, Seattle, said that he is here on behalf of Icicle Seafoods which is the company that owns all eight of the commercial salmon net pen sites in Puget Sound. Icicle is the company that employs Mr. Bright who spoke earlier. He thanked the County for all the work that's been put into this issue, particularly net pens. Ms. McConnell and her colleagues have compiled a huge amount of information on the science of net pens. He commended the County on the changes made so far in response to Ecology's comments on the proposed aquaculture provisions in the shoreline update. We think that the changes as beneficial as they've been, there's more to go and will submit a comment letter explaining in more detail some of the things that we think can be improved. As you've heard tonight there's no question that aquaculture is controversial in this region and that's especially true among the people who live here and there are a number of reasons for that, but it's important to remember that when it comes to both our State and federal governments, aquaculture is not as controversial. In fact, as you've heard a number of times tonight, aquaculture is a water dependent, preferred use, in this State and similarly, NOAA fisheries, the federal government agency that is charged with managing and maintaining our nation's fisheries, is supportive of aquaculture. Aquaculture is controversial here for a number of reasons and some of those reasons are misconceptions and basically nothing more than rumors around the science of aquaculture, but also the politics. This is wild salmon country and the wild salmon industry has always been opposed to aquaculture for obvious reasons, but as Mr. Bright pointed out, it's becoming more and more apparent that our wild fisheries will not be sufficient to sustain the world's diet. Icicle, in fact, is a wild salmon company and prides itself as such. So, there's no question that this is a controversial and complicated issue as you've heard before, but thankfully it's not your job to decide whether the science behind aquaculture is supportable. That's already been done by expert agencies, both on the federal level and the State level and we'll submit a document into the record which is a December 2010 biological evaluation by EPA which is their most recent statement on the scientific effects of aquaculture in this region and they concluded that it would not have an impact on listed species.

Norman McCloud, Port Townsend, stated that you've heard a lot about net pen fisheries this evening from both sides from advocacy points. I don't believe anybody on the County staff or you three gentlemen has a great deal of expertise in this area. You are looking at a lot of scientific papers, again, from many different perspectives. I'd like you to remember that in Jefferson County we have a PhD scientist who is the scientist that is consulted on these issues by Canada's Department of Oceans and Fisheries, by the Chilean government and by the Norwegian government and if you have not yet consulted with Dr. Kenneth Brooks, you are missing a wonderful, available opportunity to consult with one of the world's leading experts in this area. I strongly urge that you do so before you deliberate on this ordinance update.



Diane Johnson, Quilcene, said she was impressed when she looked at the work that has been done on this. A lot of work has been done, however, she is sorry to say she doesn't think its finished. I did not see what I thought would be a thorough enough analysis of the current conditions on the ground and a thorough enough assessment of damage to the environment that would require the proposed legislative remedies. That's supposed to be done under the GMA and the SMA. I felt that you haven't yet assessed and documented the assessment of the costs and benefits of the various alternatives that were available as you were making decisions about what to add and what not to add especially about the buffers. I didn't see a detailed cumulative impact assessment of the current and future development that is likely to occur on the shorelines in the properties that were somewhat apparently arbitrarily designated for that 40% of environmentally sensitive, or whatever they're called, where the development is so extremely restricted. So, that's homework that I think still needs to be done.

Hearing no further comments for or against the proposed changes to the LASMP in response to the DOE recommended and required changes, the Chair closed the public hearing and advised that written comments (e-mail, USPS, fax or personally delivered) may be submitted to the Commissioners Office through the close of business on July 25, 2011.

NOTICE OF ADJOURNMENT: Commissioner Johnson moved to adjourn at 7:06 p.m. until the properly noticed special meeting or the next regular meeting. Commissioner Sullivan seconded the motion which carried by a unanimous vote.

MEETING ADJOURNED

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

John Austin, Chair

ATTEST:

Phil Johnson, Member

Raina Randall
Deputy Clerk of the Board

David Sullivan, Member