

**GRANT COUNTY
PLANNING COMMISSION**

Chairman: Bill Bailey
Vice Chairman: Ollie Click
Board Members: Dale Anderson, Carol Dawson, Terry Dorsing, Jim Fleming, Blair Fuglie, Lee Graham,
and Kevin Richards
Secretary: Doris Long

COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON

**PLANNING COMMISSION
SHORELINE MASTER PROGRAM - PUBLIC MEETING
OCTOBER 2, 2013 @ 7:00 P.M.**

Members Present: Bill Bailey, Ollie Click, Carol Dawson, Terry Dorsing, Jim Fleming, Lee Graham
and Kevin Richards

Members Absent: Dale Anderson and Blair Fuglie

Chairman, Bill Bailey, opens the meeting.

Approval of August 7, 2013 Planning Commission Minutes.

Mr. Click motions to approve the meeting minutes as presented. Mr. Fleming seconds the motion.

Mr. Bailey points out a spelling error, and requests it be corrected.

Voted on and passes unanimously.

Planning Director, Damien Hooper, announces that Ben Floyd, of Anchor QEA, will be reviewing the Department of Ecology's comment.

Mr. Floyd explains the document he will be going over is a table that summarizes the Department of Ecology's (DOE) comments pertinent to the Draft Shoreline Master Program (SMP), which includes the Goals and Policies and Regulations, the Restoration Plan and the Accumulative Impact Analysis.

During this workshop he will primarily be focusing on the Shoreline Master Program portion.

Written communication from John Hermann is read into the record by Chairman, Bill Bailey, and will be entered into the record as Exhibit one.

Mr. Floyd asks if there are any questions or concerns regarding the information on Page 1 of the document.

Page 1 of the document.

Mr. Bailey asks about the comment regarding the table on Page 37 of the SMP referring to Shoreline Stabilization & Flood Control, which relates to prohibiting the *replacing of hard stabilization with hard stabilization*. The Response states replacing hard with hard will be allowed with the addition of a note. Mr. Floyd explains that there were some areas of the SMP where the Department of Ecology thought the regulations were more restrictive than what was necessarily needed. This is one of those areas. The note refers to provisions related to shoreline stabilization.

Mr. Bailey refers to the comment addressing a table found on Page 39 regarding *trail attributes in the development standards*. He interprets the comment to be saying there would be no paving of trails allowed. Mr. Floyd responds that the DOE has asked the trails be constructed of pervious material when feasible, and that they be located outside of the shoreline buffer.

Mr. Bailey is concerned that the trail's composition could make it difficult for bicyclist or walkers pushing a baby stroller.

Mr. Floyd explains that once a certain footprint is reached, such as a 12' wide trail, water quality and vegetation are impacted. DOE is proposing that the trail be paved up to a 5' width; at that point pervious material could be placed on the shoulders to widen the path.

Mr. Bailey replies that he would agree to that.

Mr. Floyd states that they can also look at the standards in other SMPs.

Staff states, to ensure that the appropriate accommodations are made for specialized situations, the ADA requirements could be looked into as well.

Page 2 of the document.

There is discussion regarding the comment relating to Page 66 Line 26 concerning the *4 foot minimum* depth requirement. There is no opposition to the language.

Mr. Sieverkropp expresses his concern regarding the comment relating to Page 89 Line 28 pertaining to adding *references to the National Wetland Inventory maps and WDFW's Priority Habitats & Species maps to the list*. As a landowner and a farmer who runs livestock, he is concerned about how protecting the riparian area is going to affect livestock grazing. He would like to see the information that is being referred to.

Mr. Floyd explains where this information can be found. The point DOE is making is that these are two information resources that are being relied on, but are not specifically referenced in the SMP. This is how they are rectifying the situation.

Mr. Mann inquires about the comment regarding Page 87 Line 2 pertaining to the replacing of *County Technical Staff with a Qualified Professional*. He remembered a discussion from a past meeting where it was decided that the County Staff was going to determine if a qualified professional was needed.

Mr. Floyd states this is because smaller populated Counties do not have the expertise in house to make the decisions; even larger Counties will usually put that responsibility on the developer for liability purposes. There is discussion regarding this comment.

Staff reports there is a listing of Consultants (qualified professionals) available in the Planning Department.

Page 3 of document.

Mr. Richards questions the comment relating to Page 101 Line 8 referring to *buffers shall not be mowed*. He asks if that is even if the buffer is currently planted in grass.

Mr. Floyd replies this is only triggered when it is a new development. All of the provisions are based upon new development; nothing is retroactive.

A member of the public asks about changes being made to the buffer widths contained on Pages 98 and 99. What is this referring to?

Mr. Floyd reports that Grant County has an existing Critical Areas Code, which contains provisions to protect wetland riparian areas and fish and wildlife habitat conservation areas. The Consultants utilized as much of this existing Code as they could, and added some updated provisions based upon a guidance document put out by the Department of Ecology in 2007.

The comments refer to replacing *100 feet with 200 feet* buffers, where applicable, such as a Category 1 wetland, and are correcting areas of inconsistencies within the Draft SMP.

There is discussion regarding the buffer widths and controlling noxious weeds along a shoreline or wetland area.

Mr. Mann asks about the comments regarding Page 97 Line 23 pertaining to adding the verbiage *wetland delineations are valid for 5 years*. Does this mean that 5 years later the property will have to be evaluated again?

Mr. Floyd states this would apply if a development project is being completed in phases. He explains if a wetland delineation was required for the first phase of the project, and the second phase is being completed six years later, during the Administrative Official's review, the determination may be made that the area has become wetter since the development of phase one. At this point, an additional wetland delineation may be required.

Mr. Floyd reports on Page 104 Line 14. He explains they pulled the data DOE is proposing to amend from the current Critical Areas Code. The original text was to reduce the wetland buffer up to 50%, but the DOE is requesting a "moderate risk" approach be applied, which *calls for the allowance of no more than a 25% reduction in wetland buffer in buffer averaging proposals*. The Consultants have resisted the change somewhat, but the DOE pointed out that the original 50% buffer is inconsistent with their 2007 guidance manual. In order to allow for some flexibility the Consultants may try to have it adjusted from 50% to 35% instead of the 25% that the Department of Ecology is asking for.

Mr. Floyd reports the buffers are the single most controversial subject in all of the Shoreline Master Program or Critical Area Code updates throughout the State. The buffers in the Grant County SMP are still a work in progress. The wetland buffers are probably closer to being established than the riparian buffers. There is discussion regarding buffers; how they are established, and no net loss.

Page 4 of document.

The comment regarding Page 117 Line 15 pertains to buffer averaging, as well, and is also included in the discussion.

A member of the public asks what the tentative implementation date would be for the new regulations. Mr. Floyd explains the tentative schedule that was worked out with the Department of Ecology. Tonight is the meeting to review the comments made by the Department of Ecology. This meeting and the resulting comments will initiate another revision of the Shoreline Master Program update. That revision will be brought before the Planning Commission. Hopefully, by December or January the Planning Commission will be ready to make their recommendation to the Board of County Commissioners. The County Commissioners will go through their intent to adopt process, and send the SMP draft to the State by early February. The State will publish the document, send out notice to all of the Agencies with a sixty day comment period, revisions would be made if necessary, and then the document will be brought back to Grant County for an approval process. The adoption process should be completed by either May or June of 2014.

Comment regarding Page 119 Line 14 pertaining to deleting the term non-native from the statement. Mr. Bailey verifies that the verbiage is going to be changed from non-native to *non-native, non-invasive vegetation*.

Mr. Floyd confirms that is what is being proposed.

Page 151 Line 21. Mr. Bailey questions if this affects the agriculture land that has had underground drain systems installed since 1975.

Mr. Floyd explains the existing agricultural activities such as dikes, drains and farming are essentially exempt from this program. He verifies that the SMP only has an effect on activity from this point forward.

Second Document - Draft SMP Update Proposed for Specific Areas

Mr. Floyd explains, based on the comments received from different individuals and the Consultants' technical advisory committee, there are changes being proposed for the draft Environment Designations information.

Mr. Floyd reviews the document and the proposed changes. He reports to the public that the Draft Shoreline Master Program can be found on the Planning Department's County website. In that draft document each of the Environment Designations are defined, including their purposes and uses.

Staff clarifies that the Sunland Day Use Area, being referred to in this document, is a new park being proposed by the Grant County Public Utility District, not the existing Sunland Community Park.

There is discussion as to how the PUD must work with the County during their development projects.

Mr. Floyd states that they will revisit the Designation of the Community Park at Sunland Estates to see if it needs to be modified in anyway.

To avoid future confusion, Mr. Click cautions Mr. Floyd about designating the land as "public" due to the park being for the Sunland Estates community use only.

Mr. Mann is concerned that, once the applicable buffers and setbacks are applied, some of the lots located on the shoreline would become unbuildable due to their size.

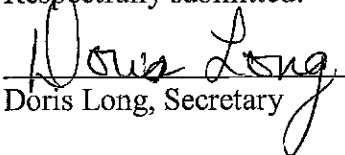
Mr. Floyd replies that he will research this possibility.

Through out the meeting there is a good deal of general discussion regarding how the SMP is going to affect landowners.

As Mr. Bailey asks each of the Planning Commission members for their final comments; the message that is conveyed over and over again is how important public participation is, and that they have tried to represent the public to the best of their ability, and instilled as much flexibility into the Program as possible.

Meeting adjourned at 9:06 PM.

Respectfully submitted:


Doris Long, Secretary

Approved by:


Bill Bailey, Chairman