



BOARD OF HEALTH

The Thurston County Board of Health has responsibility and authority for public health in both incorporated and unincorporated areas of the County.

Minutes of September 27, 2011

Public Hearing to receive testimony on Resolutions Requiring Public Sewer in Woodland Creek Estates and Covington and Adopting Moratorium on On-Site Sewage Systems in this Area.

SUMMARY OF ITEMS

1) CALL MEETING TO ORDER

Chair Valenzuela called the public hearing to order at 6:00 P.M. at the Thurston County Courthouse.

Attendance: Chair Valenzuela, Vice-Chair Wolfe, Commissioner Romero, Art Starry Environmental Health Division Director, and Clerk of the Board of Health Kathy Patton.

Commissioner Valenzuela explained the purpose of the hearing is to receive testimony on two resolutions regarding septic systems in the Woodland Creek Estates and Covington subdivisions.

- One resolution declares it is necessary to connect all residences, buildings, and properties in these neighborhoods to public sewer to protect public health; orders the abandonment of the existing on-site sewage systems; and requires connection to public sewer.
- The other resolution establishes a moratorium on accepting applications and issuing permits for the installation, repair or expansion of on-site sewage systems in these neighborhoods, except as authorized by the health officer to address significant threat to public health or safety.

Chair Valenzuela explained the process that would be used to receive testimony and that each person would have three timed minutes to testify.

Art Starry, Environmental Health Division Director, Public Health and Social Services Department, provided the following summary statement: In response to documented water quality problems in Woodland Creek, Thurston County, and the City of Lacey are working to extend sewer service to the Woodland Creek Estates and Covington neighborhoods so existing homes served by septic systems can convert to sewer. The Washington State Department of Ecology, the Department of Commerce, and Thurston County have committed funds for sewer service with the condition that the project be completed by January 2014. Mr. Starry provided additional information on the history of how the functioning of septic systems within this area became of concern to the Department of Ecology and local jurisdictions.

To require that property owners abandon their on-site sewage systems and connect to sewer when it becomes available, the Board of Health needs to adopt a resolution. The requirements for converting on-site sewage systems to sewer are stated in Section 5 of Appendix A of Article IV of the Thurston County Sanitary Code and are reflected in the proposed resolution. In addition, the health officer is requesting that the Board adopt a moratorium on accepting applications and issuing permits for the installation, repair or expansion of on-site sewage systems in these neighborhoods, except as

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authorized by the health officer to address a significant threat to public health or safety. A copy of her request has been provided to you at this hearing.

Written testimony was provided by the following people and a copy is attached to the minutes.

Citizen – R.L. Hank Thiejte
Citizen – John B. Youmans
STOP Thurston County – Glen Morgan
Citizen – Nicole Mercier

Oral testimony from those who did not provide written testimony was as follows:

Mark Kelly – Lacey resident but does not live within the Woodland Creek area. Testified that in all of the public hearings attended questioning the science is an exercise in futility. Appealed to owners and residents of the 129 homes to use their power to vote for the replacement of two of the three county commissioners in next year's elections.

Donna Weaver – Noted questions about sewer systems versus septic systems. Disasters seem to overwhelm sewer systems and don't seem to damage septic systems. Believed that 25% of the residents were senior citizens who would experience extreme hardship from these requirements. Commissioners should allow additional study time to determine whether the coliform is from the septic systems.

No other testimony received.


2) ADJOURNMENT

The hearing on Woodland Creek Estates was closed. A Board Briefing will be held to discuss this proposal further with Environmental Health staff.

BOARD OF HEALTH
Thurston County, Washington


KAREN VALENZUELA, Chair

CATHY WOLFE


CATHY WOLFE, Vice-Chair

SANDRA ROMERO


SANDRA ROMERO, Commissioner

KAREN VALENZUELA

ATTEST:


Kathy Patton, Clerk of the Board

Date: 

12/6/11

REC'D

9/27/11

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Thurston County Board of Health

I want to ask you how you can vote on condemning our septic systems in Woodland Creek and Covington Development when you only have some of the facts. With this vote you are putting a financial hardship on 128 households. You have not done a DNA test to see if it is human or other sources. The County has not done a dye test on any of the septic systems. I have lived in this neighborhood for 34 years and my system has worked correctly. You have not taken into consideration the other housing areas of approximately 200 homes that is part of this water shed area. There are approximately 50 homes closer to Woodland Crk than my home and not in our two Sub-divisions. Why are you letting two schools be on septic and not asking them to contribute to the cost? Why hasn't the Shell fish industry contributed? By passing this document under consideration tonight you are asking us to add \$850,000.00 which adds to

the coffers and \$77,000.00 annual income to LOTT. I also find it hard to believe that Sandra Romero can have an un-biased opinion when she is a past Board member of Future Wise, current board member of LOTT, Nisqually Watershed Planning Unit, Puget Sound Partnership Salmon Recovery Council. What happened to Government of the people, for the people, by the people? Instead it is Government of the Government, by the Government, for the Government.

I have included a map that shows the Woodland Creek water shed area with a blue line and the green area is the 50 homes not in our subdivision. The Red line is the water shed that comes from San Mar Villas that drains into Woodland Creek.

I have not included Abernethy, Pleasant Glade or Jorgenson Rd that affect Woodland Crk. Without the DNA test how do we know if it is human or Chicken? This area had a chicken farm for about 40 years or more and it was within a half mile of the Creek.

We ask you not to approve the condemnation process until a DNA test is completed and a dye test has been taken on all septic systems within one

mile of the creek. This would include Tolmie Park Estates.

We would also like to be reimbursed for our hook up fees from LOTT if the new sewer system doesn't improve the water quality of Woodland Creek.

Respectfully Submitted

R. L. Hank Thietje

1613 Woodland Creek St N.E.

Olympia, WA 98516

Sept. 27, 2011

Thurston County Board of Commissioners
2000 Lakeridge Dr. SW
Olympia, WA, 98502

Subject: Request For Changes to draft resolutions on 9-27-11 Public Hearing re. connection of Woodland Creek Estates & Covington on-site sewage systems to a public system to Be constructed.

Commissioners,

The homeowners of Woodland Creek Estates & Covington having reviewed the draft resolutions believe that findings no. 23 and 24 should be revised to read as shown below. Further, that "resolves" section 2 and section 4 should likewise be revised as shown below.

The homeowners also understand that, to the extent that fecal coliform is contributing to the contamination in Woodland Creek, where it is in close proximity to their subdivisions, it is a result of Thurston County septic design standard deficiencies to which all Woodland Creek Estates and Covington septic systems conformed and were inspected and approved. This is a county created problem, not one attributable to the homeowners. The corrective costs must not be unduly loaded upon the Woodland Creek Estates and Covington homeowners but equitably covered by county acquired grants, loans and general obligation bonds. The homeowners require a degree of financial certainty, requested but not received, from the County Commissioners. The requested changes reflect these concerns.

Revise finding 23 to read:

Thurston County has obtained a grant from Ecology and other funding for the sewer design, estimated construction costs, and connection fees, for all properties in the Woodland Creek Estates and Covington subdivisions to public sewer. If total costs for the project exceed the current funding the County will apply for and obtain additional grant funding or issue a general obligation bond to cover the balance of funding required.

Revise finding 24 to read:

Upon construction of the sewer lines to accommodate connection of the Woodland Creek Estates and Covington subdivisions, all residences, buildings and other properties within these subdivisions discharging sewerage should be connected to the public sewer system and the OSS should be abandoned. All the forgoing is conditional upon Thurston County having secured all financial funding, from other than the subdivisions homeowners, to cover all project costs.

Revise "resolves" section 2 and section 4 to read:

Resolves as drafted with the additional ending sentence added --- This requirement is conditional upon Thurston County providing total project funding through grants, loans and general obligation bonds that do not financially encumber the Covington and Woodland Creek homeowners to any greater extent than the general Thurston County residents.

Your careful consideration and approval of these changes will be appreciated by the homeowners.

Respectfully,


John B. Youmans

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Glen Morgan comments

Intro – Farm Bureau, State FB, STOP Thurston County.

I don't live in this neighborhood. Some supporters of ours and other people who live here have contacted me a few times over the last few months, and since this appears to be a property rights issue, I decided to come to the public meeting on this subject last week.

I met Art Starry, Director of Environmental Health Division last week for the first time, and I was able to get more information since that time as well.

We all want clean water, particularly the residents who are directly affected by the water in question. It appears that Woodland Creek has higher fecal coliform counts than would be desired. With my background on the Farm Bureau, I am somewhat familiar with these concerns.

About 10 years ago, Thurston County attempted to blame the Schilter Farm for high f.c. counts near the river by their

farm. When the University of Washington came down and did DNA typing at the request of Commissioner OSullivan at the time, it was discovered that nearly all of this was from wildlife, not the farmer Thurston County tried to harm.

Why Thurston County failed to do basic and regular DNA testing on the f.c. count in Woodland creek anytime recently is strange. This simple test would have eliminated many questions people might have had and would help restore credibility to the need for this costly impact to these property owners.

As I mentioned last week, and as I believe even more now, since Thurston County has clearly stated a predictive outcome for the f.c. counts in Woodland Creek after this project is done, it seems that it only be right that Thurston County and LOTT agree to be jointly responsible for the outcome of this costly impact to this neighborhood.

Since LOTT is the primary financial beneficiary of this project – why can't they guarantee that if the f.c. count does not drop to the level predicted by Thurston County, then these property owners will need to be reimbursed for the \$6,640 hook up costs being imposed.

Like purchasing a car, we expect certain warranties, and we want the manufacturer to back up their claims. As a fellow tax payer and Thurston County resident, some of my tax dollars are also being used to subsidize this project, and I would want to know that it works just like it was sold to these people, and if it doesn't work, then I think these people deserve their money back.

Since LOTT is the financial beneficiary in perpetuity for this project, they should be responsible for this reimbursement. If they are unwilling to do so, then we will know just how accurate the original testing claims were in Woodland Creek, and the problem will have not been solved.

I would also recommend, as a policy change moving forward, for the Thurston County health department to use DNA testing to better identify point-source pollution in the future to avoid the appearance of dishonesty and corruption. This is the least we can expect from our public officials and the employees who work at Thurston County.

Tuesday, September 27, 2001

Statement to the Thurston County Commissioners on the Woodland Creek Septic System

The only DNA testing to date for the Woodland Creek area was conducted 10 years ago from 1999-2001, AND actual DNA testing was never conducted in Woodland Creek Estates! Linda Hofstad told me that herself. The samples for the Bacteriological Contamination Source Identification Report were taken several miles downstream from us, after all the fecal loads had taken place in other strategic spots, such as the storm drains from Martin Way and Tanglewilde. The highest fecal loads into Woodland Creek start upstream of Woodland Creek Estates at mile 3.4, then flow into the portion of Woodland Creek at mile 2.6, adjacent to our neighborhood.

It is mentioned in the Henderson Inlet Watershed Report from December 2001 that 40% of the septic systems in the Woodland Creek Estates neighborhood had failed. Since then any failing septic systems have been repaired to modern and acceptable Health Dept. standards. At least that's what I assume. If not, then why not?

It has been stated "the septic portion of the total fecal load would decrease by almost 90%" when our approximate 130 septic tanks are decommissioned and we are brought onto the LOTT sewer system. I want to know how this is even possible. Please see the pie charts from the Jan 2002 report. While Linda Hofstad tells me that these charts do not denote percentages that is exactly what a pie chart is supposed to represent.

It is unreasonable to suggest that there will be a significant impact on the levels of fecal coliform in Henderson Inlet with the relatively small amounts of human contribution in the numerous pie charts and flow charts in this report. The portions dedicated to human contamination pale in comparison to the combined size of canine, avian, dog, and unknown contributions which total over 65% on the Total Project Distribution for Henderson Inlet chart on page 27. With the numbers on page 28 it is easy to figure out the percentages. Out of 650 clonal types found, 10.5% are human and of those, 3.1% come from below Woodland Creek Estates. How is 3% going to have any impact on the total amount of fecal coliform flowing into Henderson Inlet? How will our 3% contribution reduce the levels by 90%? The next question is why are **we** being targeted when there are much **worse** contributors upstream from us?

You have told us that you will continue to conduct fecal coliform testing in this area after the septic systems are abandoned. I would like to propose that we be granted a guarantee. We would like to be given the same guarantee that you would expect if you bought a new car or a new vacuum cleaner. If it fails to operate as promised you get your money back. We would like a guarantee that if the levels of fecal coliform are not reduced by the 90% percent, as you predict, we be reimbursed our \$6,600 connection fees.

"the hydraulic modeling of the Creek predicted that converting septic

systems adjacent to the creek would reduce the portion of the fecal coliform load that comes from sewage by more than 80 percent. Much of this reduction in sewage contribution would come from extending public sewers into the Woodland Creek Estates and Covington neighborhoods, because these neighborhoods are close to the creek in an area of poorly draining soil."

**Woodland Creek Estates Sanitary Sewer Facilities Plan, Final Draft
November 2009**

By constructing public gravity sewers through the neighborhood to collect the raw wastewater, the pollution, from Woodland Creek Estates and Covington, into Woodland Creek would be reduced by 77%

PACE Report



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