**Thurston County Board of Commissioners**  
**Work Session Summary**

<table>
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<th>Date of Work Session:</th>
<th>May 17, 2017</th>
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<tr>
<td>Time:</td>
<td>2:00pm</td>
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<tr>
<td>Office/Department:</td>
<td>Resource Stewardship</td>
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<tr>
<td>Subject:</td>
<td>Shoreline Master Plan Update</td>
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<tr>
<td>Staff Contact/Author:</td>
<td>Name/Title: Polly Stoker / Admin Asst Phone: 5473</td>
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<td>Attendees:</td>
<td>Commissioners Present: Bud Blake, Gary Edwards, John Hutchings Asst. County Manager: Robin Campbell Other Staff: Brent Butler, Cynthia Wilson, Brad Murphy</td>
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**Discussion Points:**  
Information Only on the history of the Shoreline Management Act, the partnership with Ecology and the roles we have. Discuss diversity of support that the SMA has received over the years. First of many briefings to come.

Brad went over the Power Point with the history of Shoreline Management Act came into being, the policy objectives, and the shorelines which are included in the policy.

In 2003 Shoreline Management Act was updated and “no net loss” was added as a standard of ecological functions. It also added restoration planning, and it also clarified that the SMA is the regulation to be used with critical area protections. It has both policies and regulations included and is tailored to meet the needs of the community.

Questions from the Board:
John Q: How do you measure “no net loss”?  
A: Ecology ultimately decides. There are tools like a rating tool to measure impacts. Also mitigation which is required. Acknowledging that regulatory regs don’t get us there completely, there’s an additional restoration plan. Also again, what usage we allow in shorelines.

Gary Q: Is there compensation or tax breaks for the land owners if they can’t use it for X, Y, or Z?  
A: We can look into that as we go through the public process. It has been done in the past and we can address it. The Open Space program is on the work plan to look at also. The In Lieu Fee program has the sale of credits available to compensate those who choose to create easements on their property for conservation.

Gary Q: Does Dept of AG easements come into play? They do on prairie lands.  
A: Brad will need to look into that, not sure it could be used for mitigation.

Bud Q: With Open Space, you must be accepted into the program. Is there a different option where the credit happens automatically?  
A: We can look at that but the resources need to come from somewhere.

Gary Q: Like in the Nisqually Valley development rights and what about
setbacks?
A: We will look at the least restrictive option that also meets our mandates by law. We will be reviewing that and then Ecology reviews and will have to approve it as well.

Gary Q: What’s the setback range on salt water (least to most)?
A: Right now 50 feet and the greatest is 300 feet and is determined by the criteria now set in place.

Gary Q: Where are we at as far as least restrictive compared to other jurisdictions?
A: Currently way less restrictive due to our code being out of compliance. But some of the restrictions are listed in the Critical Areas ordinance so we have two codes which don’t match up. We will be trying to have both of our codes the same (CAO and SMP). SMP hasn’t been updated since 1990.

Bud Q: How is measured?
A: Depends on the existing conditions, pristine, shell fish, marine bluff or wetlands associated with that. We will be bringing back those options to you in the future.

The Fish and Wildlife conservation areas are large and make it difficult for some to use their land. You can go through a RUE to have an exception to these rules with the CAO (from 2012). And the SMP (from 1990) has a variance permit to allow different types of development to occur.

We want both codes to sync up together. In the future when the SMP is updated, it will be the controlling policy used for critical areas in the shoreline jurisdiction.

We can bring examples to you in future briefings and you get to pick and choose which you want to incorporate.

Gary Q: Are we trying to have accommodations for both the property owner and the environment? Can nothing go on there if the setback is 300 feet?
A: Yes we are trying to come to a happy medium for both. Maintaining and having flexibility along the shorelines while also allowing for example, a small boat house. We will be looking at ways to allow for flexibility for development while still protecting our critical areas, some being a very unique natural resource.

Brad will bring pieces incrementally of the SMP process to the Board. If you currently know of citizens that want to be involved in the process send staff their contact information.

Gary Q: What does the 300 foot buffer person with an issue do right now to resolve it?
A: If it’s in the shoreline right now, they would need a variance due to the CAO is what a lot of the shorelines currently fall under in terms of jurisdiction until the SMP is updated. If we had a programmatic mitigation option they could buy buffer mitigation credits.

John Q: It says in the Power Point Staff Reviews Principles. Does staff also work with DOE?
A: Yes, we do work closely with DOE.

Ecology staff (Sarah C.) -- Our bottom line is meet the minimum requirements in the state law guidelines. The Shoreline Master Program must meet the requirements to be in compliance with the law.
John Q: From the Power Point, how are those criteria weighted (three main policy points)?
A: Shoreline protection come first, water depended uses next, water related and enjoyment.

Bud Q: Currently under the SMA how many did you have at 300 feet?
A: None under SMA, but under the CAO regulations which we use as the code, we may have 4 or 5 per year which is affected by the shorelines 300 foot buffer.

Bud Q: June 14th is the next briefing and we’ve been talking about this for 2 years so when will this be done?
A: Next meeting we will talk about timelines. It will need to go through public process, which is part of the checklist. Doubt we could be done by the end of 2017.

Bud Q: Why didn’t this come to us in February or March?
A: We are trying to get this done but staff is pulled in many directions with all the projects they are responsible for. (Capitol Lake, Alliance for a Healthy South Sound, Voluntary Stewardship Program, Capital Facilities Plan, Dev Code Docket, Citizen wetland and shoreline issues, to name a few)

John Q: Why hasn’t this bubbled to the top? Can we move this up in the priority?
A: Yes, the briefing on priority of projects is May 31st where the Board can make changes.

Robin stated in the past we had the option to shorten the timelines by having concurrent public hearings with the Planning Commission and the BoCC.
A: We plan under an Act which requires the public hearings to be separated. The briefings could be concurrent though and this may save time.

Gary Q: Who enforces some of this stuff with the shorelines? Like the Lk. St. Clair wave issue.
A: It depends on the issue, sometimes it’s the state, Corps of Engineers, etc. depends on what critical area is being impacted and how it’s being impacted.

Gary Q: With the individual comes in and we are restrictive, it may be a money issue to them if we delay them. How can we work with them and still protect the environment?
A: We will talk about that at the next briefing.

Bud would like a briefing on this every 30 days to get this done asap.

Bud Q: June 14th 3-4pm time slot is already a problem when they need to be in Lacey by 4pm. Can we squeeze in the topic of CAO 300 foot setback as it relates to the SMP at the beginning of this briefing?
A: Yes we can.