Chapter 3 – Natural Resource Lands

Overview
OVERVIEW & MATERIALS

- Chapter 3 – Natural Resource Lands
  - Memorandum 1 – chapter overview
  - Chapter 3 text – redline and clean versions
  - Map N-1: Designated Long Term Agriculture & Forestry
  - Map N-2: Designated Mineral Resource Lands
  - Memorandum 3 – Long Term Forestry Options
    - Attachment A & B – Countywide & Detailed Map Options
    - Attachment C: LTF Land Use Designation Crosswalk

OVERVIEW & MATERIALS

- Proposed Code Changes Associated with Mineral Lands Update
  - Memorandum 2 – overview of code changes
    - Redline changes to Chapters 17.20, 18.04, 20.30B, 20.54, 20.03

- Handout: Chapter 3 – Policy Decisions Cheat Sheet
GMA: NATURAL RESOURCE INDUSTRIES GOAL

“The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations:
…(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.”

- 36.70A.020 RCW

GMA: NATURAL RESOURCE INDUSTRIES GOAL

“Successful achievement of the natural resource industries goal…requires the conservation of a land base sufficient in size and quality to maintain and enhance those industries and the development and use of land use techniques that discourage uses incompatible with the management of designated lands.”

- WAC 365-190-070
CHAPTER 3 – GMA REQUIREMENTS

1. Designate agricultural lands, forest lands, and mineral resource lands
   - Not characterized by urban growth
   - Of long-term commercial significance

2. Adopt development regulations “to assure the conservation” of those lands

COMPREHENSIVE PLAN UPDATE: SCOPE OF WORK

Natural Resource Element

- Update map of designated mineral resource lands
- Review policies for agricultural lands, limiting nonagricultural uses
- Incorporate references to VSP
- Review Long-Term Forestry designations*

* Indicates optional item approved by BoCC in the SOW and 2017/2018 budget.
PUBLIC FEEDBACK

- Spring 2018 Open Houses
- MRL Focus Group
- Agriculture Advisory Committee
- SPD Advisory Committee
- Stakeholder meetings
PUBLIC FEEDBACK

- Conserving resource lands, including outside designated areas
- Addressing changing economics and demographics of agriculture
- Ensuring sustainable forestry and mining
- Minimizing impacts of resource industries on surrounding uses and environment
- Connecting natural resource lands to other areas of the Comprehensive Plan

CHAPTER 3: AGRICULTURE 2040

- Average age of farmer = 59
- # of farms on < 10 acres
- 70% of farmland is expected to change ownership in next 20 years
- 6,500 acres of farmland converted to other uses, 2000-2015
- Farmland with potential to conversion = 22,000+ acres
WHAT IS CHANGING IN CHAPTER 3? AGRICULTURE

- Updated background information
- Updated and expanded information on land conservation and incentive programs
- Updated action items

Not changing:
- Designation criteria or mapping of LTA (not part of the scope)

CHAPTER 3: AQUACULTURE

- Limited language updates proposed
- Coordinating this section with the ongoing SMP update
CHAPTER 3: FORESTRY

- Updated language and action items
- Review of LTF

THURSTON COUNTY COMPREHENSIVE PLAN UPDATE

PLANNING COMMISSION – JANUARY 16, 2019

Chapter 3 – Natural Resource Lands

Long Term Forestry
BACKGROUND

Review of Long Term Forestry designation was an optional update for the periodic review of Comp Plan. The BoCC approved this review in 2016:

- Review current designation criteria (August, 1993)
- Interview major timber companies
- Review long-term forestry designation and zone

STATE GUIDANCE ON DESIGNATION OF FOREST LANDS

WAC 365-190-060

- Designated at the county-level; not reviewed on a parcel by parcel basis.
- Land should be designated based on 3 factors:
  - Not already characterized by growth
  - Used or capable of forestry productions
  - Land has long-term commercial-significance (predominantly higher forest land grades)
- Secondary benefits may be considered

- Counties must consider effects of proximity to population areas, including:
  - Availability of public services and facilities
  - Proximity to urban and suburban areas and rural settlements
  - Size of parcels
  - Compatibility & intensity of nearby uses
  - Property tax classification
  - Local economic conditions
  - History of land development permits
LONG TERM FORESTRY DESIGNATION CRITERIA

- Maintain a block size of 5,000+ acres
- Consider property tax classification
- Favorable economic conditions
  - Larger parcels with forest land grade of 2
- History of development permits nearby
- Outside UGA
- Located away from urban/suburban & rural settlements
- Predominantly large parcels,
  - in Thurston County is 640 acres
- Nearby development and land use is compatible with long-term forestry
  - in Thurston County typically RRR 1/5

LONG TERM FORESTRY SURVEY

- Staff surveyed major forestry landowners in the County
  - Contacted 6 landowners including: private landowner, CGVI, Green Diamond, Port Blakely, Weyerhaeuser, and Jorgensen.
SURVEY RESULTS

- Private landowner in a fringe area not currently using land as forestry. Prompted staff to review other fringe areas.
- Generally, the designation criteria works well for forest land in Thurston County.
- Rural forest lands are at higher risk for conversion. County should have tools available for these lands to remain in forestry.
- Forestry in rural zoning can be beneficial for smaller timber owners because it allows for flexibility to adapt to changing market conditions.

PARCELS IDENTIFIED FOR POTENTIAL LAND USE AMENDMENT

- Staff conducted a high-level review of the fringe areas of the LTF designation.
- Seven parcels (±173.52 acres) identified for a land use amendment to remove from LTF to an alternative zone, based on:
  - Current and historic use of the property
  - Size of parcel
  - Forest land grade
  - Nearby development patterns
DECISION F-1
CONSIDERATION OF 3-PARCEL BLOCK

Supportive of Removal from LTF

No Contact

Unsupportive of removal from LTF

Area being considered for land use plan amendment.
DECISION F-1
CONSIDERATION OF 3-PARCEL BLOCK

Area being considered for land use plan amendment. From LTF to RRR1/V.
DECISION F-2
CONSIDERATION OF PARCEL 0988001002

Contacted, no response

Option 2A: No Change
Long Term Forestry Review
Acreage and Zone: Ponderosa 0 acres

DECISION F-2
CONSIDERATION OF PARCEL 0988001002

Acre being considered for land use plan amendment
DECISION F-2
CONSIDERATION OF PARCEL 09880001002

DECISION F-3
CONSIDERATION OF PARCEL 13822130100

Contacted, no preference
DECISION F-4
CONSIDERATION OF 2-PARCEL BLOCK

Supportive of Removal from LTF

Area being considered for land use plan amendment

Option 4A: No Change
Long Term Forestry Review
Amendment Notes: Project into 5 acres
DECISION F-4
CONSIDERATION OF 2-PARCEL BLOCK

Area being considered for land-use plan amendment.

SUMMARY OF COMMUNICATIONS

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>Decision</th>
<th>LANDOWNER CONTACTED?</th>
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<tbody>
<tr>
<td>13816230000</td>
<td>F-1</td>
<td>Supportive of removal from LTF</td>
</tr>
<tr>
<td>13816230200</td>
<td>F-1</td>
<td>Unsupportive of block removal from LTF</td>
</tr>
<tr>
<td>13816240000</td>
<td>F-1</td>
<td>Unable to contact</td>
</tr>
<tr>
<td>09880001002</td>
<td>F-2</td>
<td>Letter mailed &amp; received</td>
</tr>
<tr>
<td>13822130100</td>
<td>F-3</td>
<td>Letter mailed &amp; received</td>
</tr>
<tr>
<td>21621200100 &amp; 21621300100</td>
<td>F-4</td>
<td>Supportive of removal from LTF</td>
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</table>
### SUMMARY OF LONG TERM FORESTRY DECISIONS

<table>
<thead>
<tr>
<th>Decision</th>
<th>Description</th>
<th>Options</th>
<th>Options</th>
<th>Options</th>
<th>Options</th>
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</thead>
<tbody>
<tr>
<td>F(1)</td>
<td>Considers block N of Hwy 8 - parcels 13816230000, 13816230200, and 13816240000</td>
<td>F1-(A) No Change</td>
<td>F2-(A) No Change</td>
<td>F3-(A) No Change</td>
<td>F4-(A) No Change</td>
</tr>
<tr>
<td>F(2)</td>
<td>Considers parcel 09880001002</td>
<td>F1-(B) Amend 3 parcels from LTF to RRR 1/5</td>
<td>F2-(B) Amend parcel from LTF to RRR 1/5</td>
<td>F3-(B) Amend parcel from LTF to RRR 1/5</td>
<td>F4-(B) Amend parcels from LTF to RRR 1/5</td>
</tr>
<tr>
<td>F(3)</td>
<td>Considers parcel 138221301000</td>
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<tr>
<td>F(4)</td>
<td>Considers parcels 21621200100 and 21621300100</td>
<td>F1-(C) Amend 2 parcels from LTF to RRR 1/5</td>
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### THURSTON COUNTY COMPREHENSIVE PLAN UPDATE

**Chapter 3 – Natural Resource Lands**

**Mineral Resource Lands**
MINERAL RESOURCE LANDS

**Project Steps for Mineral Resource Lands**

1. **Identify and classify**
   Develop a countywide inventory based on geologic data on the location and extent of mineral deposits, existing land uses, and other factors. These areas are categorized based on their quality, using available data from DNR, USGS, and others.

2. **Designate**
   Identify priority areas where high quality mineral resources are available and compatible with existing land use patterns and other criteria.

3. **Conserve**
   Establish policies that ensure future land uses will be compatible with mineral extraction in designated areas.

4. **Permit**
   New mining operations planned in areas designated as mineral resource lands will still need to be reviewed before they are permitted to operate. Mining activities must abide by all relevant state and local regulations, including environmental rules.

**THURSTON COUNTY MINERAL LANDS: WHERE WE LEFT OFF…**

- **Future!**
  MRL Policies Chapter 3 Dev Code

- **Early 2017**
  BoCC approves Scope of Work for Comprehensive Plan Update

- **Jan-Aug 2017**
  AESI Maps MRL Inventory

- **April-Nov 2017**
  MRL Focus Group Convened

- **June 2017**
  PC Work Sessions on Mineral Lands start

- **Oct 2017**
  Staff ask PC for Recommendation on Scope of Designation Criteria

- **March 2018**
  PC Public Hearing on MRL Scope Options
CLASSIFICATION & DESIGNATION FACTORS: MINIMUM GUIDELINES

- Geology: depth and quality of resource and characteristics of resource site
- Projected life of the resource
- Resource availability and needs in the region
- Accessibility and proximity to point of use or market
- Energy costs of transporting materials
- Proximity to population areas
  - General land use patterns
  - Availability of utilities, including water supply
  - Surrounding parcel sizes and uses
  - Availability of public roads and public services
  - Subdivision and zoning of small lots

"Counties and cities must designate known mineral deposits so that access to mineral resources of long-term commercial significance is not knowingly precluded. Priority land use for mineral extraction should be retained for all designated mineral resource lands."

- 365-190-070 WAC

DESIGNATION: KEEP IN MIND

- **WAC 365-190-040**: Overlapping designations. The designation process may result in critical area designations that overlay other critical area or natural resource land classifications. Overlapping designations should not necessarily be considered inconsistent. If two or more critical area designations apply to a given parcel, or portion of a given parcel, both or all designations apply.
  - If a critical area designation overlies a natural resource land designation, both designations apply. For counties and cities required or opting to plan under the act, reconciling these multiple designations will be the subject of local development regulations.
  - If two or more natural resource land designations apply, counties and cities must determine if these designations are incompatible. If they are incompatible, counties and cities should examine the criteria to determine which use has the greatest long-term commercial significance, and that resource use should be assigned to the lands being designated.

- **WAC 365-190-070 (4)(d)**: In designating mineral resource lands, counties and cities must also consider that mining may be a temporary use at any given mine, depending on the amount of minerals available and the consumption rate, and that other land uses can occur on the mine site after mining is completed, subject to approval.
## EXISTING DESIGNATION CRITERIA

### Minimum Designation Criteria: Chapter 3

<table>
<thead>
<tr>
<th><strong>1. Mineral Deposits</strong></th>
<th>Should contain deposits based on USGS maps, DNR permits, or site specific geologic information</th>
<th>This information is being provided/updated in the inventory</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2. Location</strong></td>
<td>1,000 ft from • public preserves, • urban growth areas (UGAs) • residential areas with existing densities &gt; 1/5 60% of area within 1,000 ft of a proposed site must have parcels of 5 acres or larger (excludes applicant)</td>
<td></td>
</tr>
<tr>
<td><strong>3. Min Site Size</strong></td>
<td>5 acres</td>
<td></td>
</tr>
<tr>
<td><strong>4. Marketability</strong></td>
<td>Mineable, recoverable, marketable</td>
<td></td>
</tr>
<tr>
<td><strong>5. LTA and Historic</strong></td>
<td>Long-term agriculture lands and historic/cultural sites are excluded</td>
<td></td>
</tr>
<tr>
<td><strong>6. LTF</strong></td>
<td>Long-term forestry lands may be co-designated</td>
<td></td>
</tr>
</tbody>
</table>

### EXISTING DESIGNATION CRITERIA: TC CODE (20.30B)

<table>
<thead>
<tr>
<th><strong>Minimum Designation Criteria: 20.30B TCC</strong></th>
<th>Most Criteria are the same as in the Comprehensive Plan</th>
</tr>
</thead>
</table>

**EXCEPTION**

**Critical Areas**

- Site does not contain the following critical areas: Zone 1 or Zone 2 areas for Group A public water systems, Class 1 or 2 wetlands or their buffers, FEMA 100-year floodplains, habitat areas for threatened or endangered species or their buffers
- Site is located away from geologically hazardous areas (steep slopes)

A full critical area review is done at the time of application.

Critical Area exclusions are NOT currently in Chapter 3 of the Comprehensive Plan
DESIGNATION SCOPE: MARCH 21, 2018 - PLANNING COMMISSION RECOMMENDATION

- **Option 1. Adopted Current Designation Criteria**
  Option 1 reflects the Current Criteria in Chapter 3 of the Comprehensive Plan

  - **Map 1a. Does NOT co-designate agricultural lands**
    - At some point, may require that the county do an economic study to determine what resource designation to apply where LTA overlaps with MRL

  - **Map 1b. Co-designates Agricultural Lands – PLANNING COMMISSION RECOMMENDATION**

CHAPTER 3: MINERAL RESOURCES
DESIGNATION SCOPE: BOCC DIRECTION

- Confirmed limiting scope to Planning Commission Recommendation
- Requested staff further develop policy options:
  - Partially designated parcels
  - Expansion of existing operations
  - Clarify definition of “parks and public preserves”

- Policy changes were developed with the MRL Stakeholder Focus Group
WHAT'S CHANGING IN CHAPTER 3?: MINERAL RESOURCES

- Updated language throughout to reflect update
- LTA Co-designation language in criteria (Decision A)
- Updated Goals and policies
- New Map

ASSOCIATED CODE CHANGES

- 17.20 – Mineral Extraction Code (last updated: 8-14-2012)
- 18.04.055 – Resource Use Notice for Plats/Subdivisions (last updated: 7-24-2012)
- 20.30B – Designated Mineral Lands (last updated: 1-8-2013)
- 20.54 – Special Use Permit
- 20.03 – Structure, Interpretations and Definitions
**MAJOR CODE CHANGES**

- Based on feedback from Mineral Lands Stakeholder Group, other County Departments, and BoCC:
  - Strengthen report & background requirements, rather than add blanket restrictions
  - Consider agricultural lands that are co-designated with mineral lands
  - Consider interpretation of the mineral lands map N-2
  - Policy language to allow flexibility in the 1,000-foot separation distance, per request of BoCC

**MAJOR CHANGES – 17.20**

**17.20.110 – Noise Monitoring.**

- Allow designated authority flexibility in how often noise monitoring reports are submitted. *Current language is quarterly.*

- Require operators to retain monitoring reports for 7 years and have available upon request.

- Option that requires continuous noise monitoring for mineral extraction activities adjacent to residential uses or zones, and for operators to notify the department of exceedances.
MAJOR CHANGES – 17.20

17.20.140 – Rehabilitation and conservation requirements.
- Specify that lands co-designated as Long Term Agriculture/Nisqually Agriculture and mineral resource lands be returned to a state suitable for agricultural use after mineral extraction is complete.

MAJOR CHANGES – 17.20

- Strengthen the initial requirements:
  - Water quantity, cumulative impacts, adaptive management.

- Require baseline monitoring for one water year in advance of permitted activities.
- Specify that monitoring may be required on and off-site, and the area immediately downgradient of the mine.
- Clarifying language on how monitoring timing, frequency and location is determined.
MAJOR CHANGES – 18.04

18.04.055 – Resource Use Notice.
- Currently, TCC requires a 1,000-ft notice for plats/subdivisions for mineral resource lands.
- Alternative option is to reduce to 500 feet.

MAJOR CHANGES – 20.30B

20.30B.015 – Applicability. – New section that specifies interpretation of the new designated mineral lands map, N-2.
- **20.30B.015(1)** – Specifies when mineral extraction can occur outside of designated areas:
  - Extraction for forest practices purposes (in LTF zone)
  - An existing legally established mineral operation
  - Expansion of a mine onto undesignated lands. (Options D-2 and D-3)

- **20.30B.015(2)** – Specifies how map N-2 is interpreted at the site level.
  - What happens with a parcel that has 2.5 out of 5 acres designated?
MAJOR CHANGES – 20.30B

- Designation criteria are removed from the Thurston County Code.
- Only maintained in the Comprehensive Plan.

20.30B.040 – Application Requirements.
- Requirements for designation and removal from designation will only be maintained in the Comprehensive Plan.

MAJOR CHANGES – 20.54 & 20.03

20.54 – Special Use Permit.
- Strike language that states additional conditions may be imposed at the time of the 5-year review

20.03 – Structure, Interpretations, and Definitions.
- Definitions to add clarity for new language in previous sections:
  - “Adaptive management plan”
  - “rehabilitation plan”, and
  - “water year”
DECISION B: NOISE MONITORING

Option B-1
- Quarterly noise monitoring unless otherwise determined by the department.

Option B-2
- Continuous noise monitoring for mining activities adjacent to residential uses/zones.
- Quarterly noise monitoring unless otherwise determined by the department.

DECISION C: RESOURCE USE NOTICE

Option C-1
- Maintains current resource use notice at 1,000 feet for plats and subdivisions.

Option C-2
- Reduces resource use notice to 500 feet for plats and subdivisions.
DECISION D: EXPANSION POLICY

Option D-1
- Expansion only permitted onto adjacent designated mineral lands.

Option D-2
- Expansion permitted on adjacent *undesignated* mineral lands.

Option D-3
- Expansion permitted on adjacent *undesignated* mineral lands, **including within 1,000 feet of UGA and public parks/preserves.**
**Decision E: Evaluating Designation at Parcel Level**

**Option E-1 & E-2**
- Double-threshold for designation.
  - Must have 0.25 acres & 5% mapped.
  - Anything >5 acres is eligible for permit, regardless of parcel size.

**Option E-3 & E-4**
- If any amount is mapped as designated, the whole parcel is eligible for a permit.

**Option E-5:** The entire parcel must be mapped as designated in order to be eligible for a permit.

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**Option E-1:** Except for area within the 1,000-ft distance

**Option E-2: Including** area within the 1,000-ft distance

**Option E-3:** Except for area within the 1,000-ft distance

**Option E-4: Including** area within the 1,000-ft distance

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**20 Acre Parcel**

- Option E-1, E-2
- Option E-3, E-4
- Option E-5

**5 Acre Parcel**

- Option E-1, E-2
- Option E-3, E-4
- Option E-5

**7 Acre Parcel**

- Option E-1, E-2
- Option E-3, E-4
- Option E-5

All 7 acres are designated.
## SUMMARY OF MINERAL LANDS OPTIONS

<table>
<thead>
<tr>
<th>Decision A - Designation Criteria Amendment</th>
<th>Decision B - Noise Monitoring Requirements</th>
<th>Decision C - Resource Use Notice</th>
<th>Decision D - Expansion Policies</th>
<th>Decision E - Designation at the Site Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1 Maintain current criteria</td>
<td>B-1 Maintain quarterly monitoring</td>
<td>C-1 Maintain current language of 1,000-feet for plats</td>
<td>D-1 Allow expansion only onto designated MRL</td>
<td>E-1 Double-threshold designation</td>
</tr>
<tr>
<td>A-2 Change criteria to code designate w/ ag lands</td>
<td>B-2 Require continuous monitoring in residential areas</td>
<td>C-2 Reduce language for plats to 500 feet</td>
<td>D-2 Allow expansion onto undesignated MRL</td>
<td>E-2 Double-threshold designation, allowing into the 1,000-feet from UGAs and parks</td>
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<tr>
<td></td>
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<td></td>
<td>D-3 Allow expansion onto undesignated MRL, including areas in the 1,000-ft separation from UGAs &amp; parks</td>
<td>E-3 If any is designated, whole parcel is eligible</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>D-4 If any is designated, whole parcel is eligible including area in the 1,000 ft from UGAs and parks</td>
<td>E-5 The entire parcel must be mapped to be permitted</td>
</tr>
</tbody>
</table>

### Questions?

**Contact:**

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Project Updates and Draft Documents  
[www.Thurston2040.com](http://www.Thurston2040.com)