

**Comprehensive Plan Amendments: 2017-2018 Docket (Item 12)  
Spooner (formerly Toft) Land Use Plan Amendment and Redesignation**

**Attachment B: Comment Letters**

1. Nisqually Indian Tribe
2. City of Lacey
3. Washington Department of Fish and Wildlife (WDFW)
4. Public Health and Social Services Environmental Health Division
5. Public Works Development Review Section



**Nisqually Indian Tribe  
4820 She-Nah-Num Dr. S.E.  
Olympia, WA 98513  
(360) 456-5221**

December 5, 2017

Krosbie Carter  
Thurston County  
2000 Lakeridge Dr. SW  
Olympia, WA 98502

Dear Ms. Carter,

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

**Re: Spooner Site 2009100628**

The Nisqually Indian Tribe has reviewed the report you provided for the above-named project. The Nisqually Indian Tribe has no further information or concerns at this time.

Sincerely,

Jackie Wall  
THPO  
Nisqually Indian Tribe  
(360)456-5221 Ext. 2180  
[wall.jackie@nisqually-nsn.gov](mailto:wall.jackie@nisqually-nsn.gov)



Shaping  
our community  
together

420 COLLEGE ST SE  
LACEY, WA 98503-1238

December 27, 2017

Krosbie Carter, Associate Planner  
Thurston County Resource Stewardship  
2000 Lakeridge Drive SW  
Olympia, WA 98502

Subject: Project #2009100628 Spooner Site Specific Comprehensive Plan Amendment

Dear Krosbie:

The City of Lacey Department of Community and Economic Development has had an opportunity to review the submitted materials for the Spooner Site Specific Comprehensive Plan Amendment for property located in rural Thurston County at the corner of Yelm Highway and Spurgeon Creek Road. Although not located within the Lacey Urban Growth Area, the proposal is directly adjacent to the Lacey UGA, therefore, the City has identified several concerns with the proposal as follows:

1. The application states that the existing designation of Neighborhood Convenience Commercial is proposed to be enlarged from one to five acres. The Land Use Element of the Thurston County Comprehensive Plan addresses Neighborhood Convenience Commercial zones with the purpose of providing the location of very small businesses that serve nearby residents with everyday convenience shopping goods and services (page 2-27). Additional characteristics of this zone are identified in the Plan (page 2-28) and state that these zones not exceed one acre in size and serve a population of less than 5,000.

According to the materials provided by the applicant, the property's location on Yelm Highway and amount of drive-by traffic is a consideration for expanding this zone. Recent City of Lacey traffic counts along Yelm Highway near this area find that more than 13,000 vehicles travel this stretch of Yelm Highway on an average weekday. An expanded commercial site in this location with a high volume of pass-by traffic would serve well beyond a population of 5,000 based solely on the number of pass-by trips by commuters between Yelm and Lacey. Not only would an expansion of this zone to five acres be inconsistent with the site size characteristics identified in the Thurston County Comprehensive Plan, but it would also be inconsistent with the intent to serve only nearby residents.



TDD Relay  
1-800-833-6388

City Council  
(360) 491-3214

City Manager  
(360) 491-3214

City Attorney  
(360) 491-1802

Community Development  
(360) 491-5642

Finance  
(360) 491-3212

Parks & Recreation  
(360) 491-0857

Police  
(360) 459-4333

Public Works  
(360) 491-5600

Fax #  
(360) 438-2669



2. The Growth Management Act prioritizes commercial areas to be located within urban growth areas to prevent sprawl and impacts to rural character with limited exceptions. The Land Use and Economic Development Elements for Lacey and the Lacey Urban Growth area identifies commercial lands throughout the Lacey Urban Growth Area sized to provide employment and serve residents for the next 20 year planning horizon. Should rezones to add additional commercial lands within the rural county directly adjacent to the UGA be approved, then adjustments may have to occur to the amount of commercial land designated within the Lacey UGA.
  
3. The purpose of the existing McAllister Springs Geologically Sensitive Area zone is to prevent impacts to a vulnerable groundwater source where the Cities of Lacey and Olympia get much of their drinking water supply. The City is concerned about the impacts that an on-site septic system may have that serves a large commercial area. Any expansion of commercial uses should be located within the Urban Growth Area where municipal utilities can provide sewer to better protect groundwater resources.

Thank you for the opportunity to comment on the proposed rezone and comprehensive plan amendment. If you have any questions, I can be reached at (360) 491-5642 or [randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us).

Sincerely,



Ryan Andrews  
Planning Manager



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: P.O. Box 43200, Olympia, WA 98504-3200 • (360) 902-2200 • TDD (360) 902-2207  
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

December 29, 2017

Krosbie Carter, Associate Planner  
Thurston County Resource Stewardship Department  
2000 Lakeridge Drive SW, Building 1  
Olympia, WA 98502  
[carterk@co.thurston.wa.us](mailto:carterk@co.thurston.wa.us)

**SUBJECT: Comments for Project #2009100628 Spooner Site Specific CPA**

Dear Mr. Carter,

The Washington Department of Fish and Wildlife (WDFW) is pleased to respond to your request for species information on the Spooner Site Specific Comprehensive Plan Amendment. We respectfully submit the following for your consideration.

Two species of particular interest to WDFW are present on the project site: Mazama pocket gopher and Oregon white oak.

**Mazama Pocket Gopher (*Thomomys mazama*)**

The Mazama pocket gopher (*Thomomys mazama*), a small fossorial rodent, is a regional endemic found only in western Washington, western Oregon and northern California. Pocket gophers play an important role in ecological communities by altering soil structure and chemistry, affecting plant occurrences, and serving as prey for many predators, and their burrows provide a retreat for a wide variety of other species. Mazama pocket gophers were formerly more widespread on south Puget Sound prairies, but their distribution has diminished as suitable habitat has been lost to development or degraded by Scotch broom and succession to forest. The species was state-listed as threatened in 2006 by the Washington Fish and Wildlife Commission (Stinson, 2013). All subspecies in Thurston County were protected as threatened under the Endangered Species Act in 2014.

WDFW has conducted MPG studies for more than ten years. Prior to that time, the agency documented observations. From the 2006 state listing until the 2014 federal listing, WDFW provided assistance to Thurston County in managing MPG and addressing development challenges. At that point WDFW

relinquished the lead management role to the U.S. Fish and Wildlife Service (USFWS) and assumed a partnership and stakeholder role. We regularly provide technical assistance and subject matter expertise. WDFW is still conducting MPG studies, but we do not, and have never, attempted to document all the gophers present in the county.

PHS data for the Spooner property and the surrounding area has shown documented gopher presence since 2003. One historic record dated 1966 is less than ¼ mile from the property. There is no question that the parcel is part of a large area containing suitable gopher habitat and supporting continuous presence.

We recommend consulting with the USFWS before making any zoning changes. The key question is not so much whether gophers and habitat are present, but how the parcel fits into the USFWS conservation strategy. Subsequent development of a rezoned parcel will result in permanent loss of gopher habitat, so MPG concerns need to be addressed before a decision is made by the Thurston County Planning Commission.

### **Oregon White Oak (*Quercus garryana*)**

Oregon white oak is the only oak species native to Washington. Some individuals of this slow-growing species may live for up to 500 years. Trees typically do not begin producing acorns until they are about 20 years old. Mature oak woodlands are virtually impossible to replace once they are gone. Oak woodlands provide a distinct ecosystem that contributes to wildlife diversity statewide. They are used by more than 200 species of birds, mammals, reptiles, and amphibians. The woodlands provide feeding, breeding, resting and sheltering habitat. Many invertebrates, including various moths, butterflies, gall wasps, and spiders, are found *exclusively* in association with this oak species. Oak habitat in Washington may play a critical role in the conservation of neotropical migrant birds that migrate through or nest in Oregon white oaks. More details on Oregon White oak woodland ecosystems can be found in the WDFW publication *Management recommendations for Washington's priority habitats: Oregon white oak woodlands* (Larsen and Morgen, 1998).

Oregon white oak woodlands are limited in extent and rapidly declining. Only a very small fraction of Washington's native oak habitat still remains. Presently the primary cause of this decline is land conversion and development. Less than one percent of the remaining Puget Sound oak woodland habitat is covered for long-term protection in conservation areas. The other 99% is still in danger of being permanently lost. Oregon white oak woodlands are protected under the Thurston County Critical Areas Ordinance, as well as listed by WDFW as a priority habitat because of this decline.

The PHS management recommendations for Oregon white oak can be summarized as follows: WDFW considers any oak woodland in western Washington greater than one acre to be significant, as well as smaller stands and individual trees. In urban or urbanizing areas, single oaks, or stands of oaks <0.4 ha (1 ac), may also be considered a priority when found to be particularly valuable to fish and wildlife (i.e.,

they contain many cavities, have a large diameter at breast height, are used by priority species, or have a large canopy). We recommend that these oak areas not be clearcut or removed. We also recommend maintaining or enhancing these significant stands, regardless of age-class or composition (Larsen and Morgen, 1998).

The oaks present on the Spooner parcel are mature oaks of a significant diameter at breast height and with large canopies. They possess the qualities that make them priority habitat. They are also adjacent to other groups of mature Oregon white oaks on the parcels immediately to the west and to the east (across Sturgeon Creek Road). The proximity of all these mature oaks increases their habitat value over that of a single mature tree. A rezoning of this parcel will pave the way for a commercial development that will undoubtedly result in the loss of the trees on the parcel, as well as contribute to fragmentation of the remaining oak habitat. The presence and value of the Oregon white oaks is an important consideration for this Comprehensive Plan amendment.

WDFW appreciates your consideration of our comments. We are available to answer questions and provide technical resources related to Mazama pocket gophers, Oregon white oaks and other priority habitats and species.

Sincerely,



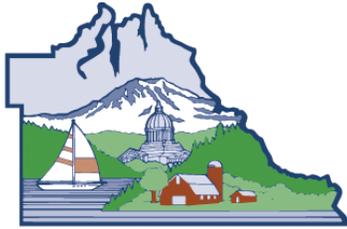
Theresa Nation  
Fish and Wildlife Biologist, Habitat Program  
Washington Department of Fish and Wildlife  
600 Capitol Way North  
Olympia, WA 98501-1091  
Phone: (360) 902-2562  
E-mail: Theresa.nation@dfw.wa.gov

cc: Michael Kain, Thurston County Resource Stewardship Department (emailed)  
Chris Conklin, WDFW Region 6 Assistant Habitat Program Manager (emailed)  
Michelle Tirhi, WDFW District Wildlife Biologist (emailed)

References:

Larsen, E. M., and J. T. Morgan. 1998. Management recommendations for Washington's priority habitats: Oregon white oak woodlands. Wash. Dept. Fish and Wildl., Olympia. 37pp. Available at: <http://wdfw.wa.gov/publications/00030/>

Stinson, D. W. 2013. Draft Mazama Pocket Gopher Status Update and Washington State Recovery Plan. Washington Department of Fish and Wildlife, Olympia. 91+ vi pp. Available at: <https://wdfw.wa.gov/publications/01449/>



THURSTON COUNTY  
WASHINGTON  
SINCE 1852

COUNTY COMMISSIONERS

John Hutchings  
District One

Gary Edwards  
District Two

Bud Blake  
District Three

PUBLIC HEALTH AND  
SOCIAL SERVICES DEPARTMENT

Schelli Slaughter,  
Director

Rachel C. Wood, MD, MPH  
Health Officer

MEMORANDUM

January 3, 2018

**TO:** Krosbie Carter, Thurston County Resource Stewardship Department

**FROM:** Dawn Peebles, Thurston County Environmental Health Division 

**SUBJECT:** Project 2009100628, Folder Sequence 17 115302 XA, Tax Parcel 11702430402, Spooner Site Specific CPA Environmental Checklist (SEPA) Application

The above referenced application has been routed to this agency for review and comment. This project is proposing a site specific Comprehensive Plan Amendment to change the existing land use designation from McAllister Geologically Sensitive Area Zoning District to Neighborhood Convenience Commercial District. The proposed land use designation is requested for a portion of the five acre parcel as one acre is already zoned Neighborhood Convenience Commercial District.

The property was previously developed with a single family residence and associated buildings. Records indicate in March of 2007 a domestic well located on the property was decommissioned and a new domestic well was drilled. Records indicate the property was previously served by two on-site sewage systems. There are no records indicating the systems have been properly abandoned.

The property is located within the McAllister Geologically Sensitive Area (McAllister GSA) as defined by Article I, Section 20 of the Thurston County Sanitary Code. The property is also located within a Category I Aquifer Recharge Area as defined by the Thurston County Critical Areas Ordinance, within a Group A public water system wellhead protection area, and within a mapped area of EDB (ethylene dibromide) pesticide contamination and elevated nitrates in the underlying aquifer. Environmental Health has completed review of the environmental checklist and has the following comments:

- The proposed change in land use designation does not alter or eliminate any Environmental Health requirements, including approved drinking water supplies, sewage disposal, solid waste and hazardous materials, and food service permits. Therefore, all future development must comply with the Thurston County Sanitary Code, associated policies, and applicable Washington Administrative Codes.
- In addition to other requirements imposed by the Thurston County Sanitary Code, additional requirements apply within the McAllister GSA. **It should be noted that building site approvals may be issued for uses other than single or multi-family residential within the McAllister GSA only if the designed on-site sewage system flow is no greater than 450 gallons per five acres per day, and the wastewater strength entering the on-site sewage system is equivalent to typical residential waste strength.**

- A hydrogeological report may be required at the time of future development to assess nitrate loading from on-site sewage system effluent to the underlying aquifer. A development proposal will be considered unacceptable if a hydrogeological report concludes that it will reduce the Assimilative Capacity (AC) of the aquifer by more than 10 percent. Assimilative Capacity is defined as the difference between the Maximum Contaminant Level (MCL) for a contaminant and the existing level of the contaminant in the aquifer.
- Any contamination discovered during future site development must be reported immediately to the Solid and Hazardous Waste Section of Thurston County Environmental Health at 360-867-2664 and Department of Ecology at 360-407-6300.



COUNTY COMMISSIONERS

John Hutchings  
District One

Gary Edwards  
District Two

Bud Blake  
District Three



**PUBLIC WORKS**  
An Accredited Agency of the  
American Public Works Association

Jennifer D. Walker, PMP  
Director

**MEMORANDUM**

TO: Krosbie Carter, Thurston County Resource Stewardship

FROM: Kevin Hughes Thurston County Public Works, Development Review Section

DATE: November 30, 2017

SUBJECT: 8021 YELM HWY SE  
**Folder Sequence#:09-102093**  
**PROJECT #: 2009100628**

Roadway Classification and Access Spacing:

- Yelm Highway is classified as an Arterial with 10,007 average daily trips (2009 count) and access spacing of 500' minimum.
- Spurgeon Creek Rd is classified as a Collector with 3499 average daily trips (2013 count) and access spacing of 300' minimum.