

Scatter Creek Aquifer – Septic System Management Project

Purpose: To make sure water in the Scatter Creek Aquifer is safe to drink now and in the future.

Citizen's Committee notes: June 4, 2014, 6:15-8:15 pm *approved 7/2/14*
Rochester School District Board Room, 10140 Highway 12 SW, Rochester, WA 98579

Attending: Tom Budsberg, Sandra Adix, Gene Weaver, Roger Max, Lowell Deguise, Bruce Morgan, Art Starry (staff), Jeremy Davis (staff). **Facilitator:** Jane Mountjoy-Venning (staff). **Note taker:** Kateri Wimsett (staff). **Excused:** Maureen Pretell, Karen Deal, Amanda Neice, Chanele Holbrook. **Guests:** none. **Absent:** Marlene Hampton, Scott Schimelfenig, Dave Defoe.

Lowell DeGuise asked for a few minutes at the beginning of the meeting. He announced his intention to resign from the committee. While he felt that the committee and the staff were doing a good job and looking for input; he felt that the commissioners had already made up their minds about the outcome and would not be influenced by the recommendations. Committee members and staff expressed concern about his decision as he is a valued member of the committee and brings a unique perspective to the committee's work.

Introductions

Agenda review and approval: approved

Approve May notes: approved

Report on any community input, questions, etc.: none

Other housekeeping: The ambitious calendar for discussing recommendations is: July-septic systems, August-data/monitoring, education & outreach, and water treatment; September – funding, and ongoing community input. The plan is to present our preliminary recommendations to the public at the 3rd public workshop in late September and then fine-tune them after receiving input. We expect to present the committee's final recommendations to the Board by the end of the year.

Endangered/Threatened Species update: Jeremy Davis with Thurston County Planning gave an update and answered questions about the recent listing of pocket gophers as threatened by the Endangered Species Act (ESA). The following points were raised, if you have additional questions please contact Jeremy at 754-3355,x7010 or davisj@co.thurston.wa.us.

- Many typical activities around a single-family home are exempt from ESA restrictions to protect the species, including fencing, gardening, putting up a swing-set, small shed, etc.
- The county is working to develop a Habitat Conservation Plan. This will likely take a couple of years. Right now the county is meeting with the Department of Fish & Wildlife almost daily to explore all legal responsibilities. Once a habitat conservation plan is in place, it reduces the burden and liability on individual property owners and the county for activities.
- Currently the county is working on "triage" with the permit process. When permit requests come in the site is visited by county and federal US Fish & Wildlife staff. If the project site is "cleared," that is, determined not likely to cause harm to listed species, then the permit can go forward. Right now about 70 sites are in line for a site visit.

- In answer to the question, “How did the Feds get involved?” Jeremy said that an environmental group sued the federal government about endangered/threatened species in multiple states, including the pocket gopher.
- The county is looking for mitigation sites, prairie habitat sites that can be preserved or enhanced and can be used as off-sets for impacts from single-family housing sites. For example, someone who wanted to develop a site that could harm endangered/threatened species might purchase credits to protect better habitat elsewhere and be able to continue with their project. The county will purchase mitigation sites from willing sellers, no eminent domain will be used.
- Federal government is providing \$1.8 million for the habitat conservation plan.
- Joint Base Lewis McChord has funding from Department of Defense for environmental protection. \$3.5 million has been brought into Thurston County for prairie habitat.
- Frustration was expressed that there was so much funding available for these projects and not for other local priorities such as law enforcement.
- Historically there was about 300,000 acres of prairie lands in the South Sound area. Today about 3% ideal habitat and 10% degraded habitat is left. Scotch broom and Douglas Fir contribute to degraded habitat. Part of the Habitat Conservation Plan will look at rehabilitation of degraded sites as part of mitigation strategies.
- County is now working on a buildable lands analysis of rural areas. It is unknown how endangered/threatened species might impact allowable density in rural areas. It could lower density.

Decision: The committee made one preliminary recommendation regarding zoning in the Scatter Creek Aquifer area: *Regulate and closely monitor commercial or industrial development that use, store, or generate significant amounts of hazardous materials in the Scatter Creek Aquifer area.*

The following points were discussed:

- Zoning deals with density, and the type of development allowed such as commercial, industrial, residential. There are over 60 zoning types in Thurston County. The most common types in the Scatter Creek aquifer area are rural 1:5, 1:10, 1:20 and Limited Areas of More Intense Rural Development (LAMRID) of 1:1, 2:1. Grand Mound is zoned for greater density. The committee thought a map overlay showing the density in relation to the modeling results would be helpful.
- In addition, there are critical areas such as wetlands, which may limit density. Because of this, a change in zoning may not result in a change in the actual density the site can accommodate.
- Some on the committee felt that the worse-case scenario nitrate results were not high enough to warrant making changes.
- Others pointed out that the highest nitrate level (4.272) was an average, and at times during the year there would likely be spikes higher than that level. The model tended to slightly underpredict actual nitrate levels. In addition, coliform bacteria is also a concern, though it could not be modeled. There was concern that this meant that at some points during the year, people may be drinking unsafe water. We were reminded that the March 2014 sampling did not show any spikes in nitrate or coliform bacteria.
- Several committee members were concerned about cluster development and the cumulative impact of closely spaced septic systems on the aquifer, especially the chance that a plume of elevated nitrates would result. A lengthy discussion followed.
 - Cluster development is allowed today, but no longer has a density bonus, that is, you

- no longer are allowed more lots than the underlying property would typically allow.
- Options discussed to minimize the potential harmful impact of cluster housing were: outright ban, add requirements about well and septic placement, put limits on the number of dwellings per acre, condition the development on septic system that meets some sort of standard for nitrates in the effluent, something that allows/encourages flexibility and innovation to reduce the amount of nitrates leaving the septic system.
- The committee wondered how many homes were needed to make a plume?
- Benefits of clustering allows the full zoning density on lots that might otherwise be difficult to do so. It also can be more cost effective for roads, utilities, etc. Small cluster developments of 2 or 3 may not have the same impact that large cluster developments do.
- Another tool used in some areas of the county is an overlay zone. This focuses on the types of uses in a specific area as opposed to zoning which focuses on the number of dwellings. McAllister Springs Geologically Sensitive Area District is a single-family residential area with extra requirements to protect the drinking water aquifer. An overlay zone could restrict hazardous materials from industry, place higher standards on effluent treatment
- The committee felt that they needed more information about zoning, and what exists currently before they could make recommendations. It may be that some of the concerns could be addressed in other ways, through well siting and protection, education, septic standards, etc.

The committee made several preliminary recommendations regarding well siting in the Scatter Creek Aquifer area. Septic siting will be held for the next meeting that will focus on septic issues.

Decision: *Consider changing the shape (not the overall square footage) of the sanitary control area from a circle with a 100 foot radius, to a shape that would be more protective and better take into account the groundwater flow.*

Decision: *Require developers to identify the location of septic systems and known pollution sources and locate wells in the safest locations that are likely to preserve and protect water quality to the maximum extent possible.*

Decision: *Revise health and land use regulations to give regulators the authority to require that wells be drilled in locations and that property be developed to minimize the risk to wells from recognized contamination sources.*

Public Comment: none

Wrap up

- **Decision: Next meeting time** – June 18 or July 2? Several committee members will be out of town on the 18th. We discussed making the meetings longer rather than adding an additional meeting each month. Jane will check with absent committee members and get back to the group.
- Review any tasks/commitments & timeframe
- Review notes, capture any missing points

