

AICAB SPECIAL MEETING SUMMARY MINUTES
March 14, 2014 @ Anderson Island Community Clubhouse
(AICAB Approved)

Present: Chair Joe Howells, Vice-Chair Carol Pascal, Treasurer Rich Sullivan, Ann Dasch, Ed Stephenson, Dr. Charlene Holt, Pat Owen, Dave Albertson, Bobbi Sullivan. **Absent and excused:** Secretary Dave Jacobsen.

Call to Order and Verification of Quorum: A quorum was confirmed and the Meeting was called to order by the Chair at approximately 7:03 P.M. The Pledge of Allegiance to the flag was observed.

Adoption of Agenda. It was moved, seconded and unanimously agreed to approve the proposed agenda as written.

Statement of Purpose for Special Meeting and Adoption of Agenda. The Chair stated that this is a Special Meeting for the primary purpose of discussion of updates to the Pierce County Shoreline Master Plan. Subsequent to that discussion, there will be a brief follow-up discussion on the Pierce County Comprehensive Plan presentation from the March 5, 2014 Special Meeting.

Introduction of Guests. The Chair welcomed and introduced Pierce County Councilmember Doug Richardson, Councilmember Assistant Alice Sniffin, and Council Senior Research Assistant Mike Kruger.

Pierce County Shoreline Master Program Proposed Revisions.

Councilmember Richardson noted that Pierce County is mandated by State regulations to update its Shoreline Master Program periodically, and described the process the County is engaged in to do so. Proposed revisions were submitted by the County to the State Department of Ecology (DOE) who replied with a fourteen page letter listing areas requiring further work. Over a period of about four months, a sub-committee of the Council's Community Development Committee including Councilmembers Talbert, Fleming and Richardson worked through the DOE concerns and developed proposed changes that were then sent to the Planning Commission, which made some additional proposed changes. The Council sub-committee adopted those changes proposed by the Planning Commission.

Councilmember Richardson asked Mike Kruger, who is the assigned staff to the Council's Community Development Committee, to review the proposed changes to the Shoreline Master Plan that are now before the County Council. This is one of several community meetings through-out the County to share this information and solicit input for the County Council to consider.

Mr. Kruger summarized the governing State RCW and County Ordinance, the process for revising and updating the Plan, and the proposed changes now before the County Council, as well as issues that have already been raised by Council members and members of the public with the proposed Plan. He encouraged feedback, both in person and especially through the County's website.

Pierce County Ordinance 2013-45S is the proposed substitute ordinance in response to the Department of Ecology's concerns. Copies of a handout summarizing the proposed ordinance as it stands now, and the public meetings notice were provided to AICAB and community members in attendance. The material includes a map of the proposed freshwater and saltwater shoreline buffer designations. The State law,

RCW 90.58 goes back to 1971 and was in response to a public initiative. The County is the permitting entity but the Department of Ecology is the final arbiter on any variances from the approved Plan requirements. In 2008 the County completed an inventory, by use, of every beach in the County. From that point, there can be “no net loss” of natural shoreline. A key area of concern from DOE was the County’s approach to establishing “buffers” to replace of the existing system of “setbacks”.

The proposed ordinance applies to all saltwater shorelines, all freshwater lakes greater than 20 acres – which includes Josephine and Florence, and all rivers and streams flowing at greater than 20 meters per second. It applies 200 feet upland from those bodies of water. The 2008 shoreline inventory along with the proposed shoreline environmental designations will be submitted to DOE. Higher levels of protection are associated with shorelines that have more intact natural environment (e.g. Conservancy vs. Shoreline Residential. The State will also be provided with the County’s shoreline restoration plan that includes such things as stream enhancement projects. Some of the County’s ongoing areas of concern with the State’s position include the difficulty in public understanding that connected wetlands are managed under the shoreline regulations, and the state-mandated shoreline current use exclusions for “water dependent preferred uses” such as aquaculture and docks. Strict bulkhead restrictions are another area of concern. The State insists that in the future, unless there is an immediate and demonstrated hazard to upland structures, there is no allowance for bulkheads.

Current Anderson Island setbacks from the shoreline are set at 50 feet, unless there are landslide concerns requiring further setback. The proposed minimum buffers would be set at 75 feet for the residential designation, but 100 feet for conservancy areas. The County’s proposal allows for an administrative adjustment of twenty percent to 75 foot buffer – down to about 56 feet – if certain requirements are met. Fortunately all existing structures are considered “conforming” in State law regardless of where they are vis-à-vis the shoreline. The proposal would allow for 30 foot docks on freshwater – up to 60 feet if they are for the joint use of multiple property owners. Single use docks on saltwater could be no more than 125 feet long (without a variance) – but joint use docks can be up to 200 feet. Mr. Kruger asked that suggestions for changes to the County’s proposal be sent to him, Councilman Richardson, or submitted on-line at www.co.pierce.wa.us/shoreline. But please be very specific and cite the document location in the text. Councilmember Richardson suggested that section G in particular be reviewed by everyone, as this is the section created after review by the Planning Commission. He also encouraged folks to provide their feedback on the website – it is seen by all the Council members, captures your thoughts in more accurate written form, and will be “on the record”.

In response to a question, Mr. Kruger noted that the Shoreline Master Program would take precedent over the Island’s Community Plan or the County Comprehensive Plan for anything within 200 feet of the shoreline – including aquaculture regulations. In response to a question about the Island parks being designated “conservancy” vs. “natural”, Mr. Kruger noted that State law allows all private and public parks to be designated “conservancy”, but that could be a topic for a proposed change in the proposed Shoreline Management Program.

Work Session: Pierce County Comprehensive Plan Proposed Updates.

Chairman Howells noted that this was a follow up session to the March 5, 2014 presentation by Planning and Land Services. He summarized the legend for items being proposed for retention, addition, deletion in the current Anderson Island Community Plan. Member Albertson indicated he could not find a place on the web-site to post comments on the proposed revision to the Plan. You can only download a PDF or

HTML document and handwrite in your comments. On-line comments would be far superior. Mr. Kruger agreed to take the suggestion back to the Planning and Land Service Department. Member Albertson also commented that it took two years for the Island community to put the Community Plan together, and to just line-out items without explanation in some cases is not appropriate. Member Paschal indicated that most confusing are the items that are flagged “Regulation”. They could be proposing to delete it because it is in code or because its policy, but it is not clear which and why.

Member Albertson suggested that items not be removed from the Community Plan until they are actually entered into the Comprehensive Plan or Code. “Add first then delete” – “so it doesn’t fall through the cracks”. He did note that the mark-up that is on line appears to have a lot more information than the hard copies provided to AICAB on March 5th. He will add an event to the Anderson Island Facebook page referring people to the link with the marked-up Community Plan, but they’ll have to print it out and add comments then mail it in to the County if the ability to comment on line is not quickly available. Chairman Howell’s recalled the deadline for comments is 30 days from the March 5th meeting. Mr. Kruger sent an e-mail (from the meeting) to Shaun Gaffney at Planning and Land Services to determine what the critical timeline is for on-line comment capability, and to have comments to PALS.

Member Paschal asked why some areas have Land Use Advisory Committees (LUAC) and Anderson Island doesn’t? Mr. Kruger noted that AICAB was already in place as a Citizens’ Advisory Board when the Community Plans were initially developed while other areas had no such body in place. Councilmember Richardson note that even though PALS seemed to be seeking individual comments, they would/should accept a formal recommendation from AICAB.

Councilmember Richardson asked for an example of where there appears to be confusion about what should be regulation and what is actually policy or principle? Member Paschal noted an item on page 3 “Principle 2: Encourage a variety of uses in the ARL and RF designations that are consistent with and support the long-term viability of farming.” That is marked to remove as “Regulation”. Mr. Kruger responded that he did not believe that the intent was to remove meaningful content, but rather to streamline content by removing unnecessary or redundant language. What will happen is there will be a proposed revised County Comprehensive Plan for review and comment in June, 2015, and that will contain all the items that are common to all areas. The revised local area Community Plans will then only reflect those items that are unique to those individual areas area. Hey will be attached to the Community Plan.

Announcements and Adjournment.

The Chair adjourned the meeting at approximately 8:42 p.m.