

Town of Eatonville
PLANNING COMMISSION MEETING
Monday- 7:00 PM, October 5th, 2009
COMMUNITY CENTER
305 CENTER STREET WEST

Chairman Schaub called the meeting to order at 7:10 PM.

Commissioners Present: Schmit,Lambert,Schaub,Treyz and Harris.
Commissioner Craig was excused.

Town Staff Present: Nick Bond, Mayor Smallwood and Kerri Murphy.

Commissioner Lambert led the pledge of allegiance.

Approval of agenda: Motion by Lambert. Seconded by Schmit. Carried.

Approval of minutes: September 8th , 2009 Motion by Lambert. Seconded by Harris. Carried.

There were no communications from the public or the commissioners.

There were no comments from the public or planning commissioners.

New Business: **Shoreline Master Program Update Open House**

Nick Bond introduced Alex Cohen with ESA Adolfson. Explained the process of the Shoreline Master Plan (SMP) is a 2 ½ year process. The grant is from the Department of Ecology.

Alex Cohen, ESA Adolfson – gave a slide presentation of the Shoreline Master Program explaining the process. State law says that the town must do this update. This is a funded mandate. This is an opportunity to incorporate new science, new technical information and an opportunity for the town to plan for its future in shorelines. The shoreline management act applies to all streams with a flow greater than 20 cu.ft. per second and shore lands 200 feet landward of the ordinary high water mark, associated wetlands, the floodway and parts of the flood plain. In the case of Eatonville, the floodway and the flood plain are essentially within that 200 foot of the high water and in some cases may be a non-issue for the town in terms of jurisdiction. Creeks in the town that qualify under the threshold of the 20 cf are the Mashell River, the Little Mashell River, Ohop Creek and Lynch Creek. This is a preliminary shoreline jurisdiction that has been put together and meant for planning purposes only based on data available. All of the maps on display are working maps. The SMP is guided by the shoreline regulations. The SMP will be a document that the town will prepare. It's a planning document with goals and policies for shoreline use, consistent with and becomes part of the comprehensive plan, a set of regulations that governs uses and provides standards for development in the shoreline and it's also a framework for developing protection and restoration efforts for the shorelines in the town. Mr. Cohen then gave a slide presentation graphically showing how the SMP will be put together adding that this process will begin with a collection and preparation of a series of technical documents, an inventory and characterization report, restoration program, use and public access analysis, cumulative impact analysis, shoreline environmental designations, goals and policies, development standards and use regulations and administration provisions. Department of Ecology has specified that an SMP must specify protection to critical areas that are in shorelines that are equal to the town's critical areas ordinance. A draft of the Inventory and Characterization /Map portfolio will be available this winter. There will be several open house public meetings encouraging public participation. There will be documents posted on the town's website. There will be quarterly Ecology meetings for surrounding jurisdictions where information can be

disseminated they can coordinate with each other. Currently the Preliminary Shoreline Planning area has been developed essentially this is the working jurisdiction that the SMP will regulate. He reminded everyone that these are working maps and this is a working jurisdiction. The actual shoreline jurisdiction is an onsite determination but for planning purposes they have measured 200 ft. from the ordinary high water, looked at the floodway, flood plains and looked at wetlands. The next step is to figure out what may be missing, where the data gaps are and comparing existing data to what has been gathered. The purpose of this document is to update goals and policies.

Mr. Bond added that the scope of the Shoreline Master Program is going to apply to both the town limits and the urban growth area since the town could potentially be annexing areas that would have to come under the scope of our SMP.

Chairman Schaub asked for questions from the audience.

Ken Smith, 850 Two Creeks Dr.- said that they are not having a problem with flooding, it's the amount of water that comes down every so many hundred years. He said he lost 40 feet last November on Lynch Creek. He sees that they are doing restoration on the Mashell.

Mr. Bond explained that this is a prime target for the salmon habitat restoration to the tribe along with the South Sound Salmon Enhancement Board. On Lynch Creek you don't generally get salmon up above the falls there. This is something that we want to identify if there is significant erosion along Lynch Creek.

Mr. Smith asked if this project is going to restrict what they can do if they are up against this water.

Mr. Cohen said that the 200 feet is not a buffer, it is just the jurisdiction. The Shoreline Management Act, the law only applies in that jurisdiction. There are a lot of things that we can do within that jurisdiction. Mr. Cohen explained that the towns Critical Areas ordinance has a buffer area already. These restrictions will be developed and clarified as we go along.

Mr. Bond asked people to sign the "Sign in" sheet to be kept informed of upcoming meetings and such.

Richard Collins, 530 SR 161 S. – they have had a lot of deterioration on their property in the last few years from 1996 on. He has a map that the State Highway Dept. gave him and he has lost 151 feet on the lower end of his property. If it weren't for the State Highway Dept. trying to protect SR 161 they may have lost their building and their rental house this coming year. Going through all of the State Fisheries, Dept. of Ecology and the Corp. of Engineers it has come down to the wire to even get it done. What is this restoration deal going to impose? They lost their bank in 1996 and he couldn't get any help from the Town of Eatonville. He went to numerous agencies and finally found the Pierce County Conservation District, and some young lady actually picked up on their concerns and they did get some protection there. The thing he is concerned about is these log jams they are putting in just above the bridge will have a direct effect downstream. The State Highway has armored the abutments of the bridge, but just past that is his property. The river cut through there this last year and his prediction is that if there is any flooding this coming year it will take his lower field out. What is the recourse if this does happen?

Mr. Bond explained that once they identify potential restoration projects, it is possible that we could use the SMP as something that identifies a need for restoration work and potentially we could go after money in the future if there are some grants available.

Mr. Cohen said that the SMP may look at it and say this is an issue that needs to be resolved and suggest a possible funding source.

Mr. Collins said that the State Highway armored about 400 feet along his property and all it is doing is protecting the State Highway only. With the funding that they got, they were only able to come up vertically about 10 feet and on his property he has an additional 10 feet of vertical bank that he has to take care of some way. He is trying to work that process right now but should he just start doing the work now?

Mercedes Baublits, 333 Washington Ave N – wanted to asked if this is something that they town has to do? What happens if we don't? Alex said that we have to have the DOE approve everything before the town approves it? Does this mean we are putting ourselves more in the government pocket with them telling us what we can do and what we can't with everything?

Mr. Cohen explained that the town does have to do this, it is state mandated. The way they have set it up, if towns don't prepare SMP then the state prepares them. His experience has been that

the ecology staff who administer the program try to strike a balance between what the state guidelines say and what the local communities want to have in their master program. Yes, to some extent it does have to be approved by the DOE. They will try to interpret the shoreline guidelines in a way that if something in the town's master program clearly conflicts with the guidelines then they won't approve the program.

Commissioner Treyz asked if there is anything within the state guidelines that a town can request federal funds where there is a change in the stream flow itself as it was with these last two floods. The Mashell is actually changing course and is taking his land and as it takes his property it also affects the tax base of the town itself. Can the Town apply for federal emergency grant or is there some provision in there where the town could actually be reimbursed for shoring up some of the banks to protect its own tax payer base in the natural flow of the river.

Mr. Bond explained that town funds could not be spent to protect private property unless there was something so severe that it was such a large event that a disaster area was declared in which case he felt some federal help could be applied to losses. But he did not know the details of those types of programs.

Mr. Cohen said that there may be a program, but it would not be through the SMP. Commissioner Lambert asked Mr. Cohen elaborate on the public participation plan as far as how often there will be meetings and what kind of time frames before we can expect to hear back.

Mr. Cohen explained that this information will be posted on the website as well.

Mr. Bond explained that the Dept. of Ecology wants to sit down with the town before they give the town the go ahead. Mr. Bond is putting together an advisory committee to kind of steer this. We are looking for community members, some planning commissioners and council members to sit on this committee. We can post some meeting summaries on the web to keep people up to speed with what the advisory committee is doing. This will then come back to the Planning Commission for a public forum, then a public hearing once there is a document that is ready to move forward.

Mr. Cohen added that the way it is set up right now, there are meetings scheduled for right after draft products are issued. Currently we have a meeting set up for right after the inventory and characterization report is issued so we can present those findings, get feedback and finalize it. That will probably be the last public meeting that relates to technical information and then moving forward into the goals, policies and regulations. There are 10 meetings scheduled and 3 open houses.

There were no further questions. Mr. Bond invited the audience to stay and view the maps and ask any questions that they may have.

Chairman Schaub called for a motion to adjourn.

Commissioner Lambert motioned to adjourn the meeting. **Commissioner Schmit** seconded. Carried. Meeting adjourned at 7:45 p.m.

PC Chairman, Bob Schaub

PC Recorder, Kerri Murphy

Recording Secretary, Abby Schmit