

KITSAP COUNTY PLANNING COMMISSION

Zoom Webinar

<https://us02web.zoom.us/j/81778998172>

Dial In: (253) 215-8782 Webinar ID: 817 7899 8172 Passcode: 940019

March 15, 2022 @ 5:30 pm

These minutes are intended to provide a summary of meeting decisions and, except for motions made, should not be relied upon for specific statements from individuals at the meeting. If the reader would like to hear specific discussion, they should visit Kitsap County's Website at <http://www.kitsapgov.com/dcd/pc/default.htm> and listen to the audio file (to assist in locating information, timestamps are provided below).

Planning Commission (PC) Members present: Amy Maule (Vice Chair), Alan Beam, Aaron Murphy, Kari Kaltenborn-Corey, Danielle Douthett, Richard Shattuck, Steven Boe, Stacey Smith

Planning Commission (PC) Members absent: Joe Phillips (Chair)

Department of Community Development (DCD) Staff present: Amanda Walston (Clerk)

Public Works (PW) Staff present: Aislin Gallagher, Michelle Perdue, Sarah Olson

5:30 pm

A. Introductions

- In Chair Phillips' absence, Vice Chair Amy Maule assumes the role of Chair.

B. Virtual Meeting Protocol

C. Adoption of Agenda

- **MOTION:** Steven Boe moves to adopt the agenda as presented
- **SECOND**
- **VOTE: Unanimous in Favor – Motion Carries**

D. Adoption of Minutes

- **MOTION:** Richard Shattuck moves to adopt minutes of 03/15/2022 as amended.
- Alan Beam, Richard Shattuck and Eric Baker to be added to Planning Commissioners and Board of County Commissioners staff present.
- **SECOND**
- **VOTE: Unanimous in favor; 0 Opposed – Motion carries**

E. General Public Comment

- **Chair Maule opens the floor** to speakers wishing to provide testimony.

1 infrastructure, only BMPs, such as actions or measures taken by
2 employees to prevent pollution entering stormwater system.

3 • Mr. Murphy and Mr. Beam suggest this information will be of high
4 interest to the public, should be included at the front of presentation

5 • **QUESTION:** Mr. Murphy asks about impacts of not adopting DOE changes?

6 • **ANSWER:** Ms. Olson and Ms. Gallagher confirm not complying with
7 DOE requirements will generate a fine of \$20,000 per day for each
8 day Kitsap County is out of compliance.

9 • Ms. Perdue notes the presentation includes information that will help address
10 some of the concerns and questions the PC has.

11 • Ms. Olson notes the Code Enforcement process, noting the term ‘applicable’
12 BMPs refers to those that are required and enforceable; there are also optional
13 BMPs that can be provided for a business, but are not required.

14 • M. Olson continues her review including Public Participation Plan, noting
15 outreach to targeted contacts and stakeholders, individual consultations,
16 media posts, hosting public outreach webinar; shares project website and
17 public comment form for submitting written comments; reviews next steps.

18 **5:55 pm**

19 • **QUESTION:** Mr. Shattuck notes the language as written states it applies to all
20 existing land uses and business activities; asks for confirmation that this will
21 not require retro-fitting and asks what inspection would look like, for example,
22 for customer parking which is one of the listed land uses or activities.

23 • **ANSWER:** Ms. Olson notes there are different kinds of BMPs;
24 operational BMP could include sweeping, a structural BMP could be
25 an oil/water separator, treatment BMP could be a retention pond;
26 Kitsap will follow DOE’s required BMPs, such as required quarterly
27 sweeping for customer parking lots, for one example.

28 • Mr. Beam asks to see the DOE BMPs; states this kind of item will
29 cause public concern.

30 • Ms. Olson notes they are contained in the SWMMWW,
31 will email it to the PC and shares a link.

32 • **QUESTION:** Mr. Shattuck notes a County program in place to ensure catch
33 basins are emptied, and pumping is required to be sure piping is clear; asks if
34 that would be an example of a BMP and subject to inspection.

35 • **ANSWER:** Ms. Olson confirms that is a BMP, but it is a storm system
36 maintenance BMP, which is different from those addressed in this
37 ordinance; PW has a commercial inspection program in place for that.

- 1 • Mr. Shattuck asks, and Ms. Olson confirms, this ordinance does not
2 focus on acts like pumping out the catch basin or removing the gravel;
3 if there was refuse flowing into the catch basin, that would be the
4 kind of action that would require a BMP, to ensure pollution does not
5 enter the SW system.
- 6 • Mr. Shattuck notes installation of an oil/water separator could help
7 prevent pollution, but it's not specifically required; suggests including
8 language in the statute stating action, such as installing an oil/water
9 separator, is not required if the business doesn't already have one.
- 10 • Ms. Olson clarifies if the operational source control BMPs are failing,
11 it would mean the business is failing to prevent illicit discharges of
12 pollution into the SW system.
 - 13 • Mr. Beam asks about operational BMPs for customer parking.
- 14 • Mr. Shattuck asks for clarity, in language, to reflect this is only in
15 relation to operational issues, not with existing SW systems, except to
16 the extent there are operational aspects to existing infrastructure.
- 17 • Ms. Olson notes the language does include a reference that if
18 operational source control BMPs fail to prevent illicit discharge,
19 structural or treatment BMPs shall be implemented.
- 20 • Mr. Shattuck asks, and Ms. Olson confirms, if the operational Source
21 Control BMPs are failing, the business would be required to take
22 additional action to implement structural or treatment BMPs, which
23 could include retro-fitting.
- 24 • Mr. Shattuck notes the business community, especially those with
25 older buildings, will want to hear and see clarification on this.
- 26 • **QUESTION/ANSWER:** Mr. Shattuck asks, and Ms. Olson confirms, this is
27 preliminary draft language presented first to the PC; notice will be sent to
28 Chamber of Commerce, business groups, stakeholders in coming weeks.
- 29 • **QUESTION:** Stacey Smith asks how the overall County and unincorporated
30 areas' approach, and actions, will work in concert with Cities.
 - 31 • **ANSWER:** Ms. Olson notes Cities are required to adopt their own plan
32 and demonstrate how they will meet DOE permit requirements,
33 inventory and inspections; jurisdictions are trying to coordinate and
34 share information.
 - 35 • Ms. Smith asks, and Ms. Olson confirms, for a business with multiple
36 locations, enforcement and application the ordinance and plan would
37 be applied and enforced according to location of the business; Ms.
38 Gallagher confirms other jurisdictions also operate under the same

1 DOE permit and must also meet the same rules and requirements
2 under the SWMMWW.

3 • **QUESTION:** Mr. Beam asks about the Auto Repair example slide notes a BMP
4 requiring shop floor drains be connected to sewer or sump, and also a BMP
5 that requires no pouring pollutants or wash water into storm drains.

6 • **ANSWER:** Ms. Olson confirms shop drains must be connected to the
7 sewer, and usually also have an oil/water separator installed;
8 confirms wash water or pollutants must go into the sewer, which is
9 designed to handle those items, as opposed to the storm system
10 which flows directly out into the surface waters, untreated.

11 **6:07 pm**

12 **G. General Public Comment**

13 • **Chair Maule opens the floor** to speakers wishing to provide testimony.

14 • **SPEAKER: Bill Palmer, Kitsap Alliance of Property Owners (KAPO) President**

15 • Mr. Palmer comments regarding the proposed update to DOE Permit
16 Source Control BMPs for existing businesses.

17 • **Chair Maule** calls again for speakers; as there are no other speakers, **closes the**
18 **floor to general speakers.**

19 **6:11 pm**

20 **H. For the Good of the Order/Commissioner Comments**

21 • Mr. Murphy thanks PW staff for the presentation; notes that feedback may
22 have seemed critical, it was intended to raise awareness of what the public
23 may want more information or have concerns about.

24 **Time of Adjournment: 6:12 pm**

25 **Minutes approved this** 19th **day of** April **2022.**

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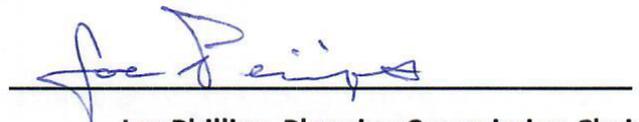
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Joe Phillips, Planning Commission Chair



Amanda Walston, Planning Commission Clerk