

City of Medical Lake  
124 S. Lefevre Street – City Council Chambers  
**Planning Commission Meeting and Public Hearing**  
**September 22, 2022, Minutes**

**NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.**

**1) CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL**

- i) Commissioner Hudson called the meeting to order at 5 pm, led the Pledge of Allegiance, and conducted roll call. Commissioner Mark attended via Zoom, all other members were present in person.

**2) APPROVAL OF MINUTES**

- a) August 25, 2022, Regular Meeting minutes and September 8, 2022, Special Meeting minutes
  - i) Motion to accept minutes made by commissioner Mayulianos, seconded by commissioner Munson, motion carried 3-0.

**3) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS - None**

**4) STAFF REPORTS – None**

**5) PUBLIC HEARING – Critical Areas Ordinance Update**

- a) Commissioner Hudson called the Public Meeting to order at 5:03 pm and explained purpose of the meeting and discussed appearance of fairness and requested any conflicts of interest.
  - i) Commissioner Hudson shared that his church owns property with no plans to build, therefore no conflict of interest exists.
- b) City Planner, Elisa Rodriguez summarized the staff report for the findings of fact for the approval criteria set out in the municipal code.
- c) Public Testimony
  - i) Scott Holbrook 424 W Brooks – shared commentary about underground waters, wetlands, and boundary lines. Submitted written comment.
  - ii) Tammy Roberson 424 W Brooks – shared commentary on her requested comments and revisions given in previous meetings. Continued with recommendations on Critical Areas Ordinance. Submitted written comment.
  - iii) Barbara Bauman N. Stanley St – gave commentary on past handling of building in wetlands areas (specifically Stanley St. apartments) Shared what her hopes are for the future. Submitted written comment.
  - iv) Marybeth Benson 864 N. Martin St. – spoke about the displacement of wildlife when wetlands are interrupted.
- d) Public hearing closed at 5:57 pm

**6) COMMISSION MEMBERS' COMMENTS OR CONCERNS**


- a) Motion to table decision on critical areas ordinance update until next meeting on October 27, 2022, made by commissioner Mayulianos, seconded by commissioner Jorgenson, motion carried 3-0.
- b) Commissioner Hudson explained that public comments can be given to city hall by 4 pm on October 27<sup>th</sup> either by e-mail or in person.

**7) INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS - None**

8) **CONCLUSION**

- a) Motion to conclude meeting made by commissioner Mayulianos, seconded by commissioner Jorgenson, motion carried 3-0 and meeting concluded at 6:01 pm.

Date: Nov. 21, 2022

  
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Roxanne Wright, Administrative Assistant

# Wetland Waters - Seen and Unseen

There is a magic place approximately 10' – 15' down in the earth where the temperature of the ground is fairly constant at about 50 degrees Fahrenheit all year long. It is called the Average Annual Temperature and is made up of the average temperatures every 24 hours and every 365 days a year. In other words, no matter what happens temperature wise on the surface of our land in our country, down about 12' – 13' it stays a constant temperature. This phenomenon is consistent in the lower 48 states.

Across our country lands that gain moisture thru rain and snow and do not allow that moisture to percolate thru to the underground aquifers are called wetlands. They help moderate our temperatures. They help maintain that average annual temperature. And they water plant life which in turn waters and feeds the animal life or wildlife (Flora and Fauna) and the many birds, fish and insect in our world. Insects like the honeybee that pollinate a lot of the foods you eat. Without these pollinators you would not have many of the foods you eat.

All of this is part of our ecosystem. When you hear frogs you know that you have a balanced and happy eco system. When you don't hear frogs in a wetland there may be something wrong.

**Does the balance of our eco system effect the quality of life on this planet?** The uneducated and unconcerned think and say NO. The educated and concerned say YES. The wildlife says YES, the plants, trees, bushes flowers say YES. The honeybees that do so much pollinating so we can eat say YES. Butterflies say YES. Fish, water fowl, and birds of all kinds say YES. What happens when this balanced system gets out of balance?

The wetland boundary that we talk so much about is a theoretical line that can fluctuate each year sometimes quite high and sometimes lower in lower water years. A wetland boundary line that is marked on a drawing is often drawn too low or close in when someone wants to justify building too close to a wetland and sometimes it is too far out when activists want to save a wetland. For every wetland boundary as seen on the surface there is a corresponding line or area beneath the soil that designates the underground plume of the wetland and extends its boundary. This line is not the same year after year. It fluctuates depending on the moisture we get. That is why some years our homes that were built too close have mold problems in their crawl spaces. That is also why the area around wetlands are greener adjacent to the boundary

Every map of the wetland showing the above ground boundary should also have a corresponding dotted line marking the underground plume where the wetland extends underground and outward from the above ground boundary line. This line can extend out 10 feet or 110 feet. *(On the Stanley project we asked why they were removing 5700 CY of dirt and replacing it with 7200 CY of dirt. Just to give you a relative idea how much 5700 CY is, it takes 300 - 19yd trailer hauls to remove 5700 CY of excavated fill dirt. It takes 379 trailer hauls to bring in 7200 CY of fill dirt. We asked what was the excavation for and never got an answer. In my opinion they were they removing wetland plume dirt that was not suitable for foundations? Most projects try to balance the cut and fill so as not to remove dirt from the project site which is expensive. This project removed a lot of dirt and we could never get an answer to the questions of what was the excavation and removed dirt for? This was a major red flag.)*

Usually the ground adjacent to a wetland, beyond the boundary is greener most of the year compared to the land just beyond. This is the plume that is saturated with wetland water. Based on a variety of conditions this underground water stays most of the year to keep the plant life moist and alive. Have you ever wondered why some stands of trees, bushes, flora are green all year and yet no one waters them? And in our area we do not have much rain during the summer months. It is these underground pockets of water that keep much of the flora alive. In our area we have an exceptionally good amount of rock that is tight together and after years and years of silty soils running over them the pores fill up and they hold water. Medical Lake, West Medical Lake, Silver Lake, Clear Lake and the countless small lakes and ponds surrounding these lakes (with no inlets nor outlets) and our city come to mind. Mother Nature has created these bodies of water for a purpose. They help water the flora and fauna and moderate our local temperatures. Wetlands are an essential part of our eco system and should not be disturbed. Once we allow out of town developers to build on our wetlands then the word gets out and everybody wants to buy swamp land in Medical Lake and build on our precious wetlands, destroying the home of countless wildlife, beneficial insects and others that call them home. And like Ansel Adams said once they are gone they are gone and you can't get them back.

**Scott Holbrook, retired architect** / 424 W Brooks Rd, Medical Lake / 509-842-8698 / earthsun51@gmail.com

## Public Hearing Comments to Draft Critical Areas Ordinance (CAO)

*(Please have these comments (1 page in total), Dated September 22, 2022 included with the Planning Commission Minutes for today's public hearing.)*

Dear City Officials and Planning Commission Members,

I understand that there could be a vote on the proposed draft critical areas ordinance today. I have previously submitted detailed comments to that draft. As near as I can tell, those comments have not been addressed. For example, my comments identify typos in the draft ordinance that have not yet been corrected. In addition, my comments propose a variety of reasonable changes to the draft that will improve citizen involvement, clarify ambiguities and help ensure that future development applications leave a suitable written record to citizens to review. I renew my comments and urge you to take the necessary time to revise this draft ordinance to make it as good as it can possibly be.

In addition, in the time since your last meeting, I have identified more governmental guidance that I believe will be helpful in evaluating and revising the draft ordinance. That guidance is: Critical Areas Handbook: A Handbook for Reviewing Critical Areas Regulations published by the Department of Commerce, 2018. <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/critical-areas/>

I found the following passages to be particularly relevant to my previous comments:

“A well-documented record should support local governments’ decision-making, including the facts relied upon, the analysis used, and the conclusions reached. The record should include a description of the review that was conducted, and the rationale for that review. Once adopted, the critical areas regulations should contain a “**Findings of Fact**” or other statement that documents this process...” (Chapter 1, page 5 from Dept of Commerce Critical Areas Handbook dated June 2018)

“While development regulations typically apply to new construction activities, the code language for critical areas needs to be broad enough that it protects critical areas from all development activities, including those that do not involve new structures, **such as roads.**” (Chapter 3, page 2 from Dept of Commerce Critical Areas Handbook dated June 2018)

Finally, I want to direct the commission’s attention to state regulations governing critical areas ordinances: WAC 365-190 is titled “minimum guidelines to classify agriculture, forest, mineral lands and critical areas.” <https://app.leg.wa.gov/wac/default.aspx?cite=365-190&full=true>

WAC 365-190-090(2) requires this commission to consider up-to-date guidance from governmental agencies.

I am extremely grateful for your time, attention, and service throughout this important process.

Tammy Roberson, 424 W Brooks Rd, Medical Lake (tmroberson61@gmail.com)

# Talking Paper for Planning Commission Public Hearing on 22 Sep 2022

Dear City Officials, Planning Commission Members, and Residents.

I understand that there could be a vote on the proposed draft critical areas ordinance today. I have previously submitted detailed comments to that draft.

As near as I can tell, those comments have not been addressed. For example, my comments identify typos in the draft ordinance that have not yet been corrected. In addition, my comments propose a variety of reasonable changes to the draft that will improve citizen involvement, clarify ambiguities and help ensure that future development applications leave a suitable written record to citizens to review.

I renew my comments and urge you to take the necessary time to revise this draft ordinance to make it as good as it can possibly be.

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Finally, I want to direct the commission’s attention to state regulations governing critical areas ordinances: WAC 365-190 is titled “minimum guidelines to classify agriculture, forest, mineral lands and critical areas.”

WAC 365-190-090(2) requires this commission to consider up-to-date guidance from governmental agencies.

Thank you for your patience, time, and assistance in helping to preserve our City wetlands.

Tammy M. Roberson,  
Concerned City of ML Resident  
424 W Brooks Rd, Medical Lake

The wetland issue in our city is nothing new. Unfortunately in the past it was treated without much importance, even though our ecosystems and health of our environment; city and our citizens depend on it.

As a citizen since 2000 and witnessing City politics for 20 years, it has been a hard watch. After being extremely involved in the N Stanley situation and knowing that the environment and life that relied on that environment was literally kicked to the curb, rules bent and actions which were taken during a time when no such actions should have been allowed. The only reason that one blew up was because people were afraid the apartments would bring in sexual predators and other crime. And now?????

Moving and pushing boundaries, workers washing off their boots in the middle of the wetland, and just a non caring attitude/behaviors of the importance to our environment. Now construction workers are parking on the edge of the existing land.

It's too late for the wetland on N Stanley and for the wetlands behind / around the elementary school which got pushed through it is my understanding that there is a proposed subdivision near/behind the maintenance shop. I am pleading that the city take the reigns back and do what is in the best interest of the environment, not development. The other wetlands and its inhabitants suffered dearly from selfish developer money desires and a city not standing up for the environment that makes our town unique.

It is my hope that the planning commission, the city officials and the developers get beyond the greed and money and think about the generations to come and how these current and future projects are handled and the wetlands, wildlife and other environmental factors are not ignored and literally overlooked for the mighty dollar. I was aware of another wetland not too far away that was literally moved from Spokane County to Stevens County near Loon Lake. How does that benefit the occupants that called that area and every wet land we destroy or figuratively move help anything? Over 50 miles away.

Finally being able to access the Zoom meetings recently, I felt that no one really cared about our wetlands and the effects on the aquifer and our diverse, fragile environment. Let's do it right going forward. If not now, when? If not your educated direction and voice, who? Before it's too late.

Tammy's background, experience, and knowledge is a God send and saves you a ton of work. What I witnessed on the zoom call, didn't appear that the planning commission would rather just move to the next agenda item. Her knowledge and input is free consulting services, please don't pass it up. And please plan for long term, not today, not a couple years. The situation on North Stanley St is unforgivable.

Thank you.

Barb Baumann

1009 N Stanley Street Medical Lake, WA 99022